

Before the Manawatū-Whanganui Regional Council Hearings Panel

Under the Resource Management Act 1991 (the Act)

In the matter of Proposed Plan Change 3 to the Manawatū-Whanganui
One Plan – Urban Development

Between **Manawatū-Whanganui Regional Council**
Local authority

And **Transpower New Zealand Limited**
Submitter S1

**Statement of evidence of Pauline Mary Whitney for Transpower New
Zealand Limited**

Dated 20 December 2023

1 Executive Summary

1.1. Transpower New Zealand Limited (“**Transpower**”) owns and operates the National Grid, which transmits electricity throughout New Zealand from energy generation sources to distribution networks and direct-connect customers. Transpower has a variety of assets within the Manawatu-Whanganui Region.

1.2. The purpose of Proposed Plan Change 3 is to implement and support the National Policy Statement on Urban Development 2020 (“**NPS-UD**”). Within this context, Transpower lodged five confined submission points (all original points) the main purpose of which was to appropriately recognise and give effect to the National Policy Statement on Electricity Transmission 2008 (“**NPSET**”). A summary of the relief sought is as follows:

- Amendment to Objective UFD-O3 seeking reference to the effects on nationally significant infrastructure (“**NSI**”)¹
- Amendments to Policy UFD-P4(1)(f)² and UFD-P4(2)(e)³ seeking the operation, maintenance, and upgrade of NSI not be compromised
- Amendment to Policy UFD-P6(1)(f) seeking to remove the reference to “as far as reasonably practicable” from the requirement for urban development to avoid adverse effects on infrastructure⁴
- A new definition of Nationally Significant Infrastructure based on that provided in the NPS-UD⁵.

1.3. The submission points relating to Policies UFD-P4 and P6, and the definition of NSI, have all been satisfactorily addressed in the S42A Report with the only outstanding submission point relating to UFD-O3. In my opinion the S42A recommended clause (1)(f) within objective UFD-O3 does not give effect to the NPSET and is not sufficiently directive. To rectify this, I would support the following amendment to the objective as follows (shown as **red** text). Amendments recommended in the S42A report are shown as **blue** text:

UFD-O3: Urban form and function

¹ Submission point S1.1

² Submission point S1.2

³ Submission point S1.3

⁴ Submission point S1.4

⁵ Submission point S1.5

The intensification and expansion of urban environments:*

(1) contributes to well-functioning urban environments that*

(a) enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,

(b) increase housing capacity and housing choice,

(c) achieve a quality, sustainable and compact urban form that relates well to its surrounding environment,

(d) are well connected by a choice of transport modes including public transport, ~~and~~*

(e) manage adverse environmental effects, and*

(f) manage effects (including reverse sensitivity effects) on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance, to ensure the infrastructure is not compromised.

(2) enable more people to live in, and more businesses and community services to be located in, areas of an urban environment* where:*

.....

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2. Qualifications and Experience

- 2.1. My full name is Pauline Mary Whitney.
- 2.2. I am a Senior Planner and Senior Principal of Boffa Miskell Ltd, a national firm of consulting planners, ecologists and landscape architects. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons). I am a Full Member of the New Zealand Planning Institute and have over 26 years' experience as a resource management planner.
- 2.3. I have been a planning consultant based in Wellington for the past 21 years, providing consultancy services for a wide range of clients around New Zealand, including local authorities, land developers, and the infrastructure and energy sectors. Prior to that I was employed with local authorities in New Zealand and the United Kingdom for 5 years. My experience includes:
 - a. Work on the preparation of plan changes for councils and private clients and review of numerous regional policy statements, regional plans and district plans on their behalf; and
 - b. Preparing resource consent applications and notices of requirement for a wide range of development and infrastructure projects.
- 2.4. Specific to Transpower New Zealand Limited ("**Transpower**"), I have been involved with preparing submissions / hearing evidence on numerous planning documents (including district plans, regional plans, regional policy statements and plan changes) over the past 11 years.
- 2.5. My evidence is given in support of Transpower's submission on the Manawatū-Whanganui Regional Council ("**Horizons**") Proposed Plan Change 3 to the Manawatū-Whanganui One Plan – Urban Development ("**PC3**").
- 2.6. In this matter, Boffa Miskell Ltd was engaged by Transpower to provide planning expertise through the submission process, as well as to prepare this evidence on PC3. I also attended the council initiated pre hearing meeting on 21 August, as an independent planning expert for Transpower.
- 2.7. I have read the Code of Conduct for Expert Witnesses contained in Section 9 of the Environment Court Consolidated Practice Note (2023), and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed

in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2.8. My evidence covers the five submission points submission points lodged by Transpower to PC3.

3. Scope of Evidence

3.1. The purpose of PC3 is to implement and support the National Policy Statement on Urban Development 2020 (“**NPS-UD**”). Within this context, Transpower lodged five confined submission points specific to PC3 (all original points) the main purpose of which was to appropriately recognise and give effect to the National Policy Statement on Electricity Transmission 2008 (“**NPSET**”). A summary of the relief sought is as follows:

- Amendment to Objective UFD-O3 seeking reference to the effects on nationally significant infrastructure (“**NSI**”)⁶
- Amendment to Policy UFD-P4(1)(f)⁷ and UFD-P4(2)(e)⁸ seeking the operation, maintenance, and upgrade of NSI not be compromised
- Amendment to Policy UFD-P6(1)(f) seeking to remove the reference to “as far as reasonably practicable” from the requirement for urban development to avoid adverse effects on infrastructure⁹
- A new definition of Nationally Significant Infrastructure based on that provided in the NPS-UD¹⁰.

3.2. The submission points relating to Policies P4 and P6, and the definition of NSI, have all been addressed in the S42A Report with the only outstanding submission point relating to UFD-O3. As such, UFD-O3 is the focus of this evidence.

4. Transpower assets within the Manawatū-Whanganui region

4.1. Transpower’s assets across the Manawatū-Whanganui region are numerous and include substations, communications sites, transmission lines and support structures (including the related telecommunications system). The transmission lines

⁶ Submission point S1.1

⁷ Submission point S1.2

⁸ Submission point S1.3

⁹ Submission point S1.4

¹⁰ Submission point S1.5

compromise 220kv and 110kv transmission lines on towers and poles. Specific details on the assets are contained in the submission to PC3.

- 4.2. Attached as **Appendix A** to this evidence is a map of the assets within the region.
- 4.3. Of the four urban environments identified in PC3 (being Feilding, Palmerston North, Levin and Whanganui) existing transmission lines only cross existing residential zoned land within Whanganui (noting Bunnythorpe is not considered an urban environment).

5. National Direction under the RMA

National Policy Statements

- 5.1. National policy statements are at the top of the hierarchy of planning instruments under the Resource Management Act 1991 (“**RMA**”). Of particular relevance to the PC3 and Transpower’s submission is the NPSET and NPS-UD. Addressing the interface between these various policy statements and how they are read together is a key aspect of the relief sought by Transpower.
- 5.2. I note the NPS’s neither stipulate nor provide direction on their relationship or standing relative to one another. This presents councils with an interpretive and administrative challenge, particularly where effect needs to be given to multiple NPS’s. In my experience to date the relationship between the directives contained within the various NPS’s needs to be carefully assessed and a plan related policy framework developed that addresses obvious tensions between policy statements that need to be given effect to. Key to this is understanding the intent that underlies conflicting or competing directives and developing a tailored policy response to help guide decision makers to reconcile identifiable differences.

The National Policy Statement on Electricity Transmission 2008

- 5.3. The NPSET was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the RMA duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the National Grid. The NPSET only applies to the National Grid – the assets used, operated or owned by Transpower – and not to electricity generation or distribution networks. A copy of the NPSET is attached as **Appendix B**.

5.4. The one objective of the NPSET is as follows:

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

*Managing the adverse environmental effects of the network; and
Managing the adverse effects of other activities on the network.*

5.5. The NPSET's Objective is implemented by fourteen policies. The policies must be applied by both Transpower and decision-makers under the RMA, as relevant. In a general sense these policies address the following:

- Policy 1: Recognising the benefits of the National Grid;
- Policy 2: Recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid;
- Policies 3 to 5: Weighing the management of environmental effects against the operational constraints, site/route selection approach, and the requirements of existing assets;
- Policies 6 to 8: Reducing, minimising and avoiding adverse effects in differing contexts;
- Policy 9: Potential health effects;
- Policies 10 and 11: Managing adverse effects on the National Grid and providing for "buffer corridors";
- Policy 12: Mapping the National Grid; and
- Policies 13 and 14: Long-term development and planning for transmission assets.

5.6. Section 62(3) of the RMA requires that a regional policy statement must 'give effect' to a National Policy Statement. Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it.

5.7. It is therefore a requirement that regional policy reflects national direction and that the regional policy is effective in helping support the integrated management of natural and physical resources across the region as a whole.

National Policy Statement on Urban Development 2020 (updated 2022)

- 5.8. The NPS-UD identifies Horizons Regional Council as a Tier 2 Local Authority, with obligations on Council to provide sufficient development capacity.
- 5.9. In terms of the relationship between the NPS-UD and the NPSET, consideration needs to be given to the explicit wording within the two NPS's. While the NPS-UD provides clear 'enabling' policy directives relating to intensification, in my opinion the NPSET provides a specific and directive policy framework with regard to the National Grid. In particular, Policy 11 requires a buffer corridor to be established within which sensitive activities will 'generally not be provided for', while Policy 10 requires activities to be managed to avoid reverse sensitivity, or direct effects that could compromise the National Grid network.

6. Relevance of PC3 to Transpower

- 6.1. The purpose of PC3 is to implement and support the NPS-UD in providing objectives and policies for the provision of sufficient development capacity to meet the expected demand for housing and business land, and for the planning of well-functioning urban environments. I acknowledge that while existing National Grid assets only traverse residential areas within Whanganui, PC3 also relates to urban growth and expansion (in addition to development and intensification) and therefore has wider relevance to existing National Grid assets beyond that of existing zoned urban areas.
- 6.2. Within this context of enabling urban development, it is important that the operation, and maintenance and upgrade of the National Grid is not compromised, thereby reconciling the national policy direction of both instruments.
- 6.3. Policies 10 and 11 of the NPSET set out clear directives concerning management of adverse effects of subdivision, land use and development activities on the transmission network, including informing how adverse effects on the National Grid are to be managed through planning provisions. These, in turn, are crucial matters that need to be given effect to in policies and plans, and of particular relevance to PC3 given the intensification directives under the NPS-UD.
- 6.4. Policy 10 is as follows:

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity

transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

6.5. Policy 11 relates to the development of buffer corridors, and is as follows:

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

6.6. Given the above statutory and policy framework, it is important given its national and regional significance, that the management of the National Grid is properly addressed in the Regional Policy Statement, particularly in context of the effects of urban development on the National Grid.

7. Response to the Section 42A Report Recommendations

7.1. As outlined in paragraph 3.1 Transpower lodged five submission points to PC3.

7.2. I have read the S42A report and support the officer recommended amendments to UFD-P4, P6 and for the inclusion of a definition of “nationally significant infrastructure”. The one outstanding submission point relates to the sought amendment to objective UFD-O3 and the officer recommendation.

7.3. Attached as **Appendix C** is a summary table of the five Transpower submission points and whether the s42A Report recommendations are accepted, supported or opposed.

Outstanding submission point - UFD-O3

7.4. In its submission Transpower sought amendment to objective UFD-O3 as follows (refer underline / strikethrough text):

UFD-O3: Urban form and function

The intensification and expansion of urban environments:*

(1) contributes to well-functioning urban environments that*

(a) enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,

(b) increase housing capacity and housing choice,

(c) achieve a quality, sustainable and compact urban form that relates well to its surrounding environment,

(d) are well connected by a choice of transport modes including public transport, ~~and~~*

(e) manage adverse environmental effects, and*

(f) manages the effects on nationally significant infrastructure.*

(2) enable more people to live in, and more businesses and community services to be located in, areas of an urban environment* where:*

.....

7.5. The S42A report has accepted the relief sought in part, with an amendment proposed in the form of a new clause f. as follows:

(f) manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance.

7.6. While I support the recommendation in part, I have concerns with confining the effects solely to 'reverse sensitivity' as this does not give consideration to other effects and therefore does not give effect to the two components of Policy 10 being to:

- manage activities to **avoid reverse sensitivity effects** on the electricity transmission network and
- to ensure that operation, maintenance, upgrading, and development of the network **is not compromised**.

7.7. The two components of Policy 10 address different issues. Although not defined in the One Plan, reverse sensitivity is defined in the Manawatū District Plan as:

REVERSE SENSITIVITY means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment of other activities, which are sensitive to the adverse environmental effects being generated by the pre-existing activity.

7.8. Specific to the National Grid, reverse sensitivity effects could occur when people undertake activities close to an existing line or structure. For example, National Grid lines can cause noise (especially in damp weather), reduced visual amenity, radio and television interference, perceived effects of electric and magnetic fields from the lines, and interference with landowners' business activities beneath the lines. These effects can lead to neighbouring landowners/occupiers wanting to constrain operation or alter the existing lines. Reverse sensitivity effects can occur from third party residential uses, also other uses such as commercial and healthcare activities. Landowner

complaints can ultimately lead to constraints on the operation, maintenance and upgrade of existing National Grid assets.

7.9. Reverse sensitivity effects are different to effects that may compromise the Grid. There are many ways in which the Grid can be compromised. For example, buildings and other land use activities that are too close to a transmission line and support structures can affect the stability of that line and contribute to electricity outages. The presence of these structures and activities can also increase the need for, and thereby the risk associated with, mobile plant (such as cranes) and other equipment. Transpower therefore seeks to ensure that safe distances are maintained so the risk of coming into contact with the lines is minimised. Furthermore, a relatively clear area is needed for line workers to gain access to transmission lines and structures in order to conduct operational maintenance on high voltage equipment, sometimes at great heights. The National Grid corridors also limit the need for costly workarounds (for example, bypass lines), when maintaining and operating the Grid. In addition, corridors can also preserve the ability to undertake upgrades in the future, rather than potentially having to construct a new asset. Electricity transported at high voltages can cause serious, or even fatal, injuries to people who come in close contact with the lines. Corridor management is therefore of paramount importance as it provides for the wellbeing, health and safety of people. By ensuring the Grid is not compromised, Transpower can ensure reliable and secure electricity supply.

7.10. I also note that as drafted, the objective is inconsistent with recommended policy directive with UFD-P4 which directs that the nationally significant infrastructure is not compromised. While UFD-P4 (2)(d)¹¹ refers to reverse sensitivity effects which is consistent with the objective, it is not clear why the related objective UFD-O3 does not also address 'compromise'.

7.11. Based on the above, in my opinion the S42A recommended clause (1)(f) within objective UFD-O3 does not give effect to the NPSET and is not sufficiently directive. To rectify this, I would support the following amendment to the objective as follows (shown as red text). Amendments recommended in the S42A report are shown as blue text:

UFD-O3: Urban form and function

The intensification and expansion of urban environments:*

¹¹ (d) manages adverse reverse sensitivity effects* on land with existing incompatible activities, including38 adjacent to the urban environment* boundary., and

(1) *contributes to well-functioning urban environments* that*

(a) *enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,*

(b) *increase housing capacity and housing choice,*

(c) *achieve a quality, sustainable and compact urban form that relates well to its surrounding environment,*

(d) *are well connected by a choice of transport modes including public transport*,*
and

(e) *manage adverse environmental effects*,* and

(f) manage effects (including reverse sensitivity effects) on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance, to ensure the infrastructure is not compromised.

(2) *enable more people to live in, and more businesses and community services* to be located in, areas of an urban environment* where:*

.....

7.12. Should this not be agreeable to the Panel, I would support as an alternative, the wording sought in the Transpower submission (*manages the effects on nationally significant infrastructure*), noting it is not my primary preference given it is not as directive as that outlined above.

8. Conclusion

8.1. The National Grid is recognised as a matter of national significance through the NPSET, which seeks to ensure a nationally consistent approach to managing this important physical resource.

8.2. Transpower lodged a very confined submission to PC3. Of the five submission points, four have been addressed through the S42A report. The only outstanding matter relates to Objective UFD-O3(1)(f) with amendment sought through this evidence to give effect to NPSET Policy 10.

