

**IN THE MATTER** of the Resource  
Management Act 1991  
(RMA)

**AND**

**IN THE MATTER** of the Proposed  
Wellington Natural  
Resources Plan (NRP)

**AND**

**IN THE MATTER** of submissions on  
Hearing Stream 1  
provisions of the  
proposed NRP

**TO BE HEARD BY** Greater Wellington  
Regional Council

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**Statement of Evidence of Christopher Adrian Hansen on Behalf of  
Ravensdown Limited**

**05 May 2017**

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## INTRODUCTION

1. My name is Christopher Adrian Hansen and I am a Director and Principal Planning Consultant with Chris Hansen Consultants Ltd. My qualifications are a Bachelor of Regional Planning (Hons) from Massey University (1980). I am a full member of the New Zealand Planning Institute, a member of the Resource Management Law Assoc., and a certified Hearings Commissioner.
2. I have over 34 years' experience in planning and resource management. I began my career in 1980 with the Ministry of Transport who had the responsibility for coastal and maritime planning under the former Town & Country Planning Act, and joined the Ministry of Works & Development in 1982 when the coastal and maritime responsibilities were transferred to the Minister of Works. I later joined the Ministry for the Environment from 1987 – 89 where I was involved in the preparation and 'testing' of parts of the proposed Resource Management Act legislation. In 1989 I joined the Department of Conservation in a management role that including planning responsibilities under the Conservation Act, and input into RMA process on conservation matters. Since 1995 I have practiced as a consultant planner, firstly with Tonkin & Taylor Ltd (11 years) and then Sinclair Knight Merz (4 years) as their National RMA Planning Manager. I have run my own practice since 2010.
3. I have particular experience in the review and assessment of regional and district plans and the preparation of submissions, attendance at hearings providing expert planning evidence, and in mediation to resolve appeals.
4. I provide the following statement of evidence in support of the submissions lodged by Ravensdown Limited (Ravensdown) to the proposed Wellington Natural Resources Plan (NRP). I assisted Ravensdown to review the proposed NRP and to prepare its submissions.

I have particular experience in the review and assessment of regional and district plans and the preparation of submissions, attendance at hearings providing expert planning evidence, and in mediation to resolve appeals.

5. Notwithstanding this is a council hearing, I have read the Code of Conduct contained in the Environment Court's Practice Notes for Expert Witnesses and agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise.

## **BACKGROUND**

6. Greater Wellington Regional Council (GWRC) has reviewed its operative regional plans and brought them into one document, the proposed NRP. The proposed NRP sets out objectives, policies and methods for the use of natural resources by people and organisations for a variety of purposes. The proposed NRP divides the region into 5 catchments called Whaitua to develop an integrated catchment management approach to addressing resource management issues. Through the Whaitua approach, committees will be established to identify values and identified outcomes at a catchment scale.
7. Notably the proposed NRP does not set limits in relation to water quality and quantity, but establishes a process to have limits in place in all 5 Whaitua by 2025. In the meantime, the proposed NRP includes an interim position that provides a regional transitional regime through which Whaitua-specific plan changes made between 2015 and 2025 will ultimately give full effect to the NPS-FM.
8. In its submission Ravensdown supported this interim approach and the setting of a timeline for limits to be in place by 2025. Ravensdown also supported the reference to and reliance on good management practices; the enabling nature of a number of objectives, policies and rules; and the

range of methods identified to manage adverse effects on the natural resources of the region.

9. GWRC have divided the hearing of submissions into a number of 'streams' to allow for the group of topics and issues relating to identified resource management issues. Hearing Stream 1 relates to overall policy framework; beneficial use and development; and areas of significant mana whenua values. Ravensdown has 18 submission points identified as relating to Hearing Streams 1.
  
