

# Speaking Notes Hearing 2: Pauline Whitney – Appearing for Transpower NZ Submitter #60

3 November 2021

My name is Pauline Whitney. I am a senior planner/principal at Boffa Miskell Ltd, I am a full member of the NZPI and have over 23 years' experience as a planner.

Today I am presenting planning evidence on the submission by Transpower NZ Ltd to hearing Stream 2. At the onset I wish to confirm my evidence stands.

Attached to my evidence is a three page executive summary which summarises the main points specific to Hearing stream 2. I don't intend to read my evidence or the summary but if agreeable to the panel, will make some comments in response to the officers supplementary evidence and evidence I have heard to date.

Transpower lodged 25 submission points to Hearing stream 2, 19 of which are accepted. The six outstanding submission points can be broadly categorised under two 'topics':

- Strategic Directions;
- Ecosystem ECO Policies 2, 4, 11 and 12

In term of Strategic Direction, the comments on Strategic directions relate to the officer recommended strategic objective NE-O1, and the relationship between the strategic direction provisions, and objective and policies in the plan. My evidence stands.

I note the reporting officer in supplementary evidence has commented on the three points raised in my evidence and supports my evidence in part. If I can briefly comment on the three points:

- I support amendment to replace 'where possible' with 'where appropriate' on the basis 'where possible' sets a very high bar for all indigenous biodiversity. I wish to highlight that while I do not support the SO, the sought reference to 'where appropriate' is confined to the 'restored' part of the objective. I listened to the questioning by the panel to Ms Sweetman on this and I agree with her that the policies provide the guidance/direction/specificity as to what is appropriate.  
I note 'appropriate' is used within one other SO - FC04, and also within ECO-O1.  
In terms of higher order policy support, within the RPS "inappropriate' is used within Objective 3, 4, 7, 15 and 17. It is also used in policies – including P24 which applies to significant values – not all IB.
- I remain of the opinion that should additional Strategic objectives be inserted in the plan, additional text should be inserted to clarify the role of the Strategic directions. While the intent of the wording suggested in the officers supplementary evidence is supported, I think they may in fact add more confusion as it requires the SO's be read along side

objectives and policies whereas the objectives and policies are meant to resolve the tensions. I support the officer revisiting these provisions.

- In relation to the reference to 'significant resource consent applications', a) its not clear what is a significant application and b) surely the objectives and policies give effect to the Strategic objectives (and resolve the tensions) and therefore there is no need to defer back to the more generalised strategic objectives.

**The second topic** of my evidence related to Eco polices 2, 4, 11 and 12.

Again my evidence stands.

- In respect of ECO-P2, I support the reporting officer revisiting the policy within the right of reply.
- Given the uncertainty over what form P2, 4, 11 and 12 take, my preference is for the inclusion of SCHED7 - Significant Natural Areas within the 'seek to avoid' policy directive of the National Grid specific policies (INF-P6 and INF-P7) as opposed to cross reference to ECO-P2.
- Given the relationship between ECO-P2 and P4, P11 and P12, similar relief is sought.
- In my view amendments to the 'interface' between the National Grid and the ECO policies, within the Infrastructure policies, may represent a more targeted change (specifically required to give effect to the NPSET) than wholesale changes to the ECO policies themselves.

Having listened to other submitters if I could comment on the sought rule to manage indigenous removal outside SNA;s (point 225.166 which Transpower opposed FS04.043)

Noting that such a rule within the ECO chapter would not apply to Transpower, In my opinion the rule is still inappropriate on the basis:

- The SNA's appear comprehensive in manner
- The proposed plan gives effect to O16 and policies 23 and 24 of the RPS
- RPS
- Section 6(c) of the RMA is confined to significant indigenous vegetation
- In my opinion section 31 provides the broad remit for TA's in terms of functions and matters they have jurisdiction for as opposed to mandatory matters to address in a DP. There are other functions available -such as methods which are provided for in RPS Method 54 and which can sit outside the district plan.
- The accompanying policy framework to support the sought rule has not been provided in evidence (although I acknowledge one was sought in the F&B submission).
- I remain unclear as to the actual need for the rule (and any necessary associated policy framework) and what issue it is specifically addressing. In the absence of evidence to support the requested changes expanding biodiversity consideration to all vegetation, I would have anticipated this request would have been underpinned by evidence to support the gravity of such a change and to assist the council and panel to give full and proper consideration to the request (as required under s32AA).

As a final point, in relation to the sought amendment to the def of SNA so that an SNA includes those not identified, if I could comment:

- The amended definition has plan wide implications.

- It is not clear from evidence what areas this would capture that are not otherwise identified in Schedule 7 of the proposed plan
- The policies and rules would require review and potential amendment. If applied to the current rule framework any trimming (Under ECO-R1 and standard S1) would need to consider whether the vegetation is an SNA under RPS. I am not an ecologist but as a planner when I apply Policy 23 of the RPS potentially an indigenous tree that provides seasonal core habitat for protected indigenous species (such as a fantail noting all indigenous birds are protected under the Wildlife Act) could trigger Policy 23(d) of the RPS and be significant.
- Policy 23 and 24 of the RPS provide the policy framework for identifying ecosystems and habitats with significant values and then protecting those. The directive within the RPS (as the higher order policy document) is clear in terms of identification. As noted in the commentary to the RPS "Policy 23 will ensure that significant biodiversity values are identified in district and regional plans in a consistent way".
- Overall the sought change removes any certainty as to what is an SNA. While in my evidence (submission point 60.70) I accepted the removal of "identified" in relation to values, this was on the pretext the SNA themselves would remain identified. The amended definition of SNA is another step away from certainty as to what constitutes significant.