

**Speaking Notes: Elizabeth Williams, Te Papa Atawhai Department of Conservation
Proposed Timaru District Hearing E: Infrastructure & Subdivision; Cultural Values**

Kia Ora, my name is Elizabeth Williams, and I am a Senior RM Planner at *Te Papa Atawhai*, the Department of Conservation. Thank you for hearing me today and allowing me to join the hearing remotely.

The D-Gs Submission

The D-Gs submission contained limited points related to the provisions covered by this hearing topic. Overall, I generally support the s42A Officer's analysis and recommended amendments in the Energy and Infrastructure Chapter.

EI-O2 & EI-P2 Effects Management Hierarchy Approach

I support the recommendation of the S42A Officer in regard to applying an effects management hierarchy approach to managing adverse effects of infrastructure within sensitive environments. I agree that this is an appropriate tool that will ensure a consistent approach is applied to managing adverse effects of Regionally Significant and other infrastructure within sensitive environments *where there is a functional or operational need for the activity to be located there and there are no practicable alternative locations*.

I support the proposed wording change to refer to 'practicable' instead of 'practical' within Policy EI-O2¹ as recommended in the s42A Officer's summary report and ECANs evidence.

As noted in my evidence, the NPS-IB does not apply to the National Grid or Renewable Electricity Generation but for the infrastructure that is not exempt, I consider that the S42A Officer's proposed amendments to Policy EI-P2 and effects management hierarchy approach is generally consistent with the requirements of the NPS-IB in terms of managing adverse effects on SNAs where it involves *specified infrastructure* (refer to the Appendix 1 for the NPSIB definition) and where there is a functional or operational need and no practicable alternative locations.

¹ In response to D-G Submission s166.20 and ECAN evidence from D Francis.

I support the identification of the Long-Tailed Bat Habitat Protection Area as a 'sensitive environment' within EI-P2.

Comments on other submitters evidence

Transpower

In regard to the evidence from Transpower and proposed amendment to EI-O2, I acknowledge the need for the proposed objective to align with both the NPS-ET and the new proposed policy for the National Grid (EI-PX). In my opinion, the suggestion to include a National Grid specific clause within the objective is appropriate.

PrimePort Timaru Limited

In regard to the planning evidence from Ms Seaton on behalf of PrimePort Timaru Ltd, I agree that the infrastructure chapter should not take precedence over the provisions of the Port Zone. The port is identified as *Regionally Significant Infrastructure* and the Port Zone chapter contains rules that manage these activities. I note that the s42A Officer's summary report also concurs with this point².

I accept that the coastal environment within the Port Zone is a highly modified environment and there is a need to recognise existing activities. Although Ms Seaton has raised issues about the inclusion of '*no practicable alternative locations*' addition to EI-O2, it is my understanding from the evidence submitted³ that as long as the Port Zone (or even the urban areas of the Coastal Environment) are excluded from the sensitive environments in EI-P2.1.a, that this would address her concerns (as EI-O2 clause 1 would no longer apply). EI-O2 Clause 2 would still apply requiring that *adverse effects of Regionally Significant Infrastructure are avoided, remedied or mitigated having regard to the relevant objectives for the underlying zone in other areas*. This is appropriate

² A Willis, s42A summary report, page 6, paragraph 12(b)

³ Kim Seaton, Planning Evidence on behalf of PrimePort Limited, page 14, para 42

given that the notified version of the Port Zone chapter does include objectives and policies in relation to managing adverse effects of the Port Operational Area and Port activities on sensitive/coastal environment (i.e PREC7-O1 and PORTZ-P2).

It is noted that the Port does include two mapped SNAs (SNA sites 820 and 821) which contain important penguin habitat (SNA assessment Report by Mike Harding⁴). It is my understanding that even with the amendments proposed to EI-P2 in the planning evidence by Ms Seaton to exclude the urban areas of the Coastal Environment⁵, that Policy EI-P2 would still apply to the SNAs which are located at the port and identified in the plan as a sensitive environment. This would be appropriate given that the proposed ECO chapter provisions (objs, policies and rules) do not contain exemptions for the Port where it relates to SNAs (i.e rules for earthworks within a SNA). This is also consistent with Section 6 matters of the RMA and the NPSIB to protect these areas of significant habitat for indigenous fauna.

I am unsure as to whether other urban areas of the Coastal Environment within Timaru District contain sensitive environments. Because of this and for plan user clarity, instead of excluding the urban areas of the Coastal Environment, I recommend that the policy is amended to specifically exclude the Port Zone (PORTZ) area within the Coastal Environment.

⁴ Significant Natural Areas Survey, Caroline Bay/Port Timaru Penguin Habitats, M Harding November 2018

⁵ Kim Seaton, Planning Evidence on behalf of PrimePort Limited, page 14, para 42

Appendix 1 Definition of Specified Infrastructure, NPSIB

a) infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002):

(b) regionally or nationally significant infrastructure identified as such in a National Policy Statement, the New Zealand Coastal Policy Statement, or a regional policy statement or plan:

(c) infrastructure that is necessary to support housing development, that is included in a proposed or operative plan or identified for development in any relevant strategy document (including a future development strategy or spatial strategy) adopted by a local authority, in an urban environment (as defined in the National Policy Statement on Urban Development 2020):

(d) any public flood control, flood protection, or drainage works carried out:

(i) by or on behalf of a local authority, including works carried out for the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1941; or

(ii) for the purpose of drainage, by drainage districts under the Land Drainage Act 1908.

(e) defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990.