

## Hearing Panel Minute 10 & Minute 13: Federated Farmers Response

### Introduction

1. In Minute 10, the Hearing Panel requested an independent review of pNRP objectives to assist the Panel in their section 32 obligations; namely, are the objectives appropriate in achieving the sustainable management purposes of the RMA, and in giving effect to other relevant statutory direction.
2. The Terms of Reference confirmed the review should focus on structure, linkages and broad direction.
3. The report “Review of the objectives of the proposed Natural Resources Plan for the Wellington region” was made available to submitters on 14 July 2017.
4. In Minute 13, the Hearing Panel directed that any submitter that wishes to provide comment on the report as it relates to Hearing Stream 1 and 2 may do so in writing by 28 July 2017.
5. Federated Farmers (FFNZ) comments are set below: generally, in respect of the report findings as a whole, and specifically in relation to relief sought by Federated Farmers in Hearing Streams One and Two.
6. FFNZ generally concur with the analysis of objectives, and that there are opportunities for improvement in how objectives are structured and presented.
7. FFNZ relief is intended to address most, or all, of the deficiencies identified.

## Federated Farmers General Comment

8. FFNZ generally commend the report as a thoughtful and careful analysis.
9. FFNZ do not agree that the five “policy goals” set out by Ms Greenberg<sup>1</sup> are not expressly articulated in the pNRP. In brief: promoting integrated catchment management is addressed in Objective O1; recognising benefits of use and development is addressed in O2; enhancing mauri is addressed in O3; giving effect to the NPS-FW through the progressive whaitua process is addressed in the Introduction to the pNRP; and Councils’ partnership approach with the community is also addressed in the Introduction.
10. Having said that, FFNZ relief seeks that these themes be given more specific expression in pNRP objectives, including giving appropriate weight and recognition to primary production values; and identifying and prioritising places for progressive improvement in partnership with the community.
11. FFNZ agree with the report finding that there is no hierarchy within the objectives as notified.
12. FFNZ agree that the framework for the grouping of objectives is not obvious; agree on the limited utility of objectives that lack specificity; and agree that objectives cannot be looked at in isolation from the policies that are designed to implement them.
13. FFNZ agree that that there is scope for re-ordering and streamlining pNRP objectives.
14. The report appends for consideration a “Simplified alternative framework”, structured by “values” and “resources”. FFNZ acknowledge the attempt to group objectives by values, but do not agree with the framework proposed, in part because this structure obscures the values that are being supported by those objectives characterised as “resource-focussed”.
15. FFNZ relief recommends that the plan structure be amended to present objectives and policies together, grouped by values, to improve functionality and readability, and to assist in highlighting duplications and gaps.
16. The Introduction to the pNRP (Table 1.1) sets out values of water. These values are also broadly applicable in other domains, eg, air, coastal.

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<sup>1</sup> S42A report, Part A Overall Policy framework, para 45

17. It is our submission that each of the values merit corresponding objectives.
18. It is further our submission that grouping objectives by values highlights a level of duplication for some values, and next to no recognition for other values.
19. Our analysis is shown below. We acknowledge a level of subjectivity in assigning objectives to value groupings, but nevertheless the broad weightings are illustrative:
  - Environmental values (aquatic ecosystems, indigenous biodiversity): 20 objectives
  - Form/character/amenity values (natural, historic, landscape): 10 objectives
  - Maori values (relationships, places): 10 objectives
  - Human/community values (health and wellbeing, air and water): 9 objectives
  - Industry/infrastructure/transport values: 7 objectives
  - Recreation values (passive, active, fishing): 7 objectives
  - Primary production values: 1 objective
20. The one objective for primary production relates to stock drinking water only. In our view, this is insufficient.
21. FFNZ acknowledge the merits of a streamlined plan, but this should not come at the expense of giving respect to each and all of the values which in sum provide for the sustainable management purpose of the RMA.
22. Our analysis of policies indicates similar weightings – over 70 policies for environmental values, in excess of 20 each for character/amenity, maori values, community values and infrastructure/transport, and perhaps 10 for primary production, principally P7 which simply provides for primary production to be “recognised” with no further policy direction.
23. FFNZ agree there is merit in deleting (or amalgamating) some objectives.
24. FFNZ concur with the suggestion that O46-O51 are non-essential.
25. FFNZ relief also seeks the deletion of O19, O22, O27, O38 and O46.

