

IN THE MATTER

of the Resource Management Act 1991
("the Act")

AND

IN THE MATTER

of the proposed Waikato District Plan
(Stage 1) – Hearing 2

**SUMMARY OF 23 SEPTEMBER 2019 STATEMENT OF EVIDENCE OF
JOHN ANDREW RIDDELL FOR THE DIRECTOR-GENERAL OF
CONSERVATION**

9 October 2019

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of Conservation**

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INTRODUCTION

1. My name is John Andrew Riddell. My qualifications, experience and other details relevant to my role as an expert witness are set out in my Statement of Evidence (“my Statement”).
2. My evidence is confined to three issues under consideration in Hearing 2:
 - including purpose, introductions, zone descriptions and anticipated outcomes for each zone;
 - building setback from perennial and intermittent streams; and
 - the re-notification of Stage 1 of the proposed Plan when Stage 2 is notified.

ZONE AND CHAPTER DESCRIPTIONS

Submission 585.32 by Director-General of Conservation,
paragraphs 215 - 222 of Hearing 2 report

Further submission FS1293.6 by Director-General of Conservation
in support of submission 81.2 by Waikato Regional Council,
paragraphs 215 - 222 of Hearing 2 report

3. The Director-General seeks that introductions and zone descriptions are included at the beginning of each chapter “to provide more guidance on the plan’s structure to plan users”.
4. The Waikato Regional Council's submission seeks that each zone chapter be amended to provide details and the purpose and anticipated outcomes of the corresponding zone or subzone.
5. The recommendation in the Hearing 2 report is that the submissions be rejected, on the grounds that these provisions are not required by the National Planning Standards, and adding them to the proposed Plan would be inefficient and create unnecessary rework.¹
6. In my experience, it is good practice to provide good information in a plan on the values of, in this case, the district; and on what is trying to be achieved with each zone or overlay. Such an approach guides consistent decision making, reduces the risk of misinterpretation of the multiple objectives and policies applying in each zone, better

¹See paragraph 221 of Hearing 2 Report.

addresses cumulative effects, and facilitates the monitoring of how well the proposed Plan achieves its expected results over its lifetime.

7. I suggest three changes to the proposed Plan that, in my opinion, should occur:
- Insert further sub-sections in the section in chapter 1 of the proposed plan titled “Description of district and issues for Waikato”. In my opinion, at a minimum further descriptive sub-sections that are required are: Indigenous biodiversity, natural character, landscape, and coastal environment.
 - Provide clear statements of the purpose and expected outcomes of each zone. Given the desirability of setting out the plan so that it can more easily be shifted to the National Planning Standard format at a later date, I prefer the use of an objective and/or policy for setting out the zone purpose.
 - The addition of anticipated outcomes for each zone, and for the district wide objectives and policies. Developing these is an exercise of carefully reviewing the existing objectives and policies.

SETBACK FROM PERENNIAL AND INTERMITTENT STREAMS

Further submission 1293.9 by the Director-General of Conservation in support of submission 81.9 by Waikato Regional Council, paragraphs 61 to 75

Further submission 1293.20 by the Director-General of Conservation in support of submission 286.27 by Waikato-Tainui, paragraphs 61 to 75

8. The Waikato Regional Council submission supported by the Director-General of Conservation is to provide for a minimum 10 metre building setback from perennial and intermittent streams in all zones.
9. The Waikato-Tainui submission relates to providing setbacks that are consistent with proposed Plan Change 1 to the Waikato Regional Plan and that give effect to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environment Plan.
10. The recommendation in the report on Hearing 2, in relation to the Regional Council submission, is that it be rejected. While I agree with this recommendation, I do so for different reasons:

- the definition of “river” is broad enough to include perennial and intermittent streams;
- the water setback provisions in each zone already provide for a greater setback for buildings from perennial and intermittent streams than the 10 metres sought by the Regional Council;
- water setbacks for buildings are justified (and necessary) in district plans for reasons other than the Regional Council responsibility for water quality;²

11. I also identify a specific issue with the water setback rule for rivers applying in the Reserves Zone and recommend an amendment to that rule to correct that issue.

INTEGRATING STAGE 2 AND STAGE 1 OF PROPOSED PLAN

Further submission by Director-General of Conservation in support of submissions 730.1 and 730.2 by Mercury NZ. This further submission is not identified in the Hearing 2 planner's report. The Mercury NZ submissions are discussed at paragraphs 44 to 50.

12. Notifying the proposed Plan in two stages requires careful management of the submission process as information on natural hazards, their extent and potential impacts, can have wider implications for already notified proposed Plan provisions than just zoning and other growth matters.
13. In my opinion, the scope of matters that can be addressed in Stage 2 submissions should extend to all provisions in Stage 1 of the Plan where it can be shown that the further information on natural hazards and climate change to be provided in Stage 2 of the proposed Plan requires it.
14. To do otherwise would be to increase the likelihood that Stage 2 will not integrate properly with Stage 1 of the proposed Plan.



Andrew Riddell

9 October 2019

²These reasons are summarised at paragraph 24 of my Statement.