

**BEFORE THE HEARING COMMISSIONERS  
THE PROPOSED WAIKATO DISTRICT PLAN (STAGE ONE)**

**UNDER the Resource Management Act 1991**

**IN THE MATTER of Hearing 22: Infrastructure (Proposed Waikato District  
Plan) submissions and further submissions**

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**STATEMENT OF HILARY JEAN WALKER ON BEHALF OF FEDERATED FARMERS  
OF NEW ZEALAND**

**28 September 2020**



**FEDERATED  
FARMERS  
OF NEW ZEALAND**

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## **Introduction**

1. My name is Hilary Jean Walker. I am a Senior Policy Advisor with Federated Farmers of New Zealand (“**FFNZ**”).
2. I have reviewed the S42A report prepared by Trevor Stewart Mackie dated 14 September 2020 for Hearing 22 in relation to the Proposed Waikato District Plan (“**PWDP**”). This report address matters to which FFNZ made submissions (submitter 680) and further submissions (FS1342).
3. The contents of this statement are made in my role as Senior Policy Advisor, in response to some of the key recommendations made on the submission points that have been assigned to this hearing topic.
4. FFNZ has opted not to attend Hearing 22 – Infrastructure, scheduled to commence on Tuesday 20<sup>th</sup> October 2020 and requests that in lieu of attendance this statement be tabled for the Hearing Commissioners’ consideration.

## **Summary of position**

5. FFNZ made a large number of submission points across Chapter 6 Infrastructure and Energy and Chapter 14 Rules, however our position can be summarised as:
  - a) ensuring landowners hosting infrastructure are not unduly impeded from carrying out their legitimate land use activities.
  - b) ensuring that utility network operators do not seek to use district plan provisions to circumvent responsibilities to hosting landowners and potentially avoid using easement agreements.
  - c) Network utilities activities and infrastructure are not unreasonably prioritised over other lawfully established activities.
6. FFNZ is broadly supportive of the recommended changes across both chapters however there is specific concern with regards to recommended changes proposed for upgrading and minor upgrading activities.
7. FFNZ made a submission (680.280) conditionally supporting Rule 14.3.1 (P2), and further submissions (FS1342.115 & 1342.72) opposing relief sought to increase the percentage standards used as a proxy for defining minor upgrading.
8. Farmers often experience disruption to farming activities from activities associated with maintenance, upgrading or replacement of network utilities. FFNZ is concerned to ensure that certain parameters are provided around ability to undertake such upgrading, in order to limit disruptions associated with incremental creeping of intrusion on landowners’ ability to manage their farms arising from network utilities seeking allowances for upgrades. Amongst other things, farmers are concerned about

occupational health and safety implications of incremental infrastructure upgrading activity intruding in private farmland and farming operations such as droving, lambing, calving, fodder cropping, irrigator/effluent disperser operation, and land cultivation.

9. The S42A report reasoned at paras 39 and 44 that the Minor Upgrading of Existing Infrastructure provisions are overly restrictive, however, confirmed that there should be limits where a potential effect may require resource consent assessment or where a landowner may be affected, particularly where changing the location of infrastructure or increasing the area of a structure.
10. The NES-ET sets out permitted activities at section 14, and has established limits for what is considered alteration, relocation and replacement, for example permitting up to 15% increase in height. The notified plan followed the NES-ET approach, and this is supported as providing the appropriate trigger to determine when a potential effect may be created. In FFNZ view the recommended changes to the percentage thresholds are inappropriate and should not be used as a proxy for 'minor upgrading'.
11. FFNZ made a submission (680.86) seeking changes to Policy 6.1.11(a) Undergrounding new infrastructure, to limit the application of the policy to residential and urban areas. Undergrounding is unnecessary in the context of rural areas, where the disadvantages and costs of undergrounding may far outweigh any benefits.
12. The S42A report reasoned at para 321, that overhead lines are a permitted activity within the Rural Zone and above rural roads, so the policy application is restricted to urban environments by the rules. The submission is rejected on this basis.
13. Whilst FFNZ supports the approach taken in the rule, the relief was designed to ensure the related Policy provided the appropriate and consistent planning direction to support the rule if required. This opinion is retained.



Hilary Walker  
28 September 2020