

**BEFORE THE HEARING PANEL AND FRESHWATER PLANNING PROCESS
HEARING PANEL**

UNDER THE Resource Management Act 1991 (**Act**)
IN THE MATTER OF Proposed Change 1 to the Wellington Regional
Council's Regional Policy Statement (**PC1**)
BETWEEN **WELLINGTON REGIONAL COUNCIL**
Local Authority
AND **WAIRARAPA FEDERATED FARMERS**
Submitter 163 to PC1

**HEARING STATEMENT OF ELIZABETH MCGRUDDY ON BEHALF OF
WAIRARAPA FEDERATED FARMERS**

13 JUNE 2023

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INTRODUCTION

1. Wairarapa Federated Farmers (**WFF**) made a submission on Proposed Change 1 (**PC1**) to the Wellington Regional Council's (**GWRC**) Regional Policy Statement (**RPS**).
2. The purpose of this hearing statement is to summarise Federated Farmers' submission in respect of Hearing Stream 1 (**HS1**) and in respect of:
 - (a) The scope of PC1 (s42A Issue 3)
 - (b) The matters set down for the Freshwater Plan Process (FPP) (s42A Issue 1)
 - (c) Providing for mana whenua (s42A Issue 2)
 - (d) Whether engagement was sufficient (s42A Issue 7)

SCOPE OF PC1

3. WFF relief seeks that the scope of PC1 be restricted to those changes necessary to give effect to the National Policy Statement for Urban Development; and that other matters be considered in the scheduled full review of the RPS in 2024.
4. Our relief and reasons are set out in our submission including in respect of:
 - Chapter 3 Resource management issues, objectives (WFF submission points 1.2, 1.4)
 - Chapter 3.1A Climate Change (WFF 2.1, 2.3)
 - Chapter 3.3 Energy, Infrastructure and Waste (WFF 3.1, 3.2)
 - Chapter 3.4 Fresh Water (WFF 4.1, 4.2, 4.4)
 - Chapter 3.6 indigenous Ecosystems (WFF 5.1, 5.3)
 - Chapter 3.8 Natural Hazards (WFF 6.1)
5. We do not agree that our relief amounts to “kicking the can down the road” (s42A, para 132). Instead, our relief provides for a more considered and integrative approach to the scheduled full review of the RPS next year,

informed by directions which are still under development at the national level (including in respect of climate change and biodiversity).

FRESHWATER PLAN PROCESS

6. WFF relief seeks that the freshwater plan process be restricted to Chapter 3.4 Freshwater.
7. Our relief and reasons are set out in respect of the other chapters, including at WFF 1.3, 2.2, 5.2, 6.2, 7.2; principally with reference to the Regulatory Impact Statement addressing the new planning process for freshwater, and a recent High Court decision (WFF 2.2).
8. We agree (s42A, para 106) that this is a legal matter for the Hearing Panel to determine (WFF legal submission separately lodged).

PROVIDING FOR MANA WHENUA

9. WFF relief generally seeks that all groups in the regional community be considered as partners in the conduct of GWRC business, and that providing for mana whenua involvement should be as already provided for in statute.
10. Our relief and reasons are set out at WFF 4.4, 8.11, 8.19, 9.2, 9.14, 11.1, 11.3, 11.14; including with reference to the Local Government Act 2002 which specifies Council's role relative to the Crown as treaty partner.
11. The s42A report (para 76) suggests a "definition of partnership" may be helpful but does not propose wording without further input from mana whenua. WFF do not agree a definition is necessary; but if a definition is progressed, it should be with input from other submitters.

SUFFICIENCY OF ENGAGEMENT

12. WFF agrees (s42A, para 205) that while GWRC met its statutory obligations for consultation, additional consultation would have been beneficial.
13. Our reasons are set out in our submission (including at WFF paragraphs 10-16) and we reproduce key points below.

14. The first critical point is that the changes proposed in RPS Change One are not trivial: instead they attempt to “reset” the direction of the region for the coming decade, and out to 2050. In this context, it is a significant concern that consultation was restricted to the statutory minimum.
15. The second critical point is that, on our reading, the intention and effect of the Council proposals - in particular the climate change provisions - is that they will impact most directly on the agricultural sector. In this context, it is a significant concern that Federated Farmers was not consulted prior to notification.
16. The third critical point is that proposals of this magnitude should be accompanied by very robust cost/benefit analysis. Instead there is no analysis of the option of deferring changes to the full review of the RPS scheduled in 2024; and there is no economic analysis other than an “indicative” internal memorandum (in respect of proposed climate change targets) dated immediately prior to notification in August.
17. The fourth critical point is that – in seeking to re-litigate matters only very recently subject to protracted mediation on the proposed Natural Resources Plan (pNRP), introducing emission reduction targets significantly different to national settings, and pre-empting the upcoming National Policy Statement for Indigenous biodiversity (NPS-IB) – the proposals advanced in RPS Change One have the effect of significantly de-stabilising the business and investment certainty which should be attendant on clear and stable regulatory settings.
18. In our submission (para 24), we agreed with GWRC advice to the Climate Change Commission in respect of converting crisis to opportunity, and that the opportunity lies in activating shared government and sector responses; and we agreed with the Climate Change Commission (WFF 2.6) that the pre-conditions for an equitable transition strategy are that it must be well-paced, well-planned, well-signalled, and co-designed. These pre-conditions have manifestly not been met prior to notification of RPS Change One.
19. For all of these reasons, WFF do not agree that engagement prior to notification of RPS Change One was sufficient. We reiterate our primary relief, ie, that the scope of RPS Change One be restricted to those matters necessary to give effect to the National Policy Statement for Urban Development.