

**BEFORE THE INDEPENDENT HEARING PANEL FOR THE
PROPOSED PORIRUA DISTRICT PLAN**

UNDER of the Resource Management Act 1991
IN THE MATTER OF Proposed Porirua District Plan
AND
IN THE MATTER OF Submitter (84) and Further Submitter (63) by
Firstgas Limited

WRITTEN STATEMENT OF EVIDENCE OF NATALIE JADE WEBB (PLANNING)

**Hearing Stream 5:
Open Space and Recreation Zones;
Rural Zones;
Special Purpose Zone and
Subdivision**

Evidence date: 4 May 2022

Hearing Commencement date: 16 May – 27 May 2022

INTRODUCTION

Qualifications and Experience

- 1. My name is Natalie Jade Webb.
- 2. I am employed by the consultancy firm Beca Ltd and my role with the company is a Senior Planner.
- 3. I hold a Bachelor of Resource and Environmental Planning from Massey University, Palmerston North.
- 4. I am an Intermediate member of the New Zealand Planning Institute.
- 5. I have eight years of experience in the planning profession working for both local government as well as the private sector. I have worked providing consultancy services and processing consents for a wide range of clients around New Zealand including local authorities, land developers, and the infrastructure and transport sectors.
- 6. I am familiar with the approach that Firstgas Limited (Firstgas) have in terms of their assets and activities and the approach to resource management framework and processes.
- 7. I have prepared submissions on behalf of Firstgas in relation to the National Policy Statement – Urban Development and a Private Plan Change in Oakura and prepared evidence for the Waikato District Plan. I have also prepared and lodged resource consent applications on behalf of Firstgas.

Code of Conduct

- 8. I confirm that I have read the 'Code of Conduct' for expert witnesses contained in the Environment Court Practice Note 2014 and my evidence has been prepared in compliance with that Code. Unless I state otherwise this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of Evidence

- 9. My written evidence covers the submission points lodged by Firstgas in relation to the Open Space and Recreation Zones, Rural Zones, Special Purpose Zone and Subdivision chapter. I have also read the following relevant s42A Reports as they relate to Firstgas’ submissions (and others where relevant), and my evidence responds to the commentary and recommendations in those reports where necessary to do so:
 - (a) Proposed Porirua District Plan: Part B – Open Space and Recreation Zones – Ms Torrey McDonnell, dated 14 April 2022; and
 - (b) Proposed Porirua District Plan: Part B – Rural Zones – Ms Torrey McDonnell, dated 14 April 2022.
 - (c) Proposed Porirua District Plan: Part B – Special Purpose Zone (BRANZ) – Ms Torrey McDonnell, dated 14 April 2022.
 - (d) Proposed Porirua District Plan: Part B – Subdivision (excluding urban zones) – Mr Rory Smeaton, dated 14 April 2022.

- 10. My written evidence will briefly address the following:
 - (a) The planning background for Firstgas’ submissions and an outline of the need to provide sufficient recognition and protection of the high-pressure gas transmission network in the District in higher order planning documents / frameworks.
 - (b) My responses to the recommendations made in the Section 42A reports on Firstgas’ submissions.

Planning Background and Higher Order Planning Documents

- 11. Ultimately, the purpose of the RMA is to promote the sustainable management of natural and physical resources. The term ‘sustainable management’ is defined in Section 5 and includes enabling people and communities to provide for their social, economic and cultural well-being and for their health and safety.

- 12. In my view, reference to ‘economic’, ‘social well-being’ and ‘health and safety’ in Section 5 of the RMA puts gas related services and activities at the heart of the overall purpose of the RMA. The gas network delivers significant benefits to people and communities, supporting their social and economic well-being, as well as providing for their health and safety. Activities and operations associated with the gas transmission network clearly provides a critical role in this context for the Porirua region.

- 13. The RMA recognises the importance of infrastructure pipelines that distribute or transmit natural or manufactured gas and regulates the provision of infrastructure. This is demonstrated through recognising Firstgas, the network utility operator, as a Requiring Authority under Section 167 of the RMA.

