

**In the Matter of the Resource Management Act 1991
AND**

**In the Matter of Hearings into the Provisions of the
Proposed Wellington Natural Resources Plan.**

**Hearing Stream 1 Plan Framework, Beneficial Use and Development & Areas and sites with
significant mana whenua values**

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF LINDSAY DAYSH FOR CENTREPORT
LIMITED AND CENTREPORT PROPERTIES LTD.**

Introduction

1. My name is Lindsay John Daysh. My qualifications and experience are outlined in my evidence in chief dated 5 May 2017.
2. I reiterate that I have read and am familiar with the Code of Conduct for Expert Witnesses in the current Environment Court Practice Note (2014), have complied with it, and will follow the Code when presenting evidence.

Background

3. When I attended the hearing on 6 June 2017, the Panel had a number of questions in respect of objectives and in particular around the topic of regionally significant infrastructure.
4. I understand through Minute 5 that all relevant parties have been requested to consider the provisions in caucusing of planners. I support this approach as it is clear that the detailed wording of the relevant objectives and policies has led to some concern about workability.
5. As a separate matter I also received a number of questions from the Panel concerning whether the Plan appropriately provides for commercial type developments in the Objective and Policy Framework. The Commissioners will recall that one of the thrusts of CentrePort Properties Ltd's (**CPPL**) submissions was to recognise that in certain circumstances commercial development may be appropriate in the Coastal Environment and/or the Coastal Marine Area.
6. I therefore confine this supplementary evidence to a method of capturing Objectives that support appropriate development in the coastal environment and which could apply to the Coastal Marine Area.

Commercial development

7. As stated in my evidence in chief, the genesis of this issue is policy support through Policy 7 of the NZCPS concerning Strategic Planning. This is directly relevant especially to the interests of CPPL. For completeness, Policy 7 states:

Policy 7 Strategic planning

(1) In preparing regional policy statements, and plans:

(a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level, and:

(b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development:

(i) are inappropriate; and

(ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.

(2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.

8. It is the first part of Policy 7 of the NZCPS that is of relevance as it requires regional policy statements and plans to consider where, how, and when to provide for urban development and other activities in the coastal environment at a regional and district level. In relation to Wellington City Centre, the PNRP has to some extent taken this on board.
9. In the case of CentrePort and CPPL's interests, the PNRP has defined an area on Map 32 as Lambton Harbour Area (Northern Zone) which adjoins an area in the Wellington City District Plan known as the Port Redevelopment Precinct. As stated in my evidence in chief, this matter will also be the subject of more detailed submissions from CentrePort and CPPL, scheduled to be heard in Hearing Stream 6.

10. The Northern Lambton Harbour Area and specifically its waterfront is a prime opportunity for integration of an area of the Port in close proximity to the existing Lambton Harbour public space, and development of this area is of public interest in Wellington City.
11. Assuming the Panel are supportive of having some recognition of and provision for appropriate urban development contained within the PNRP, I have firstly considered whether or not there is a mechanism within the existing framework that could be amended, or secondly whether there should a new objective backed up by a new policy.
12. Looking at the “Beneficial use and development” objectives currently there are 8:

Beneficial use and development

Objective O6

Sufficient water of a suitable quality is available for the health needs of people.

Objective O7

Fresh water is available in quantities and is of a suitable quality for the reasonable needs of livestock.

Objective O8

The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan’s allocation framework.

Objective O9 

The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced.

Objective O10 

Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced.

Objective O11 

Opportunities for Māori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and improved.

Objective O12 

The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.

Objective O13 

The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.

13. There is not one objective that comfortably recognises and provides for commercial development of the coastal marine area, even though in Wellington's CBD the coastal environmental interface between the harbour and the city is a key component of the city's public spaces and sense of place.
14. The Panel will recall from my evidence in chief that I did not support just placing the words "and commercial development" into Objective 12 as that Objective relates to Regionally Significant Infrastructure and therefore warrants its own and specific attention.
15. My preference would be to add a new Objective along the following lines:

Objective XX

The social, economic, cultural and environmental benefits of appropriate future residential, urban development and other activities in the coastal environment are recognised and provided for.

16. This would link to "social, economic, cultural and environmental benefits" as is worded for Regionally Significant Infrastructure Objective O12. It would also reference the words "future residential, urban development and other activities" as contained in NZCPS Policy 7. If the Panel considered it appropriate it could potentially extend the scope of the provision to include reference to rural residential and settlement (as does Policy 7), although I have not considered whether there is sufficient scope from submissions to do so.
17. I have also added the words "appropriate" to recognise that not all locations within the region are suitable for future residential, urban development and other activities in the coastal environment. I also have added the words "and provided for" to end the text to recognise that an outcome should not be just recognising the social, economic and environmental benefits of providing for such uses, but also that the policy framework can provide for such outcomes to occur.

18. I also note that there are other beneficial use objectives relating to:
- Human health
 - Freshwater including livestock
 - Taking and using water within the allocation framework;
 - Recreational values;
 - Public access;
 - Maori customary use
 - Recognising and then protecting regionally significant infrastructure and renewable electricity generation.
19. Therefore recognising and providing for future residential, urban development and other activities in the coastal environment as an objective is complementary to the matters raised in other beneficial objectives.

New policy on benefits

20. As outlined in my evidence in chief, I supported Wellington City Council's view that there should be a new policy on benefits relating to the contribution urban areas make to the region where it adjoins the coastal environment. If there was an objective akin to the one proposed above, the new policy would have an objective to outline the environmental outcomes sought. To summarise, Wellington City Council sought a new policy on benefits as follows (S286/001):

Include a new policy (or similar) in Section 4.2 Beneficial use and development:

Recognise the contribution existing urban areas, identified urban growth areas and infrastructure make to the social, economic and cultural wellbeing of people and communities and provide for their ongoing use and development.

21. CPPL "supported the inclusion of new policy (or similar) in Section 4.2 Beneficial use and development that recognises the contribution existing urban areas, identified urban growth areas and infrastructure make to the social, economic and cultural wellbeing of people and communities and provide for their ongoing use and development". CPPL sought the whole of submission point S286/001 be allowed.
22. The Officer recommends the rejection of WCC's submission point.¹
23. As discussed, I have already outlined NZCPS Policy 7 and in the case of the Northern Lambton Harbour Area I am supportive of a targeted policy framework for promoting sound

¹ Section 42A Officer's Report – Beneficial Use and Development – Appendix at page 154.

outcomes. While I suggest the detail of this is more a matter for Hearing Stream 6, it could be that for this area a site specific policy like those provided for the operational aspects of CentrePort would suffice.

24. However, as the PNRP should be both an enabling as well as a resource use document, I can see no policy impediment to at least recognising the interface between urban development and the coastal area and extending this to acknowledge the importance of the built environment, applying to all parts of the Plan.
25. As was my recommendation at the hearing last week, I would suggest that relevant planners meet to discuss this further and prepare an overarching policy recognising NZCPS Policy 7 as well as RPS Objective 22 (relating to Urban Form and Function).



Lindsay Daysh

Incite

13 June 2017