
BRIEF OF SUPPLEMENTARY EVIDENCE OF JACQUELINE ANN TODD
SRMR – SIGNIFICANT RESOURCE MANAGEMENT ISSUES FOR THE REGION

Qualifications and Experience

- 1 My qualifications and experience are set out in paragraphs 11 to 13 of the section 42A report titled *Chapter 5: Submissions on Part 2 – Resource management overview* and dated 4 May 2022. I am the author of the ‘Significant Resource management issues for the region’ (SRMR) section of that report.

Code of Conduct

- 2 I have read and agree to comply with the Environment Court’s Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2014. I have complied with the code in preparing my evidence. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 3 This supplementary statement of evidence updates the recommendations I made in my section 42A report. That report included provisions¹ that were re-notified as a Freshwater Planning Instrument on 30 September 2022 and subsequently are no longer in the scope of the Schedule 1 process underway, or this statement of evidence.
- 4 These amendments are recommended following pre-hearing discussions for the SRMR and Urban Form and Development (UFD) chapters of the proposed Otago Regional Policy Statement (pORPS). Following useful discussions at the pre-hearing meetings, I have re-visited submissions which are relevant to SRMR-I1, SRMR-I4 and SRMR-I11, and recommend some additional changes to those recommended in my s42A report.

¹ SRMR-I5, SRMR-I6 and SRMR-I9.

Updates

- 5 The recommended amendments to SRMR-I1 and SRMR-I11 are in response to submissions seeking new issue statements in the SRMR chapter. In paragraphs 550 – 551 of my s42A report I outlined why I did not recommend any new issue statements. In my opinion none of the matters raised in submissions or in subsequent discussions qualify as a new significant resource management issue and my recommendation regarding new issue statements remains unchanged. However, following discussions at the pre-hearing meeting, I now consider that the following Issue Statements could be improved by further amendments in response to issues raised in some of those submissions:
- 5.1 SRMR-I1 - Natural hazards pose a risk to many Otago communities
 - 5.2 SRMR-I11 - Cumulative impacts and resilience – the environmental costs of our activities in Otago are adding up with tipping points potentially being reached.
- 6 The recommended amendments to SRRM-I4 are consequential changes as a result of submissions and pre-hearing discussions on the UFD Chapter of the pORPS.
- 7 For each of the recommended amendments the following will be addressed in the sections below:
- 7.1 Identification of the recommendation that is to be amended.
 - 7.2 An explanation for the recommended amendment.
 - 7.3 The proposed amendments to the relevant pORPS provisions.

Section 32AA

- 8 The Section 32 Evaluation Report for the pORPS does not include an evaluation of the issues, noting that it is not required under Section 32 of the RMA. Instead, it outlines the issues, explains how they were developed, and summarises the analysis undertaken to determine their appropriateness, relevance and significance².
- 9 The recommended amendments to the issues statements in this supplementary evidence are minor and do not materially change the 11 significant resource

² Paragraphs 65-67 of the Section 32 Evaluation Report

management issues identified for the region. No new significant resource management issues for the region are recommended. No section 32AA evaluation is considered necessary given the minor nature of the recommended amendments, and that section 32 of the RMA does not require an evaluation of the significant resource management issues for the region.

Key to proposed amendments

| Appearance | Explanation |
|--|--|
| Black text | Text as notified |
| Black text with <u>underlining</u> or strikethrough | Amendments recommended in s42A report. |
| Red text with <u>underlining</u> or strikethrough | Additional amendments recommended in supplementary evidence where there has been no previous amendment to the 'as notified' provision text. |
| Red strikethrough with <u>black underlining</u> | Text that was recommended to be inserted in s42A report (black underline) but now recommended to be deleted by supplementary evidence (red strikethrough). |

Amendments to SRMR-I1

Recommendation to be amended

- 10 Aurora Energy, Transpower and the Telecommunications Companies seek new issue statements recognising the importance of infrastructure for electricity distribution and telecommunications³.
- 11 I do not consider that the matters raised identify a new significant resource management issue for the region in relation to infrastructure. As outlined in my Section 42A report, in my opinion the requested issue statement deals with industry concerns which do not warrant a dedicated issue statement for the region⁴. Although my recommendation about a new issue statement for infrastructure remains unchanged, I recommend that SRMR-I1 be amended to address some of the points raised by submitters in regard to infrastructure and the need for distribution networks to be able to respond to natural hazard events.

³ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

⁴ Paragraph 551 of my Section 42A report.

Explanation

- 12 I agree that infrastructure will play a critical role in responding to natural hazard events. Rather than recommending a new issue statement, I consider it appropriate to acknowledge this in SRMR-I1. SRMR-I1 considers the significant natural hazards affecting the Otago region. It is identified in submissions as one of the issues of particular importance to infrastructure⁵, given the need for distribution networks to be resilient in terms of their ability to adapt or respond to natural hazard events.
- 13 I have reviewed the existing text for SRMR-I1. It identifies the risk that natural hazards pose to infrastructure in the Statement, Context and Economic and Social Impact Snapshots. However, it does not acknowledge the role that infrastructure will play in responding to natural hazard events. I recommend that SRMR-I1 be amended to address this.