8.3. In my opinion the above outstanding matter can be readily addressed.

Pauline Mary Whitney

20 December 2023

Appendix A

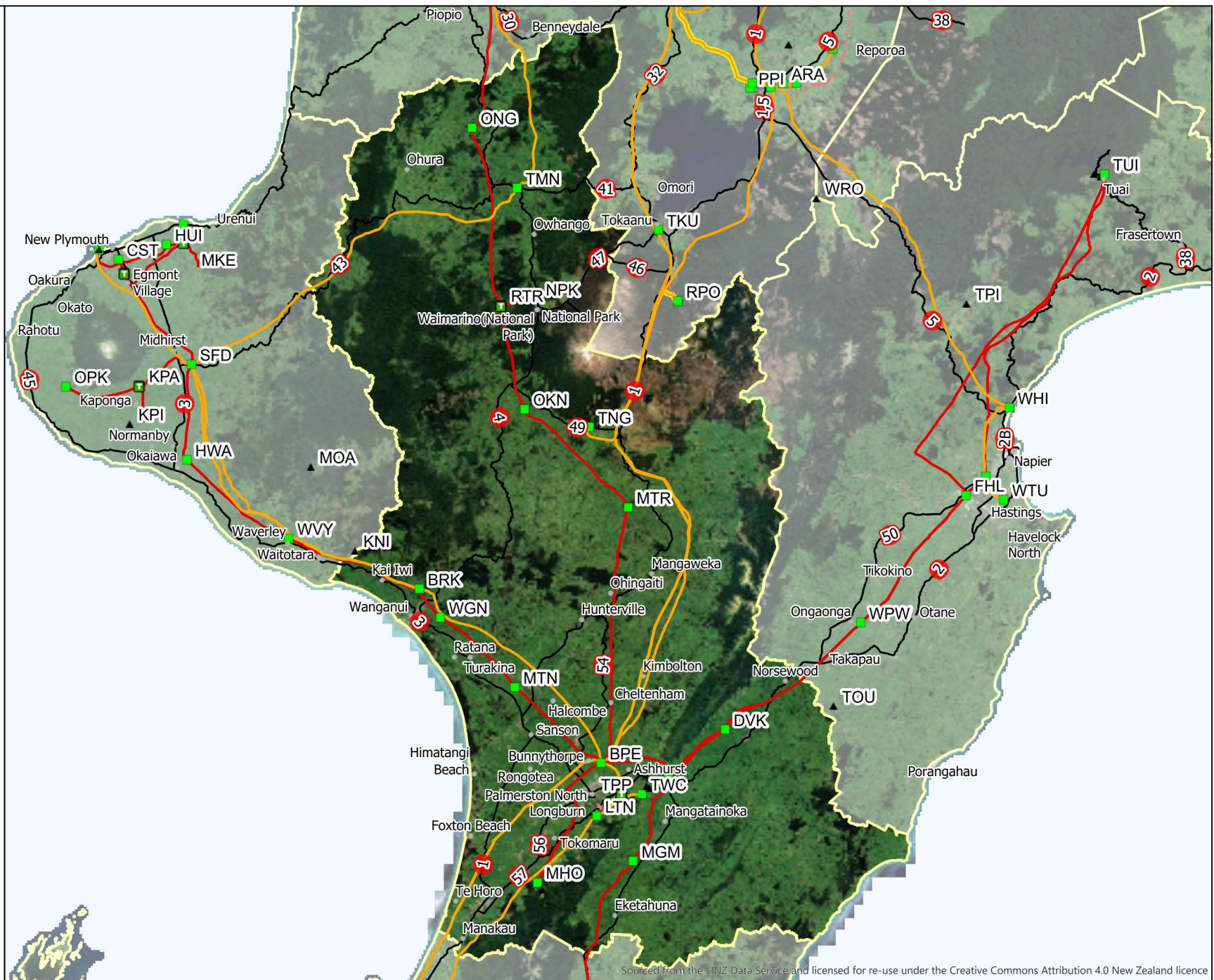
Transpower assets within the Manawatu Wanganui Region

Transpower Assets

Manawatu-Wanganui Region

Legend

- Region
- Boundary
- NZ Roads
- Highways
- Transpower Assets
- Cable Protection Zone
- Overhead Fibre Cable
- Underground Fibre Cables
- Site
- ACSTN
- COMMS
- HVDC
- TEE
- Transmission Line
- 0kV Overhead
- 11, 66kV Underground
- 11, 33, 66 kV Overhead
- 110kV Underground
- 110 kV Overhead
- 220kV Underground
- 220 kV Overhead
- 350 kV Overhead
- 350kV Submarine
- 400kV Overhead



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Projection: NZTM 2000 Scale: 1:1,016,000 Plan Size: A3L



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Appendix B

National Policy Statement on Electricity Transmission 2008

NATIONAL POLICY STATEMENT

on Electricity Transmission

Issued by notice in the Gazette on 13 March 2008

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Preamble

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Electricity transmission has special characteristics that create challenges for its management under the Act. These include:

- Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations.
- These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.
- The transmission network is an extensive and linear system which makes it important that there are consistent policy and regulatory approaches by local authorities.
- Technical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.
- The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development.
- The adverse environmental effects of the transmission network are often local – while the benefits may be in a different locality and/or extend beyond the local to the regional and national – making it important that those exercising powers and functions under the Act balance local, regional and national environmental effects (positive and negative).
- Ongoing investment in the transmission network and significant upgrades are expected to be required to meet the demand for electricity and to meet the Government’s objective for a renewable energy future, therefore strategic planning to provide for transmission infrastructure is required.

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

However, the national policy statement is not meant to be a substitute for, or prevail over, the Act’s statutory purpose or the statutory tests already in existence. Further, the national policy statement is subject to Part 2 of the Act.

For decision-makers under the Act, the national policy statement is intended to be a relevant consideration to be weighed along with other considerations in achieving the sustainable management purpose of the Act.

This preamble may assist the interpretation of the national policy statement, where this is needed to resolve uncertainty.

1. Title

This national policy statement is the National Policy Statement on Electricity Transmission 2008.

2. Commencement

This national policy statement comes into force on the 28th day after the date on which it is notified in the *Gazette*.

3. Interpretation

In this national policy statement, unless the context otherwise requires:

Act means the Resource Management Act 1991.

Decision-makers means all persons exercising functions and powers under the Act.

Electricity transmission network, electricity transmission and transmission activities/assets/infrastructure/resources/system all mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

National environmental standard means a standard prescribed by regulations made under the Act.

National grid means the assets used or owned by Transpower NZ Limited.

Sensitive activities includes schools, residential buildings and hospitals.

4. Matter of national significance

The matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network.

5. Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

6. Recognition of the national benefits of transmission

POLICY 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or
- ii) efficient transfer of energy through a reduction of transmission losses; or
- iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or
- iv) enhanced supply of electricity through the removal of points of congestion.

The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.

7. Managing the environmental effects of transmission

POLICY 2

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

POLICY 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

POLICY 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

POLICY 5

When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

POLICY 6

Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

POLICY 7

Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

POLICY 8

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

POLICY 9

Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ionising Radiation Protection *Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz)* (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph *Environment Health Criteria* (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards.

8. Managing the adverse effects of third parties on the transmission network

POLICY 10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

POLICY 11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

9. Maps

POLICY 12

Territorial authorities must identify the electricity transmission network on their relevant planning maps whether or not the network is designated.

10. Long-term strategic planning for transmission assets

POLICY 13

Decision-makers must recognise that the designation process can facilitate long-term planning for the development, operation and maintenance of electricity transmission infrastructure.

POLICY 14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

Explanatory note

This note is not part of the national policy statement but is intended to indicate its general effect

This national policy statement comes into force 28 days after the date of its notification in the *Gazette*. It provides that electricity transmission is a matter of national significance under the Resource Management Act 1991 and prescribes an objective and policies to guide the making of resource management decisions.

The national policy statement requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 by initiating a plan change or review within four years of its approval.

Appendix C

Transpower New Zealand Limited – Response to PPC3 Section 42A Report recommendations - Urban Development

Sub No / Point No	Provision	Position/ Reasons/Summary of Submission	Decisions Requested	S42A response	Transpower's response to S42A recommendation
<p>S1.1 Transpower NZ Ltd</p> <p>(Supported in part by NZDF FS1.1) and NZDF S15.2)</p>	UFD-O3	<p>Transpower supports the intent of Objective 3 in terms of the intensification and expansion of urban environments subject to the management of adverse environmental effects. While the objective is supported, in order to give effect to NPSET policies 10 and 11, an amendment is sought to the objective to specifically reference effects on nationally significant infrastructure (as defined in the NPS-UD 2020). Such recognition would align and reconcile the national policy direction relating to urban development and electricity transmission and provide a clear policy signal to district plan.</p> <p>As an alternative to reference to the effects on nationally significant infrastructure, Transpower would support the reference be confined to the National Grid.</p>	<p>Amend UFD-O3(1) to include:</p> <p><i>UFD-O3: Urban form and function</i></p> <p><i>The intensification and expansion of urban environments*:</i></p> <p><i>(1) contributes to well-functioning urban environments* that</i></p> <p>.....</p> <p><i>(f) manages the effects on nationally significant infrastructure.</i></p>	<p>Accept in part</p> <p>I recommend reference to infrastructure of regional and national importance be included in clause (f) to link back to Policies 3-1 and 3-2 of the One Plan as requested in FS1.1 by NZDF.</p> <p>I recommend rewording UFD-O3 as follows:</p> <p><i>The intensification and expansion of urban environments*:</i></p> <p><i>(1) contributes to well-functioning urban environments* that</i></p> <p><i>e) manage adverse environmental effects*, and</i></p> <p><i>(f) manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure or infrastructure of regional or national importance.</i></p>	<p>Oppose in part the recommendation.</p> <p>While parts of the recommendation are supported, confining the effects to 'reverse sensitivity' does not give consideration to other effects and does not give effect to policies 10 and 11 of the NPSET.</p>
<p>S1.2 and S1.3 Transpower NZ Ltd</p> <p>(supported in part by NZDF FS1.2)</p>	UFD-P4	<p>Policy 4 of PPC3 relates to urban intensification and expansion and is very directive in wording. Clause 1 of the policy relates to intensification and expansion, clause 2 is specific to expansion, clause 3 is specific to intensification and clause 4 relates to public transport.</p> <p>Transpower supports the intent of the policy but seeks amendment to provide consideration of the effects of intensification and expansion on the National Grid. Policies</p>	<p>Amend UFD-P4(1) to include:</p> <p><i>UFD-P4: Urban intensification and expansion</i></p> <p><i>(1) Intensification and expansion of urban environments* is provided for and enabled in district plans^ where:</i></p> <p>....</p>	<p>S1.2 Accept</p> <p>I recommend the wording of UFD-P4 be amended as requested and agreed through pre-hearing.</p>	<p>Support the recommendations.</p> <p>The wording gives effect to the relief sought in the Transpower submission</p>

Sub No / Point No	Provision	Position/ Reasons/Summary of Submission	Decisions Requested	S42A response	Transpower's response to S42A recommendation
		<p>10 and 11 of the NPSET have a very clear and directive policy requirement to avoid reverse sensitivity effects and ensure the National Grid is not compromised. Policy UFD-P4 as notified does not provide the policy recognition or give effect to the NPSET. An amendment to the proposed policy would also reconcile operative policy 3-2 of the RPS relating to adverse effects of other activities on infrastructure.</p> <p>The sought amendment is to clause 1 as the clause relates to both intensification and expansion.</p> <p>As an alternative to reference to the effects on nationally significant infrastructure, Transpower would support the reference be confined to the National Grid.</p>	<p><i>(f) the operation, maintenance, and upgrade of nationally significant infrastructure* is not compromised.</i></p> <p>Amend UFD-P4(2) to include:</p> <p><i>(2) In addition to meeting the criteria in (1) above, the expansion of urban environments* must only occur where it:</i></p> <p>.....</p> <p><i>(e) ensures the operation, maintenance, and upgrade of nationally significant infrastructure* is not compromised.</i></p>	<p>S1.3 Accept</p> <p>Wording added as requested with a slight change to order for better reading as follows</p> <p><i>(2) in addition to meeting the criteria in (1) above, the expansion of urban environments* must only occur where it:</i></p> <p>....</p> <p><i>(e) does not compromise the operation, maintenance and upgrade of nationally significant infrastructure*.</i></p>	
<p>S1 .4 Transpower NZ Ltd (supported in part by NZDF FS1.3)</p>	<p>UFD-P6</p>	<p>Proposed policy UFD-P6 relates to development capacity and is supported in principle. Clause 1(f) of the policy relates to effect on infrastructure as a criterion for unanticipated or out of sequence development. While Transpower supports the effects on infrastructure as a criterion, it has concerns the reference in the criterion to “as far as reasonably practicable” does not give effect to the NPSET and is not sufficiently directive to ensure the operation, maintenance and upgrade of the National Grid is not compromised and adverse effects will not result.</p> <p>Transpower seeks amendment to the policy to give effect to the NPSET. This could be achieved by either inclusion of a comma so that the exclusion “as far as reasonably practicable” is confined to “other physical resources of</p>	<p>Amend UFD-P6(1)(f) as follows:</p> <p><i>UFD-P6: Significant development capacity* criteria</i></p> <p><i>(1) Unanticipated or out of sequence development will add significantly to development capacity* where:</i></p> <p>.....</p> <p><i>(f) the development avoids adverse effects* on infrastructure^, and other physical resources of regional or national importance as far as reasonably practicable.</i></p> <p>Or</p> <p><i>(f) the development avoids adverse effects* on infrastructure^ and other</i></p>	<p>Accept</p> <p>Removal of the wording as far as reasonably practicable ensures, alignment with the NPS-ET. I recommend UFD-P6(f) be amended as requested and agreed through pre-hearing as follows.</p> <p><i>(1) Unanticipated or out of sequence development will add significantly to development capacity* where:</i></p> <p><i>(a) the location, design and layout of the development will contribute to a well-functioning urban environment*</i></p> <p>.....</p>	<p>Support the recommendation.</p> <p>The wording gives effect to the relief sought in the Transpower submission</p>

Sub No / Point No	Provision	Position/ Reasons/Summary of Submission	Decisions Requested	S42A response	Transpower's response to S42A recommendation
		regional or national importance" and not applied to infrastructure, or the exclusion be removed.	<i>physical resources of regional or national importance as far as reasonably practicable</i>	<i>(f) the development avoids adverse effects* on infrastructure^ and other physical resources of regional or national importance as far as reasonably practicable</i>	
S1.5 Transpower NZ Ltd (Opposed by NZDF FS1.4)	Definition	In order to support the sought amendments to UFD-O3 and UFD-P4 Transpower seeks the inclusion of a definition of "nationally significant infrastructure" as provided in the NPSUD.	Include the NPS UD definition of "nationally significant infrastructure". <i>Nationally significant infrastructure has the same meaning as in clause 1.4 of the National Policy Statement on Urban Development 2020 (as set out below):</i> <i>(a) State highways</i> <i>(b) the national grid electricity transmission network</i> <i>(c)</i>	Accept I recommend the NPS-UD definition for nationally significant infrastructure be added as requested, for the reasons outlined in paragraphs 85-87 of my s42A report. In my view the NPS-UD definition for nationally significant infrastructure is broader than the list of infrastructure considered nationally and regionally important under Policy 3-1 of the One Plan. When it comes to nationally significant infrastructure, the NPS-UD definition is more complete. It is also my opinion that including the NPS-UD definition for nationally significant infrastructure will not conflict or frustrate Policy 3-1 which provides a list of regionally and nationally important infrastructure.	Support the insertion of a definition to reflect that provided in the NPS-UD. The provision of a definition will assist with plan interpretation in that it provides clarity for plan users. I acknowledge Policy 3-1 identifies 'infrastructure and other physical resources of regional or national importance' and that this list differs from the sought definition of NSI. However, I do not consider there to be any conflict, confusion or inconsistency given: <ul style="list-style-type: none"> - The discrete objective/policies in which each infrastructure reference is used and applied. - The terms and definitions are distinct.

BEFORE THE INDEPENDENT HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991
("RMA")

AND

IN THE MATTER a submission by KiwiRail Holdings
Limited (submitter #4) on Proposed
Change 3 ("PC3") to the Horizons
Regional Council One Plan ("**One
Plan**")

STATEMENT OF EVIDENCE OF PAM BUTLER ON BEHALF OF KIWIRAIL HOLDINGS LIMITED

PLANNING

1. INTRODUCTION

- 1.1 My name is Pam Butler and I am a Senior RMA Advisor at KiwiRail Holdings Limited ("**KiwiRail**"). I have over 40 years of RMA and planning experience. I have been employed in delivering railway projects in both New Zealand and the United Kingdom for the past 15 years. Before that, I was employed as the Auckland Regional Planner at the Ministry of Education for 9 years. These roles included a mix of policy and project delivery work. I hold a Bachelor of Arts and a Diploma in Town Planning. I am a full member of the New Zealand Planning Institute.
- 1.2 This statement has been prepared on behalf of KiwiRail and relates to the matters which KiwiRail submitted on that are contained in PC3.

2. ROLE IN GIVING EVIDENCE

- 2.1 While I acknowledge that I am an employee of KiwiRail, I have read and am familiar with the Code of Conduct for Expert Witnesses in the current Environment Court Practice Note (2023). I have complied with it in the

preparation of this statement of evidence. I also confirm that the matters addressed in this statement are within my area of expertise, except where I rely on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express. I provide this evidence to assist the Hearings Panel on matters within my knowledge or experience, as well as to confirm to it the views of KiwiRail as an organisation.

3. KIWIRAIL IN THE MANAWATU-WHANGANUI REGION

3.1 KiwiRail is a State-Owned Enterprise responsible for the management and operation of the national railway network. The rail network is an asset of national and regional importance. Rail is fundamental to the safe and efficient movement of people and goods throughout New Zealand. There continues to be ongoing critical investment in the maintenance and expansion of the rail network to meet future growth demands and improve transport network efficiency.

3.2 The designated corridor of the North Island Main Trunk ("**NIMT**") passes through the Manawatu-Whanganui region. The NIMT is of national and regional importance as the main freight line from Wellington to Auckland, as well as providing connections to Taranaki and Hawke's Bay. The Palmerston North-Gisborne Line connecting the central North Island to the Port of Napier, and the Marton-New Plymouth Line connecting to Port Taranaki, also extend through the Manawatu-Whanganui region. KiwiRail has also recently secured a designation for a Regional Freight Hub between Palmerston North and Bunnythorpe.

3.3 Growth in the use of rail services is expected as part of the mode shift in freight moving off road and onto rail as part of New Zealand's goal to reduce emissions. KiwiRail seeks to protect its ability to operate, maintain and upgrade these railway lines into the future.

4. SCOPE OF EVIDENCE

4.1 I attended the PC3 pre-hearing meeting for Topic 1: Regionally and nationally significant infrastructure in August 2023, where I agreed to subsequent amendments to the following provisions on KiwiRail's behalf:

(a) UFD-I1;

(b) UFD-I3; and

(c) UFD-P4(2)(d).

4.2 UFD-I1 and UFD-P4(2)(d) which KiwiRail agreed in the pre-hearing meeting are not discussed further in this evidence. UFD-I3 relates to reverse sensitivity which is discussed at section 5 below.

4.3 KiwiRail also confirmed it would not pursue its submission point relating to UFD-P4(e).

4.4 KiwiRail generally supports the Council Officer's recommendations in the s42A Report in relation to its submission points. KiwiRail's submission points which the Council Officer has accepted or accepted in part are not discussed further in this evidence. In respect of the submissions that the Council Officer has recommended be rejected, KiwiRail has the following comments:

Submission number	One Plan provision	Comments on the Council Officer's recommendations
4.3	UFD-O1	KiwiRail sought to add new subclause (5) stating "land use conflicts are minimised as far as practicable, including avoiding the potential for reverse sensitivity effects", to carefully manage any effects at the interface of conflicting land uses. The Council Officer does not consider an additional clause is required in UFD-O1 because the protection of nationally significant infrastructure from reverse sensitivity is already addressed in UFD-O3. ¹
4.6	UFD-P1	KiwiRail sought to add new subclause (3) stating "ensure development avoids the potential for reverse sensitivity effects on the safe and efficient operation of transport corridors", to ensure development near transport

¹ Section 42A Report of Leana Shirley on behalf of Manawatu-Wanganui Regional Council dated 1 December 2023, p 18.

Submission number	One Plan provision	Comments on the Council Officer's recommendations
		corridors can co-exist. The Council Officer considers that provision for the operation, maintenance and upgrade of nationally significant infrastructure is already addressed in UFD-P4. ²
4.7	UFD-P2	KiwiRail sought to add new subclause (4) stating "the development avoids the potential for reverse sensitivity effects on the safe and efficient operation of infrastructure, including transport corridors", to expressly recognise reverse sensitivity effects when providing for out-of-sequence urban growth. The Council Officer considers reference to reverse sensitivity would be misaligned with the policy intent of UFD-P2, as the policy is about providing sufficient development capacity to accommodate demand in accordance with the National Policy Statement on Urban Development (" NPS-UD "). ³

4.5 Overall, KiwiRail accepts the Council Officer's position that reference to reverse sensitivity effects need not be duplicated across multiple objectives and policies in the One Plan and will not pursue this relief further.

