

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a hearing for Proposed Plan Change 14 –
Mangaone Precinct and C10 Industrial Growth Cell –
Hautapu to the Waipā District Plan

STATEMENT OF EVIDENCE OF KATRINA ROSE ANDREWS

For the Waikato Regional Council

PLANNING

DATED 17 FEBRUARY 2025

INTRODUCTION

1. My name is Katrina Rose Andrews. I am a Senior Policy Advisor in the Strategic and Spatial Planning Team at the Waikato Regional Council (WRC).
2. I hold a Bachelor of Environmental Planning from the University of Waikato and am an Intermediate Member of the New Zealand Planning Institute. I have over 6 years' experience in resource management planning within the Waikato region.
3. I have been employed in the Strategic and Spatial Planning team at WRC for 2.5 years; first as a Policy Advisor and, since July 2024, as a Senior Policy Advisor. Previous to my role at WRC, I was a resource consents planner at the Waikato District Council, where I processed a range of applications for land use and subdivision consent under the Resource Management Act 1991 (RMA).
4. In my role at WRC, I am involved in implementing the Waikato Regional Policy Statement (WRPS) and working with the territorial authorities of the Waikato region to assist in the development of consistent and integrated regional policy. This includes reviewing and preparing submissions in relation to a range of planning and policy documents, including district plan changes and council growth strategies. I am also part of the project team for Proposed Waikato Regional Policy Statement Change 1 – National Policy Statement on Urban Development 2020 and Future Proof Strategy Update (Proposed WRPS Change 1).
5. I have presented planning evidence on behalf of WRC at various plan change hearings in the Future Proof sub-region, including the two most recent changes to the Waipā District Plan; Private Plan Change 20 – Airport Northern Precinct Extension and Plan Change 17 – Hautapu Industrial Zones. These plan changes involved similar resource management issues to Proposed Plan Change 14 – Mangaone Precinct and C10 Industrial Growth Cell – Hautapu (PC14).
6. Although this is not an Environment Court hearing, I confirm that I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2023. 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 statement is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

7. My statement of evidence is given on behalf of WRC and reinforces the WRC submission (Submission #10) to PC14.¹ My statement reflects my professional opinions as a resource management policy advisor.

¹ Waikato Regional Council submission to Proposed Plan Change 14 - [Submission 10 - Waikato Regional Council](#)

8. The WRC submission supported development of the PC14 site for industrial purposes as per the Future Proof Strategy 2024, subject to further analysis and amendments, with a view to ensuring the proposed plan change aligns with the relevant higher-order policy documents under the RMA, including the WRPS and Proposed WRPS Change 1 – Decisions version.
9. In addition to the statutory assessments, the main topics addressed in the WRC submission include the Future Proof land use pattern, high class soils/highly productive land, long-tailed bats and their habitat, stormwater management, flood hazards and transport.
10. I have read and considered the Section 42A Hearing Report for PC14 ('section 42A report') prepared on behalf of Waipā District Council and am supportive of most of the assessments and recommendations presented as they relate to the WRC submission.
11. In this statement of evidence, I will briefly comment on the assessment of PC14 against the National Policy Statement for Highly Productive Land 2022 (NPS-HPL) and the Urban form and development (UFD) chapter of the WRPS and Proposed WRPS Change 1 – Decisions version, before addressing a limited number of recommended amendments that I consider to be required to address actual and potential effects of the proposed plan change and better give effect to relevant higher-order policy direction. These amendments relate to long-tailed bats and their habitat, and transport emissions reduction.
12. While my statement of evidence focuses on a limited range of topics, I recognise that there is a wider range of statutory requirements and resource management issues that must be addressed as part of the plan change.

SUMMARY OF EVIDENCE

13. I support the majority of the assessments and recommendations presented in the section 42A report as they relate to the WRC submission to PC14.
14. I support the amendments recommended in the section 42A report in relation to long-tailed bats and their habitat. I recommend further specific changes to plan provisions relating to the High Value Bat Habitat Area on the plan change site, to ensure that adverse effects on long-tailed bats and their habitat are addressed as intended in the plan change application and as directed by the higher-order statutory and policy framework.
15. I also recommend that specific rules be added to the plan change relating to provision of electric vehicle charging equipment. I consider that including these enabling provisions would result in PC14 better giving effect to the relevant national and regional statutory direction relating to climate change and transport emissions reduction.

