

PLANNING EVIDENCE

IN THE MATTER OF Proposed Te Tai o Poutini Plan (pTTPP)

AND

IN THE MATTER OF A hearing into the above pursuant to the Resource Management Act 1991

DATE OF HEARING 4 July 2024

**REVIEW OF RESOURCE MANAGEMENT AND PLANNING MATTERS
RELATED TO FURTHER SUBMISSIONS OF WESTPOWER LTD TO THE
PROPOSED TE TAI O POUTINI PLAN**

TOPICS:

Open Space Zones

Evidence of Martin Kennedy

1.0 INTRODUCTION

1.1 My name is Martin Kennedy and I am the Sole Director of West Coast Planning Limited, a Resource Management and Planning Consultancy based in Greymouth.

1.2 I have been engaged by Westpower Limited to provide planning evidence in regard to resource management issues related to the Proposed Te Tai o Poutini Plan (*pTTPP*), and more particularly recommendations and amendments arising from the Section 42A Report relating to submissions and further submissions made by Westpower.

1.3 My role in this hearing process is to provide evidence on relevant resource management issues to assist the Commissioners in considering the matter.

1.4 This evidence specifically relates to the topic:

- Open Space Zones

2.0 SUBMITTER

2.1 The submitter is: Westpower Limited (*Westpower*)

2.2 Westpower is a community owned company undertaking activities related to the generation and supply/distribution of electricity to the community. Westpower undertakes activities in all districts in the region. Westpower's ability to undertake its activities for the community is impacted by the provisions of the plan. When assessing the proposed plan activities have been considered under three broad categories (although all are interrelated);

- the existing electricity network;
- potential additions and extension to the network;
- electricity generation activities.

3.0 WITNESS

3.1 As above I have been requested by the submitter to present evidence on the resource management issues relating to certain matters which were the subject of submissions and further submissions to the *pTTPP*.

3.2 I am the Sole Director of West Coast Planning Limited, a Resource Management and Planning Consultancy based in Greymouth. Prior to that, I

was Manager of the Environmental Services Department of the Grey District Council based in Greymouth. Before that I was District Planner at the same Council. I have 33 years Resource Management and Planning experience. I have experience in all aspects of implementation of the Resource Management Act (from a consent authority, applicant and submitter perspective) including: Resource Consent Applications (processing, development and submissions), environmental effects assessments; notification and processing decisions; and District Plan development, implementation and associated processes. I also assist submitters with submissions and involvement in National, Regional and District Policy and Plan development processes under the Resource Management Act.

- 3.3 I have had specific experience with the development, implementation and interpretation of the Policies and Plans on the West Coast as a consultant to Councils, applicants and submitters.
- 3.3 I have a BSc (Physical Geography) and a Masters Degree in Regional and Resource Planning (MRRP).
- 3.4 I am a current full member of the New Zealand Planning Institute.
- 3.5 I have read and understood the Code of Conduct for Expert Witnesses contained in the Environment Court's Consolidated Practice Note 2023 and agree to comply with it. The report presented is within my area of planning expertise and I confirm that I have not omitted to consider material facts that might alter or detract from the opinions given in this evidence.

4.0 SCOPE OF EVIDENCE

- 4.1 Westpower Ltd made further submissions in regard to matters raised by submissions to the open space zone provisions. There have been no pre-hearing processes since the lodging of submissions and further submissions.
- 4.2 For the purpose of this evidence the current pTTPP document is used as the base for assessment and opinions, with reference to the Section 42A Report (*the s42A Report*).

- 4.3 Westpower Ltd, whilst retaining its further submissions, is in general agreement with those recommendations of the Section 42A Report where they result in the outcomes/decisions sought by Westpower. Westpower has sought my advice for the purposes of the hearing into the pTTPP regarding these matters.
- 4.4 It is not proposed to repeat all of the details on which further submissions were made by Westpower Ltd as they are before the Commissioners in the form of the original further submissions, and the s42A Report. It is agreed that the report generally represents the matters raised in those further submissions, and those points of submission remain.
- 4.5 This evidence is therefore submitted for two purposes;
- To provide advice in regard to the recommended outcomes, in their current form, in the s42A Report in relation to the submissions and further submissions made by Westpower Ltd.
 - To provide further evidence in relation to matters arising from the s42A Report which require clarification and/or amendments. In terms of this hearing the topics covered are;
 - Open Space Zones
- 4.6 This evidence covers the topic area and focuses on those recommendations within the s42A Report with regard to the further submissions of Westpower Ltd.

5.0 CONCLUSION

- 5.1 Having reviewed the S42A Report, summary of recommended decisions and proposed amendments to provisions there are no further issues arising in regard to this matter. I support the recommendations to “*accept*” the further submissions of Westpower Ltd in each instance, and to “*reject*” the related decision sought in the original submission in each instance.

6.0 STRUCTURE OF EVIDENCE

- 6.1 To assist with this evidence the following sections are provided;
- a. Recommendations on Further Submissions supported (Section 7.0)
 - b. Amendments Required (Section 8.0)

c. Section 32 Analysis *(Section 9.0)*

d. Part II of the Resource Management Act 1991 *(Section 10.0)*

6.2 To assist with this evidence, summaries of the s42A Report recommendations are attached as Appendix 1 below. These appendices will be referred to where required for ease of cross reference rather than repetition of information.

7.0 RECOMMENDATIONS ON FURTHER SUBMISSIONS

7.1 Having reviewed the Section 42A Report and appendices, which are understood to reflect the recommendations of that report, Westpower have advised that those recommendations accepting its further submissions are supported.

7.2 I have reviewed those matters and generally support the recommendations to accept those further submission points made by Westpower. I provide no further evidence in regard to those matters at this stage. I will be available to answer any questions should those further submissions recommended to be accepted in the s42A Report remain in contention at the hearing. For clarity these recommendations are shown in Appendix 1 (pages 1) attached to this evidence, as further submissions accepted.

8.0 AMENDMENTS REQUIRED

8.1 Provided the recommendations of the s42A Report are adopted in regard to the further submissions of Westpower there are no further comments or amendments required.

10.0 PART II OF THE ACT

10.1 Part 2 of the Act, and more particularly Section 5, requires an assessment of the proposal and its ability to achieve the Acts overriding principal of sustainable management to be undertaken.

10.2 It is my opinion that the amendments suggested above will assist in ensuring the TTPP achieves the purpose and principals of the Act for the reasons discussed above.

Martin Kennedy
Planning Consultant
(West Coast Planning Ltd)

5 June 2024

Appendix 1: Summary of S42A Recommendations – Open Space Zones

Further Submissions Accepted

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S560.013	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	Rezoning Requests	Amend	Rezone all public conservation land to Natural Open Space Zone (NOSZ) and update the Planning maps to reflect this.	Reject
FS222.0326	Westpower Limited		Oppose	Disallow	Accept
S602.192	Department of Conservation	Open Space Zone	Amend	Rezone public conservation land not otherwise identified as NOSZ to NOSZ, where these contain mapped areas of Outstanding Natural Landscapes, Outstanding Natural Features, Significant Natural Areas, High Coastal Natural Character and Outstanding Coastal Natural Character, and are outside areas of urban zoned land	Reject
FS222.0108	Westpower Limited		Oppose	Disallow	Accept
S602.197	Department of Conservation	Open Space Zone	Amend	Rezone all public conservation, outside areas of urban zoned land, and not otherwise identified as NOSZ and OSZ, as OSZ.	Reject
FS222.0109	Westpower Limited		Oppose	Disallow	Accept