5. FRAMING OF REVERSE SENSITIVITY PROVISIONS

5.1 KiwiRail is supportive of urban development. KiwiRail is a responsible infrastructure operator and has an ongoing programme of upgrade and maintenance work to improve track conditions over time, which helps to minimise potential noise and vibration. However, residual noise and vibration effects cannot be entirely internalised within the rail corridor and have the potential to cause ongoing disturbance and adverse health effects to communities surrounding the rail corridor. Planning instruments are clearly an

² Section 42A Report, p 20.

³ Section 42A Report, p 21.

appropriate tool to manage adverse effects of those activities on adjacent land users.

- 5.2 Trains are large, travel at speed, and within the Manawatu-Whanganui region are powered by diesel and electric locomotives. For diesel trains, rail noise is generated at two levels: track level and approximately 3.8m above the track (at engine exhaust). Vibration is caused by the movements of trains across the track and differs depending on a combination of track and ground conditions. As such, trains create noise and vibration effects both in and around the rail corridor.
- 5.3 KiwiRail's submission on PC3 seeks to manage the interface between urban development and critical infrastructure, such as the rail network. A continued concern for KiwiRail is the potential reverse sensitivity effects that new or intensified developments of sensitive land uses (eg dwellings) near the rail corridor will have on KiwiRail's operations. Reverse sensitivity is a well-recognised resource management concept which refers to the impact that locating new sensitive activities adjacent to existing lawfully established, effects-generating activities has on the ongoing operation of those existing activities.
- 5.4 Given the rail corridor intersects with cities and townships throughout the region, there is potential for reverse sensitivity effects to arise from the operation of the rail corridor. The One Plan must appropriately recognise, provide for, and appropriately address these issues so that the ongoing operation and efficiency of the rail network is not compromised by the effects of adjacent development in the future, and that new lineside neighbours are able to enjoy safe and high-quality urban environments.
- 5.5 The Council Officer has recommended the inclusion of reverse sensitivity provisions in the One Plan as follows:
- (a) **UFD-I3:** "[...] Growth in urban environments needs to be provided for in a way that contributes to well-functioning urban environments, is integrated with infrastructure planning and funding decisions, avoids the creation of reverse sensitivity effects on existing infrastructure of national significance, manages effects on the urban and natural environment, and improves resilience to the effects of climate change."
 - (b) **UFD-O3(1)(f):** "The intensification and expansion of urban environments: (1) contributes to well-functioning urban environments

that: [...] (f) manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance."

- (c) **UFD-P4(1)(f):** "Intensification and expansion of urban environments is provided for and enabled in district plans where: [...] (f) the operation, maintenance and upgrade of nationally significant infrastructure is not compromised."

- 5.6 I generally support the Council Officer recommendations; however, I consider there is inconsistency in the framing of the Issue, Objective and Policy with respect to the type of infrastructure that is protected. UFD-I3 refers to "infrastructure of national significance" whereas UFD-O3(1)(f) and UFD-P4(1)(f) refer to "nationally significant infrastructure". This inconsistent terminology may create confusion for plan users, and it would be useful to select one option. As discussed at the PC3 pre-hearing meeting for Topic 1, KiwiRail seeks the inclusion of the NPS-UD definition for "nationally significant infrastructure"⁴ in the Definitions Chapter of the One Plan. Subsequent amendments to the above Issue, Objective and Policy to consistently refer to "nationally significant infrastructure" would provide more certainty for those applying the provisions.
- 5.7 There is also inconsistency in the framing of the directions to "avoid", "manage" and "not compromise" reverse sensitivity effects on infrastructure across the Issue, Objective and Policy. Given the overarching issue in UFD-I3 is to avoid the creation of reverse sensitivity effects, KiwiRail seeks that both UFD-O3(1)(f) and UFD-P4(1)(f) be amended to reflect this direction.

4

See Section 1.4 of the National Policy Statement on Urban Development 2020 which defines nationally significant infrastructure as "means all of the following: (a) State highways; (b) the national grid electricity transmission network; (c) renewable electricity generation facilities that connect with the national grid; (d) the high-pressure gas transmission pipeline network operating in the North Island; (e) the refinery pipeline between Marsden Point and Wiri; (f) the New Zealand rail network (including light rail); (g) rapid transit services (as defined in this clause); (h) any airport (but not its ancillary commercial activities) used for regular air transport services by aeroplanes capable of carrying more than 30 passengers; and (i) the port facilities (but not the facilities of any ancillary commercial activities) of each port company referred to in item 6 of Part A of Schedule 1 of the Civil Defence Emergency Management Act 2002."

6. CONCLUSION

- 6.1 I consider the amended provisions of the One Plan (UFD-I3, UFD-O3(1)(f), UFD-P4(1)(f)) as recommended by the s42A report, and subject to the amendments outlined in my evidence, are appropriate and necessary for the safe and efficient operation of the railway network in the Manawatu-Whanganui region.

Pam Butler

20 December 2023

BEFORE THE HORIZONS REGIONAL COUNCIL

IN THE MATTER of a Proposed Plan
Change 3 to the Horizon's
One Plan under Schedule 1
to the Resource
Management Act 1991

AND

IN THE MATTER of submissions by
**HOROWHENUA
DISTRICT COUNCIL**

**STATEMENT OF EVIDENCE OF LAUREN BADDOCK AND LISA
POYNTON ON BEHALF OF HOROWHENUA DISTRICT COUNCIL**

Planning

19 DECEMBER 2023

INTRODUCTION

1. Our names are Lauren Baddock and Lisa Poynton.
2. We both hold the Degrees of Bachelor of Resource and Environmental Planning (Hons) from Massey University.
3. I (Lauren Baddock) am the District Plan Lead at Horowhenua District Council. I am a full member of the New Zealand Planning Institute. I have had 9 years of experience as a planner, having worked at both the Hastings District Council and the Horowhenua District Council in both consenting, policy, and strategic planning roles. I have experience in processing resource consents, preparing plan changes, strategy documents, submissions, and acting as reporting planner on plan changes.
4. I (Lisa Poynton) am the Senior Policy Planner at the Horowhenua District Council. I am an intermediate member of the New Zealand Planning Institute. I have 22 years of experience in planning, in both public and private practice – 12 years for various North Island Councils and 10 years for various consultancy firms. I have experience in processing and preparing resource consent applications, submissions, policy documents and plan change preparation.
5. We were both involved in the preparation of Horowhenua District Council's submission on Proposed Plan Change 3 (PPC3/PC3) to the One Plan.
6. While we have prepared this statement of evidence jointly, we confirm it represents our shared professional views as planning practitioners. We have prepared this evidence jointly due to the busyness of the time of year at which the evidence was due. We each authored separate parts of the evidence, before subsequently reviewing each other's statements in order to confirm that we are comfortable with this evidence being presented as our shared view. The terms "we, our, etc." in this context refers to the views of the two of us.
7. We confirm that the issues addressed in this statement of evidence are within our area of expertise. We have not omitted to consider material facts known to us that might alter or detract from the opinions expressed.
8. We have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence has been prepared in accordance with it and we agree to comply with it.
9. We also note that we are bound by the professional ethics of NZPI and are required to be impartial and unbiased in our professional opinions expressed.

SCOPE OF EVIDENCE

10. We are preparing this evidence on behalf of the Horowhenua District Council,

who are identified as Submitter 7 to the Plan Change.

11. Our evidence will address the following matters in the order set out below:

- (a) Keystone Environmental Issues;
- (b) Consenting of Development Infrastructure;
- (c) Consistency with the NPS-HPL;
- (d) Intensification vs Greenfield Development;
- (e) Remaining provisions.

12. In preparing our evidence we have reviewed:

- (a) Proposed Plan Change 3 (Urban Development) and all associated documents, including s32 report, submissions, and the s42A report prepared by Leana Shirley.
- (b) The National Policy Statement on Urban Development 2020 (NPS-UD) and National Policy Statement for Highly Productive Land 2020 (NPS-HPL).
- (c) We are both generally familiar with the One Plan and its contents.
- (d) We each attended and participated in the pre-hearing meetings and subsequently reviewed and confirmed the accuracy of pre-hearing reports.

EXECUTIVE SUMMARY

13. We confirm our overall support for PPC3 as being a necessary step in giving effect to the NPS-UD. The Horowhenua District is experiencing rapid and consistent population growth. This plan change will improve the One Plan's alignment with the NPS-UD which will be helpful for the preparation of any Plan Changes to the Horowhenua District Plan developed to give effect to the NPS-UD and/or respond to growth.

14. For the sake of completeness, we note our continued preference, as expressed in the Horowhenua District Council submission, that PPC3 give greater regional specificity in how the provisions of the NPS-UD should be applied and more clearly articulate the outcomes sought in relation to growth in the Region. However, as stated in our submission, we also recognise that that the volume of national direction from central government has created an extensive amount work for the Regional Council and this likely influenced the approach to PPC3. Notwithstanding our preference, we accept the situation for what it is and instead focus our evidence on how PPC3 can best reflect the NPS-UD in a manner that does not cause significant challenges for application at the Regional and District level.

15. The key remaining issues from our submission are;

- (a) That sustainable urban growth/well-functioning urban environments can and should be a 'keystone environmental issue' in Chapter 1.3 of the One Plan, and;
 - (b) That policies guiding the assessment and delivery of development infrastructure can and should be included in the Plan Change, and;
 - (c) Notes a potential unintended consequence relating to PC3's relationship with the NPS-HPL, and;
 - (d) The provisions and their applicability to intensification compared to urban expansion/greenfield development.
16. Additionally, we respond to a request from Ms Shirley that we comment on whether housing bottom lines should be included for Levin. In our view, PC3 should not include housing bottom lines for Levin. We explain this view later in this evidence.
17. In addition to the matters outlined above, we recommend that the provisions identified later in this evidence (grouped by provision type) should be further amended, for the reasons expressed throughout this evidence.

STATUTORY FRAMEWORK

18. In preparing this evidence we have had regard to the statutory framework in the Resource Management Act 1991 (**RMA**). In preparing this evidence, we have considered section 32AA of the RMA.

KEYSTONE ENVIRONMENTAL ISSUES

19. The HDC submission requests the 'big 4' keystone environmental issues set out in Chapter 1.13 of the One Plan be expanded to a 'big 5', with the fifth being 'sustainable growth and well-functioning urban environments'.
20. The HDC submission states that:

Urban Growth and Development within the Horizons Rohe is happening at high rates across most, if not all of the District Council jurisdictions, as seen in the 2018 (latest available) census figures below –

<i>Growth in Horizons Rohe 2013-2018</i>	
<i>Horowhenua District</i>	<i>2.0%</i>
<i>Manawatū District</i>	<i>1.9%</i>
<i>Whanganui District</i>	<i>1.5%</i>
<i>Rangitikei District</i>	<i>1.4%</i>
<i>Tararua District</i>	<i>1.3%</i>
<i>Palmerston North City</i>	<i>1.1%</i>
<i>Ruapehu District</i>	<i>0.8%</i>

Given this, the complexity of issues around sustainable urban growth, and the direction from Central Government on this topic, we consider that well-functioning urban environments/sustainable growth should be escalated to be a keystone environmental issue – essentially setting out “The Big Five” instead of “The Big Four” in Chapter 1.3 of the One Plan.

21. The s42A report states that Ms Shirley considers this submission point out of scope of the plan change, stating:

“...inclusion of urban development capacity as part of the One Plan ‘Big four’ is out of scope. PC3 did not notify changes to the ‘Big four’, contained in Chapter 1 of the One Plan”
22. We have a different view in regard in scope. In particular, we do not consider scope to be limited to only the specific provisions proposed (or provisions proposed to be amended) by the Plan Change. With the purpose of PC3 being to give effect to the NPS-UD and the submission point being focused on an approach to achieving this, it is (in our view) ‘on’ the Plan Change.
23. We also note that our submission was clear that we requested the introduction of a new ‘big’ issue. As such, we consider that those potentially affected by this submission point have had the opportunity to respond to this request.
24. The One Plan states “the focus of the One Plan is four keystone environmental issues” (Chapter 1.13). While it acknowledges that there are other important resource management issues that the One Plan deals with, it also states that focusing on these ‘big 4’ means that substantial progress can be made at an affordable level of expenditure for the Region. This indicates that investment and priority is afforded to these ‘big four’ over and above other environmental issues. Given the widespread nature of growth pressures and the potential for poorly planned or managed urban growth to adversely affect the environment (including having an adverse effect on other keystone environmental issues, such as water availability and quality), we are of the view that there is merit in including ‘sustainable growth and well-functioning urban environments’ as an additional ‘big issue’.
25. There are 7 Territorial Authorities across the Region, all of which are currently experiencing population growth. Including the Regional Council, there are 8 different Councils tasked with responding to and providing for growth. With region-wide growth putting pressure on land, water and infrastructure, it is important that the RPS gives sufficient priority to this issue in order to ensure a coordinated and strategic approach to growth, including the delivery of infrastructure (including water supply, waste water treatment, hazard protection, and public transport). Setting this out as a key focus of the One Plan would be an efficient and effective way of giving effect to the NPS-UD.
26. When compared to the proposed approach, of articulating ‘growth issues’ within the Urban Development Chapter alone, we consider that introducing a fifth ‘big issue’ to the Plan Change would help to more effectively identify the significance of this resource management issue to the region. This would then more directly influence the preparation of subsequent plans prepared under the RMA – be these future changes to the RPS, or changes to District Plans across

the region.

27. Furthermore, we are of the view that including ‘sustainable growth and well-functioning urban environments’ as a keystone environmental issue will provide better opportunity to articulate the connectedness of this issue with a range of other resource management issues impacting the region, including protection of highly productive land, freshwater quality and quantity, and resilience to climate change and natural hazards.
28. In light of the above, we recommend the inclusion of the following wording to Chapter 1.3 (deletions shown in ~~striketrough~~, additions in underline).

1.3 Our Region’s Challenges – the “~~Big Four~~ Big Five”

The focus of the One Plan is ~~four~~ five keystone environmental issues: surface water quality degradation, increasing water demand, unsustainable hill country land use, ~~and threatened indigenous biodiversity,~~ and sustainable urban growth/well-functioning urban environments. These issues were identified during public consultation and confirmed by research of the Regional Council’s science team.

By focusing on these Big ~~Four~~ Five issues, substantial progress can be made at an affordable level of expenditure for the Region. The ~~Four~~ Five have significant interconnection and it is expected that work on one issue will also benefit progress on one or more of the other issues. Notwithstanding the focus on these ~~Four~~ Five issues, other resource management issues are also important and are dealt with in the One Plan.

Issue 5 – Sustainable Urban Growth and Well-Functioning Urban Environments

The Problem:

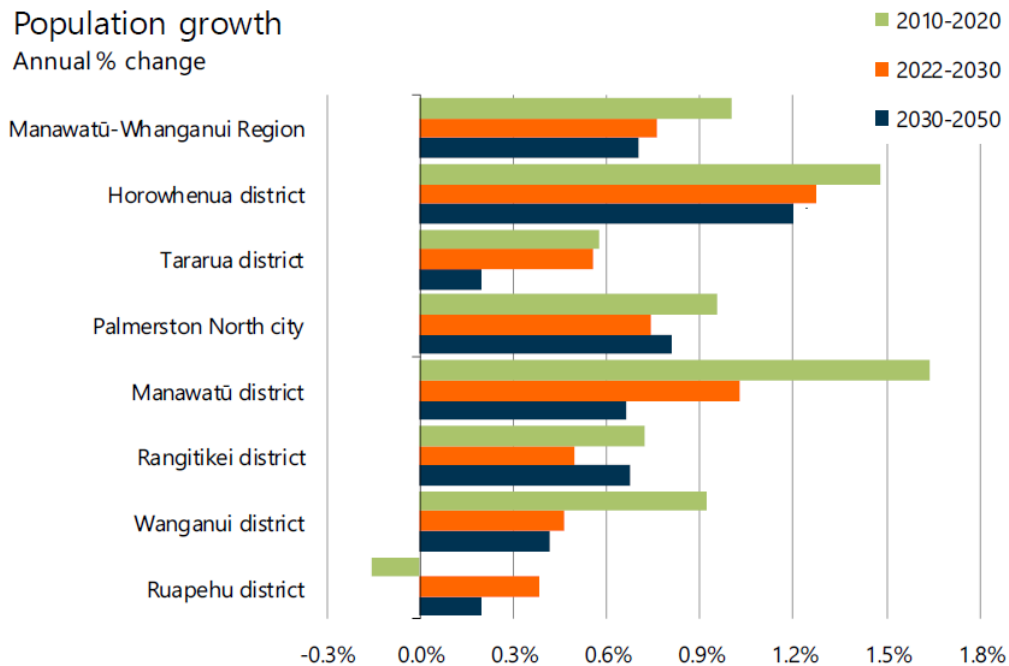
Population growth is occurring at high rates in all the District and City Council jurisdictions within the Horizon’s Rohe. Figures from the 2018 Census are included below.

<u>Growth in Horizons Rohe 2013-2018</u>	
<u>Horowhenua District</u>	<u>2.0%</u>
<u>Manawatu District</u>	<u>1.9%</u>
<u>Whanganui District</u>	<u>1.5%</u>
<u>Rangitikei District</u>	<u>1.4%</u>
<u>Tararua District</u>	<u>1.3%</u>
<u>Palmerston North City</u>	<u>1.1%</u>
<u>Ruapehu District</u>	<u>0.8%</u>

For many of the Cities/Districts within the Region, this population growth is

expected to continue in the long term, as indicated below* (green highlight is included as context, not as proposed plan text).

Graph 13



*based on Infometrics 2023 report medium growth scenario. These will likely need to be updated to reflect each Council's adopted growth projections. This is included as a placeholder, as it includes information about all the Districts in the region.

Growth, if poorly managed, has the potential to adversely affect the environment – including negatively impacting other keystone environmental issues, such as water quality and water availability. It may put pressure on highly productive land and indigenous biodiversity. If demand for growth is not met, it can introduce a number of social challenges too, including housing unaffordability. On the converse, well-planned and coordinated growth can also deliver a range of positive benefits.

It is important that growth, and the infrastructure to support it, is well planned for by all the Councils in the region, so as to achieve a well-functioning urban environment, as well as sustainable and healthy natural environment.

An Example:

High population growth in District's such as Horowhenua, Manawatū, and Palmerston North mean that rezoning of land for development and requiring new infrastructure, such as new/increased water takes, new/expanded waste water treatments plants, and new public transport is necessary.

Proposed Approach:

A collaborative approach by Territorial Authorities and the Regional Council to plan for growth, and its required infrastructure, across the region. This may include:

- Spatial planning;
- Integration of land use and infrastructure planning;
- Objectives and policies in the RPS and District Plans that will help to achieve well-functioning urban environments and provide sufficient development capacity.

Look For:

Objectives, policies and methods that address this keystone issue in Chapter X of the One Plan.