NPS-HPL, WRPS AND PROPOSED WRPS CHANGE 1 – DECISIONS VERSION

Background

16. Under sections 75(3)(a) and (c) of the RMA, district plans are required to give effect to any national policy statement and any regional policy statement. Section 74(2)(a) of the RMA also requires that when changing a district plan, a territorial authority shall have regard to any proposed regional policy statement.
17. Proposed WRPS Change 1, which updates the WRPS to give effect to the National Policy Statement on Urban Development 2020 (NPS-UD) and reflect the Future Proof Strategy 2022, was notified in October 2022 and decisions were notified in November 2023. WRC is currently working on resolving the three appeals received against decisions on this regional policy statement change.
18. The WRC submission to PC14 sought that further assessment be undertaken against the NPS-HPL, WRPS and Proposed WRPS Change 1 – Decisions version, to demonstrate that the proposed plan change meets the above requirements of the RMA. A key focus of the further assessment recommended in the WRC submission was the economic assessment for PC14, which is an important input for the assessment of these higher-order policy documents.

NPS-HPL

19. I agree with the assessment presented in the section 42A report in relation to the NPS-HPL, which concludes that the PC14 land does not meet the transitional definition of highly productive land under Clause 3.5(7) of the NPS-HPL. This is due to the site being “identified for future urban development” as defined in the NPS-HPL, as it was identified in the Future Proof Strategy 2022 (at the required level of detail) as being suitable for commencing urban development within 10 years from the commencement date of the NPS-HPL. I therefore agree with the section 42A officer that the PC14 site is exempt from the NPS-HPL under Clause 3.5(7)(b)(i).²
20. I note that the Market Economics peer review of the PC14 Economic Assessment agrees with a number of the points raised in the WRC submission, including that the PC14 Economic Assessment requires further work in terms of establishing the justification for the industrial land. However, in this case, as the PC14 site does not meet the transitional definition of highly productive land, I agree that PC14 is exempt from the exacting tests under Clause 3.6 of the NPS-HPL, which require detailed assessment of development capacity and sufficiency.

WRPS and Proposed WRPS Change 1 – Decisions version

21. This section of my statement focuses on the assessment of the UFD chapter of the WRPS and Proposed WRPS Change 1 – Decisions version. I address the Ecosystems and Indigenous Biodiversity (ECO) chapter of the WRPS in the section below.

² For the avoidance of doubt, I do not agree with the assessment of the NPS-HPL provided in the PC14 application. This is because that assessment did not apply the test in Clause 3.5(7)(b) from the commencement date of the NPS-HPL, as required by this clause.

22. An assessment of the main provisions of the UFD chapter relevant to PC14 is included in Appendix 5 to the section 42A report. I note that a key aspect of the Proposed WRPS Change 1 – Decisions version assessment, is the assessment against Policy UFD-P11, Method UFD-M49 and APP13 (Responsive Planning Criteria), relating to out-of-sequence or unanticipated developments. PC14 represents an out-of-sequence development, as it proposes to bring forward the development of part of the C10 growth cell from the long-term to the medium-term.
23. Policy UFD-P11 – Adopting Future Proof land use pattern within Proposed WRPS Change 1 – Decisions version directs that:
- “Within the Future Proof area:*
-
- 7. where alternative urban land release patterns are promoted, either out-of-sequence or unanticipated on Map 43 or in Table 35, including proposals outside of the urban or village enablement areas indicated on Map 43, through district plan and development area processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern and particular regard shall be had to the proposed development capacity only where the local authority determines that the urban development proposal is significant, by assessing the proposal for consistency with the operative Future Development Strategy for the Future Proof sub-region and responsive planning criteria in APP13; and...”*
24. Overall, I generally agree with the assessment, of the UFD chapter of the WRPS and Proposed WRPS Change 1 – Decisions version undertaken by the local authority in the section 42A report, including the assessment against the Future Proof principles.
25. I note that there is an incorrect statement in the assessment of APP13 Criterion A(A), that the rezoning of part of the C10 growth cell “will assist in the meeting shortfall in industrial land identified by the HBDCA for the sub-region as a whole in the medium term”³. This is incorrect because the Business Development Capacity Assessment 2023 for the Future Proof Partners identifies sufficient industrial land in the Future Proof sub-region overall for the short, medium and long terms, with only Hamilton City having insufficient industrial land in the long-term.⁴

LONG-TAILED BATS AND THEIR HABITAT

Introduction

26. Long-tailed bats are classified as a Threatened - Nationally-Critical species. The Ecological Values and Effects Assessment and accompanying bat surveys for PC14 identify that the plan change site contains an area of high value bat habitat along the Mangaone Stream, which contains foraging and commuting habitat and potential roosting habitat. The proposed plan change includes a range of measures relating to the management of bat habitat, in response to advice provided by Bluewattle Ecology.