10. I have reviewed the s.42A Report that addresses these submission points and note that it recommends 7 of these matters be either accepted or accepted in part, while the remainder of the submission points are recommended to be rejected. The matters outstanding can be grouped into the following topics:
  - (a) Maori – Objective 03;
  - (b) Recreational values – Objective 09 and Policy P10;
  - (c) Maori customary use – Objective 011;
  - (d) Reverse sensitivity – new Objective 13B sought; new Policy P4B sought;
  - (e) Precautionary approach – Policy P3;
  - (f) Minimising adverse effects – Policy P4;
  - (g) Uses of land and water – Policy P7.

## **OUTLINE OF EVIDENCE**

11. I have structure my planning evidence into two parts: Part I addresses those submission points listed above that have not been resolved, and Part II records for completeness those submissions points that the s.42A Report recommends be accepted. The format I follow for Part I includes:
  - (a) An overview of the planning context;
  - (b) An overview of the specific proposed NRP provision being discussed;
  - (c) Key points made by Ravensdown in its submission;

- (d) A brief overview of the s.42A Report comment and recommendation;
- (e) Planning comment and recommendation.

## PLANNING CONTEXT

12. The Resource Management Act 1991 (RMA) is the primary planning legislation governing land use planning in New Zealand. The preparation of the proposed NRP is guided by the requirements of Part I of Schedule 1 of the RMA.

13. Section 30 sets out the functions of a regional council for giving purpose to the RMA in its region, and includes in s.30(1) (specific to plan preparation);

*(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region:*

*(b) the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance:*

*(f) the control of discharges of contaminants into or onto land, air, or water and discharges of water into water:*

*(fa) if appropriate, the establishment of rules in a regional plan to allocate any of the following:*

*(i) the taking or use of water (other than open coastal water):*

*(ga) the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity:*

14. Section 32 (1) requires the preparation of an evaluation report that must:

*(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*

*(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*

*(i) identifying other reasonably practicable options for achieving the objectives; and*

*(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*

*(iii) summarising the reasons for deciding on the provisions; and*

*(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

15. I acknowledge the s.42A Report prepared by Amber Carter that includes a s.32 evaluation in relation to the Hearing Stream 1 matters.
16. The proposed NRP includes new objectives that are required to be assessed in terms of s.32 (1) (a) above. Therefore, the preparation of a plan involves the Council preparing objectives that must be the most appropriate way to achieve the purpose of the RMA, and policies and methods that are the most appropriate way to achieve the objectives. Objectives provide the direction and justification for the policies, rules and other methods.
17. Policies are the course of action to be pursued to achieve or implement the objectives included in the Plan (i.e. the path to be followed to achieve a certain, specified, environmental outcome). Policies are implemented through methods (often plan rules) so they need to be worded to provide clear direction to those making decisions on rules and those implementing methods. Policies have particular importance when considering non-complying activities under the s104D (1) tests.
18. Methods (including rules) are the means by which policies will be implemented and rules have the force and effect of a regulation (but are still subject to the principal Act). Rules must conform to common law principles and conventions regarding validity. In particular rules should be clear and without uncertainty, and be able to be reviewed to determine whether consent is required, what the activity status of the consent is, and what standards or conditions are required to be met to meet the requirements of the rule. Similarly, non-regulatory methods must be clear and without uncertainty, accurate and easy to use.

19. I consider that s.32(1)(b) of the Act requires proposed policies and methods (rules) to be evaluated to determine the extent to which they are the most appropriate way to achieve the purpose of the objectives, which are in turn are required to meet the sustainable management purpose of the RMA.
20. In addition to the above, the proposed NRP sits within a framework of national and regional planning instruments, including the National Policy Statement Freshwater Management (NPSFM) and the Wellington Regional Policy Statement (RPS).
21. In relation to the NPSFWM, Objective 1A and Objective C1 are particularly relevant, and regional councils must apply NPSFM in their plans. Objective A1 reads:
- Objective A1*
- To safeguard:*
- a) the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water; and*
- b) the health of people and communities, at least as affected by secondary contact with fresh water;*
- in sustainably managing the use and development of land, and of discharges of contaminants.*
22. Objective C1 reads:
- To improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and the coastal environment.*
23. In relation to the Wellington RPS, the following objectives and policies are considered relevant to the matters I have listed in paragraph 10 above:
- (a) Mauri – Objective 26; Policies 16 and 49; Method 38;

- (b) Recreational values – Objectives 3 and 13; Policies 19 and 43;
- (c) Maori customary use – Objective 27; Policies 48 and 49; Method 39;
- (d) Reverse sensitivity – Policies 1, 54 and 56;
- (e) Precautionary approach – Policies 29,47 and 51;
- (f) Minimising adverse effects – Policies 5, 41, 51, 56, 68.