CONSENTING OF DEVELOPMENT INFRASTRUCTURE

29. The HDC submission sought for PPC3 to provide greater direction on development infrastructure to support growth. HDC's position is that the Regional Council play a significant role in this area, being both the consent authority for many development infrastructure proposals (including water takes and discharges) and a provider of infrastructure.
30. Ms Shirley's s42A report recommends rejecting this submission point, stating that in her view PC3 goes far enough in this respect, referring to UFD-P1 in relation to development infrastructure and stating that flood protection infrastructure (being an example of infrastructure the Regional Council are responsible for providing) is outside the NPS-UD definition of infrastructure.
31. For ease of reference, we have produced UFD-P1 (s42A recommendation version, utilising the same editing conventions as Ms Shirley) below:

UFD-P1: The strategic integration of infrastructure[^] with land[^] use Territorial Authorities^{*} must proactively develop and implement appropriate land[^] use strategies to manage urban growth and they should aligns their infrastructure[^] asset management planning with those strategies, to ensure the efficient and effective provision of associated infrastructure[^] that:

- (1) *for urban environments^{*26}, demonstrate how sufficient development capacity^{*} for housing and business land^{*} will be provided in the short term^{*}, medium term^{*} and long term^{*} in a well-planned and integrated manner, and*
- (2) *for all settlements,²⁷ ensure there is co-ordination between the location, form and timing of urban growth^{development28} and the planning²⁹, funding, delivery and implementation of development infrastructure^{*}.*

32. While we agree with Ms Shirley that 'flood protection infrastructure' falls outside of the NPS-UD definition of infrastructure, we do not agree that this means it cannot or should not be referenced in PC3. The NPS-UD includes an overall direction to achieve 'well-functioning urban environments' (Objective 1). Policy 1(a)(f) states that this includes that urban environments are "resilient to the likely current and future effects of climate change". As such, the NPS-UD is clear that resilience to climate change is relevant (and required) consideration for urban development.
33. Turning to PC3 specifically, UFD-P1 requires Territorial Authorities to "proactively develop and implement appropriate land use strategies to manage urban growth and they should align their infrastructure asset management planning with those strategies, to ensure the efficient and effective provision of associated infrastructure". However, UFD-P1 does not recognise the role the Regional Council have in enabling Territorial Authorities to provide development infrastructure. As such, we do not consider that UFD-P1

addresses our submission point.

34. We accept Ms Shirley's opinion that amending UFD-P1 to include reference to the Regional Council's role in ensuring efficient and effective provision of infrastructure (NPS-UD definition and otherwise) to provide sufficient development capacity could complicate this policy. However, we are of the view that an additional policy should be included to address this point instead. Such a policy would help to achieve the proposed plan objectives (specifically UFD-O1 and UFD-O3) and help to address the identified issues (including the recommended addition to the 'keystone environmental issues set out above).
35. We recognise that such a policy should not have the effect of pre-empting any future plan changes to give effect the National Policy Statement on Freshwater Management (noting the impending changes in this space). However, we are of the opinion that this can be achieved.
36. Following on from the above, we recommended the following policy be inserted into PC3.

37. **UFD-PX**

Development infrastructure and other infrastructure needed to support Territorial Authorities ability to the requirements of UFD-P1 will be provided for so long as this will not cause inappropriate environmental effects.

38. We consider this approach an efficient and effective way of achieving the Plan Change objectives and giving effect to the NPS-UD. Development infrastructure (and other infrastructure) is critical to providing sufficient development capacity and is therefore critical to Territorial Authorities ability to give effect to UFD-P1 and the NPS-UD generally. The above drafted policy also safeguards the environment by acknowledging that 'providing sufficient development capacity' is not a pathway for causing significant environmental degradation. It provides sufficient flexibility for a determination of what is 'appropriate' or 'inappropriate' to be made based on proposal-by-proposal basis, depending on the particular environmental and contextual matters at play.
39. On a similar note, Ms Shirley's recommended changes to UFD-I3 may have the unintended consequences of making the consenting of development infrastructure more difficult than it is presently and therefore achieves the opposite outcome than is sought by our submission.
40. UFD-I3 (s42A recommended wording) reads as follows (using Ms Shirley's editing conventions):

UFD-I3: Demand for housing, *business land*^{*}, *infrastructure*[^] and *community services*^{*}

A growing population increases demand for housing, *business land*^{*}, *infrastructure*[^] and *community services*^{*}. Growth [in urban environments](#)^{*7}

needs to be provided for in a way that contributes to *well-functioning urban environments*^{*}, is integrated with *infrastructure*[^] planning and funding decisions, avoids the creation of reverse sensitivity effects on existing infrastructure of national significance⁸, ~~does not worsen~~⁹ manages effects^{*} on the urban and natural environment (including freshwater)¹⁰, and improves resilience to the *effects*^{*} of *climate change*[^].

41. The s42A recommended wording of issue UFD-I3 sets a regime of 'no' new adverse effects. Development infrastructure, such as water takes and waste water disposal, may inevitably have some effect on quality and quantity of freshwater. As such, our view is that this wording may have perverse outcomes that frustrate Councils' ability to meet the requirements of PC3 and the NPS-UD. Instead, we suggest the following alternate wording, which would enabling consenting processes to determine appropriate effects (our amendments shown in black strikethrough for ~~deletions~~ and black underline for additions):

UFD-I3: Demand for housing, *business land*^{*}, *infrastructure*[^] and *community services*^{*}

A growing population increases demand for housing, *business land*^{*}, *infrastructure*[^] and *community services*^{*}. Growth in urban environments^{*7} needs to be provided for in a way that contributes to *well-functioning urban environments*^{*}, is integrated with *infrastructure*[^] planning and funding decisions, avoids the creation of reverse sensitivity effects on existing infrastructure of national significance⁸, ~~does not worsen~~⁹ manages effects^{*} on the urban and natural environment (including freshwater)¹⁰, and improves resilience to the *effects*^{*} of *climate change*[^].

42. The above changes are recommended on the basis that they allow environmental effects to be determined on a case by case basis, rather than setting a 'no-effects' regime. For this reason, we consider our recommended wording to be a more efficient and effective way of achieving the objectives of PC3 and the NPS-UD.

CONSISTENCY WITH NPS-HPL

43. The HDC submission sought for the wording of PC3 to bring One Plan provisions relating to the protection of 'versatile soils' into line with the new requirements of the NPS-HPL.
44. This matter was canvassed at the pre-hearing meetings and all participants agreed that the ability of PC3 to achieve this effectively was limited. As such, all pre-hearing participants agreed that changes should be limited to updating references to 'versatile soils' to 'highly productive land' and introducing the NPS-HPL definition of 'highly productive land'.
45. Having had further time to reflect on this change, specifically in relation to UFD-O2 and UFD-P3, we are concerned this may have the unintended consequence of making the RPS more permissive than the NPS-HPL. These are replicated below for ease of reference:

UFD-O2: Urban growth and rural residential *subdivision on versatile soils highly productive land^{*12}**

To ensure that *Territorial Authorities** consider the benefits of retaining highly productive land* Class I and II¹³ versatile soils¹⁴ for use as *production land** when providing for urban growth and rural residential *subdivision**.

UFD-P3: Urban growth and rural residential *subdivision on highly productive land^{*32} versatile soils**

In providing for urban growth (including implementing Policy 3-4), and controlling rural residential *subdivision** (“lifestyle blocks”), *Territorial Authorities** must pay particular attention to the benefits of the retention of highly productive land* Class I and II versatile soils for use as *production land*^ in their assessment of how best to achieve sustainable management.

46. In particular, we note that the PC3 provisions:
- (a) Require territorial authorities to consider the benefits of retaining highly productive land for use as production land when providing for urban growth and rural residential subdivision (UFD-O2).
 - (b) Require territorial authorities to ‘control’ rural residential subdivision and have particular attention to the benefits of retaining highly productive land (UFD-P3).
 - (c) Treats rural residential subdivision and urban growth proposals more or less the same.
47. The NPS-HPL on the other hand, more strongly discourages rural lifestyle subdivision than urban growth proposals and requires Territorial Authorities to “avoid” subdivision and development on highly productive land, except in very specific circumstances.
48. We are concerned that if the RPS is seen to be more permissive than the NPS-HPL, the RPS will be in breach of RMA requirements and/or this policy may be used by applicants to try to circumvent the requirements of the NPS-HPL.
49. While we are hesitant to revise our position from the pre-hearing meeting, we did not recognise this issue at the time of those discussions.
50. We understand and support the agreements reached at the pre-hearing meetings that the ability of PC3 to achieve alignment with the NPS-HPL is limited. As such, we recommend that the wording of the above policies revert back to existing wording (versatile soils rather than highly productive land) and that PC3 does not introduce a definition of ‘highly productive land’ so that it is clear that the RPS has not yet been updated to give effect to the NPS-HPL.
51. If this recommendation is accepted, consequential amendments will need to be made to UFD-I2.

INTENSIFICATION VS GREENFIELD DEVELOPMENT

52. The HDC submission (along with Manawatū District Council and Rangitikei District Council submission) seek for PC3 to provide separate direction for intensification and expansion.
53. Ms Shirley has considered this point and had recommended rejecting the submission point, stating that UFD-P4 provides this differentiation.
54. We disagree and consider that UFD-P4 and associated objective UFD-O3 do not provide sufficient differentiation on the outcomes sought for intensification compared with urban expansion.
55. UFD-O3(1) and UFD-P4(10) are replicated below, using Ms Shirley's editing conventions from her s42A report.

UFD-O3: Urban form and function

The intensification and expansion of *urban environments**:

- (1) contributes to *well-functioning urban environments** that
 - (a) enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,
 - (b) increase the capacity and choice available within housing and business land¹⁵ capacity and housing choice,
 - (c) achieve a quality, sustainable and compact urban form ~~that relates well to its surrounding environment¹⁶,~~
 - (d) are, or planned to be,¹⁷ well connected by a choice of transport modes including *public transport**, and
 - (e) manage adverse environmental *effects** and
 - (f) manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance¹⁸.

UFD-P4: Urban intensification and expansion

(1) Intensification and expansion of *urban environments** is provided for and enabled in *district plans*[^] where:

- (a) it contributes to a *well-functioning urban environment**,
- (b) it provides for a range of residential and business³³ areas that enable different housing and business types, *site** size and densities ~~that relate well to the surrounding environment³⁴,~~
- (c) higher density development is in close proximity to *centre zones**, *public transport**, *community services**, employment opportunities, and open space,
- (d) development is well serviced by existing or planned *development infrastructure** and enables provision of³⁵ public transport*, and *additional infrastructure** required to service the *development capacity** is likely to be achieved, and
- (e) it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character., and
- (f) the operation, maintenance and upgrade of nationally significant infrastructure* is not compromised³⁶.

56. Objective UFD-O3(1)(c), as per Ms Shirley's s42A report recommendations, requires that expansion (and intensification) achieve a compact urban form. While we understand and support the intent that urban expansion be designed to be compact rather than sprawling, expansion, by its nature, makes the urban form less compact. As currently drafted, there is risk that UFD-O3 would have the consequence of making greenfield development/urban expansion extremely difficult on the basis that it will not deliver a compact urban form. In our opinion, this is an unintended consequence as PC3 does expressly provide for urban expansion.
57. Similarly, policy UFD-P(1)(b) could be interpreted as District Plans can only enable intensification in areas where its provides for both residential and business activities.
58. Ms Shirley's opinion is that separate provisions for intensification and urban expansion are not required. Having had regard to this as well as our points above, we recommend some minor wording changes to improve clarity and implementability. Our additions are shown in black underline and deletions in ~~black strikethrough~~.

UFD-O3: Urban form and function

The intensification and expansion of *urban environments**:

(1) contributes to *well-functioning urban environments** that

(a) enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,

(b) increase the capacity and choice available within housing and business land¹⁵ ~~capacity and housing choice~~,

(c) achieve a quality, sustainable, and compact urban form (to the extent that can reasonably be achieved for urban expansion) ~~that relates well to its surrounding environment~~¹⁶,

(d) are, or planned to be,¹⁷ well connected by a choice of transport modes including *public transport**, and

(e) manage adverse environmental *effects** and

(f) manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance¹⁸.

UFD-P4: Urban intensification and expansion

(1) Intensification and expansion of *urban environments** is provided for and enabled in *district plans*[^] where:

(a) it contributes to a *well-functioning urban environment**,

(b) it provides for a range of residential and/or business³³ areas that enable different housing and business types, *site** size and densities ~~that relate well to the surrounding environment~~³⁴,

(c) higher density development is in close proximity to *centre zones**, *public transport**, *community services**, employment opportunities, and open space,

(d) development is well serviced by existing or planned *development infrastructure** and enables provision of³⁵ *public transport**, and *additional infrastructure** required to service the *development capacity** is likely to be achieved, and

(e) it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character.,
and
(f) the operation, maintenance and upgrade of nationally significant infrastructure* is not compromised³⁶.

59. We are of the opinion that these changes are more efficient and effective than the proposed, as these more accurately reflect the policy intent as expressed by Ms Shirley.

UFD - ISSUES

60. With the exception of the points already made in relation to UFD-I2 and UFD-I, we support the changes Ms Shirley has recommended to the issues, for the reasons outlined in her report.

UFD - OBJECTIVES

61. Beyond the changes recommended above, we support the changes recommended by Ms Shirley in her s42A report for the reasons outlined in her report.

UFD - POLICIES

62. In regard to the remaining policies not referenced above, but within the scope of our submission, we have relatively minor recommended changes. These are set out in turn below, along with our assessment of why our recommended changes are more efficient and effective than the s42A recommendation.
63. In regard to the question from Ms Shirley regarding the inclusion of housing bottom lines for Levin in UFD-P2, we make the following comments:
64. The Horowhenua District Council is part of the Wellington Regional Leadership Committee (WRLC), a union of councils, iwi and central government in the Wellington-Wairarapa-Horowhenua region, formed to work together to positively shape the future of the region.
65. WRLC has produced a Future Development Strategy (FDS) and a Housing and Business Land Assessments (HBA) for the Wellington-Wairarapa-Horowhenua. These documents were publically consulted on between 9th October 2023 and 9th November 2023. Hearings were held in on 11th and 13th December 2023.
66. The housing bottom lines set by the Wellington FDS are based on a 50th percentile growth rate. This was to take a consistent approach across Wairarapa-Wellington-Horowhenua Region, rather than for any locally specific rationale. However, the Horowhenua District Council has adopted a 95th percentile growth rate for its own planning (including Growth Strategy and Long Term Plans). Population growth is currently tracking slightly ahead of this. According to Statistics New Zealand, between 2018 and 2023 (note: 2022 & 2023 data is a provisional estimate), the Horowhenua population grew by 3,000.

This equates to an average annual growth rate of 1.7%. The 95th percentile growth rate that HDC is currently planning for (for its Long Term Plan) indicates a growth rate of 1.5% per annum until 2030 and then 2.1% per annum out to 2044.

- 67.** As the Wellington FDS is based on a different (lesser) growth scenario than what the Horowhenua District Council is planning for it indicates lower housing demand than what HDC are planning for (and consider likely to occur).
- 68.** Other potential reasons for difference between the Wellington FDS and the Horowhenua District Council projections include:
- The Wellington FDS assumes that the majority of the Horowhenua's growth will come from rural areas (being those areas outside of the Levin, Foxton, Foxton Beach and Shannon Townships). This does not align with HDC's growth projections and is also unlikely to be achievable due to the impact of the NPS-HPL;
 - It is unclear from the Wellington FDS what land is categorised as 'Levin Urban'. We believe the FDS projections are based on the rating zones that applied at the time the HBA was prepared, meaning that the demand for growth in the 'Levin Urban' area is based only on the current urban footprint of Levin and therefore only represents demand for infill and/or development of currently zoned but yet to be developed land.
 - The growth projected to occur at Tara-Ika (420ha area of land immediately east of Levin that has recently been rezoned to residential and commercial) has been counted separately and therefore demand for housing on this land is not included in the housing demand numbers for the Levin Urban area.
- 69.** Using the Wellington FDS figures to set housing bottom lines for Levin could therefore result in inaccurate numbers that significantly underestimate the actual demand for housing.
- 70.** Additionally, only Levin features in the Wellington FDS. However, the Horowhenua is experiencing growth in other parts of the District too – including Foxton, Foxton Beach, Shannon, and coastal communities. HDC is planning for growth in these locations (as well as Levin).
- 71.** While we recognise that 'housing bottom lines' represent a minimum target and that HDC could continue to plan for growth over and above this, we are concerned that inclusion of a housing bottom line for Levin, based on the Wellington FDS projections, could have the following adverse outcomes:
- (a) Create confusion about the growth scenario being planned for, leading to uncoordinated decisions about infrastructure (such as water infrastructure, community infrastructure, and transport infrastructure);
 - (b) May give a false impression about the District's infrastructure and its capacity to accommodate growth, which could adversely affect consenting processes;
 - (c) May result in growth being inadequately planned for, leading to adverse effects.
 - (d) Even if the above matters were addressed, the inclusion of housing bottom lines for Levin only could result in insufficient focus and attention being given to the District's other growing settlements.

72. As such, we do not support the inclusion of housing bottom lines from the Wellington FDS for Levin.
73. In regard to UFD-P4 we generally support the changes recommended by Ms Shirley. In particular, we support the changes to UFD-P4(1)(d) which require developments to 'enable the provision' of public transport (as opposed to the notified version of this policy which required the public transport to be in place).
74. However, we recommend that a similar change be made to the wording of UFD-P(2)(c) for similar reasons as Ms Shirley gave for her recommended changes to UFD-P4(1)(d). We recommend the following wording for UFD(2)(c). Our changes are shown in black underline. Other editing conventions are as per Ms Shirley's s42A report.

(2) In addition to meeting the criteria in (1) above, the expansion of *urban environments** must only occur where it:

- (a) is adjacent to existing or planned urban areas,
- (b) will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite land resource,
- (c) is, or is able to be, well-connected along by a variety of transport modes and³⁷ transport corridors

75. We consider this change to be more efficient and effective than the current proposal, as it does not have the effect of requiring the infrastructure to be in place before a development is approved.
76. We note our earlier comments and recommendations about UFD-P4 in paragraphs 52-59 of this evidence above.
77. In respect of UFD-P7, we support the changes recommended by Ms Shirley to UFD-P7(2) to remove reference to papakainga housing being on Māori land. We consider this changes make it clearer that while papakainga can be located on Māori land, it is not exclusively located on Māori Land.
78. However, we consider additional changes necessary to UFD-P7(1). As per our submission point, we consider the current phrasing of this part of the policy does not fully articulate the nuanced role Iwi/Hapū play in a plan preparation role, as it focuses only on planning decisions and not the pre-notification stage. We recommend changes to the wording that more closely reflect NPS-UD Policy 9.