³ Section 42A report, Appendix 5, Part 3.

⁴ Business Development Capacity Assessment 2023 for the Future Proof Partners, Market Economics - [Business Development Capacity Assessment 2023](#)

27. In the following sections, I briefly outline the statutory context for PC14 in relation to long-tailed bats and their habitat, before discussing the section 42A response to the WRC submission and recommended amendments.

Statutory context

28. Under section 6(c) of the RMA, *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna*, is a matter of national importance that must be recognised and provided for.

29. The National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB) took effect on 4 August 2023 and provides policy direction at a national level for indigenous biodiversity in the terrestrial environment. It directs that indigenous biodiversity across Aotearoa New Zealand is to be maintained so that there is at least no overall loss in indigenous biodiversity after the commencement date, and sets out policies and actions in relation to this.

30. Under section 30(1)(ga) of the RMA, regional councils are responsible for the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity. Meanwhile, under section 31 of the RMA, territorial authorities are responsible for:

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of -

...

(iii) the maintenance of indigenous biological diversity.

31. In accordance with WRC's functions under the RMA, the ECO chapter of the WRPS sets out objectives, policies and implementation methods relating to the maintenance and enhancement of indigenous biodiversity across the Waikato region. The objective for this chapter is:

ECO-O1 – Ecological integrity and indigenous biodiversity

The full range of ecosystem types, their extent and the indigenous biodiversity that those ecosystems can support exist in a healthy and functional state.

32. Appendix 5 to the section 42A report includes an assessment of PC14 against the ECO chapter of the WRPS. I generally agree with this assessment. I note, however, that the Ecological Assessment for PC14 identifies that areas of vegetation along the Mangaone Stream within the plan change site meet the criteria for significant indigenous vegetation under the NPS-IB⁵; therefore, I consider that WRPS Policy ECO-P2 and Method ECO-M13 (relating to significant indigenous vegetation and significant habitats of indigenous fauna), are relevant to PC14.

⁵ PC14 Ecological Values and Effects Assessment, RMA Ecology, March 2024, Sections 2.1 and 2.2.3 - [Appendix D1 - Ecological Values and Effects Assessment \(including Bat Survey\)](#)

33. Overall, with the amendments recommended in the section 42A report and subject to two further amendments that I discuss below, I consider the proposed plan change gives effect to the relevant provisions of the WRPS ECO chapter. This is due to the proposed policy and rule framework requiring the protection and enhancement of indigenous vegetation and identified bat habitat within the Mangaone Stream Reserve.

PC14 provisions

WRC submission and section 42A recommendations

34. The WRC submission to PC14 supported the proposed creation of the Mangaone Stream Reserve to protect the riparian margins of the Mangaone Stream and protect and enhance the identified bat habitat on the plan change site. The submission supported the proposed provisions relating to bat habitat, including lighting and building setback standards, but sought specific additions and amendments to better address actual and potential effects on bats and their habitat.
35. The section 42A report recommends accepting a number of points within the WRC submission and the submission from the Director-General of Conservation relating to long-tailed bats and their habitat.

Supported recommendations

36. I **support** all of the proposed amendments recommended within the section 42A report in relation to the bats topic. I consider two further amendments to be necessary to address the relief sought in the WRC submission, which I will discuss in the following section.
37. In particular, I **support** the addition of provisions S27.2.26 and S27.2.27 recommended by the section 42A officer for inclusion in Appendix S27 – Mangaone Precinct Structure Plan, which provide a description of the High Value Bat Habitat Area identified on the structure plan and the purpose of associated provisions proposed for the Industrial Zone and other sections of the district plan.
38. I consider these provisions will assist with future plan implementation, by providing clarity on the function of the High Value Bat Habitat Area and the reasons for its required protection and enhancement, particularly given that this area is referenced in proposed provisions within other sections (for example, within the proposed assessment criteria in Chapter 21).
39. I also **support** the new Objective 7.3.9 and Policies 7.3.9.1 and 7.3.9.2 recommended in the section 42A report, relating to long-tailed bat habitat values within the Mangaone Precinct. Given the identification of the High Value Bat Habitat Area on the Mangaone Precinct Structure Plan and inclusion of rules within the plan change to address adverse effects on bats and their habitat, I agree that it is appropriate to include specific policy direction relevant to bat habitat values within the Precinct.
40. In my view, the addition of this objective and policy will achieve better alignment of PC14 with the policy direction of the WRPS ECO chapter and will assist with the assessment of future

resource consent applications against the intended outcomes for the High Value Bat Habitat Area.

