

**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** 16 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:**

**Residential 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:

- Residential 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 residential 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. Having said that I note that the s42A Report at *Appendix 2, page 27*, advises that there was no stated decision requested. This is incorrect with reference to the further submission (FS222.038) lodged which supported the original submission for the following reason, “*Westpower supports the integration of infrastructure with subdivision and development and would seek to be part of refinement of Greenfield areas as proposed by the Council in this submission.*” and sought a decision to “*Enable parties to work together to refine Greenfield areas proposed in the TTPP to ensure the integration of infrastructure, subdivision and development for the benefit of the community.*”.

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;
  - Residential 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 in part*” the further submissions of Westpower Ltd, although consider there could be further benefit

in undertaking a planning exercise with relevant infrastructure providers with respect to proposed greenfield areas to ensure the integration of infrastructure with subdivision and development.

## **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 the matters and agree in part with the recommendation to “*accept in part*” the further submission point made by Westpower. Having said that it appears that the original submission has been narrowly interpreted and I discuss that further in the Section 8 below. For clarity the recommendations are shown in Appendix 1 (pages 1) attached to this evidence, as further submissions accepted.

## **8.0 AMENDMENTS REQUIRED**

8.1 Whilst the s42A Report recommends “*accepting in part*” the original submission and further submission the consideration appears to be limited to earthworks and stormwater issues (*paragraph 327, pages 125-126*). There may have been discussions between the Reporting Officer and the Regional Council refining the issues but I am not aware of this as there have been no pre-hearing discussions. Westpower’s submission was to ensure that greenfield areas are able to be appropriately serviced in an integrated manner. It is noted that the

pTTPP is considerably more regulatory than previous plans and there may be issues arising in terms of provision of services that had not previously been the case. Westpower was supporting the submission that there be some process enabling parties to work together through the TTPP process in regard to proposed areas to ensure the integration of services with subdivision and development. In my opinion there are advantages of undertaking such planning activities, and this would also give effect to outcomes sought through the RPS regarding integration of such matters. I appreciate that there may be no intent to undertake development planning exercises for these areas, rather leaving such matters to a case by case basis, but do see benefits in a coordinated approach.

## **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 Act's 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)**

13 June 2024

## Appendix 1: Summary of S42A Recommendations – Residential Zones

### *Further Submissions Accepted*

<b>Submission Point</b>	<b>Submitter/Further Submitter</b>	<b>Provision</b>	<b>Position</b>	<b>Summary of Decision Requested</b>	<b>Officer Recommendation</b>
S488.023	West Coast Regional Council	Rezoning Requests	Oppose in part	The Council seeks to be a party to the refinement of the Greenfield areas of TTPP to ensure that the Plan is efficient, effective and useable for our West Coast communities and industry, and these sites are appropriately serviced.	Accept in part
FS222.038	Westpower Limited		Support	Not stated	Accept in part