UFD-P7: Hapū and iwi involvement in urban development

- (1) Local authorities, in taking account of the principles of Te Tiriti o Waitangi (Treaty of Waitangi) in relation to urban environments, must ~~Ensure planning decisions* involving urban environments* provide for Treaty of Waitangi (Te Tiriti o Waitangi) principles by enabling~~ hapū and iwi involvement in urban development planning processes, including in decision making where appropriate, to ensure provision is made for their needs, aspirations, and values, to ensure *urban environments** enable Māori to express their cultural traditions and norms.
79. We consider the above recommended change a more effective means of ensuring planning decisions take into account the principles of Te Tiriti o

Waitangi (Treaty of Waitangi), which is required by proposed plan change objective UFD-O1, as it better recognises the role of Iwi and Hapū in plan preparation (e.g. before planning decisions are made). This also better aligns with the NPS-UD. We do however, acknowledge that this is our opinion and we have not had sufficient time to canvass this with our Iwi and Hapū partners. If they present an alternative view, we are happy to revisit this opinion.

UFD - METHODS

80. Ms Shirley has recommended changes to the Methods 1 and 2 to refer to Horowhenua District Council (HDC) and the Wellington Regional Leadership Committee (WRLC) and the association preparation of FDSs and HBAs. While we recognise and agree with Ms Shirley's rationale for making this recommendation, we do note that HDC's relationship with the WRLC is non-statutory. Therefore, it is conceivable that the nature of this relationship could change in the future. If, in the future, HDC were no longer part of the WRLC it is possible that there could be conflict between this Method and HDC's real world application of PC3, or alternatively, that this Method would continue to apply but with HDC having limited ability to influence the contents of the FDSs and HBAs.
81. While we have not made a submission or further submission on this point, we do note that Ms Shirley has invited our comment on other matters relating to the WRLC, namely the inclusion of housing bottom lines. As such, we provide the above and below comments on this matter in the hopes of assisting both Ms Shirley and the hearing panel understand the context and nature of the relationship between WRLC and HDC.
82. As such, we recommend that the wording of Method 1 and 2 be amended to reflect the non-statutory nature of the relationship between WRLC and HDC and the potential for it to change. We suggest the following be added to both Method 1 and 2. Our recommended additions are shown in black underline.

Method 1 Monitoring and reporting

The aim of this method is to collect information on development and *infrastructure*[^] trends, needs and pressures in the Region, so that these trends and pressures can be responded to appropriately and in a timely manner, through management of the built environment.

The Regional Council, together with *Territorial Authorities*^{*}, must meet the evidence-based decision-making requirements of Subpart 3 of the NPS UD, in relation to *urban environments*^{*}. This includes a requirement for the Regional Council, ~~and~~ Palmerston North City Council and Horowhenua District Council (with the Wellington Regional Leadership Committee, while Horowhenua District Council are part of the Wellington Regional Leadership Committee)⁵³ to jointly prepare and publish *Housing and Business Development Capacity Assessments*^{*} and *Future Development Strategies*^{*}.

Method 2 Strategic planning

The aim of this method is to undertake strategic planning to meet the objectives and policies of this Chapter.

The Regional Council, together with Palmerston North City Council [and Horowhenua District Council \(through the Wellington Regional Leadership Committee\)](#)⁵⁴, will determine housing *development capacity** that is *feasible** and likely to be taken up in *short term**, *medium term**, and *long term** through *Housing and Business Development Capacity Assessments**. In addition, the Regional Council, ~~and~~ Palmerston North City Council [and Horowhenua District Council \(through the Wellington Regional Leadership Committee\)](#) while Horowhenua District Council are part of the Wellington Regional Leadership Committee will jointly prepare *Future Development Strategies**.

OTHER CHANGES PROPOSED IN THE S42A REPORT

83. Unless otherwise stated, we support the recommendations made by Ms Shirley in her s42A report, to the extent they are relevant to the scope of our submission.

CONCLUSION

84. Overall, we consider that PC3 gives effect to the NPS-UD. However, we propose further changes, set out in Appendix A and explained above. In our view, these changes are the most appropriate way to achieve the objectives in terms of their efficiency and effectiveness and having regard to benefits and costs.
85. We look forward to speaking to this evidence at the hearing and express our willingness to participate to expert conferencing and the like, should the hearing panel consider this beneficial.



Lauren Baddock



Lisa Poynton

19th December 2023

APPENDIX 1 – RECOMMENDED CHANGES TO PC3 TEXT

(1) Change 1 – Introduce a new ‘Big Issue’ to Chapter 1.3

1.3 Our Region’s Challenges – the “Big ~~Four~~ Five”

The focus of the One Plan is ~~four~~ five keystone environmental issues: surface water quality degradation, increasing water demand, unsustainable hill country land use, ~~and~~ threatened indigenous biodiversity, and sustainable urban growth/well-functioning urban environments. These issues were identified during public consultation and confirmed by research of the Regional Council’s science team.

By focusing on these Big ~~Four~~ Five issues, substantial progress can be made at an affordable level of expenditure for the Region. The ~~Four~~ Five have significant interconnection and it is expected that work on one issue will also benefit progress on one or more of the other issues. Notwithstanding the focus on these ~~Four~~ Five issues, other resource management issues are also important and are dealt with in the One Plan.

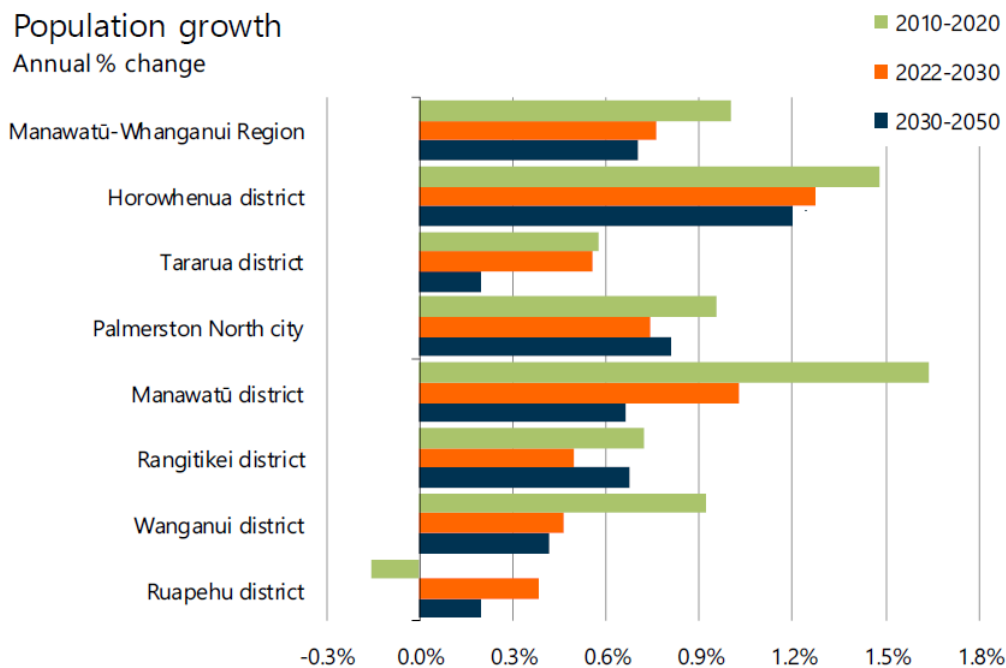
Issue 5 – Sustainable Urban Growth and Well-Functioning Urban Environments

The Problem:

Population growth is occurring at high rates in all the District and City Council jurisdictions within the Horizon’s Rohe. Figures from the 2018 Census are included below.

<u>Growth in Horizons Rohe 2013-2018</u>	
<u>Horowhenua District</u>	<u>2.0%</u>
<u>Manawatu District</u>	<u>1.9%</u>
<u>Whanganui District</u>	<u>1.5%</u>
<u>Rangitikei District</u>	<u>1.4%</u>
<u>Tararua District</u>	<u>1.3%</u>
<u>Palmerston North City</u>	<u>1.1%</u>
<u>Ruapehu District</u>	<u>0.8%</u>

For many of the Cities/Districts within the Region, this population growth is expected to continue in the long term, as indicated below* (green highlight is included as context, not as proposed plan text).



*based on Infometrics 2023 report medium growth scenario. These will likely need to be updated to reflect each Council's adopted growth projections. This is included as a placeholder, as it includes information about all the District's in the region.

Growth, if poorly managed, has the potential to adversely affect the environment – including negatively impacting other keystone environmental issues, such as water quality and water availability. It may put pressure on highly productive land and indigenous biodiversity. If demand for growth is not met, it can introduce a number of social challenges too, including housing unaffordability. On the converse, well-planned and coordinated growth can also deliver a range of positive benefits.

It is important that growth, and the infrastructure to support it, is well planned for by all the Councils in the region, so as to achieve a well-functioning urban environment, as well as sustainable and healthy natural environment.

An Example:

High population growth in District's such as Horowhenua, Manawatū, and Palmerston North mean that rezoning of land for development and requiring new infrastructure, such as new/increased water takes, new/expanded waste water treatments plants, and new public transport is necessary.

Proposed Approach:

Collaborative approach by Territorial Authorities and the Regional Council to plan for growth, and its required infrastructure, across the region. This may include:

- Spatial planning;
- Integration of land use and infrastructure planning;
- Objectives and policies in the RPS and District Plans that will help to achieve well-functioning urban environments and provide sufficient development capacity.

Look For:

Objectives, policies and methods that address this keystone issue in Chapter X of the One Plan.

(2) Change 2 – Amend UFD-I3

UFD-I3: Demand for housing, *business land*^{*}, *infrastructure*[^] and *community services*^{*}

A growing population increases demand for housing, *business land*^{*}, *infrastructure*[^] and *community services*^{*}. Growth in *urban environments*^{*7} needs to be provided for in a way that contributes to *well-functioning urban environments*^{*}, is integrated with *infrastructure*[^] planning and funding decisions, avoids the creation of reverse sensitivity effects on existing infrastructure of national significance⁸, ~~does not worsen⁹~~ manages effects^{*} on the urban and natural environment (including freshwater)¹⁰, and improves resilience to the *effects*^{*} of *climate change*[^].

(3) Change 3 – Amend UFDI-2, UFD-O2 and UFD-P3

- Revert back to ‘highly versatile land’ rather than ‘highly productive land’
- Remove definition of ‘highly productive land’

(4) Change 4 – Amend UFD-O3 and UFD-P4

UFD-O3: Urban form and function

The intensification and expansion of *urban environments*^{*}:

(1) contributes to *well-functioning urban environments*^{*} that

- (a) enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,
- (b) increase the capacity and choice available within housing and business land¹⁵ ~~capacity and housing choice,~~
- (c) achieve a quality, sustainable, and compact urban form (to the extent that can reasonably be achieved for urban expansion) ~~that relates well to its surrounding environment¹⁶,~~
- (d) are, or planned to be,¹⁷ well connected by a choice of transport modes including *public transport*^{*}, and
- (e) manage adverse environmental *effects*^{*} and
- (f) manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance¹⁸.

UFD-P4: Urban intensification and expansion

(1) Intensification and expansion of *urban environments*^{*} is provided for and enabled in *district plans*[^] where:

- (a) it contributes to a *well-functioning urban environment*^{*},
- (b) it provides for a range of residential and/or business³³ areas that enable different housing and business types, *site*^{*} size and densities ~~that relate well to the surrounding environment³⁴,~~
- (c) higher density development is in close proximity to *centre zones*^{*}, *public transport*^{*}, *community services*^{*}, employment opportunities, and open space,
- (d) development is well serviced by existing or planned *development infrastructure*^{*} and enables provision of³⁵ *public transport*^{*}, and *additional infrastructure*^{*} required to service the *development capacity*^{*} is likely to be achieved, and

(e) it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character., and
(f) the operation, maintenance and upgrade of nationally significant infrastructure* is not compromised³⁶.

(2) In addition to meeting the criteria in (1) above, the expansion of *urban environments** must only occur where it:

- (a) is adjacent to existing or planned urban areas,
- (b) will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite land resource,
- (c) is, or is able to be, well-connected along by a variety of transport modes and³⁷ transport corridors,

(5) Change 5 – Amend UFD-P7

UFD-P7: Hapū and iwi involvement in urban development

(6) Local authorities, in taking account of the principles of Te Tiriti o Waitangi (Treaty of Waitangi) in relation to urban environments, must ~~Ensure planning decisions* involving urban environments* provide for Treaty of Waitangi (Te Tiriti o Waitangi) principles by enabling~~ hapū and iwi involvement in urban development planning processes, including in decision making where appropriate, to ensure provision is made for their needs, aspirations, and values, to ensure *urban environments** enable Māori to express their cultural traditions and norms.

(6) Change 6 – Amend Method 1 and 2

Method 1 Monitoring and reporting

The aim of this method is to collect information on development and *infrastructure*[^] trends, needs and pressures in the Region, so that these trends and pressures can be responded to appropriately and in a timely manner, through management of the built environment.

The Regional Council, together with *Territorial Authorities**, must meet the evidence-based decision-making requirements of Subpart 3 of the NPS UD, in relation to *urban environments**. This includes a requirement for the Regional Council, ~~and~~ Palmerston North City Council and Horowhenua District Council (with the Wellington Regional Leadership Committee, while Horowhenua District Council are part of the Wellington Regional Leadership Committee)⁵³ to jointly prepare and publish *Housing and Business Development Capacity Assessments** and *Future Development Strategies**.

Method 2 Strategic planning

The aim of this method is to undertake strategic planning to meet the objectives and policies of this Chapter.

The Regional Council, together with Palmerston North City Council and Horowhenua District Council (through the Wellington Regional Leadership Committee)⁵⁴, will determine housing *development capacity** that is *feasible** and likely to be taken up in *short term**, *medium term**, and *long term** through *Housing and Business Development Capacity Assessments**. In addition, the Regional Council, ~~and~~ Palmerston North City Council and Horowhenua District Council (through the Wellington

Regional Leadership Committee while Horowhenua District Council are part of the Wellington Regional Leadership Committee⁵⁵ will jointly prepare *Future Development Strategies**.

(7) Change 7 – Introduce a new policy

UFD-PX

Development infrastructure and other infrastructure needed to support Territorial Authorities ability to the requirements of UFD-P1 will be provided for so long as this will not cause inappropriate environmental effects.

BEFORE THE HEARING PANEL

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of Proposed Plan Change 3 (Urban Development) to
the Horizons Regional Council's One Plan (Regional
Policy Statement)

**EVIDENCE OF EMMA HILDERINK-JOHNSON (PLANNING) ON BEHALF OF
FONTERRA LIMITED**

19 DECEMBER 2023

**Russell
McAugh**

D J Minhinnick / A E Gilbert
P +64 9 367 8000
F +64 9 367 8163
PO Box 8
DX CX10085
Auckland

1. INTRODUCTION

- 1.1 My full name is Emma Nicole Hilderink-Johnson.
- 1.2 My current role is Senior Planner at Good Earth Matters Consulting and I have held this position for seven years. Prior to my role at Good Earth Matters, I was Senior Strategic Planner at Kingston City Council (Melbourne, Australia), and a Senior Planner at Tauranga City Council and Whakatāne District Council.
- 1.3 I have a Bachelor of Applied Science (Natural Resource Management) from Massey University (2003). I have 20 years of experience as a Planner. I am an Associate Member of the New Zealand Planning Institute ("**NZPI**"), and the Secretary of the NZPI Central North Island Branch.
- 1.4 I have presented planning evidence at planning hearings in New Zealand and at the Victorian Civil and Administrative Tribunal in Australia. I have acted as the Section 42A Reporting Office whilst employed by local authorities and have provided planning evidence on behalf of consent applicants in my current role.

Scope of evidence

- 1.5 I have been engaged by Fonterra Limited ("**Fonterra**") to present planning evidence in relation to Proposed Plan Change 3 (Urban Development) ("**PC3**") to the Consolidated Regional Policy Statement ("**RPS**"), Regional Plan and Regional Coastal Plan ("**One Plan**") for the Manawatū-Whanganui Region.
- 1.6 I attended the PC3 pre-hearing meetings on Territorial Authority Matters, Climate Change Adaptation, and Consistency with the NPS-HPL held at the Central Energy Trust Arena on 21 and 22 August 2023.
- 1.7 In preparing this statement of evidence I have read the section 42A report and appendices prepared by Ms Leana Shirley, the Reporting Officer for the Horizons Regional Council; all submissions and further submission received in respect of PC3; and associated documents.
- 1.8 The submission by Fonterra¹ generally supported PC3 but sought amendments to PC3 to:

¹ Submission 14.

- (a) clarify that provision of sufficient development capacity explicitly includes provision of business land, and not just housing capacity;
- (b) ensure that the design consideration of effects of development on climate change is appropriate; and
- (c) achieve consistency between RPS objectives and policies regarding versatile soils with the National Policy Statement for Highly Productive Land 2022 ("**NPS-HPL**").

1.9 Fonterra also filed a further submission,² which supported various submissions by KiwiRail in relation to reverse sensitivity.

1.10 My evidence relates to the submission and further submission of Fonterra, and addresses the relevant statutory planning framework, in particular the National Policy Statement on Urban Development 2020 ("**NPS-UD**") and the NPS-HPL, as this applies to PC3, and the amendments sought by Fonterra.

Code of Conduct

1.11 I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state that I have relied on the evidence of other persons. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

2. CHANGES SOUGHT TO PC3

2.1 The submission by Fonterra generally supports PC3 but seeks amendments to PC3 as set out in paragraph 1.8 above and detailed below.

Urban Form and Function

2.2 Fonterra supports Objective UFD-O3 Urban Form and Function and Policy UFD-P4 Urban Intensification and Expansion with amendments to explicitly include the provision of business land when considering the intensification and expansion of urban environments.

² Further submission 2.

- 2.3 The provision of sufficient development capacity of business land through intensification and expansion is a critical element of a well-functioning urban environment and is consistent with the provisions of the NPS-UD.
- 2.4 Fonterra's submission to include business land in UFD-O3 has been accepted and the amendment to UFD-P4 has been accepted in part. Ms Shirley agrees that business land should be included in this policy with an amendment to Fonterra's wording to UFD-P4(1)(b) to include business areas, types, site sizes and densities.³
- 2.5 I agree that the inclusion of business land in UFD-O3 and UDF-P4(1)(b), as recommended by Ms Shirley gives effect to the NPS-UD, which requires growth in choice and capacity of both housing and business land and gives effect to the Fonterra submission. I consider that the proposed wording is a more efficient policy formulation.