Recommended amendments

41. The WRC submission generally supported the information requirements for the Mangaone Stream Reserve Management Plan (now recommended to be called the 'Mangaone Stream Reserve Development and Operational Management Plan') under proposed Rule 21.2.7.1 but sought that clause a. be amended to ensure the area and extent of the reserve is in accordance with that shown on the Mangaone Precinct Structure Plan.
42. The section 42A report recommends that this submission point be rejected, stating that the final extent of the reserve will be determined by detailed stormwater design.⁶ I accept this reasoning, as I acknowledge that detailed design could result in changes to the extent or location of the proposed stormwater management wetlands or other features, which may necessitate adjustment of the reserve boundaries shown on the structure plan.
43. However, I note that the '*Opinion on protection of long-tailed bats and their Habitat*' for PC14⁷ identifies the planning provisions relating to management of bat habitat that were developed following advice from Bluewattle Ecology. This includes the following (emphasis added):

(a) "The identification of a High Value Bat Habitat Area in the vicinity of the Mangaone Stream which will form part of a larger reserve (about 16ha) called the Mangaone Stream Reserve shown on the Structure Plan for the Mangaone Precinct (see Structure Plan attached). This includes a 'built in' buffer around the High Value Bat Habitat Area of about 20m where industrial activities cannot occur."
44. As the 20m buffer around the High Value Bat Habitat Area is part of the package of provisions upon which the Bluewattle Ecology opinion is based, in my view, it is important that the plan provisions ensure this buffer area is not reduced during the detailed design of the Mangaone Stream Reserve.
45. While future subdivision and development is required to be "in general accordance" with an approved structure plan, as the 20m buffer is not currently referred to in the structure plan or proposed plan provisions, I consider there is a risk this could lead to the final width of the buffer being lessened if the boundaries of the reserve are adjusted at detailed design stage.
46. To address this, I **recommend** that new provision S27.2.26 recommended in the section 42A report be amended as follows:

⁶ The section 42A officer also notes that Rule 15.4.2.69 requires development and subdivision to be in general accordance with an approved structure plan.

⁷ Plan Change 14 Application Appendix D2 – Opinion on protection of long-tailed bats and their habitat: Plan Change 14 – Management of Bat Habitat, Bluewattle Ecology, 2 May 2024 - [ECM 11223898 v1 Appendix D2 - Bat Management Provisions](#)

S27.2.26 *The planted margins of the Mangaone Stream, provide over 2 hectares of suitable bat foraging and roosting habitat. These areas are identified on the structure plan as "High Value Bat Habitat". The Mangaone Stream Reserve includes a 20m buffer around the High Value Bat Habitat Area where industrial activities cannot occur.*

47. I also **recommend** that an additional assessment criterion be added under Rule 21.2.7.1 (Information Requirements for the Mangaone Stream Reserve Development and Operational Management Plan), in relation to the High Value Bat Habitat Area within the Mangaone Stream Reserve as follows:

[New criterion] The extent to which a 20m buffer has been provided around the High Value Bat Habitat Area as part of the Mangaone Stream Reserve, to protect the High Value Bat Habitat Area and the bat population within that area from adverse effects of adjacent industrial activities.

48. I consider these amendments are necessary to ensure that adverse effects of development of the PC14 site on long-tailed bats and their habitat are addressed as intended in the plan change application and as directed by the higher-order statutory and policy framework. These amendments would address the relief sought by WRC in relation to the extent of the Mangone Stream Reserve and assessment criteria relating to bat habitat and ensure that PC14 gives effect to the relevant provisions of the WRPS ECO chapter.

TRANSPORT AND CLIMATE CHANGE

Background

49. The WRC submission noted that PC14 is generally consistent with regional priorities, objectives and policies articulated in the Waikato Regional Land Transport Plan and the WRPS as it pertains to transport matters, however sought further assessment in relation to transport emissions reduction and that new objectives, policies, rules and standards be added to address climate change and transport emissions in the context of the proposed industrial rezoning.