- 14. The Greater Wellington Regional Policy Statement 2013 (GWRPS) recognises the importance of infrastructure to enable communities to provide for their social, economic and cultural wellbeing. As such, Regionally Significant Infrastructure is defined as including pipelines for the distribution or transmission of natural or manufactured gas or petroleum. This recognition is further demonstrated by the following objective and policies within the GWRPS:

OBJECTIVE 10 *The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.*

POLICY 7 *Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans.*

POLICY 8 *Protecting regionally significant infrastructure – regional and district plans.*

POLICY 39 *Recognising the benefits from renewable energy and regionally significant infrastructure.*

15. The Porirua District Plan is required to 'give effect' to these higher order planning documents¹ or in other words implement. My view is that the bundle of GWRPS policies related to regionally significant infrastructure imparts a clear enabling and protective focus in relation to the gas network across the region, including the Porirua district.

16. In the enabling context, the explanation to Policy 72 recognises the benefits of people having access to energy in order to meet their needs. The ability to recognise this is reliant on that energy network (i.e. the gas network) operating effectively and efficiently, as well as being able to be maintained and upgraded (inclusive of access to that network).

17. Policy 8 imparts a clear and directive protective focus in that the Porirua District Plan shall include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure. The explanation to Policy 8 confirms that protecting regionally significant infrastructure does not mean that all land uses or activities under, over, or adjacent are prevented. I am aware that this approach aligns with the way in which Firstgas operate their network, but ultimately that network must be allowed to efficiently and effectively operate and be maintained and upgraded.

18. The Firstgas Gas Network is appropriately recognised in the Strategic Directions of the Proposed District Plan, thereby acknowledging its strategic importance to the District in terms of its economic and social wellbeing. The following Strategic Objectives provide recognition and protection of infrastructure providing for the effective, efficient, safe and resilient functioning of the city.

¹ Refer Section 75 RMA

² GWRPS Policy 7(a)(iii)

FC-O1 Infrastructure
Effective, efficient, resilient and safe infrastructure throughout the City that: <ol style="list-style-type: none">1. Provides essential, reliable and secure services, including in emergencies;2. Facilitates local, regional and national connectivity;3. Contributes to the economy and supports a high standard of living;4. Has sufficient capacity to accommodate existing and planned growth;5. Integrates with development; and6. Enables people and communities to provide for their health and wellbeing.

Section 42A Report Recommendations

- 19. I have set out below in Appendix A below the submissions lodged by Firstgas, and the recommendation made on those submissions in the 42A Reports in relation to the Open Space and Recreation Zones, Rural Zones, Special Purpose Zone and Subdivision chapter.

Open Space and Recreation Zones

- 20. Following a review of the Section 42A report, I concur with the recommendation made in that report to accept Firstgas’ submission to retain Rule OSZ-R12 as proposed which ensures consent is required for any sensitive activity within the Gas Transmission Pipeline Corridor. This is essential to ensure that consent is sought for activities that are sensitive to the Gas Transmission Network to ensure they are not established and operating in too close proximity to the Gas Transmission Network, thereby creating reverse sensitivity effects and compromising the effective and efficient operation of the network.
- 21. It is my opinion that this will give effect to Policy 8 of the GWRPS as it ensures that the Regionally Significant Infrastructure is protected from sensitive activities through the consenting process. Providing for sensitive activities within the Gas Transmission Pipeline Corridor as a Restricted Discretionary Activity does not preclude the establishment or operation of any activities but allows for a full consideration of potential effects.

- 22. This will also give effect to Strategic Objective FC-01 as it will allow the Firstgas Gas Transmission Network to operate efficiently and safely within the Open Space and Recreation Zone.