Urban Development and Climate Change

- 2.6 Fonterra supports the intent of Policy UFD-P8 Urban Development and Climate Change and considers that it is appropriate that urban environments are developed in a way that reduces, as far as reasonably practicable, the effects of that development on climate change.
- 2.7 However, there are many varied and complex drivers for urban land development design such as access to transportation networks and modes, suitability and availability of building materials, and affordability and practicality considerations, and it is appropriate that effects on climate change are taken into account alongside these and other drivers. For example, the directive in proposed Policy UFD-P8(1)(a) requires design to minimise the contribution to climate change and Fonterra is concerned that "minimise" may be interpreted as reducing to the lowest extent possible, without consideration of other design drivers. Fonterra therefore seeks an amendment to Policy UFD-P8(1)(c) to add wording "as far as practicable" in relation to minimising contributions to climate change.
- 2.8 This amendment has been rejected by Ms Shirley on the basis that "minimise" is understood in other New Zealand jurisdictions (e.g. Southland Water and Land Plan endorsed by the Environment Court Decision) to mean "reduce to

³ Section 42A report, Appendix 2 Officer Recommendations on Submissions, p 76 of 93.

the lowest practicable extent" and therefore, does not consider the additional wording to be necessary.⁴

- 2.9 There appears to be agreement between Fonterra and Ms Shirley on the intent of the meaning of "minimise" in the context of Policy UFD-P8(1)(a). However, it is my opinion that because the legal understanding of the term minimise may change in the future, for the avoidance of doubt "as far as reasonably practicable" should be added to Policy UFD-P8(1)(c). I do not consider it appropriate to include a definition of "minimise" in the RPS as an alternative, as the term "minimise" can rightly have different contextual meanings within the various provisions of the One Plan. Therefore, I support Fonterra's submission point on this matter as I consider that the wording proposed by Fonterra will assist in the efficient and effective interpretation of the RPS.

Versatile Soils

- 2.10 PC3 includes existing objectives and policies from the RPS relating to the protection of versatile soils from urban growth and rural residential subdivision, specifically Objective UFD-O2 and Policy UFD-P3. This objective and policy were developed when the One Plan was first prepared and predate the NPS-HPL. They seek to ensure that the benefits of Class I and II versatile soils (as defined via the Land Use Classification system) are considered when providing for urban growth and rural residential subdivision.
- 2.11 Fonterra supports the protection of highly productive land, noting that its business relies on such land being available for dairy farming, as well as other primary production purposes. However, the existing objective and policy do not reflect the provisions which have since been introduced to national policy direction via the NPS-HPL and could potentially lead to conflict between the RPS and NPS-HPL.
- 2.12 This is particularly the case with the Fonterra Braeburn Farm (adjacent to the Longburn processing site) which is subject to the Braeburn Industrial Overlay and underlying zoning of Industrial in the Palmerston North City Council District Plan ("**District Plan**"). However, the land is undeveloped, and the current use of the land is rural, and the soils are classified as Class II under the Land Use Classification System.
- 2.13 Objective UFD-O2 and Policy UFD-P3 would require the benefits of retaining this land in its current rural use to be considered and does not recognise the

⁴ Section 42A report, Appendix 2 Officer Recommendations on Submissions, p 77 of 93.

existing underlying industrial zoning. In my opinion this is at odds with NPS-HPL definition of Highly Productive Land which, while linked to Class I and II soils, specifically excludes land already zoned for urban development as being considered highly productive land. This is as per clause 3.4(2) of the NPS-HPL which states that "land that, at the commencement date, is identified for future urban development must not be mapped as highly productive land".

- 2.14 In order to achieve consistency between RPS objectives and policies regarding versatile soils and the NPS-HPL, Fonterra seeks an amendment to Objective UFD-O2 and Policy UFD-P3 to replace the term "versatile soil" with "highly productive land" as defined in the NPS-HPL. Changing this term will also result in the inclusion of Class III soils (rather than just Class I and II soils), which is consistent with the NPS-HPL.
- 2.15 I note that the NPS-HPL definition of highly productive land, includes provision for land that is yet to be mapped by the regional council and included in an operative regional policy statement. Adopting the NPS-HPL definition therefore will not necessitate the need for an amendment of the RPS after the Regional Council completes their mapping exercise.
- 2.16 I agree with the reasoning and recommendations of Ms Shirley on this matter in the Section 42A report,⁵ and her Section 32AA evaluation.⁶
- 2.17 The question has been asked of the Hearings Panel whether this matter can be addressed within the scope of PC3, and Fonterra is providing legal submissions on this.

Reverse Sensitivity Effects

- 2.18 Fonterra's further submission points on KiwiRail's submission supports the relief sought to include protection from reverse sensitivity effects.
- 2.19 Fonterra seeks to ensure that its operations and contribution to the local and regional economy are protected from reverse sensitivity effects which may result in unnecessary restrictions on those operations such that their ongoing viability is affected.
- 2.20 Fonterra relies on the safe and efficient operation of the transportation corridors including the local and State Highway roading network, and rail corridors for its ongoing operations in the Manawatū-Whanganui Region including tanker transport of milk to the Longburn processing site and the use

⁵ Section 42A report, Topic 3: Consistency with the NPS-HPL, at [142]-[155].

⁶ Section 32AA evaluation at [222].

of the rail network to convey concentrated milk products from the Longburn site to the other processing sites within the region and throughout the country.

- 2.21 KiwiRail's submission sought several amendments to expressly avoid land use conflicts and reverse sensitivity effects for development near transport corridors and infrastructure. I agree with Ms Shirley that provision for the protection of regionally and nationally significant infrastructure against reverse sensitivity is adequately addressed by her recommended amendments,⁷ and her Section 32AA evaluation.⁸ In my opinion the relief sought by KiwiRail and accepted by Ms Shirley meets the intent of the NPS-UD and the intent of Fonterra's further submission, in part.
- 2.22 However, the amendment sought by KiwiRail to Objective UFD-O1⁹ was not limited to avoiding the potential for reverse sensitivity effects on regionally and nationally significant infrastructure. Therefore, Ms Shirley's recommendation to address the submission by amending Objective UFD-O3, so that reverse sensitivity effects on nationally and regionally significant infrastructure are managed does not address Fonterra's further submission supporting the relief sought by KiwiRail to minimise land use conflicts and the avoid the potential for reverse sensitivity effects for other existing incompatible activities when planning strategically for urban development.
- 2.23 Urban development around the Fonterra Longburn milk processing site is likely through District Plan Changes which will be enabled by PC3 and the NPS-UD. The Longburn processing site is a key economic contributor to the Manawatū-Whanganui region, however it does not meet the definition of nationally or regionally significant infrastructure in the RPS or NPS-UD.
- 2.24 It is my opinion that reverse sensitivity effects for the Fonterra Longburn milk processing site can be suitably managed by future District Plan Changes, however I do consider it is also appropriate that a signal is sent via a higher-level planning document that the potential for reverse sensitivity effects for regionally significant industry must be carefully considered when planning for urban environments.
- 2.25 I note that Policy UFD-P4(2)(d)¹⁰ requires adverse reverse sensitivity effects on land with existing incompatible activities to be managed. This policy does

⁷ Section 42A report, Appendix 2 Officer Recommendations on Submissions, p 13-23 of 93.

⁸ Section 32AA evaluation at [218] and [219].

⁹ Section 42A report, Appendix 2 Officer Recommendations on Submissions, p 18 of 93.

¹⁰ Section 42A report Appendix 2 Redrafted provisions based on submissions and pre-hearing agreements p 7.

not limit the management of adverse reverse sensitivity effects to regionally and nationally significant infrastructure and therefore would apply to Fonterra's Longburn milk processing site. However, Fonterra considers that in the context of regionally significant industry, it is appropriate to avoid situations where reverse sensitivity effects may arise. Fonterra are concerned that managing, rather than avoiding adverse effects may result in unreasonable restrictions placed on existing incompatible activities potentially limiting their lawful maintenance, operation and expansion.

- 2.26 To achieve the relief sought by Fonterra, I recommend objectives and policies UFD-O3(1)(f), UFD-P4(1)(f) and UFD-P4(2)(e), and UDF-P6(f) which are intended to avoid reverse sensitivity effects on nationally significant infrastructure and infrastructure of regional or national importance, be amended so that they also include reference to "regionally significant industry".
- 2.27 This would require a definition of "regionally significant industry" in the One Plan. I therefore recommend the following definition of Regionally Significant Industry be included in PC3:

Regionally significant industry – means an economic activity based on the use of natural and physical resources in the region which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits.

Further Refinements

- 2.28 To address the matters I have discussed above, I consider that further refinement to PC3 is required to ensure that the issues raised in Fonterra's submission are addressed will be effective in achieving the balance between the differing drivers that influence the design of urban developments. My proposed amendments are set out in Annexure A.

3. CONCLUSION

- 3.1 The matters raised in Fonterra's submission have been largely agreed to and addressed by the Section 42A reporting officer and I support the recommendations of the Section 42A report subject to the amendments stated in Annexure A.

Emma Hilderink-Johnson
19 December 2023

Annexure A Proposed Amendments

I propose the following amendments (underlined/strike-through) to PC3 to the Horizons Regional Council RPS¹¹ to address the issues raised in the submission by Fonterra:

Urban Development and Climate Change

Amend UFD-P8(1) to read as follows:

- (1) *Urban environments* are developed in ways that support reductions in greenhouse gas[^] emissions and improve resilience to the effects* of climate change[^] by:*
- (a) *use of urban design, building form and infrastructure[^] to minimise, as far as reasonably practicable, the contribution to climate change[^] of the development and its future use, including (but not limited to) energy efficiency* (including methods to ensure whole-of-life energy efficiency*), water* efficiency, waste* minimisation, transportation modes (including use of public transport* and active transport*) water-sensitive design and nature-based solutions,*
 - (b) *urban development being compact, well designed and sustainable, and*
 - (c) *requiring resilience to, the impacts of climate change[^], including sea level rise* and any increases in the scale and frequency of natural hazard* events.*

Reverse Sensitivity Effects

UFD-O3(1)(f), UFD-P4(1)(f), UFD-P4(2)(e) and UDF-P6 as follows:

UFD-O3: Urban form and function

The intensification and expansion of urban environments:*

- (1) *contributes to well-functioning urban environments* that*
- (a) *enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,*
 - (b) *increase the capacity and choice available within housing and business land,*

¹¹ Section 42A report Appendix 2 Redrafted provisions based on submissions and pre-hearing agreements.

- (c) *achieve a quality, sustainable and compact urban form,*
 - (d) *are, or planned to be, well connected by a choice of transport modes including public transport*, and*
 - (e) *manage adverse environmental effects*, and*
 - (f) *manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance, and regionally significant industry.*
- (2) *enable more people to live in, and more businesses and community services* to be located in, areas of an urban environment* where:*
- (a) *it is in or near a centre zone* or other area with many employment opportunities, or*
 - (b) *it is able to be, or is, well-serviced by existing or planned public transport* and active transport*,*
 - (c) *there is a high demand for housing or business land*, relative to other areas within that urban environment*.*

UFD-P4 Urban Intensification and expansion

- (1) *Intensification and expansion of urban environments* is provided for and enabled in district plans^ where:*
- (a) *it contributes to a well-functioning urban environment*,*
 - (b) *it provides for a range of residential and business areas that enable different housing and business types, site* size and densities,*
 - (c) *higher density development is in close proximity to centre zones*, public transport*, community services*, employment opportunities, and open space,*
 - (d) *development is well serviced by existing or planned development infrastructure* and enables provision of public transport*, and additional infrastructure* required to service the development capacity* is likely to be achieved,*
 - (e) *it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character, and*

- (f) *the operation, maintenance and upgrade of nationally significant infrastructure* and regionally significant industry is not compromised.*
- (2) *In addition to meeting the criteria in (1) above, the expansion of urban environments* must only occur where it:*
- (a) *is adjacent to existing or planned urban areas,*
 - (b) *will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite land resource,*
 - (c) *is well-connected by a variety of transport modes and transport corridors,*
 - (d) *manages adverse reverse sensitivity effects* on land with existing incompatible activities, including adjacent to the urban environment* boundary, and*
 - (e) *does not compromise the operation, maintenance and upgrade of nationally significant infrastructure and regionally significant industry.*

UFD-P6: Criteria for evaluating unanticipated or out of sequence development

- (1) *Unanticipated or out of sequence development will add significantly to development capacity* where:*
- (a) *the location, design and layout of the development will contribute to a well-functioning urban environment*,*
 - (b) *the development is well-connected by a variety of transport modes and, transport corridors, and to community services*, and open space,*
 - (c) *the development will significantly contribute to meeting demand for additional urban land identified in a Housing and Business Development Capacity Assessment*, or a shortfall identified by undertaking the monitoring requirements outlined in the National Policy Statement on Urban Development 2020, including meeting housing bottom lines*, or specific housing and price needs in the market,*
 - (d) *the development will be realised in the short term* and before anticipated planned urban development,*
 - (e) *there is adequate existing or, planned upgrades to development infrastructure* to support development of the land* without adverse effects* on the provision or capacity of other planned development infrastructure* including planned infrastructure* expenditure, and*

- (f) *the development avoids adverse effects* on infrastructure^ and other physical resources of regional or national importance and regionally significant industry.*

Regionally Significant Industry definition:

Regionally significant industry – means an economic activity based on the use of natural and physical resources in the region which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits.

BEFORE THE HEARING PANEL

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of Proposed Plan Change 3 (Urban Development) to
the Horizons Regional Council's One Plan (Regional
Policy Statement)

**STATEMENT OF EVIDENCE OF SUZANNE O'ROURKE ON BEHALF OF
FONTERRA LIMITED**

19 DECEMBER 2023

**Russell
McAugh**

D J Minhinnick / A E Gilbert
P +64 9 367 8000
F +64 9 367 8163
PO Box 8
DX CX10085
Auckland

1. INTRODUCTION

- 1.1 My full name is Suzanne Patricia O'Rourke.
- 1.2 I am the National Environmental Policy Manager for Fonterra Limited's ("**Fonterra**") operations within New Zealand. I have held this role since November 2021.
- 1.3 In my role, I primarily manage and coordinate Fonterra's involvement in resource management and strategic growth policy and plan development processes that affect its New Zealand based manufacturing sites and storage and distribution centres. Central to this role is ensuring that policy and planning development processes provide for the protection of these assets and their operations from potential reverse sensitivity effects associated with the establishment of incompatible (ie sensitive) land uses.
- 1.4 I have a Bachelor of Arts (Honours) from the University of Canterbury and a Postgraduate Diploma in Resource and Environmental Planning from the University of Waikato. I have 23 years of experience working in the resource management field.
- 1.5 Prior to my role at Fonterra, I was the Team Leader, Coasts and Inland Waters at Waikato Regional Council for six years, and prior to that was the Consents Team Leader at Waipā District Council for ten years. I have also worked as a consultant at AECOM (then Maunsell), a Development Control planner for the London Borough of Hammersmith and Fulham, and a planner for Hamilton City Council.
- 1.6 I am a certified RMA decision maker under the Ministry for the Environment's Making Good Decisions programme.
- 1.7 I am a full member of the New Zealand Planning Institute.
- 1.8 I am authorised to provide this statement on behalf of Fonterra.

Scope of evidence

- 1.9 My evidence provides a summary of:
- (a) Fonterra's manufacturing interests in the Manawatū-Whanganui region;

- (b) Fonterra's approach to handling land use issues related to reverse sensitivity and its manufacturing interests across New Zealand and impacts to its operations from reverse sensitivity; and
- (c) Fonterra's submissions on Proposed Plan Change 3 (Urban Development) ("**PC3**") to the Horizon Regional Policy Statement ("**RPS**").

2. EXECUTIVE SUMMARY

- 2.1 Fonterra has significant operations in the Manawatū-Whanganui region, namely the Fonterra Research and Development Centre, a world-class research centre in Palmerston North engaged in dairy product innovations, and two manufacturing sites at Pahiatua and Longburn.
- 2.2 Fonterra supports urban growth and the ongoing economic development of the Manawatū-Whanganui Region, consistent with the intent of the National Policy Statement on Urban Development 2020 ("**NPS-UD**"). However, Fonterra considers that further refinement of PC3 is required to ensure that urban intensification occurs in a manner which minimises the potential for land use incompatibility as far as practicable, including avoiding and minimising the potential for reverse sensitivity effects. Reverse sensitivity effects are a major concern for Fonterra's dairy factories around New Zealand and present significant challenges to the ability of industrial operations to continue, let alone expand. Fonterra's activities are protected by ensuring appropriate zoning and controls to limit the density of sensitive development near industrial activities.
- 2.3 Any changes to the RPS because of the NPS-UD should also occur in a planned and considered manner. Fonterra seeks:
 - (a) that business land is recognised alongside housing capacity in the provision of sufficient development capacity;
 - (b) that urban developments are required to minimise climate change contributions as far as reasonably practicable;
 - (c) consistency between the RPS and references to versatile soils with the National Policy Statement for Highly Productive Land 2022 ("**NPS-HPL**"); and
 - (d) that reverse sensitivity effects are minimised or avoided.

3. FONTERRA IN THE MANAWATŪ WHANGANUI REGION

3.1 Fonterra is a global leader in dairy nutrition and is the preferred supplier of dairy ingredients to many of the world's leading food companies. Fonterra is New Zealand's largest company and a significant employer, with more than 12,000 New Zealand based staff and over 5,800 employees based overseas.

3.2 Fonterra is a farmer-owned co-operative, and in 2023 was one of the top ten dairy companies in the world with a turnover of more than \$24 billion annually.¹ It is one of the world's largest investors in dairy research and innovation drawing on generations of dairy expertise to produce more than two and a half million tonnes annually of dairy ingredients, value added dairy ingredients, specialty ingredients and consumer products. These products are exported to over 130 markets worldwide. Annually, Fonterra collects more than 16 billion litres of milk from its 9,000 shareholders, who are a mix of family-owned farms and corporate entities. Fonterra owns 28 manufacturing sites, 5 brand sites and 3 logistic/distribution sites in New Zealand.

3.3 Fonterra has significant assets and operational interests in the Manawatū-Whanganui region that are potentially affected by PC3. These include the:

- (d) Fonterra Research and Development Centre ("**FRDC**") at Massey University in Palmerston North (Palmerston North City);
- (e) Pahiatua manufacturing site ("**Pahiatua Site**") at 118 Pahiatua-Mangahao Road, Pahiatua (Taranua District); and
- (f) Longburn manufacturing site ("**Longburn Site**") at 2 Reserve Road, Longburn (Palmerston North City).

Fonterra Research and Development Centre

3.4 The FRDC is a world-class research facility employing some 280 scientific and technical staff. The facility engages in researching and developing innovative dairy products, with notable achievements including the world's first whey protein concentrate and an Ultra Heat-Treated cream which does not require refrigeration. The FRDC has over 130 PhDs and 350 dairy patents, and partnerships with universities and research facilities across the globe.

¹ "Mary Ledman and Richard Scheper *Global Dairy Top 20* (Rabobank, Utrecht, 2023) at p. 1.