## Hearing Stream One Objectives: Federated Farmers Comment

26. FFNZ concur with the suggestion that O2 and O8 could be combined with text as drafted.
27. FFNZ is neutral on the suggestion that O12 and O13 could be rationalised into one.
28. FFNZ concur with the suggestion that O23, O24 and O25 could be rationalised; and will address this further in Hearing Stream 4.
29. FFNZ agree that O5 as notified does not add value, but do not agree that it be amalgamated with O23-25.
30. FFNZ relief sought amendments to O5, in part to help give effect to the sustainable management purpose of the RMA set out in section 5 and the expectation of an overall broad judgement; and in part to help give effect to RPS Objective 12 *“the quantity and quality of freshwater meet the range of values and uses for which water is required”*. We restate FFNZ relief sought:
- **O5:** Freshwater bodies and the coastal marine area are managed to provide an appropriate balance across values and uses in a catchment”.
31. In support of this objective, we restate FFNZ relief sought for amendments to P3:
- **P3 - Balancing Values:** The pNRP establishes a framework for whaitua communities, facilitated by WRC, to consider values and priorities locally. Where values conflict, whaitua will arrive at an agreed balance between the levels at which each value will be provided for, including where and when and to what level they apply across a catchment. Use and development shall be managed with a ~~precautionary~~ proactive approach to research and monitoring where there is currently limited information regarding the receiving environment and the adverse effects the activity may have on this environment; within a coherent integrated framework including risk identification, probability/impact assessment, and cost benefit analysis of options
32. FFNZ relief additionally seeks a related new policy:
- **New Policy – Research and Monitoring,** as set out in Hearing Stream Two.
33. We restate FFNZ relief seeking one new objective to recognise primary production values:

- **New objective – Primary Production:** the social, economic, cultural and environmental benefits of primary production, manufacturing and processing activities are recognised and provided for.

34. In support of this objective, we restate FFNZ relief sought for new policies:

- **New Policy – Primary Production:** The benefits of primary production, manufacturing, distribution and processing are recognised and provided for by:
  - a) Recognising existing land uses and investments, including capital and operational investments in sustainable farming practices and environmental stewardship
  - b) Supporting the ongoing use and development of land, recognising the need for flexibility to respond to seasonal fluctuations and changing markets
  - c) Providing for any requirements for significant new capital investments to be made only in the context of robust cost-benefit analysis
  - d) Providing transition times to meet new requirements or catchment limits
- **New Policy – Irrigation:** The benefits of irrigation are recognised & provided for by:
  - a) Recognising existing uses, and existing capital investments in water takes, pumping, storage, reticulation and application systems
  - b) Providing for investment certainty with consent durations at least 25 years
  - c) Providing for reliability of supply in determining minimum flow and allocation regimes
  - d) Providing for any changes to minimum flow or allocation regimes impacting reliability of water takes to be made only in the context of robust cost-benefit analysis
  - e) Providing transition times to meet new minimum flow or allocation limits, or to transition to more efficient systems
  - f) Providing for rootstock protection to be exempt from minimum flow restrictions
  - g) Working alongside industry and water user groups to promote water efficiency technologies, and to enable water sharing and temporary transfers between catchment users
  - h) Working alongside industry and landowner/catchment groups to support the ongoing development of sustainable farming systems, and to enable collective or cross-catchment solutions to meet objectives

### **Hearing Stream Two Objectives: Federated Farmers Comment**

35. FFNZ agree that O44 and O45 could be deleted, consistent with our statement in Hearing Stream Two.

### **Future Hearing Stream Objectives**

36. FFNZ will respond at the appropriate time in respect of any changes proposed to objectives as notified.