

**Before the Hearings Panel
At Greater Wellington Regional Council**

Under	Schedule 1 of the Resource Management Act
In the matter of	Proposed Change 1 to the Regional Policy Statement for the Wellington Region
Hearing Topic	Hearing Stream 7 – Small topics

**Statement of evidence of Suzanne Rushmere on behalf of Upper Hutt City Council
(Planning)
Date: 28 March 2024**

INTRODUCTION

1. My full name is Suzanne Rushmere, and I am employed as Senior Planner (Policy) by Upper Hutt City Council (UHCC). Currently, I am operating as the Acting Planning Policy Manager for UHCC.
2. My pronouns are she/her.
3. I have prepared this statement of evidence on behalf of UHCC in support of the UHCC submission to Greater Wellington Regional Council's (GWRC) Regional Policy Statement (RPS) Plan Change 1 (PC1).
4. This statement of evidence relates to Hearing Stream Seven - Small topics, wrap up and Variation 1.
5. I am authorised to provide this evidence on behalf of UHCC.

QUALIFICATIONS AND EXPERIENCE

1. I hold the qualifications of Bachelor of Arts (Honours) in Planning from Oxford Brookes University (UK), Post Graduate Diploma in Planning from Oxford Brookes University, and a Master of Science in Planning from Oxford Brookes University.
2. I have worked for Upper Hutt City Council as Senior Planner since August 2022. I have supported the development of Plan Changes, including the Intensification Planning Instrument and Rural Review, as well working on the UHCC Integrated Transport Strategy.
3. I am involved in regional projects as a lead for UHCC on the core group developing the Housing and Business Assessment and the Future Development Strategy.
4. Prior to working at UHCC, I was employed by Kapiti Coast District Council in the District Plan and Roading teams. My roles included preparing section 42A reports for the Proposed District Plan hearings and working on the resource consent processes.
5. I am a chartered member of the Royal Town Planning Institute (UK).

CODE OF CONDUCT

6. I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving oral evidence.
7. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise.
8. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

SCOPE OF EVIDENCE

9. In preparing my evidence I have relied on the following:
- The operative RPS for the Wellington Region
 - The RPS PC1 for the Wellington Region
 - The submission on RPS PC1 made by Upper Hutt City Council
 - The Section 42A report(s) for Hearing Stream Seven
 - The RPS PC1 Section 32 Assessment
 - The Resource Management Act (RMA)
10. Given the time available, and the information available at time of writing, this statement of evidence is largely focused on the topics identified in hearing stream seven section 42A reports. Accordingly, I evidence reserves my position on broader integration and consistency issues until the rebuttal evidence has been circulated and reviewed. However, some general commentary is also made including on the UHCC submission, and evidence provided on behalf of UHCC at previous RPS PC1 hearings, where it is relevant to the Hearing Stream 7 topics.
11. Where I have not commented specifically on a provision within the Hearing Stream Seven – Small topics, wrap up and Variation 1 S42A reports, I am generally comfortable with the recommendations proposed.

GENERAL POINTS

12. UHCC made several general submission points on RPS PC1 in its original submission, which are relevant to all topics in Hearing Stream 7.
13. UHCC [S34.0111 and S34.0120] submits that, due to the timing of the proposed plan change and resourcing, UHCC did not undertake a complete check of the RPS PC1, undertake a full review of background documents or identify all consequential amendments needed in response to relief sought on specific provisions or that might address our concern.
14. I remain of the view that, given the scope of change recommended by the notified RPSPC1, it is good practice and prudent that a full review be undertaken to ensure appropriate horizontal and vertical integration of provisions. This is particularly important given that recommended amendments have been made to the plan over the course of the previous 6 hearings and following caucusing.
15. As identified in various hearing streams there are inconsistencies and duplications throughout the RPSPC1 as a whole. I acknowledge that Minute 23 directs that matters of inconsistency are addressed, and I reserve my position on this as I may have further comments following the information requested by the panel being provided by GWRC on 8 April 2024.
16. As a general point, whilst I have concerns around some of the provisions directing a particular action in the regulatory policies, I do consider that the chapeau text should use consistent phrasing across the plan.
17. UHCC [S34.0114] identified that several non-regulatory policies and methods appear to signal or require regulatory actions and I note that this was addressed in some of the hearing streams, for example, Hearing Stream 3. In accordance with Minute 23 paragraph 6(d), I consider that there are likely to be other provisions across the plan change which require review and amendment (consequential or otherwise) to address our submission points. As

above, I reserve my position on this as I may have further comments following information being provided by GWRC on 8 April 2024.