Pahiatua manufacturing site

- 3.5 Established in 1976, the Pahiatua Site specialises in producing whole milk powder which is exported to international markets, including Algeria, Sri Lanka and Indonesia. Over a season (July-May), the Pahiatua Site collects and processes more than 600 million litres of milk with, during peak milking season (October), up to four million litres of milk being processed per day. There is on-site storage capability of up to 33,000 metric tonnes of whole milk powder at any one time until it is taken to the port for export. The Pahiatua Site employs more than 200 individuals and Fonterra is actively involved in supporting the local community. This includes through supplying local schools with safety equipment, tankers and staff as required for events.
- 3.6 The Pahiatua Site underwent a significant expansion in 2015 with the addition of a new 15 metric tonne dryer and the construction of a distribution centre and a wastewater treatment plant. This expansion more than doubled the Pahiatua Site's processing capacity and entailed an investment by Fonterra of approximately \$235 million.
- 3.7 The decision to expand the Pahiatua Site was largely due to its location, situated in the centre of the milk supply catchment for the lower North Island. Despite being within the Tararua District Plan's "Rural Management Area", the Tararua District Plan recognises that the Pahiatua Site has been in operation for many years and has characteristics that need to be provided for and effects that need to be managed. By way of example, the Tararua District Plan contains specific standards relating to the Pahiatua Site to allow for existing activities and a level of development on the site to be a permitted activity. This has provided Fonterra with confidence to develop and operate the Pahiatua Site in the way that it has.

Longburn manufacturing site

- 3.8 The Longburn Site processes up to 2.7 million litres of milk per day and employs more than 100 individuals. While the Longburn Site does not manufacture any finished products for sale to a customer, it plays a key role in supplying Fonterra's other Lower North Island manufacturing factories with raw milk and reverse osmosis retentate. In addition, the Longburn Site provides wastewater services to process and treat wastewater from both the Longburn Site itself and the neighbouring Goodman Fielder processing site.
- 3.9 Like the Pahiatua Site, Fonterra has invested significantly in the Longburn Site. The longstanding identification of the Longburn Site within an Industrial zone

reassured Fonterra in its ability to continue to operate, and as such, made it a good option for investing in processing efficiencies. An example being the whole milk reverse osmosis plant which was built at the Longburn Site in 2014 to meet that season's high milk volume. When operating, the whole milk reverse osmosis plant allows the site to reuse water, saving up to 150,000 litres of water per day. The Longburn site is also home to the only wastewater reverse osmosis plant in the dairy industry within New Zealand.

3.10 The Longburn Site is in a long-standing industrial area with the adjacent land (railway corridor and farmland) zoned Industrial (with a Braeburn Industrial Area Overlay) and Rural. Fonterra supported the proposal by the Palmerston North City Council to rezone approximately 53 hectares of Fonterra farmland adjacent to the Longburn Site via the Kākātangiata Plan Change process.² The adjacent land is intended to be utilised for expanding or supporting the Longburn Site. In the instance that the land becomes surplus to Fonterra's requirements in the future, the proposed rezoning would enable subdivision of the land and industrial development in accordance with general underlying Industrial Zone provisions.

3.11 There are significant positive effects for the social and economic wellbeing of the districts and region that flow from the continued success of Fonterra's operations in the Manawatū-Whanganui region, with direct positive social and economic effects for its employees, contractors, service providers and farmer suppliers. Appropriate zoning on, and around, Fonterra's manufacturing sites gives Fonterra the confidence to continue to invest in the operations of those sites.

4. FONTERRA'S APPROACH TO HANDLING LAND USE ISSUES RELATED TO REVERSE SENSITIVITY

4.1 Reverse sensitivity refers to the vulnerability of established, effects-generating activities (ie industrial land uses) to objections from neighbours as a result of new sensitive activities located nearby. These objections can stifle the growth of the established activities and their redevelopment, or in extreme cases, drive them elsewhere.³

² The Kākātangiata Plan Change will propose to rezone approximately 842 ha of land to the west of Palmerston North between the current urban area and Longburn. This plan change is currently in the preparation phase.

³ Examples outside Fonterra include Western Springs Speedway, Eden Park, RNZAF Base Auckland (Whenuapai Air Base), and Meadow Mushrooms.

- 4.2 Importantly, reverse sensitivity and its associated complaints arise in the context of *compliant* activities, being those activities that are authorised by way of resource consent and/or comply with permitted activity standards in regional and district plans. Like other major industrial operators, reverse sensitivity issues can, and do, affect Fonterra's activities regardless of our compliance with these planning instruments. This is because it is often the perception of effects, rather than actual effects, that leads to complaints from sensitive land users.
- 4.3 Fonterra acknowledges that the continuous improvement of its activities, and particularly its land, air and water discharges is integral to demonstrating its commitment to achieving environmental objectives and continuing operations. However, with increased encroachment by sensitive and smaller landholdings within the proximity of its manufacturing sites, when it comes to notifying consent applications and the number of affected parties, and the potential for complaints and other reverse sensitivity effects, the corresponding costs for Fonterra will continue to increase.
- 4.4 When residential neighbours enter a new residential environment, their amenity expectations are typically congruent with those found in a *residential* environment – being primarily the absence of non-residential activities and their associated effects (ie noise, lighting, visual amenity and traffic generation) during night-time hours, and on Sundays and public holidays when they wish to enjoy their residential property.
- 4.5 Reverse sensitivity effects generally result from complaints by just a few residents. Allowing even a small degree of sensitive development near an existing activity can cause significant issues, and the risk of receiving complaints increases as the number of nearby occupiers increases. Each complaint can result in hours of staff time investigating its source, communicating with the complainant and relevant council(s), and identifying practicable solutions that ensure the complaints do not endure or result in further cost to Fonterra. The effects of such complaints have, in Fonterra's experience, included:
- (a) higher compliance costs to mitigate effects on sensitive neighbours;
 - (b) the diversion of staff time to address complaints, and time that is normally attributed to day-to-day operations; and
 - (c) materially increased consenting costs.

Fonterra's approach to managing reverse sensitivity effects

- 4.6 For Fonterra, a key mechanism to ensure potential land use incompatibility and reverse sensitivity conflicts are avoided or managed is the policy and plan development process provided under the RMA. These processes require significant investment by the relevant council, on behalf of the community, and resource users within the relevant district or region.
- 4.7 Fonterra proactively engages in processes like this one to ensure that the framework guiding the future use of our land and associated assets is recognised and provided for. Higher order policy documents like the RPS are at the top of this framework. It is important Fonterra's manufacturing sites are adequately provided for. This recognition gives Fonterra confidence to continue to invest in those sites because it has the certainty that sensitive uses will not encroach and restrict operations through reverse sensitivity effects.
- 4.8 Measures provided at an RPS level ensure that land use incompatibility or reverse sensitivity is avoided or minimised at a district level through, for example, objectives and policies, zoning controls, noise protection overlays, acoustic insulation requirements for sensitive activities, setbacks and so on.
- 4.9 The potential for reverse sensitivity effects to occur can and does affect Fonterra's manufacturing operations as well as the company's decisions to continue to invest and reinvest at our sites. For example, when considering the location of new development, the ability to operate a multi-million-dollar asset *half of the time* due to operational constraints imposed on it due to the sensitivity of a surrounding residential environment, is viewed unfavourably by Fonterra. This is especially the case when some sites lack the presence of sensitive activities and have a supportive policy and planning framework underpinned by years of investment by the Council, community and other parties – including Fonterra.
- 4.10 There are many other instances of reverse sensitivity affecting Fonterra's operations. Some of these examples are set out below.

Hautapu

- 4.11 The issue of reverse sensitivity was demonstrated recently in respect of the Hautapu Dairy Factory (located in the Waipā District) through a resource consent application process that sought to authorise the discharge of odour to air from a proposed wastewater treatment facility located at the Hautapu Site. The following is a comment made by a member of the Hautapu Residents

Group in a newspaper article in respect of the consent process which, in my view, clearly demonstrates reverse sensitivity:⁴

We know the factory has been there for more than 100 years and it's in a long-time industrial zone...

But there are now more than 50 homes as its neighbours and some are just a few hundred metres away from the site.

Maybe this is not the right place for the factory anymore.

Te Rapa

- 4.12 The Te Rapa Dairy Factory Manufacturing Site is located on the western side of the Waikato River within the boundary of Hamilton City Council. However, the effects of the Te Rapa Site extend to the eastern side of the Waikato River and this area is within the boundary of Waikato District Council. Activities within Waikato District are governed by the Operative Waikato District Plan ("**OWDP**") and Proposed Waikato District Plan ("**PWDP**"). The various chapters of the PWDP were notified and heard by Council from 2018 to 2021 and decisions were issued on 17 January 2022. Fonterra was a submitter on the PWDP provisions insofar as they related to the Te Rapa site.⁵
- 4.13 The provisions within the OWDP offer minimal protection to address reverse sensitivity activities on the Te Rapa site. The OWDP Planning Maps ("**Planning Maps**") identify a Fonterra Noise Control Boundary ("**NCB**") that overlays properties within Waikato District. The planning maps include the annotation "Fonterra Noise Control Boundary Information Only".
- 4.14 There are no other provisions that address reverse sensitivity effects on the Te Rapa site. That is, beyond identifying the NCB, there are no further measures requiring developments to actually respond to the NCB. For example, there are no rules that address noise effects by requiring sensitive activities within the NCB to have acoustic insulation treatment, or to obtain resource consent or to consult with Fonterra. The planning map overlay functions only as a signal to prospective developers that their site is located within the NCB. This

⁴ Lawrence Gullery "Dairy Factory's Rural Neighbours Preparing for Battle Over Wastewater Plant" (26 Oct 2021) Stuff
<<https://www.stuff.co.nz/environment/126775336/dairy-factorys-rural-neighbours-preparing-for-battle-over-wastewater-plant>>

⁵ For completeness, I note that the PWDP review process is ongoing with Fonterra lodging an appeal against the decisions version of the District Plan.

situation has created issues for new development within the NCB. I discuss one such example below.

- 4.15 A recent proposal sought to erect a principal dwelling, and a secondary dwelling at a vacant site within the NCB. Following lodgement of the application, the applicant was advised they needed to obtain written approval from Fonterra as a potentially affected party. Fonterra also discussed this matter with Waikato District Council planning staff. Fonterra entered into discussions with the applicant to work through this matter including consideration as to how reverse sensitivity effects could be addressed at the site. Discussions proceeded to the point whereby Fonterra had its solicitor draft a no-complaints covenant for the site.
- 4.16 Then, with no prior notice, Fonterra was advised by planning staff that consent had been granted. This change in approach omitted Fonterra from the formal resource consent process and removed the ability for Fonterra to achieve any outcomes that would address reverse sensitivity effects such as acoustic treatment. The decision introduced a new neighbour into the NCB - one who may be particularly sensitive or who may compromise future activities at the Te Rapa site.
- 4.17 This example illustrates the issues that can arise when provisions in a District Plan are unclear, are not robust and are open to different interpretations from different staff. Without having rules included in the District Plan to accompany the NCB, there is confusion amongst Waikato District Planning staff as to how to apply the NCB in practice. In particular, there have been differing messages as to whether Fonterra can be deemed an affected party, and protracted conversations to work through the issues have proved time consuming and ultimately non-productive.
- 4.18 Te Rapa Dairy Factory (located in Hamilton City District) has also faced greater constraints from nearby residential development occurring in the Hamilton District. The Te Awa Lakes development is a medium density residential and mixed-use development located only 325m north of Te Rapa Dairy Factory. The development includes up to 1,100 residential units enabled by a plan change to the Hamilton City District Plan despite Te Rapa North being specifically identified in planning documents as an important industrial area. This number of residential properties in close proximity to the Te Rapa Dairy Factory will almost certainly cause reverse sensitivity effects. For example, while the proponents of the Te Awa Lakes proposal were pursuing their private plan change and contending that it would not result in any reverse sensitivity

effects, they lodged a submission on a Fonterra discharge renewal application seeking that all effects be internalised within the Fonterra site.

Mosgiel

- 4.19 The Dunedin City 2nd Generation District Plan ("**2GP**") was notified on 26 September 2015, followed by Hearings from May 2016 to December 2017 and decisions were released in November 2018. In December 2019 Fonterra lodged an appeal on the 2GP with the primary issue being the noise provisions relating to operations at the Mosgiel site. Two neighbours residing in rural residential properties adjacent to the Mosgiel site joined the appeal as section 274 parties. The neighbours opposed the proposed Noise Control Area over the Mosgiel site, and part of their property, as a means to regulate noise levels from the Mosgiel site. They also opposed the noise levels proposed to be emitted by activities at the Mosgiel site. From 2020 to 2021 the Dunedin City Council, Fonterra and the section 274 parties (which also included Oceana Gold) worked though the issues and options for noise. Matters were not resolved through that process and the appeal proceeded to Environment Court mediation next with three mediation sessions taking place in 2022. Following mediation, and resolution of the appeal amongst all parties, a consent order was issued in September 2022. The consent order confirmed the Noise Control Area as sought by Fonterra.
- 4.20 Fonterra's involvement in the 2GP was a seven-year process with the main issue being reverse sensitivity effects from noise experienced by the two adjacent landowners. The external financial cost to Fonterra for its acoustic, planning and legal experts was over \$300,000, more than a third of which was due to the appeal. This cost does not include time incurred by Fonterra staff in the policy team, from the Mosgiel site, and others indirectly involved across the business. The overall cost and time required to respond to the noise issue through the 2GP was significant and created uncertainty for operations at the Mosgiel site for many years.
- 4.21 It is these types of issues that must be avoided.

5. PC3

- 5.1 Fonterra supports the intent of PC3 in giving effect to the requirements of the NPS-UD. However, Fonterra considers that further refinement is required to ensure that urban development and intensification occurs in a manner that minimises land use conflicts as far as practicable, including avoiding the potential for reverse sensitivity effects.

- 5.2 Through its submission and further submission on PC3, Fonterra seeks:
- (a) to recognise that business land also forms part of providing sufficient development capacity under the NPS-UD – not just housing capacity;
 - (b) that developments minimise the contribution to climate change as far as reasonably practicable;
 - (c) greater consistency between the RPS and references to versatile soils with the NPS-HPL;
 - (d) changes to the objectives and policies of PC3 to ensure that reverse sensitivity effects are avoided or minimised.
- 5.3 Many of these matters have been accepted in the section 42A report. Further detail of the relief sought by Fonterra, how these have been addressed in the section 42A report and the outstanding matters that have not been appropriately addressed in the section 42A report are set out in the evidence of Ms Hilderink-Johnson.⁶

6. CONCLUSION

- 6.1 Fonterra seeks that PC3 better provides for land use compatibility and avoids reverse sensitivity in the manner sought in its submission and further submission.

Suzanne O'Rourke
19 December 2023

⁶ Evidence of Emma Hilderink-Johnson (Planning) on behalf of Fonterra Limited (dated 19 December 2023).

BEFORE THE HORIZONS REGIONAL COUNCIL

IN THE MATTER of Proposed Plan Change 3
to the Horizon's One Plan under
Schedule 1 to the Resource
Management Act 1991

AND

IN THE MATTER of submissions by
**RANGITĪKEI DISTRICT
COUNCIL**

**STATEMENT OF EVIDENCE OF KATRINA GRAY AND TIFFANY
GOWER ON BEHALF OF RANGITĪKEI DISTRICT COUNCIL**

**Planning
20 DECEMBER 2023**

INTRODUCTION

1. Our names are Katrina Gray and Tiffany Gower.
2. I (Katrina Gray) am the Senior Strategic Planner at Rangitīkei District Council. I hold the degrees of Bachelor of Arts (major in Geography) and Master of Planning from the University of Otago. I am an intermediate member of the New Zealand Planning Institute (NZPI). I have 10 years of experience as a planner, having worked at both the Rangitīkei District Council and the Horowhenua District Council in consenting, policy, and strategic planning roles. I have experience in growth planning, processing resource consents, preparing plan changes, policies, and submissions.
3. I (Tiffany Gower) am the Senior Policy Planner at the Rangitīkei District Council. I hold a Bachelor's Degree of Resource and Environmental Planning (Hons) from Massey University. I am a full member of the NZPI. I have 12 years of experience as a planner, having worked at four (4) District Councils in consenting, policy, and strategic planning roles. I have experience in processing resource consents, RMA enforcement, preparing plan changes, policies, and submissions, and acting as reporting planner on plan changes.
4. We have prepared this statement of evidence jointly and we confirm it represents our shared professional views as planning practitioners. We have prepared this evidence jointly due to capacity constraints given the time of year. We confirm that we are comfortable with this evidence being presented as our shared view. The terms "we, our, etc." in this context refer to the views of the two (2) of us.
5. We confirm that the issues addressed in this statement of evidence are within our area of expertise. We have not omitted to consider material facts known to us that might alter or detract from the opinions expressed.
6. We have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (2023). This evidence has been prepared in accordance with it and we agree to comply with it. We have not omitted to consider material facts known to us that might alter or detract from the opinions expressed.
7. We also note that we are bound by the professional ethics of NZPI and are required to be impartial and unbiased in our professional opinions expressed.

SCOPE OF EVIDENCE

8. We prepared this evidence on behalf of the Rangitīkei District Council, who are identified as **Submitter 12** on Proposed Plan Change 3 (PPC3).
9. In preparing this evidence we have had regard to the statutory framework in the Resource Management Act 1991 (RMA). In preparing this evidence, we have considered section 32AA of the RMA.
10. Our evidence will address the following matters in the order set out below:
 - (a) Guidance on development of smaller settlements
 - (b) Intensification vs Greenfield Development
 - (c) Providing for Papakāinga
 - (d) Consenting of development Infrastructure
 - (e) Consistency with the NPS-HPL
11. In preparing our evidence we have reviewed:
 - (f) Proposed Plan Change 3 (Urban Development) and all associated documents, including s32A report, submissions, and the s42A report prepared by Leana Shirley.
 - (g) The National Policy Statement on Urban Development 2020 (NPS-UD) and National Policy Statement for Highly Productive Land 2020 (NPS-HPL).
 - (h) We are both generally familiar with the One Plan and its contents.
 - (i) We each attended and participated in the pre-hearing meetings and subsequently reviewed and confirmed the accuracy of pre-hearing reports.

GUIDANCE ON DEVELOPMENT OF SMALLER SETTLEMENTS

12. We confirm our general support for PPC3 as being a necessary step in giving effect to the NPS-UD.
13. The Rangitīkei District is not a Tier 1, 2 or 3 local authority as identified by the NPS-UD. However, the Rangitīkei District (particularly southern Rangitīkei) is growing, having experienced a district-wide growth rate of 1.3% per annum since 2014. Rangitīkei District Council has recently completed its Community Spatial Plan and is currently investigating options for how best continue to provide for growth across our District.
14. PPC3 focuses largely on *urban environments* of which there are only four (4) in this region (being Palmerston North, Whanganui, Levin and Feilding). Although we do accept the focus on *urban environments* is consistent with the NPS-UD, Rangitīkei District considers that PPC3 could have gone further and recognised the regional context of urban growth. A large number

of towns and settlements throughout the Manawatū-Whanganui Region are not *urban environments*, but they are growing and form an important part of providing for overall regional growth and prosperity. As such it is important that these towns and settlements grow sustainably and in a way that creates well-functioning communities.

