

**Before the Hearings Panel
At Greater Wellington Regional Council**

Under	Schedule 1 of the Resource Management Act
In the matter of	Proposed Change 1 to the Regional Policy Statement for the Wellington Region
Hearing Topic	Hearing Stream 5 – Freshwater

**Statement of evidence of Gabriela Jimenez Rojas on behalf of Upper Hutt City Council
(Planning)
Date: 1 November 2023**

INTRODUCTION

1. My full name is Gabriela Jimenez-Rojas, and I am employed as Senior Planner (Policy) by Upper Hutt City Council (UHCC).
2. My pronouns are she/her.
3. I have prepared this statement of evidence on behalf of UHCC in support of the UHCC submission to Greater Wellington Regional Council's (GWRC) Regional Policy Statement (RPS) Plan Change 1 (PC1).
4. This statement of evidence relates to Hearing Stream Five – Freshwater.
5. I am authorised to provide this evidence on behalf of UHCC.

QUALIFICATIONS AND EXPERIENCE

6. I hold the qualifications of Bachelor of Urban Planning (Honours) from University of Auckland.
7. I have worked for Upper Hutt City Council as Senior Planner since August 2022. I have supported the development of Plan Changes, including the Intensification Planning Instrument and Rural Review, as well working on the UHCC Integrated Transport Strategy.
8. I am involved in regional projects as a lead for UHCC on the core group developing the Housing and Business Assessment and the Future Development Strategy.
9. Prior to working at UHCC, I was employed by Aurecon New Zealand as an Environment and Planning Consultant. My role included the preparation of district and regional resource consents for major infrastructure and housing projects and the development of policy research and analysis in the water space, including drought resilience, water security and freshwater quality and quantity across Australia and New Zealand.
10. I am an intermediate member of the New Zealand Planning Institute (NZPI).

CODE OF CONDUCT

11. I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving oral evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

SCOPE OF EVIDENCE

12. In preparing my evidence I have relied on the following:
 - The operative RPS for the Wellington Region
 - The RPS PC1 for the Wellington Region

- The submission on RPS PC1 made by Upper Hutt City Council
 - The Section 42A report for Hearing Stream Five
 - The RPS PC1 Section 32 Assessment
 - The Resource Management Act (RMA)
 - The National Policy Statement for Urban Development 2020
 - The Natural Resources Plan
13. The scope of this statement of evidence does not extend to identifying consequential amendments needed in response to the concerns raised.
 14. For ease of administration, this statement of evidence is focused only on areas of remaining concerns. Generally, I believe most submission points raised by UHCC (relevant to this hearing stream) have been addressed and I am generally supportive of the amendments proposed by Ms Pascall. However, I do have some general / high-level comments on the recommendations proposed by the S42a report as set out below.
 15. UHCC made several general submission points on RPS PC1 in its original submission, which are relevant to all topics in Hearing Stream 5 including:
 - (S34.0115) Council has concerns that many of the proposed provisions require Council to address resource management issues in its district plan that are beyond its statutory functions, powers and duties under the RMA.
 - (S34.0120) Council considers that there are issues with the proposed provisions that require revision or deletion to ensure the RPSPC1 is legally robust and practical to implement. Thus, Council seeks that GWRC undertake a full legal and planning review of the proposed provisions and amend the RPSPC1 to address these concerns. Council also seeks any other consequential amendments to remedy errors and address relief sought.
 16. In addition to the above points, I have the following general comments to the provisions as drafted by Ms Pascall's S42a report.
 17. The drafting of amendments within the S42a is inconsistent with drafting throughout the plan change and in many instances subclauses and references have not been updated or changed when amendments and deletions have occurred within the provision. While I have not proposed specific amendments due to the general nature of this statement, I consider that this inconsistent drafting would make it difficult for a submitting party to accurately draft proposed amendments to the S42a provisions.
 18. Duplication of provisions and the outcomes sought by provisions is rampant throughout the plan change as a whole, but particularly within the Stream 5 – Freshwater provisions. In particular I consider there is duplication which should be resolved in regard to:
 - Policy 12
 - Policy 18
 - Policy FW.3 subclauses (a) and what should be subclause (b) [currently identified as clause (c)]
 19. I note that the issue of duplication is identified in the Climate Change Climate Resilience, Nature Based Solutions and Natural Hazards Joint Witness Statement. However, I acknowledge that this may be best dealt with at the future integration hearing.

20. In regard to Policy FW.1 and Policy FW.2, I consider there is an issue of practicability and ability to implement that must be resolved. I am generally supportive of the intent of the provisions, however, am concerned about the ability to monitor and enforce against the provisions, and the cost of compliance which would be placed on territorial authorities as a result. It may be that in addition to requiring significant resource and cost, the provisions may be inefficient at achieving the outcome sought, particularly in regard to Policy FW.2. The implementation of rainwater tanks as a useful alternative water supply has proved quite difficult in Kapiti since its introduction in 2008 and is practically ineffective without the use of water meters on the potable supply, in order to identify and monitor whether rainwater is actually being used for non-potable uses.
21. I support the intent of new freshwater Policy FW.XX - Hydrological Control for urban development – regional plans. However, I note that beyond a reduction of flow which may reduce concentrations, the policy for hydrological control, does not address or manage the quality and contaminants in stormwater from impervious surface run off. As a result, I question whether the policy is entirely achieving its intent as set out by the evidence of Stu Farrant.

CONCLUSION

22. Given the general nature of my comments, I do not feel the need to speak to this statement of evidence, however I am happy to answer any questions the panel may have, in writing.

A handwritten signature in black ink, appearing to read 'G. Rojas', is centered on the page. The signature is fluid and cursive, with a large loop at the end.

Gabriela Jimenez Rojas BUrbPlan(Hons), NZPI.Int
Senior Policy Planner