

Memorandum

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Attention: Sue Southey and Murray Buchanan

Company: Masterton District Council, South Wairarapa District Council

Date: 26 July 2017

From: Pauline Whitney, Principal: Senior Planner

Message Ref: GWRC PNRP – Submitter Response to Review of the Objectives of the Proposed
Natural Resources Plan for the Wellington Region

Project No: W16025, W16025A

In response to Hearing Panel Minute 13 inviting submitters to provide comments on the *Review of the Objectives of the Proposed Natural Resources Plan for the Wellington Region* (“**the integration review report**”), Boffa Miskell has reviewed the integration review report and has the comments below.

We note that these comments are specific to the Objectives heard at Hearing Stream One and Two. The expert planning witness (Pauline Whitney) appearing for the Masterton District Council (“**MDC**”) and the South Wairarapa District Council (“**SWDC**”) will comment on objectives heard at subsequent hearings as part of her evidence at future hearings.

The following outlines some general comments on the review findings and then provides some specific comments on the objectives heard at Hearing Stream One and Two.

General Comments

The overall tenure of the integration review report is supported in terms of a revised objective framework, and the deletion and/or merging of some objectives. However, without seeing specific rewording of objectives in context of a new framework, a full assessment of the provisions cannot be undertaken.

While understood to be beyond the scope of the integration review report, the concerns raised in submissions and expert evidence, relating to specific wording in objectives and the need for additional objectives, are not addressed. On this basis, while the findings of the integration review report are supported in principle, the outstanding concerns of MDC and SWDC have not been addressed and remain outstanding.

Hearing Stream One

MDC and SWDC provided expert planning evidence on nine objectives at Hearing Stream One which are discussed in the integration review report. Each of the objectives is addressed in turn.

Objective O2: The retention of objective O2 is supported.

Objective O5: Expert evidence to objective O5 sought to recognise that providing for Maori Customary Use is a progressive objective, given the encompassing nature of the term. It is not something that can be achieved immediately. Given the uncertainties associated with objective O5, the integration review report's suggested merging of the objective with objectives O23, O24 and O25 is supported in principle. The merits of the specific wording will be addressed in the response to Hearing Stream Three.

Objective O6: The retention of objective O6 is supported.

Objective O7: The retention of objective O7 is supported.

Objective O8: Expert evidence supported the retention of objective O8. The approach outlined in the integration review report to delete objective O8 and merge it with objective O2 is not opposed, provided there remains a strong policy framework to recognise the importance of the use of land and water.

Objective O11: Expert hearing evidence on objective O11 sought insertion of "where appropriate" to provide some context to the objective. The integration review report proposes objectives O9 and O11 could be combined. Without seeing exact proposed wording, the implications of the redrafting cannot be fully assessed.

Objective O12: Expert evidence on objective O12 had three components: that the benefits of Regionally Significant Infrastructure ("RSI") are recognised and "provided for"; that there is recognition of operational and functional requirements; and that other infrastructure that may not be regionally significant (such as roads) be recognised in the policy framework of the PNRP. These concerns have not been addressed in the integration review report and therefore remain outstanding for MDC and SWDC. The recommended combining of objectives O12 and O13 (as provided in Section 3.4 of the integration review report) does not address the outstanding issues with O12 and results in a long and 'clunky' objective that is trying to merge two separate and "quite specific" issues (being benefits of RSI and reverse sensitivity). Other than reducing the overall number of objectives, there is no apparent clear benefit in merging the objectives.

Objective O13: Expert evidence on objective O13 sought that the objective should apply to not just the CMA, and that it should apply to existing as well as new activities. As with Objective O12, these concerns have not been addressed in the integration review report and therefore remain outstanding for MDC and SWDC. The recommended combining of objective O12 and O13 (as provided in Section 3.4 of the integration review report) does not address the outstanding issues with O13 and results in a long and 'clunky' objective that is trying to merge two separate and 'quite specific' issues (being benefits of RSI and reverse sensitivity). Other than reducing the overall number of objectives, there is no apparent clear benefit in merging the objectives.

Objective O33: No specific comment within the integration review report is made on objective O33. The relief sought in the expert evidence stands.

Hearing Stream Two

MDC and SWDC provided expert planning evidence on objective O27 and objective O44 at Hearing Stream Two.

Objective O27: The expert evidence sought the deletion of objective O27 in the first instance, on the basis that the matter is best addressed under Policies 8 and 101 which specifically refer to riparian margins (and are not restricted to 'vegetated riparian margins' as provided in O27), and give effect to objective O23. Section 3.6 of the integration review report suggests that there is the opportunity to remove objective O27 and add the matter to objective O25¹. While the review of the necessity of O27 as a standalone objective is supported, there are concerns that the inserting of the matters within O25 could create a very cumbersome and wordy objective O25. Without seeing exact proposed wording, the implications of the redrafting cannot be fully assessed. Given objective O23, the necessity of objective O27 is still unclear.

Objective O44: In relation to objective O44, the S42A reporting officer recommended objective O44 be significantly amended and merged with objective O45. As outlined in paragraph 62 of the primary evidence of Pauline Whitney, there are concerns over what is intended, the proposed wording and its inconsistency with other objectives, and whether the objective is needed in context of the other plan objectives (namely objectives O23 and O42) that address the same matters. Section 3.7 of the integration review report outlines that there may be an argument for the deletion of the objectives O44 and O45. This approach is supported. However, as with O27, the suggestion for inserting reference to stock access within O25 could create a very cumbersome and wordy objective O25. Without seeing exact proposed wording, the implications of the redrafting cannot be fully assessed.

Yours sincerely

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¹ I note the Integration Review Report actually refers to Policy 25 but it is assumed this is an error as it is Objective O25 and not Policy P25 which is discussed in Section 3.2.