

Before a Hearings Panel appointed by Manawatū District Council

In the matter of the Resource Management Act 1991

And

In the matter of Private Plan Change 1 to the Manawatū District Plan

Joint Witness Statement – Planners Conference Post Hearing

Date: Meeting held 01 June 2023

Venue: Online

Participants:

- (a) Kim Anstey for the Requestor;
- (b) Daniel Batley for Manawatū District Council;

Code of Conduct

1. This joint statement is prepared in accordance with section 9.4 of the Environment Court Practice Note 2023.
2. The experts that sign this statement acknowledge that they have read the 2023 Environment Court Practice Note as it concerns the role of expert witnesses and witness conferencing protocol and they agree to comply with the practice requirements.

Agenda topics for discussion

3. Recommendation to the panel for provisions to strengthen the application of the Rongotea South Structure Plan for Lot 15 DP 565962 (10ha Lot to the south), including comments on the appropriateness of the zoning.
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Response: We do not consider that changes to the zoning are required but are proposing some amendments to the provisions. These amendments are to control land use and development on Lot 15 DP 565962 (the 10ha Lot to the south) to ensure that the Rongotea South Development Area (RSDA) provisions are triggered for any activity that occurs on this site. This would ensure that the outcomes for open space, improved biodiversity and pathways for recreation that are subject to this lot would be realised. The proposed amendments are included as tracked changes in **Appendix A** with the purpose and rationale provided within a s32AA assessment as **Appendix B**. We have also proposed to include a planning map so the area the development area chapter applies to is clear.

We note that the objectives and policies of the RSDA already include reference to both subdivision and development so no subsequent changes to these are required. We note that Development Area chapters (under the National Planning Standards) are to control subdivision and development until subdivision has occurred and the structure plan has been given effect to. The underlying rules of the zones apply in addition to manage land use. Where an activity has a more restrictive activity status due to a rule elsewhere in the District Plan, the activity will still need to be assessed under the Development Area Chapter.

We considered it helpful to refer to the guidance document for Development Areas¹ under the national planning standards and note the following:

- Development areas may apply across multiple zones.
 - The planning standard directs that development area provisions are located in the development area chapter.
4. Recommendation to the panel to strengthen the provisions to ensure the Stormwater Treatment and Attenuation Pond is designed and consented prior to any subdivision being approved.

Response: We considered this would be best provided for under DEV1-S8. As above, these amendments as tracked changes are included in **Appendix A** with rationale included in the s32aa report as **Appendix B**.

5. The mechanics of the provisions, including:

¹ [Guidance on Zone Framework and District Spatial Layers Standards \(environment.govt.nz\)](https://www.environment.govt.nz/guidance-on-zone-framework-and-district-spatial-layers-standards)

- a) how the development standards and matters of discretion are intended to be applied
- b) consistent language with regard to Rongotea South Structure Plan (in accordance/consistency with)
- c) checking there is no 'floating' activity status, particularly in relation to DEV1-S6.

Response: We consider that proposed amendments to standards DEV-S6 and DEV-S7 largely removes the issue of a floating activity status which could make it difficult to assess whether or not standards have been met. The language used now results in a simple yes/no response as to whether the requirements of various plans have been included and therefore whether the standard has been met. Or more simply, the requirement to provide the relevant plan in accordance with the standard (Comprehensive Development Plan and Stormwater Management Plan) will mean the standard has been met. The quality of the plan would be something assessed through either pre application discussions or further information stages. The requirement to be 'in accordance with the Structure Plan' is rightfully included as a matter of discretion on its own and therefore a key factor when determining the quality of the information provided and whether to either decline resource consent, or to grant consent and impose conditions.

- d) Assessment under s32AA for any recommended amendments.
Refer to **Appendix B** for a s32AA assessment.

- e) Assessment against the relevant objective and policies of Horizon's Plan Change 3.

Response: Refer to **Appendix C** for an assessment against all proposed objectives and policies. We note that the Plan change is still in its early stages so minimal weight would need to be afforded to these provisions. The plan change was notified in October 2022, submissions have closed, and a hearing date is yet to be set. The website indicates that Council are aiming to schedule hearings mid to late 2023.

Signed:

Kim Anstey

A handwritten signature in blue ink, appearing to be 'KA', with a large loop at the end.

Date: 8 June 2023

Daniel Batley

A handwritten signature in black ink, appearing to be 'DB', with a long horizontal stroke extending to the right.

Date: 8 June 2023