Recommended amendment

- 14 I recommend the following amendments to SRMR-I1:

- a. Amend paragraph 1 of the Context subsection as follows:

The Otago region is exposed to a wide variety of *natural hazards* that impact on people, property, *infrastructure*, historic heritage and the wider *environment*. ~~When a natural hazard event occurs, it is usually sometimes difficult and costly for a community to recover.~~⁶ The *natural hazard* threats range from coastal erosion and flooding in lowland coastal areas to alluvial fan deposition, landslip, rock fall, seismic events (earthquake and tsunami), wind, snow, drought and riverbank breaches. The risk resulting from *natural hazards* is not only due to the hazards themselves, but also to whether human activities are located and operated in ways which make them vulnerable to those hazards. ~~When a natural hazard event occurs, it is sometimes difficult and costly for a community to recover. Efficiently managed and appropriately located *infrastructure* has a critical role to play in responding to *natural hazards*.~~⁷

⁵ 00315.015 Aurora Energy

⁶ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

⁷ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

- b. Add the following text to the final sentence of the first paragraph of the Economic impact snapshot:

Natural hazards could also impact on renewable electricity generation ~~in and its transmission and distribution~~ the region with ~~subsequent impact on electricity generation capacity.~~ the potential for significant national and regional consequences. Where possible new infrastructure should be located in areas where it is less vulnerable to natural hazards.⁸

Amendments to SRMR-I11

Recommendation to be amended

- 15 OWRUG and Horticulture NZ seek an additional issue statement acknowledging the importance of the food and fibre sector in the Otago region, and the challenges that the sector faces due to population growth, competing resource use, climate change, and the need to improve environmental outcomes⁹. OWRUG submits that a transition period will be required to achieve the environmental outcomes sought, allowing the food and fibre sector time to adjust at a rate that accounts for the potentially significant impacts on their social, economic and cultural well-being¹⁰.
- 16 As I outlined in my section 42A report¹¹, I do not consider that it is appropriate to add a significant resource management issue for one industry group such as the food and fibre sector. While I do not consider that a significant resource management issue for the region has been identified in regard to the food and fibre sector, I recommend some amendments to SRMR-I11 to take into account the transitional element raised in these submissions.

Explanation

- 17 I agree with OWRUG that the rate at which change can, or will need to, occur will be an important consideration when setting outcomes and there will be a transitional period for some responses. Having considered the submissions from OWRUG and Horticulture NZ further, I consider that it would be useful to acknowledge the transitional element of responses to issues. In my opinion, the

⁸ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

⁹ 00236.055 Horticulture NZ, 00235.058 OWRUG

¹⁰ 00235.058 OWRUG

¹¹ Paragraphs 550 – 551 of my Section 42A report.

most appropriate issue statement to address this is SRMR-I11 because it considers the responses to issues identified in the pORPS.

Recommended amendments

18 I recommend further amendments to SRMR-I11:

a. Amend the Statement as follows:

How and where we currently live, and the activities we undertake, are ¹² likely to change significantly in coming years. To respond to all the issues identified in this RPS, it is essential to consider changes to how we travel, the industries our economy relies on, the use we currently make of the natural and physical resources of the region, and how we provide for personal and community well-being, all while protecting our natural environment. Consideration must include the rate at which change or adaptation is required to occur, the nature of place-specific and activity-specific responses required, and the timeframes for action. ¹³

19 I note that Ms Boyd has recommended one further amendment to SRMR-I11 (Impact snapshot – environmental, paragraph 2) in her supplementary evidence on *Introduction and General Themes*.¹⁴ For the reasons she has outlined, I recommend that “thresholds” be deleted and that “environmental limits” be replaced with “limits”.

Consequential Amendments to SRMR-I4

Explanation

20 SRMR-I4 outlines the issues in relation to poorly managed urban and residential growth and refers to ‘rural residential’ development. Similarly, various provisions in the UFD Chapter refer to ‘rural residential’ development or areas. As outlined in Ms White’s Supplementary Evidence for the UFD Chapter¹⁵, Silver Fern Farms¹⁶ and Horticulture NZ¹⁷ request the deletion of ‘rural residential zones’ from UFD-P8 as this zoning is not included in the National Planning Standards.

¹² 00236.055 Horticulture NZ, 00235.058 OWRUG

¹³ 00236.055 Horticulture NZ, 00235.058 OWRUG

¹⁴ Brief of Supplementary Evidence of Felicity Ann Boyd. *Introduction and General Themes*. 11 October 2022.

¹⁵ Brief of Supplementary Evidence of Elizabeth Jane White. *Urban Form and Development Chapter*. 11 October 2022.

¹⁶ 00221.016 Silver Fern Farms.

¹⁷ 00236.103 Horticulture NZ.

21 After discussions with submitters, Ms White now considers that any rural residential zones in existing district plans will fit with the Planning Standards definition for Rural Lifestyle zones¹⁸. Given this, Ms White recommends that the RPS be forward looking and align with the Planning Standards. She recommends that references to 'rural residential' be removed and replaced with 'rural lifestyle'.¹⁹

22 I agree that the RPS should be consistent with the Planning Standards, and for the reasons outlined by Ms White in her supplementary evidence, I recommend that references to 'rural residential' in SRMR-I4 be removed and replaced with 'rural lifestyle'.

Recommended amendments

23 I recommend the following amendments to SRMR-I4:

- a. Amend the final sentence of the second paragraph of the Context subsection as follows:

The open space and landscapes provided in rural areas also drives demand for rural ~~residential living~~ lifestyle development,²⁰ particularly in areas with these qualities that are also in relative proximity to urban services.

- b. Amend the second bullet point of the Economic impact snapshot as follows:

...

the consequences of previous decisions (low density development, including rural ~~residential lifestyle~~,²¹ in the short term can preclude higher density development in the medium to longer term);

Jacqueline Ann Todd

11 October 2022

¹⁸ National Planning Standards (2019), Table 13: Zone names and descriptions

¹⁹ Paragraph 19 of the Brief of Supplementary Evidence of Elizabeth Jane White. Urban Form and Development Chapter. 11 October 2022.

²⁰ Clause 10(2)(b)(i), Schedule 1, RMA - Consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

²¹ Clause 10(2)(b)(i), Schedule 1, RMA - Consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.