18. UHCC [S34.0119] raises concerns regarding the timing of district plan requirements, submitting that some of these unrealistic. UHCC was particularly concerned with timeframes associated with transport provisions that required a schedule 1 process to be undertaken by June 2025.
19. I note that this remains in contention following Transport Topic Expert Caucusing and I am still of the opinion that this is unachievable. Whilst I do not wish to re-litigate this further, I raise this in relation to providing consistency in approach across the plan.
20. Allowing for the RPSPC1 to complete its process, which could still be some time away, territorial authorities do not possess the resources available to undertake a plan change specifically to address this issue to meet such a timeframe. I note then even if we notified a plan change by June 2025, Schedule 1 10 (4)(a) of the RMA only requires a local authority to complete a plan change within 2 years of notification, which is likely to extend well beyond June 2025.
21. To achieve consistency with other parts of the plan, and if a timeframe is included, I would recommend that this is amended to read By June 2025 in the next appropriate plan change.
22. UHCC [S34.0115, 34.0116, S34.0117 and 34.0118] noted that there was a lack of higher order documents supporting some of the changes proposed by RPSPC1, and that this further highlighted the inadequacy of the Section 32 assessment. Of particular concern was that the scale and significance tests of the section 32 assessment for thresholds, has not been adequately stated. UHCC were concerned that in applying these, it would require Council to address resource management issues in its district plan that are beyond its statutory functions, powers and duties under the RMA.
23. I acknowledge that this general point has been considered in previous hearings, and raised in submissions, however I wish to emphasise UHCC's general point that when drafting provisions, there is a need to provide sufficient evidence demonstrating and ensuring that the proposed approach is the most appropriate way to achieve the intended outcomes.

INTEGRATION OF PROVISIONS

24. I understand there will be an opportunity to review GWRC's Rebuttal Evidence prior to the hearing, However I, like other witnesses, do not yet know GWRC's position and reasoning, and whether issues have been understood and adequately addressed and resolved at the time of preparing my statement of evidence. Accordingly, I reserve my position, subject to having time to consider GWRC's rebuttal evidence it is difficult to fully understand whether issues have been properly addressed, understood or resolved prior to the preparation of this evidence.
25. I also note that Minute 12 - Steam 3, dated 8 September 2023 the panel directed GWRC in it's reply on caucusing subtopics to provide the Panel (and therefore submitters) a set of consolidated provisions for the entire Climate Change topic in order for the panel to consider the provisions in an integrated way and also consider vertical and horizontal integration.
26. However, it is does not seem to be available yet, making submitting evidence on matters in respect of integration difficult to achieve at the time of writing.
27. We do note one example, Policy CC.9 and Policy CC.1 which was discussed during Climate Resilience, Nature Based Solutions and Natural Hazards Topics Expert Caucusing and are

raised in the UHCC submission and evidence in chief for hearing stream 3. The section 42a report strengthened the relationship between these two policies. Notwithstanding the concerns I still have over these policies, they both should be considered post caucusing to determine whether there is consistency and integration between these policies.

