

Summary of Planning Evidence - Hayden Taylor

- 1 The submissions made by the group of landowners from the Lower Queen Street RW1 area generally supported the Plan Change but sought greater flexibility than provided for by the proposed land use rules, in relation to duration-limited consent and removable/ relocatable buildings.
- 2 The key tension between the submissions by these landowners and Council Officer's relates to the management of coastal hazard risks. In particular, the introduction of proposed rules prohibiting subdivision in parts of the RW1 area.
- 3 Council Officers' consider that National Direction necessitates a prohibition on subdivision, and also the proposed land use controls. My evidence reviewed the relevant National Direction and concludes that it does not necessitate the provisions proposed by Council Officers.
- 4 The Council Officers' position on this appears to be premised on interpreting the National Direction as saying that new development should be avoided where a natural hazard (or potential hazard) exists. I disagree and consider that the National Direction expects that development should be avoided where it would increase natural hazard risk. As detailed in my evidence, there are ways in which risk can be avoided, remedied or mitigated. This is routinely addressed through detailed design based on expert assessment accompanying resource consent applications, and I have provided examples in my evidence demonstrating this. To conclude that all longer term activities or subdivision within areas potentially prone to natural hazards are contrary to the NZCPS and the TRMP is, in my opinion, an untenable position. To reach this conclusion, it would have to be accepted that any resource consents that have been granted by Council for such activities in the past should not in fact have been granted.
- 5 I also consider that the Council Officer's overstate the significance of subdivision compared to land use activities. Irrespective of whether subdivision occurs, development of the plan change area will involve intensified land use, multiple interested parties (such as leaseholders) and provision of infrastructure. I do not consider that subdivision creates additional risk or effects in relation to natural hazards.
- 6 My evidence concluded that the existing policy regime relating to management of natural hazards, as well as other mechanisms available to Council to address these hazards, provide an adequate framework to enable assessment and management of risks on a case by case basis at resource consent stage, and provide Council with sufficient ability to refuse consent where necessary.

- 7 Council Officers' note that the Council is in the process of addressing natural hazard management through a broader district-wide plan change. They acknowledge that this involves working through the 10-step adaptive planning process set out in the MfE guidance, but that this process is currently incomplete. I do not understand the purpose of implementing a bespoke and highly restrictive framework for this one site, that has not followed the MfE process guidance, and which has been exposed to little public scrutiny, in advance of the district-wide process.
- 8 Essentially, the land is zoned for light industrial activities, its deferment relates only to the provision of services (which are now available) and it is not at greater risk of natural hazards than some other areas of Light Industrial zoned land around Richmond (and other coastal locations in the region). I consider that a suitable framework already exists to manage natural hazard risks if the deferment notation is removed. However, I am supportive of additional provisions relating to natural hazards, provided they enable adequate flexibility to account for site specific circumstances and expert assessment.
- 9 I support the Council's district-wide approach to managing natural hazards. If this process results in additional provisions relating to natural hazards, then so be it. I simply don't think that the current plan change process is the appropriate one under which to promulgate these.
- 10 My evidence confirms I generally support the relief sought in the submissions of the Lower Queen Street Landowners but details some suggested changes to TRMP provisions to address the concerns of Council Officers.

Hayden Taylor

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