Section 42A Report Recommendations – Rural Zones

- 23. I have set out below in Appendix A below, the submission lodged by Firstgas, and the recommendation made on those submissions in the 42A Rural Zones Report.
- 24. Following a review of the Section 42A report, I concur with the recommendation made in that report to accept Firstgas' submission to retain Rules GRUZ-R14 & RLZ-R14 which provide for sensitive activities in the Rural Zones within the Gas Transmission Pipeline Corridor as Restricted Discretionary Activity. As above, this is essential to ensure that consent is sought for activities that are sensitive to the Gas Transmission Network to ensure they are not established and operating in too close proximity to the Gas Transmission Network, thereby creating reverse sensitivity effects and compromising the effective and efficient operation of the network.
- 25. It is my opinion that this will give effect to Policy 8 of the GWRPS as it ensures that the Regionally Significant Infrastructure is protected from sensitive activities through the consenting process. Providing for sensitive activities within the Gas Transmission Pipeline Corridor as a Restricted Discretionary Activity does not preclude the establishment or operation of any activities but allows for a full consideration of potential effects.
- 26. This will give effect to Strategic Objective FC-01 as it will allow the Firstgas Gas Transmission Network to operate efficiently and safely within the Rural Zones.

Section 42A Report Recommendations – Special Purpose Zone

- 27. I have set out below in Appendix A the submission lodged by Firstgas, and the recommendation made on those submissions in the 42A Special Purpose Zones Report.

- 28. Following a review of the Section 42A report, I concur with the recommendation made in that report to accept Firstgas' submission to retain Rule FUZ-R14 which provides for sensitive activities in the Future Urban Zone within the Gas Transmission Pipeline Corridor as Restricted Discretionary Activity. As above, this is essential to ensure that consent is sought for activities that are sensitive to the Gas Transmission Network to ensure they are not established and operating in too close proximity to the Gas Transmission Network, thereby creating reverse sensitivity effects and compromising the effective and efficient operation of the network.

- 29. It is my opinion that this will give effect to Policy 8 of the GWRPS as it ensures that the Regionally Significant Infrastructure is protected from sensitive activities through the consenting process. Providing for sensitive activities within the Gas Transmission Pipeline Corridor as a Restricted Discretionary Activity does not preclude the establishment or operation of any activities but allows for a full consideration of potential effects.

- 30. This will give effect to Strategic Objective FC-01 as it will allow the Firstgas Gas Transmission Network to operate efficiently and safely within the Special Purpose Zone.

Section 42A Report Recommendations – Subdivision

- 31. I have set out below in Appendix A the submission lodged by Firstgas, and the recommendations made on that submission in the Section 42A Subdivision Report.

- 32. Following a review of the Section 42A report, I concur with the recommendations made in that report to accept Firstgas' submission in part, subject to amendments made in response to other submissions in relation to Policy SUB-P1. I agree with the recommendation to retain Policy SUB-P1 which provides for subdivision which ensures the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner with an amendment to cross-reference Policy INF-P5. This amendment will ensure that the relevant matters in INF-P5 will be taken into account and are addressed in the resource consent process. Policy INF-P5 ensures the protection of the safe and efficient

operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure from being unreasonably compromised which includes the Gas Transmission Pipeline Corridor and Gas Transmission Network.

- 33. Following a review of the Section 42A report, I concur with the recommendations made in that report to accept Firstgas' submission in part, subject to amendments made in response to other submissions in relation to SUB-P11. I agree with the recommendation to retain Policy SUB-P11 which provides for the creation of allotments for the purpose of infrastructure with an amendment which ensures that any allotment is of a size which is sufficient to accommodate the intended infrastructure.

- 34. Following a review of the Section 42A report, I concur with the recommendations made in that report to accept Firstgas' submission to retain Rule SUB-R16 as proposed which provides for the subdivision of land to create new allotments within the Gas Transmission Pipeline Corridor and/or within 30m of a site containing any above-ground station site forming part of the Gas Transmission Network as a Restricted Discretionary Activity. This is essential to ensure that the potential for third party interference is managed through the requirement of resource consent.

- 35. It is my opinion that this will give effect to Policy 8 of the GWRPS as it ensures that the Regionally Significant Infrastructure is protected from subdivision and therefore future development through the consenting process. Providing for subdivision within the Gas Transmission Pipeline Corridor as a Restricted Discretionary Activity does not preclude the establishment or operation of subdivision or future development but allows for a full consideration of potential effects.