50. The section 42A report⁸ recommends that these submission points be rejected, stating that Waipā District Council staff have considered these submission points and conclude that while the district plan as a whole would benefit from such provisions, it is not appropriate for these to be specific to development within the Mangaone Precinct only.

51. Whilst I agree that these matters would ideally be addressed at a district-wide level, I note that PC14 must still give effect to the relevant national and regional statutory direction relating to climate change and transport emissions reduction. This includes:

- Section 7(i) of the RMA requires that, in achieving the purpose of the Act all persons exercising functions and powers under it, in relation to managing the use,

⁸ Section 42A report, paragraphs 4.13.11 – 4.13.14.

development, and protection of natural and physical resources, shall have particular regard to the effects of climate change.

- Sections 74(2)(d) and (e) of the RMA require that when changing a district plan, a territorial authority shall have regard to any emissions reduction plan and any national adaptation plan.
- Objective 8 and Policies 1 and 6 of the NPS-UD provide direction relating to the effects of climate change and greenhouse gas emissions in the context of New Zealand's urban environments. Supporting reductions in greenhouse gas emissions and resilience to the likely current and future effects of climate change are essential aspects of well-functioning urban environments as defined in Policy 1.
- The WRPS and Proposed WRPS Change 1– Decisions version provide regional policy direction in relation to urban planning, transport and climate change, including to support reductions in greenhouse gas emissions.⁹

Recommended amendments

52. In relation to the section 42A response that it would not be appropriate to include transport provisions specific to development within the Mangaone Precinct only, I note that provisions relating to electric vehicle (EV) charging equipment were included for the Northern Precinct of the Airport Business Zone as part of decisions on Private Plan Change 20 – Airport Northern Precinct Extension to the Waipā District Plan (PC20). In my view, it would be appropriate to also include these provisions for the Mangaone Precinct.

53. These are enabling provisions that would support the provision of EV charging facilities as part of development of the PC14 site. This would assist with reducing greenhouse gas emissions from transport associated with the future industrial development enabled by the plan change.

54. I **recommend** the following provisions be added to PC14.

Add a new Permitted Activity Rule 7.4.1.1z.:

Within the Mangaone Precinct Structure Plan Area, electric vehicle supply equipment (including any device or object that supplies energy for the recharging of electric vehicles, e-bikes, e-scooters or electrified micromobility).

Add a new rule¹⁰ to Section 7 – Industrial Zones as follows, as well as corresponding assessment criteria in Section 21:

Rule xx - Electric vehicle supply equipment

Within the Mangaone Precinct Structure Plan Area, any electric vehicle supply equipment shall:

⁹ Of particular relevance are WRPS Policy UFD-P1 and APP11 General development principle i. as well APP13 Criterion A(N) within Proposed WRPS Change 1 – Decisions version.

¹⁰ I note that the EV supply equipment rule included within Section 10 - Airport Business Zone following PC20 appears to contain an error in the maximum height specified. I raised this with Waipā District Council staff following resolution of PC20. The standard recommended in evidence on behalf of WRC and recommended for inclusion by the section 42A officer specified a maximum height of 2.1m.

- a. Be installed in an existing, permitted or consented vehicle parking space, vehicle depot or garage structure; and
- b. Not exceed a height of 2.1m and an area of 3m².

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Adverse effects on the safe, efficient, and effective operation of the transport system.
- Adverse effects of non-compliance on the streetscape, pedestrian safety, and the amenity of the area.

55. I consider that including these provisions in PC14 would result in the plan change better giving effect to the relevant national and regional statutory direction relating to climate change and transport emissions reduction.

CONCLUSION

56. The WRC submission to PC14 supported development of the PC14 site for industrial purposes as per the Future Proof Strategy 2024, subject to further analysis and amendments, with a view to ensuring that the proposed plan change gives effect to the relevant higher-order policy documents under the RMA.

57. I **support** the majority of the assessments and recommendations presented in the section 42A report for PC14. I **recommend** further specific amendments to plan change provisions relating to the High Value Bat Habitat Area and provision of electric vehicle charging equipment. In my view, these amendments will result in the plan change better giving effect to the relevant national and regional policy direction.



Katrina Andrews

17 February 2025