

UNDER the Resource
Management Act 1991

AND

IN THE MATTER of a hearing by Independent
Commissioners on behalf of South Waikato District
Council

of the

Raukawa Charitable Trust Submission to
Plan Change 1 and Plan Change 2

STATEMENT OF EVIDENCE

PROVIDED BY

Giles Crawford Boundy

ON BEHALF OF

RAUKAWA CHARITABLE TRUST

1.0 Introduction

1.1 My name is Giles Crawford Boundy and I am a Senior Consultant at GMD Consultants Limited. I have over 10 years' experience in resource management and environmental planning. My experience is primarily been in the field of policy planning, notably at a district level.

1.2 For the past year, I have been assisting Raukawa in their consideration of plan changes and resource consents. Amongst other projects, I have assisted Future Proof in the reporting of industrial land supply as part of the requirements of the then NPS-UDC. Furthermore, I have been providing assistance to Waikato Regional Council's Tai-ranga-whenua and Policy Implementation teams. I have also assisted Waikato-Tainui on other resource management issues.

1.3 Prior to joining GMD Consultants Limited, I was employed at Waikato District Council as a Senior Environmental Planner, and prior to this as Council's Reserves Planner. During this time, I was involved in the development of Reserve Management Plans, and structure plans. Latterly, I led the development of a number of topics through the Waikato District Plan Review from 2014 to the point of notification in 2018. This included biodiversity, landscape and reserve topics and their associated provisions. I was also responsible for drafting a number of 'urban' components of the Proposed District Plan as they related to multi-unit development and urban design.

1.4 I held a resource consent planner role at Waitakere City Council in 2009-10. I have also worked for the Department of Conservation in both Resource Management Act advocacy and concession processing (2010-11).

1.5 Having graduated in 2009, I hold a Bachelor of Resource and Environmental Planning honours degree from Massey University.

2.0 Expert Witness Code of Conduct

I can confirm I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2006 (and including the amendment). I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my evidence is within my area of expertise.

3.0 Background

3.1 I assisted RCT in the initial review of Plan Change 1 (PC1) and Plan Change 2 (PC2) to the South Waikato District Plan when in their draft form. This included attending a Joint Working Party meeting with South Waikato District Council staff ahead of the Joint Management Committee's recommendation and Council's approval to notify the plan changes. This is addressed in the respective s32 reports. Amendments arising from this pre-notification engagement are also addressed in plan change S32 and S42A reports.

- 3.2 Furthermore, I have assisted RCT in the development of their submissions on Plan Change 1 and 2. I have also been involved in meetings which RCT have held with Marae representatives following notification of Plan Change 1 and 2. The first of which helped inform the Raukawa Submissions on PC1 and PC2.
- 3.3 I have read the s42A reports for both Plan Change 1 and 2. I consider that these appropriately address the relevant planning matters and framework in particular Te Ture Whaimana and the Raukawa Environmental Management Plan as they relate to the plan changes, hence I do not reproduce this herein.
- 3.4 I note that Raukawa Settlement Trust Chairperson Ms Vanessa Eparaima will also table evidence for RCT and present at the hearing.

4. SCOPE OF EVIDENCE

- 4.1 My evidence is presented on behalf of Raukawa Charitable Trust.
- 4.2 My evidence addresses the recommendations contained within the 42A reports for Plan Change 1 and 2 respectively as they relate to the matters contained in the Raukawa Submissions on PC1 and PC2.
- 4.3 For the purpose of brevity, I will not repeat the RCT submission points or reasons thereof. Rather, in the paragraphs in 5 below, I highlight the key aspects of the submissions firstly through addressing those aspects of PC1 and PC2 that Raukawa sought to be retained and secondly those points which Raukawa sought amendment to.