- 36. This will give effect to Strategic Objective FC-01 as it will allow the Firstgas Gas Transmission Network to operate efficiently and safely.

Conclusion

- 37. In summary, my view is that the gas transmission network provides for peoples’ and communities’ well-being and health and safety. These matters are at the heart of sustainable management as defined by Section 5 of the RMA.

- 38. I consider the relevant provisions as recommended in the Section 42A reports will appropriately:
 - (a) recognise Firstgas’ transmission network and pipeline by providing appropriate provisions throughout the plan and set a platform to recognise the strategic importance of this network to the Porirua District; and
 - (b) provide for the safe, efficient and effective operation, maintenance, replacement, upgrade, removal and/ or development of the network.
 - (c) give effect to the relevant policies of the GWRPS and Strategic Objective FC-01 of the Proposed plan. The recommended provisions ensure that the Regionally Significant Infrastructure is protected from subdivision and therefore future development through the consenting process and allows the Firstgas Gas Transmission Network to operate efficiently and safely.

Appendix A

Table 1: Summary of my opinion on the Section 42A Open Space and Recreation Zones, Rural Zones, Special Purpose Zone and Subdivision zone chapter Recommendations – Firstgas Submissions

Submission reference	Provision	Submission intent	Section 42A report recommendation	My opinion on the section 42A recommendation
Part B: Open Space and Recreation Zones				
(S84.28)	OSZ-R12	Firstgas supports the retention of Rule OSZ-R12 which provides for sensitive activities in the Open Space and Recreation Zones within the Gas Transmission Pipeline Corridor as Restricted Discretionary Activity.	Accept.	Agree
Part B: Rural Zones				
(S84.25 & 84.26)	GRUZ-R14 & RLZ-R14	Firstgas supports the retention of Rules GRUZ-R14 & RLZ-R14 which provide for sensitive activities in the Rural Zones within the Gas Transmission Pipeline Corridor as Restricted Discretionary Activity.	The retention of Rules GRUZ-R14 & RLZ-R14 has been accepted.	Agree
Part B: Special Purpose Zone				
(S84.29)	FUZ-R14	Firstgas supports the retention of Rule FUZ-R14 which provides for sensitive activities in the Open Space and Recreation within the Gas Transmission Pipeline Corridor as Restricted Discretionary Activity.	The retention of Rule FUZ-R14 has been accepted.	Agree
Part B: Subdivision				
(S84.21)	SUB-P1	Firstgas supports the retention of Policy SUB-P1 as proposed which provides for subdivision which ensures the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of	Accept in part, subject to amendments made in response to other submissions. The officer has recommended the wording of SUB-P1 is amended so that it cross references the policy in the INF-	Agree. The amendment will provide a simple and clear method for ensuring that policy INF-P5 which is located within the Infrastructure chapter is addressed within the

		consultation with the Regionally Significant Infrastructure owner.	Infrastructure chapter which addresses reverse sensitivity (INF-P5) in SUB-P1). This amendment will ensure that the relevant matters in INF-P5 will be taken into account and are addressed in the resource consent process.	resource consent process. Policy INF-P5 ensures the protection of the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure from being unreasonably compromised which includes the Gas Transmission Pipeline Corridor and Gas Transmission Network.
(FS63.30)	SUB-P11	Firstgas supports the retention of Policy SUB-P11 as proposed which provides for the creation of allotments for the purpose of infrastructure.	Accept in part, subject to amendments made in response to other submissions. The officer has recommended that the policy should be amended so that it identifies that the resulting allotments need to be of a sufficient size to accommodate the intended infrastructure.	Agree.
(FS63.31)	SUB-R16	Firstgas supports the retention of Rule SUB-R16 as proposed which provides for the Subdivision of land to create new allotments within the Gas Transmission Pipeline Corridor and/or within 30m of a site containing any above-ground station site forming part of the Gas Transmission Network as a Restricted Discretionary Activity.	Accept.	Agree.

Natalie Jade Webb

4 May 2022