

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of the Proposed Natural Resources
Plan for the Wellington Region

MINUTE # 22

MINUTE IN RELATION TO CLARIFICATION ON OBJECTIVES O42, O44 AND O45

Hearing Stream 2

1. With the receipt of the Reply Statements from Mr Denton (Soil Conservation) and Mr Loe (Land Use in Riparian Margins and Stock Access), Hearing Stream 2 is now largely complete.
2. Upon review of the material the Panel seeks some clarifications regarding the recommendations affecting notified objectives O42, O44 and O45. For context we have the following recommendations before us:
 - a) Mr Loe has recommended the amalgamation of objectives O44 and O45 (dealing with effects of land use including stock access on soil and water) with the consequential deletion of O45;
 - b) Mr Denton has recommended the amalgamation of objectives O42 (soil properties and soil erosion) and O44 (dealing with effects of land use on soil and water) resulting in a new O42 with the deletion of O44 (and the implicit retention of O45). We understand that O45 is not specific to Mr Denton's brief.
3. Our reading of the above recommendations is that the proposed versions of objectives O42 and O44 have a high degree of commonality in that they both focus on effects of land use activities on soil and water. Effectively it appears that they are different ways of saying the same thing, albeit that the wording of proposed O44 is broader and briefer than proposed O42. However, the origins of O42 and O44/O45 are from different objective categories in Chapter 3 of the Plan; namely Section 3.9 (Soil) for O42 and Section 3.10 (Land Use) for O44/O45 of the Plan. The recommendations described above appear to have the effect of splitting O44 between the two objective categories. However, what is not clear from the recommendations is whether that was the intention from the two officers and what the consequences of this are.
4. Based on the above, we seek the following clarifications:
 - a) Is there any unintentional duplication between the new O42 (Mr Denton's) and the new O44 (Mr Loe's)?
 - b) In the amalgamation of O44 into either Mr Loe's recommendation (O44 and O45) or Mr Denton's recommendation (O42 and O44), do the objectives still address the relevant resource management issues that underpin the notified objectives O42, O44 and O45?

5. In responding to the above there needs to be a S32 and S32AA focus. By this we mean, are the new recommended objectives the most appropriate way to achieve the purpose of the Act (and by default the relevant higher order documents)?
6. In responding to the above matters it would be useful if Mr Denton and Mr Loe produce a joint statement for the Panel. That statement should be provided to the Hearings Advisor by 12noon on Monday, 20 November 2017. That statement will then be made available to all hearing participants via the website.



Mark St. Clair

Panel Chair

Date: 8 November 2017