5.0 S42A recommendations - Retention of notified provisions and recommended amendments to address the submissions of Raukawa Charitable Trust

- 5.1 Raukawa Charitable Trust sought retention of a number of provisions proposed in Plan Change 1 and Plan Change 2 as notified. The S42A reports for Plan Change 1 and 2 recommend accepting these submission points in full or in part. I note that arising from the submissions of other parties, a number of other amendments have been recommended to the notified rules of PC1 and PC2 which RCT sought be retained as notified. I do not see an issue with these recommended changes as set out in the s42A reports.
- 5.2 Regarding PC2, without further assessment of the implications on water supply capacity, I consider it inappropriate to provide further bespoke exemptions beyond that recommended in the S42A response to the Fire and Emergency New Zealand's (FENZ) Submission Point 2.2 Further exemptions individually or cumulatively may run the risk of undermining the intended outcome of the Plan Change, central to which is the integrated management of natural and physical resources, principally managing water supply and wastewater alongside pending growth.
- 5.3 Raukawa Charitable Trust sought, what I generally consider to be, three key amendments which cut across both Plan Change 1 and Plan Change 2. The first was to ensure that the values and interests of Raukawa are recognised in matters of control and restricted discretion in the principle rules associated with the Plan Changes (as addressed in Submission 8.7 to PC 1 and

Submission 4.7, 4.10 and 4.13 to PC2). I concur with the recommendations and amendments provided by the S42A authors for both PC1 and PC2 in this regard.

- 5.4 Secondly, and closely linked, RCT sought that iwi and hapū not be precluded from consideration as an affected party for the purpose of the notification of resource consents (Submission Points 8.8 to PC1 and Submission Points 4.6, 4.9 and 4.12 to PC2). I concur with the recommendations and amendments provided by the S42A author for both PC1 and PC2 in this regard. Furthermore, I consider the recommendations of the 42A authors for PC1 and PC2 on this matter paramount to make it clear within the Plan that Council is to consider, iwi and hapū as affected parties on the matters at hand where the need may arise. These recommendations are particularly relevant in light of the 2018 changes to the RMA, which the SWDP predates.
- 5.5 Thirdly, RCT sought that broader views or concerns of ngā whānau and ngā marae be accounted for and addressed through amendment to the PC1 and PC2 as addressed through Submission 8.13 and Submission 4.14 respectively.

I acknowledge and recognise the limited scope to address Submission Points 8.13 of PC1 and 4.14 of PC 2 in light of the distinct functions of Regional Councils and Territorial Authorities under sections 30 and 31 of the RMA. With respect to PC1 and PC2 I agree that the recommendations on RCT's other submission points as addressed in the s42A reports, appropriately canvas the issues raised in submission points 8.13 and 4.14 in that the recommended retention and amendment of provisions will provide for the recognition of the interests of ngā whānau and ngā marae at a consent level.

- 5.6 Regarding Submission Point 8.13 of PC1, I particularly agree with the S42A author on the following:

In particular, the values and interests of nga marae and nga whanau can be advanced through enabling engagement with new consent processes associated with the implementation of PC1, and also providing for integration of Maori values in the assessment of proposals. This has been addressed through the amendments recommended in response to Submissions 8.7 and 8.9, and by retaining the parts of PC1 that were supported by RCT via Submissions 8.1 to 8.6, 8.8 and 8.10 to 8.12.

- 5.7 I further acknowledge that there are relevant aspects of the operative plan which augment the consideration of the interests of ngā whānau and ngā hapū when considered alongside the recommended provisions of PC1 and PC2. I note in particular the express ability for Council to seek cultural impact assessments under general information requirement Rule 8.1.2b of the ODP which, as I understand, applies across the District Plan. In my experience, cultural impact assessments are an important tool to capture, within the consenting process, the interests, values and relationship mana whenua have with their environment.

6.0 CONCLUSION

- 6.1 I consider that the relevant planning (statutory) framework is appropriately articulated in the S42A reports for both PC1 and PC2. In particular, I consider that these appropriately capture those matters of most relevance from Te Ture Whaimana and the Raukawa Environmental Management Plan.

- 6.2 I consider that the S42A reports and the associated recommendations have addressed the matters at hand in regard to the Raukawa Charitable Trust Submissions to PC 1 and PC2 as set out in paragraphs 5.1 to 5.7 above. As such, in my opinion, the recommendations of the S42A reports as they relate to the Raukawa Submissions should be accepted in full by the hearings commissions.
- 6.3 I will attend the hearing to take any questions on my evidence.