DEFINITIONS - REGIONALLY SIGNIFICANT INFRASTRUCTURE NATIONAL GRID AND STRATEGIC TRANSPORT NETWORK

28. UHCC [S34.0108] noted that the strategic public transport network definition in Method 16 may require amendments for consistency with the amended definition of 'strategic transport network'.
29. In the Section 42A report, Ms Watson considered the strategic transport network definition and the strategic public transport network reference in Method 16 are not related. As a result, Ms Watson recommended that the submission on method 16 be rejected as out of scope because the notified plan change did not propose an amendment to Method 16.
30. It is my opinion that this stance is incorrect, given that the 'Strategic Transport Network' definition as notified, was an amendment to the Strategic Public Transport Network definition in the operative RPS. Essentially, the word public was removed from the definition. As such, the definition, and the use of the definition in method 16 are inherently connected to each other.
31. In addition, the Strategic Transport Network definition includes "All railway corridors and 'core' bus routes as part of the region's public transport network identified in the Regional Land Transport Plan 2021", so it is not necessary to refer to a strategic public transport network in Method 16.
32. Therefore, I do not consider that our request for consistency in Method 16 is out of scope of PC1, since by amending the definition of a strategic public transport network, the change to Method 16 is simply a consequential amendment of PC1.

CONSEQUENTIAL AMENDMENTS

33. UHCC [S34.0111] sought that any and all amendments, including consequential amendments were undertaken in order to address the relief sought as part of our submission.
34. I have not had the opportunity to undertake a full review, so do not seek specific amendments due to the general nature of this statement, however, I do seek that this takes place.
35. Noting that Minute 23 raises the issue of consistency generally and that there is further opportunity to provide feedback on this at the hearing, this evidence in paragraphs 37 to 44 relates specifically to matters raised in the section 42A report on consequential amendments.
36. Whilst Hearing Stream 7 section 42A reports appear to be limited to specific provisions, there are some provisions addressed in Hearing Stream 7 that cross reference policies that remain of concern. If these policies of concern are recommended to be amended further, then consequential amendments may be required to methods 1, 2 and 4.

Methods 1, 2 and 4

37. UHCC has not made submissions on methods 1, 2 and 4 specifically, however, it has made submissions on the provisions referred to in these methods that may lead to consequential amendments should the Panel accept the relief sought by UHCC or recommend amendments in response to other submissions.
38. Without re-litigating matters that have already been heard, I note that there are still matters on which no consensus was reached following Climate Resilience, Nature Based Solutions and Natural Hazards Topics Expert Caucusing on Hearing Stream 3. Of particular concern is policies CC.1, CC.4, CC.4A, CC.10, CC.14 and CC.14A. UHCC remains concerned that some of these policies go beyond GWRC's ability to direct under Section 31 and that there are issues with practical implementation in an RMA context as well as issues of scale and significance.
39. For policies CC.4, CC.4A, CC.14 and CC.14A UHCC seeks that clauses a) to f) are deleted. We also consider that there is now a considerable level of duplication between these policies as recommended in the section 42A report and right of reply that could be removed. If this duplication was to be removed then policies could be reduced and methods 1, 2 and 4 would need to be amended accordingly.
40. For Policy CC.1 I also note that no consensus was reached in Climate Resilience, Nature Based Solutions and Natural Hazards Topics Expert Caucusing around the issue of the inclusion of the hierarchy and again this may require consequential amendments to method 4, depending on the Panel's recommendations.

Method 4

41. UHCC made submissions on specific provisions which relate to method 4 including Policies CC.9 and CC.10 where UHCC seeks that resource consents be removed from this policy, as CC.11 which UHCC sought to delete in its entirety.
42. I note that the in the related joint witness statement "*the experts agreed that policy CC.10 would benefit from additional text such that it also addresses the availability of appropriate connections to existing or planned networks*". I cannot see where this has been addressed in the Council's right of reply. I also note that there are still matters of contention for policies CC.9, CC.10 and CC.11 following the Climate Resilience, Nature Based Solutions and Natural Hazards Topics Expert Caucusing.
43. If the Panel recommends amendments to address the relief sought in the UHCC submission and caucusing, these policies should consequently be amended in or removed from methods 1,2 and 4.
44. We further note that Appendix 2 of the s42A also refers to CC.14A – which is a regional council provision, but Greater Wellington Regional Council is not included in Method 4 as one of the Council's required to implement Method 4. This is an error of omission.
45. As stated above have not provided specific relief sought in this statement of evidence, however, I would be happy to answer any questions the panel have or provide these in writing if this would be helpful.

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