15. We acknowledge that Ms Shirley has recommended amendments to the scope and background of PPC3, under the heading 'Urban development and the National Policy Statement on Urban Development 2020' as follows:

In addition to the urban environments listed above, the Horizons Region is characterised by a number of smaller settlements that are not considered 'urban environments*' in the context of the NPS-UD and as defined by this Plan. Development of these settlements should occur in the spirit of the NPS-UD and the provisions of this chapter but are not subject to the direction applying to urban environments*.

16. We support the recommendation and agree these settlements should be aiming to develop in line with the 'spirit' of the NPS-UD (as the provisions of the national policy statement do not apply to non-urban environments).

17. We recommend that UFD-13 also be updated to identify smaller towns and settlements and not just refer to well-functioning urban environments. We suggest alternative wording below (our additions and ~~deletions~~ marked in black).

UFD-13 Demand for housing, *business land, *infrastructure^* and *community services****

A growing population increases demand for housing, *business land**, *infrastructure^* and *community services**. Growth ~~in urban environments*⁷~~ needs to be provided for in a way that contributes to well-functioning communities ~~urban environments~~, is integrated with *infrastructure^* planning and funding decisions, avoids the creation of reverse sensitivity effects on existing infrastructure of national significance⁸, does not worsen⁹ manages effects* on the urban and natural environment (including freshwater)¹⁰, and improves resilience to the *effects** of *climate change^*

18. More generally we encourage Horizons Regional Council to work more closely with territorial authorities to understand the challenges and opportunities non-urban environments face when planning for growth and development.

INTENSIFICATION VS GREENFIELD DEVELOPMENT

19. In our submission Rangitīkei District Council requested that policy UFD-P4 be split into two policies, one focusing on expansion and the other on intensification. These two forms of growth/development are different, with each requiring a tailored approach and policy. We recognise that both

expansion and intensification will be necessary in this region's context to meet regional growth aspirations.

20. Ms Shirley has considered this submission point and has recommended rejecting it, stating that UFD-P4 provides this differentiation already.
21. While we do not necessarily agree that UFD-P4 adequately provides for expansion and intensification as different offerings, we do acknowledge that this policy specifically relates to *urban environments* and as such we do not continue to push for amended wording.

PROVIDING FOR PAKAKĀINGA

22. In our submission Rangitikei District Council requested that policy UFD-P7 be redrafted to not restrict its application to *urban environments*, to recognise that papakāinga may not always be on Māori owned land, and recognise wider economic development needs for business environments.
23. We acknowledge and support Ms Shirley's recommendation to remove reference to "on Māori owned land" from UFD-P7(2)(b).
24. We request that this policy be further amended to apply to urban development more generally and not just *urban environments*. We suggest alternative wording below (our additions and ~~deletions~~ marked in black).
25. **FD-P7: Hapū and iwi involvement in urban development**

(1) Ensure *planning decisions** ~~involving urban environments*~~ provide for *Treaty of Waitangi (Te Tiriti o Waitangi)*[^] principles by enabling hapū and iwi involvement in urban development planning processes, including in decision making where appropriate, to ensure provision is made for their needs, aspirations, and values, to ensure towns and settlements ~~urban environments*~~ enable Māori to express their cultural traditions and norms.

(2) Land* use strategies must be proactively developed and implemented to manage urban development in a manner which:

(a) has regard to resource management issues of concern to *hapū** and *iwi**, including those identified in any relevant *iwi management plan**,

(b) enables papakāinga housing and marae on Māori owned land⁴⁹,

(c) enables early and ongoing engagement with iwi and hapū over urban intensification and expansion,

(c) ensures towns and settlements ~~urban environments*~~ enable Māori to express their cultural traditions and norms, and

(d) identifies and protects culturally significant areas

CONSENTING OF DEVELOPMENT INFRASTRUCTURE

26. In our submission Rangitikei District Council requested that the wording of policy UFD-P1 be amended to be less stringent, especially for non-urban environments. Ms Shirley has recommended UFD-P1 be amended to read as follows:

Territorial Authorities* must proactively develop and implement appropriate land[^] use strategies to manage urban growth ~~and they should aligns their infrastructure[^] asset management planning with those strategies, to ensure the efficient and effective provision of associated infrastructure[^] that:~~

(1) for urban environments* demonstrate how sufficient development capacity* for housing and business land* will be provided in the short term*, medium term* and long term* in a well-planned and integrated manner, and

(2) for all settlements, ensure there is co-ordination between the location, form and timing of urban growth development and the planning, funding, delivery and implementation of development infrastructure*.

27. We are supportive of the recommended change.

Consistency with the NPS-HPL

28. In our submission Rangitikei District Council requested the removal of all objectives and policies related to versatile land, or to make amendments to ensure alignment with the NPS-HPL, as this national policy statement now supersedes the provisions included in PPC3.
29. This matter was canvassed at the pre-hearing meetings and all participants agreed that the ability of PPC3 to achieve alignment with the NPS-HPL was limited. As such, all pre-hearing participants agreed that changes should be limited to updating references to 'versatile soils' to 'highly productive land' and introducing the NPS-HPL definition of 'highly productive land'.
30. While we acknowledge our support for the approach agreed at the pre-hearing, we would not be opposed to further consideration been given to the appropriateness of this change. In particular, consideration of whether this change could cause uncertainty and confusion regarding the implementation status of the NPS-HPL as part of the One Plan, and therefore, whether it may be more appropriate to retain the original drafted term of 'versatile soils'.

OTHER CHANGES PROPOSED IN THE S42A REPORT

31. Unless otherwise stated, we do not oppose the recommendations made by Ms Shirley in her s42A report, to the extent they are relevant to the scope of our submission.

CONCLUSION

32. Overall, PPC3 generally gives effect to the NPS-UD. However, we request minor changes as explained above. In our view, these changes are the most appropriate way to achieve the objectives in terms of their efficiency and effectiveness and having regard to benefits and costs.



Katrina Gray



Tiffany Gower

Date: 20 December 2023

BEFORE THE HEARINGS PANEL

In the Matter of: The Resource Management Act 1991

And

In the Matter of: Hearing of Submissions and Further
Submissions of proposed Plan Change 3
(PC3) to the Consolidated Regional Policy
Statement, Regional Plan and Regional
Coastal Plan for the Manawatū-Whanganui
Region (One Plan)

STATEMENT OF EVIDENCE BY

**Matthew Mackay on behalf of
Manawatū District Council**

Dated: 20 December 2023

1. Introduction

- 1.1. My name is Matthew Murray Mackay. I am the Principal Policy Planner for the Manawatū District Council.
- 1.2. I have the following experience and qualifications relevant to my evidence:
- 18 years' experience as a planner working for the Palmerston North City Council and the Manawatū District Council. My experience includes plan change development & processing, resource consent & notice of requirement processing, preparing submissions, and strategy & policy development.
 - An Honours Degree in Resource and Environmental Planning from Massey University.
- 1.3. I am familiar with the content of Proposed Plan Change 3, having provided advice on behalf on the Manawatū District Council as follows:
- Feedback on the draft plan change,
 - Contributing to Council's submission on the proposed plan change, and
 - Participating in pre-hearing meetings.
- 1.4. I also note I am bound by the professional ethics of the New Zealand Planning Institute and am required to be impartial and unbiased in my professional opinions expressed.

2. Code of Conduct

- 2.1. I have read the Code of Conduct for Expert Witnesses (2023) and I agree to comply with this Code of Conduct. This evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

3. Scope of Evidence

- 3.1. My evidence is grouped into three sections:
- Comment on the overall intent and approach of the plan change
 - Officer recommendations that I accept
 - Officer recommendations that I reject

4. Comment on the overall intent and approach of the plan change

- 4.1. Manawatū District Council submitted that the NPS:UD requirement to amend the regional policy statement was an opportunity to set direction reflecting regional priorities and issues. The Council considered that PC3 had not capitalised on this opportunity. In the absence of establishing

regionally specific provisions care should be taken when the RPS includes NPS:UD provisions and makes subtle changes to these.

- 4.2. Reading the Section 42A Report I note that Ms Shirley has accepted-in-part this relief & made a number of changes to the notified provisions. It is helpful that these changes address some matters raised in the Council submission – for example, clarification around PC-3 application to locations smaller than *urban environments*¹.
- 4.3. The Council submission did not specifically seek regionally nuanced changes, recognising this work had not been completed at the time of notification of the proposed plan change.
- 4.4. In my opinion the Government was intentional around the tool of a national policy statement rather than a national environmental standard for urban development. It was intended that a region consider the key planning issues and ensure the regional policy statement set an appropriate urban development framework. I consider that a regional coherence to planning outcomes remains a critical part of the planning system as seen in the Spatial Planning Act. We will see what form this takes in the coming years.
- 4.5. The Manawatū District Council submission recognised that forming a regionally nuanced approach must be based on some form of evidence and strategic direction. In the absence of such a document or evidence at this time, I support the relief recommended that care be taken in provisions when deviating from the NPS:UD wording. I note the work of Ms Shirley to review the potential points of conflict with the NPS:UD and recommend amendments in the Section 42A report. These amendments are generally supported.
- 4.6. I can confirm that Manawatū District Council seeks to work collaboratively with Horizons should a future regional planning exercise look to review the urban environment goals and settings.

5. Section 42A officer recommendations that I accept

- 5.1. The second part of this evidence focuses on matters where I accept the Section 42A recommendations. Additional commentary is provided where necessary to supplement the Section 42A analysis and assist the Hearing Panel in their decisions.
- 5.2. I accept the Section 42A recommendations on the following submission points:

Submission Point	Specific Plan Provision
10.1	Whole PC3
10.2	Whole PC3

¹ MDC Submission Point 10.11

10.3	UFD-P1(2)
10.4	UFD-P4
10.5	Method 2
10.6	UFD-P4(4)
10.7	UFD-P7
10.8	UFD-P5
10.10	UFD-P7
10.11	Whole PC3
10.12	Heading URD-P6
10.13	Issues and Objectives

5.3. I provide the following additional commentary

Submission Point 10.2: Alignment with the National Policy Statement: Highly Productive Land

5.4. Manawatū District Council submitted to query the integration of NPS:HPL and how PC-3 could respond given this presence of this higher-order document.

5.5. Ms Shirley has provided commentary in Section G: Scope Issues (paras 30-34) regarding this point. I appreciate there are challenges & limits to giving effect to NPS:HPL, helpfully summarised by Ms Shirley. RMA Section 61(1)(da) requires a regional policy statement to be changed in accordance with a national policy statement, and the NPS:HPL sets deadlines for completing the work in Clause 3.5(1) being “*as soon as practicable, no later than 3 years...*”.

5.6. I request the panel accept Ms Shirley’s recommendation *to ensure PC-3 does not frustrate or conflict with the NPS:HPL*². I support this approach, noting the additional work is required in order to implement the NPS:HPL requirements.

5.7. Approximately 40% of all land in the Manawatū District is classified as Land Use Capability Class 1, 2 or 3 in the New Zealand Land Resource Inventory. Naturally the Council has a high interest in the approach Horizons will take toward the mapping exercise & what objectives & policies are introduced into the regional policy statement.

5.8. Pre-empting the outcome of this separate project now is not supported & I accept Ms Shirley’s recommendations around NPS:HPL changes & the general approach of being not inconsistent

² Section 42A, Para 31.

with. I do consider that all parties recognise that changes in relation to urban development may need to be reconsidered as HRC completes the HPL mapping exercise.

Submission Point 10.4: UFD-P4 separation of policy for greenfield vs infill development

- 5.9. Council requested that UFD-P4 was split to tailor the provisions between greenfield and intensification on the basis that the planning issues greenfield growth and intensification can differ. Ms Shirley considers that UFD-P4 is sufficient and includes some distinction³. Her conclusion is that no further changes are necessary.
- 5.10. HRC has progressed this plan change without any regional spatial plan, and limited understanding where growth in the region is expected or anticipated outside of Palmerston North and Levin. While it remains my opinion that a further differentiation would be helpful for District Plans to implement, I do recognise that this is conditional on having a regional spatial plan (or equivalent) as a foundation and evidence-base which has not been part of this Plan Change. Such a document would identify the urban development outcomes across the region between greenfield and intensification of existing residential and business zoned land, and highlight the relevant planning issues necessary for inclusion in the regional policy statement. In the absence of this information I accept Ms Shirley's recommendation.

Submission Point 10.5: Method 2 Point (d) Clarification

- 5.11. Related to Submission Point 10.4, Manawatū District Council submitted that *Method 2 Point (d)* implies that greenfield growth would only occur based on evidence of a lack of infill capacity. Manawatū District Council queried this point given the UFD-P4 appears neutral when it comes to greenfield vs intensification development outcome and no targets have been set.
- 5.12. The relief requested has now become a moot point for the Manawatū District Council in light of the National Policy Statement: Highly Productive Land (NPS:HPL) as a higher order document. Feilding (the only Urban Environment in the Manawatū District) is surrounded by Class 1,2 and 3 land and therefore subject to NPS:HPL requirements. The same applies to many of the villages such as Rongotea and Sanson.
- 5.13. On that basis I request that the Hearing Panel accepts Ms Shirley's recommendation.

Submission Point 10.11: Application of PC-3 to urban areas not classified as urban environments under the NPS-UD.

- 5.14. The Manawatū District Council sought clarification on the application of PC-3 provisions to urban areas not classified as urban environments. This is a relevant matter of interest to the Manawatū

³ Para 124 of Section 42A Report

District Council as the district is made up of Feilding (an urban environment) and a number of smaller villages and rural settlements.

5.15. I note the changes Ms Shirley has recommended to provide clarity around this point and that planning for these smaller locations should be done in the 'spirit' of the NPS-UD.

5.16. On that basis I request that the Hearing Panel accepts Ms Shirley's recommendation.

6. Section 42A officer recommendations that I reject

6.1. The final section of this evidence relates to matters where I do not accept the Section 42A recommendations.

Submission Point 10.9 – Methods

6.2. Council's submission requested that the Methods Section is updated to better reflect the significance of infrastructure funding as a non-regulatory method for delivering urban environments.

6.3. In the Section 42A report Ms Shirley states she is *of the view that this provide sufficient notice to users that giving effect to PC3 may also require consent under a district plan or the regional plan. I do not believe it necessary to outline the funding mechanisms for infrastructure*⁴. The relief requested by Council was rejected in the Section 24a report.

6.4. I disagree with this view on two grounds.

6.5. Firstly, the NPS-UD identifies infrastructure as core determinant of available development capacity:

- Clause 3.4 identifies the definition of plan-enabled and infrastructure-ready capacity. Subclause (3) defines *Infrastructure-ready* as:

Development capacity is infrastructure-ready if:

(d) *in relation to the short term, there is adequate existing development infrastructure to support the development of the land*

(e) *in relation to the medium term, either paragraph (a) applies, or funding for adequate development infrastructure to support development of the land is*

(f) *identified in a long-term plan in relation to the long term, either paragraph (b) applies, or the development infrastructure to support the development capacity is identified in the local authority's infrastructure strategy (as required as part of its long-term plan).*

⁴ Page 54 of S42A report: Recommendation on Submission Point 10.9

- Clause 3.4(5) *Availability of additional infrastructure* states:
 - *Local authorities must be satisfied that the additional infrastructure to service the development capacity is likely to be available.*
- 6.6. Clause 3.4(e) and (f) identify infrastructure as only available in the medium/long-term if identified in Council's Infrastructure Strategy, Long Term Plan funding decisions & Development Contributions policy.
- 6.7. Secondly, the proposed PC-3 provisions already speak to the relevance of infrastructure funding & delivery in a co-ordinated manner. For example:
- UFD-I3: *'Demand for housing, business land*, infrastructure^ and community services'* states:

...Growth in urban environments needs to be provided for in a way that contributes to well-functioning urban environments*, is integrated with infrastructure^ planning and funding decisions...*
 - UFD-O1: Strategic planning and urban development:

...

(2) New development, development infrastructure, and additional infrastructure* are provided for in a coordinated, integrated and efficient manner.*
 - Method 2(a) and (b) Refer to Future Development Strategies or similar scaled approaches that

These strategies will enable decision-making to be based on sufficient information to:

 - (a) coordinate the intensification of urban environments* and the development of extensions to urban environments* with regional council and territorial authority infrastructure^ planning*
 - (b) provide the required development infrastructure* in an integrated, timely, efficient and effective way,*
 - Method 3 *District plans* refers to Development Contributions in paragraph 3.
- 6.8. In my opinion, a core planning issue for the Aotearoa/New Zealand is the availability of infrastructure necessary to enable development of urban environments and councils funding constraints to address this infrastructure gap. To not recognise this situation in the regional policy statement would be misleading.

6.9. The relief requested by the Manawatū District Council is narrow in scope; requesting amendments to the Methods section. I am of the view that while the methods section speaks to the relevance of infrastructure funding (e.g. Development Contributions) this should be more explicit. I recommend that an additional paragraph be inserted under the umbrella of Method 2 *Strategic Planning*.

Recommendation: Insert new paragraph (shown in [blue underline](#)) following the paragraph about spatial plans.

Method 2: Strategic Planning

The aim of this method is to undertake strategic planning to meet the objectives and policies of this Chapter.

...

The above may involve the preparation of spatial plans as a method for applying an integrated strategic planning approach

Council's plan and fund for future urban development through the Infrastructure Strategy & Long-term Plans (LTPs). Facilitating urban development is best done by planning and funding lead infrastructure through the LTP processes. If Councils do not plan for residential growth through the LTP this can result in unplanned (developer-led) development (potentially at larger lot sizes that is desirable) or a lack of infrastructure can constrain residential growth.

7. Overall conclusions

7.1. Having reviewed the Section 42A report & recommendations on submissions, it is my opinion that PC3 gives effect to the NPS-UD. One further change is requested to Method 2 as explained above. In my view the changes are the most appropriate way to achieve the objectives as required by Section 32 of the Resource Management Act.

7.2. It is recommended:

- That the Hearings Panel accept the recommendations of Ms Shirley as set out in the Section 42A report, except as relating to Submission 10.9 .
- That Method 2: Strategic Planning be amended as follows:

Method 2: Strategic Planning

The aim of this method is to undertake strategic planning to meet the objectives and policies of this Chapter.

...

The above may involve the preparation of spatial plans as a method for applying an integrated strategic planning approach.

Council's plan and fund for future urban development through the Infrastructure Strategy & Long-term Plans (LTPs). Facilitating urban development is best done by planning and funding lead infrastructure through the LTP processes. If Councils do not plan for residential growth through the LTP this can result in unplanned (developer-led) development (potentially at larger lot sizes that is desirable) or a lack of infrastructure can constrain residential growth.



Matthew Mackay

Principal Policy Planner

for Manawatū District Council

Date: 20 December 2023