

**Hearing Statement of Shannon Watson – RPS Proposed Change 1 – Hearing Stream 7:  
Small Topics, Wrap-up and Variation 1**

**Monday 15 April 2024**

1. Tēnā koutou katoa, Chair Nightingale and members of the hearing panel. My name is Shannon Watson and I am the author of the 'Definitions' section 42A report for Hearing Stream 7. I am a Technical Lead Planning with GHD Limited, and I have been contracted by the Council as the reporting officer for this topic. My qualifications and experience are set out in my section 42A report.
2. The scope of my report was the submission points relating to amendments to the definitions of National Grid, Regionally Significant Infrastructure and the Strategic Transport Network. I also recommended changing the categorisation from the Freshwater Planning Process of the RMA to the Part 1 Schedule 1 (P1S1) process because I consider the provisions are related to the activities rather than their effects on water quality and quantity.
3. The Council received 31 submission and further submission points on the provisions relating to this topic. A further 12 general submission points were also received on Change 1 as a whole which I have considered in my section 42A report. I have recommended a number of amendments to the provisions based on these submissions in my section 42A report and further amendments through my rebuttal evidence in response to the evidence of submitters.
4. I understand that my section 42A report and all submissions and evidence will be taken as read, and as such this opening statement is limited to providing a summary of the key recommendations I have made.

*National Grid*

5. Regarding the National Grid definition, I am recommending an amendment to the definition of National Grid to align with the definition of National Grid in the National Policy Statement

Electricity Transmission as the NPS is what the RPS must give effect to and is what plan users will be referring to when considering activities which interact with the National Grid. I note changes to the NPS were consulted on in 2023 and this includes the introduction of a definition for “electricity transmission network” (and electricity transmission network activities) which references the National Grid. However, no changes to the NPS have been gazetted at this point in time and therefore my recommendation is that a definition of National Grid that aligns with the current NPS is the most appropriate. This approach is supported by Rebecca Eng’s evidence on behalf of Transpower.

### *Regionally Significant Infrastructure*

6. In relation to the Regionally Significant Infrastructure (or RSI) definition, the majority of submissions received on this topic were requests to include new activities in the definition or to increase the scope of those activities in the existing definition.
7. I understand that in developing the definition of RSI in the RPS, activities needed to meet two tests to be included in the definition. First, activities must meet the the definition of Infrastructure in the RMA. Secondly, the activities must be considered to have regional significance. I have therefore recommended rejecting submissions related to requests to include activities that do not meet these tests. I have also recommended rejecting submissions where there is a pathway for activities to be recognised within the definition already or where there is a risk of creating uncertainty for plan users.
8. Additionally, I have recommended a minor amendment for interpretation and readability purposes as in relation to the Port.
9. The remaining issue in contention at this hearing is the submission from WIAL seeking to increase the scope of Wellington International Airport to include supporting infrastructure and structures with specific reference to the adjacent seawalls.

10. Through my rebuttal evidence, I have outlined why I do not consider the relief sought from WIAL to be appropriate. This centres on two key points or concerns:
  - a) Seawalls in a general sense are not consistent with the definition of Infrastructure in the RMA. In my view there is risk of planning or scope creep if activities not considered infrastructure are included in the definition.
  - b) Inconsistency within the definition if only some specific activities are included in the definition. There are other examples of RSI with seawalls which are either required to protect the activity from natural hazards or even form part of the land in which the activity is undertaken that are not specifically recognised in the definition. Given the high level and overarching strategic focus of the RPS, I consider there is a risk in listing only specific items or activities in the definition, in that all relevant matters cannot be included and it is more appropriate for activities to remain general. Based on the current definition, owners and operators of RSI need to demonstrate that their supporting or ancillary infrastructure, structures and activities are a part of, or required to operate or upgrade, the 'infrastructure' to be consistent with the RSI definition and a similar framework should apply to the airport.
  
11. While I disagree that seawalls in a general sense are Infrastructure, I believe there is a pathway for the seawalls to be consistent with the RSI definition in the Airport context without specific reference to them needing to be made. This is on the basis that the seawalls could be considered land used either wholly or partly for the landing, departure and movement of aircraft, and could also be an installation used in connection with the Airport and its administration. In this way the seawalls would be consistent with the definition of Infrastructure.

12. This is the basis of my recommended amendment in my rebuttal evidence, which reflects the intent of the amendment made in my s42A report and also responds to the relief sought from WIAL while maintaining the integrity of the definition.
13. My recommended amendment includes scope for activities to be RSI if they meet the definition of infrastructure or can fall within the definition of airport in the Airport Authorities Act (which is also recognised as infrastructure).
14. This is consistent with the key principle of the RSI definition (that an activity must be Infrastructure) and provides WIAL with an opportunity to demonstrate that an activity is consistent with this definition on a case-by-case basis as part of a plan making or consent process. This is also consistent with the approach that other RSI providers must take in relation to their supporting or ancillary activities or structures.

#### *Strategic Transport Network*

15. In relation to the definition of the Strategic Transport Network and its use in the RPS, following review of evidence from UHCC, I have recommended a consequential amendment to Method 16 to reflect the Strategic Transport Network instead of the Strategic Public Transport Network.

#### *Wairarapa Federated Farmers evidence*

16. I acknowledge the evidence received from Ms McGruddy on behalf of Wairarapa Federated Farmers late last week (hearing speaking notes). As outlined in my s42A report and rebuttal and earlier in this summary, there were two criteria that had to be met for an activity to be included in the RSI definition: had to meet definition of Infrastructure under the RMA and also had to provide region wide benefit. My opinion has not changed in regard to rural water storage and my view remains that not all water storage (including rural) will have region wide benefits. It is not clear from Ms McGruddy's statement what criteria or scale rural water

storage or supply networks will need to meet or reach to be considered to provide region wide benefits. For example, in my opinion a farm dam or pond does not provide regional benefit, but would be recognised if rural water storage and supply networks were included. It is also unclear to me why water storage infrastructure needs to be included in the RSI definition when it is already identified as specified infrastructure in the NPS-FM.

17. If the NPS stated water storage is 'nationally or regionally significant' and needs to be recognised as such then I agree it would need to be reflected in the RSI definition. Infrastructure that is included in the specified infrastructure definition of the NPSFM is only included insofar as it relates to that NPS. Having water storage included as RSI would have much broader consequences than just freshwater provisions. For example, water storage is not specified infrastructure in the NPS-IB but including it as RSI would make it so, and may provide a less rigorous consenting pathway (or even provide a pathway where one might not otherwise exist) where the indigenous biodiversity provisions are triggered. I don't think that is the intention of the NPS-FM. I also note there are other examples of specified infrastructure that are not reflected as RSI in the RPS (e.g. defence facilities, flood control, protection and drainage works) despite being listed as specified infrastructure.
18. As Ms McGruddy points out, Ministry for the Environment are encouraging regional councils "to begin the process of identifying appropriate infrastructure in their policy statements and plans". My reading of the evidence in Hearing Stream 5, in particular the rebuttal and right of reply evidence of Kate Pascall on behalf of GW is that GW have identified off-line water storage as the appropriate water storage infrastructure in the Wellington context.
19. I am happy to address this issue more fulsomely in my right of reply after hearing from Ms McGruddy tomorrow.

*Closing*

20. I am happy to answer any questions the Panel has in relation to this statement or my evidence.