## **PART I – MATTERS THAT ARE NOT RESOLVED**

### **Mauri – Objective 03**

55. Objective 03 intends for the Mauri of fresh and coastal waters to be sustained and enhanced.
56. In its submission, Ravensdown supported the intent of Objective 03 and considered that Mauri should be enhanced only where it is degraded. Ravensdown sought for Council to retain the intent of Objective O3, and reword it to read:
- “Mauri is sustained and enhanced where degraded, particularly the mauri of fresh and coastal waters.”*
57. I note that while the s.42A Report (Overall Policy Framework of the Proposed Plan – Part B) references Ravensdown’s submission (paragraph 400), the assessment does not specifically address the request to amend the objective by adding ‘where degraded’ after ‘enhanced’. The Council Officer states they do not support the use of general qualifiers, such as ‘where possible/identified’ or ‘over time’ in objectives and policies. The Council Officer further states here, and in other parts of their s.42A Report in relation to similar requests on other plan provisions, that adding a qualifier such as ‘where possible/identified’ weakens an objective, leaving it open to conjecture and dispute and making it impossible to monitor its effectiveness. The s.42A Report recommends rejecting submissions to add qualifiers to the word ‘enhanced’.
58. In its submission, Ravensdown supported the intent of Objective 03 for Mauri to be sustained and enhanced. As I am not a cultural expert and I

do have not have the support of a cultural expert providing me specialist advice on the Mauri of fresh water, my comments below are from a planning and not a cultural perspective, and relate to the wording, structure and intent of Objective 03.

59. I note the RPS identifies a number of activities that have caused the Mauri of fresh water to be degraded, and Objective 26 (of the RPS) requires the Mauri of coastal and fresh water to be sustained. From this perspective, the first part of Objective 03 is consistent with Objective 26 of the RPS. While I accept that part of sustaining the Mauri of fresh water may involve enhancing its values, as I understand it, enhancement is not necessarily required to sustain the Mauri of coastal and fresh water where the quantity/quality of those waters are at a state that the Mauri values held by Maori are sustained.
60. Alternatively, where water quantity or quality is degraded, enhancement of coastal and fresh waters is essential to sustain the Mauri values. I understand Ravensdown's submission and the requested amendment is in this context, and sought to clarify that where (in particular) fresh water resources are degraded, enhancement will be required.
61. In my opinion this amendment has planning merit, and provides clarity and direction to the resource user that if they wish to undertake activities associated with water quantity or quality where are degraded to a state that the Mauri of the waters is affected, then they will be required to demonstrate how enhancement will be achieved. This clarity also provides guidance to the resource user that where water quantity/quality is good or meeting standards meaning the Mauri of the waters is healthy, then proposed activities will have to maintain that state and Council will not be requiring enhancement where it is not necessary.
62. I do not agree with the Council Officer that providing the 'qualifier' sought by Ravensdown will weaken the intent of the objective.

63. I recommend the Commissioners reject the s.42A Report recommendation and amend Objective 03 as sought by Ravensdown. I consider the amendment has planning merit as it clarifies the intent of the objective, implements Objective 26 of the RPS to sustain the Mauri of coastal and fresh waters, and is the most appropriate way to achieve the purposes of the RMA as required by s.32 (1) (a).

**Recreational Values – Objective 09 and Policy P10**

64. Objective 09 and Policy P10 intend for the recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands to be maintained and enhanced.

65. In its submission, Ravensdown supported the intent of Objective 09 and Policy P10 and sought for these provisions to be amended to require enhancement only where the recreational values are degraded. Ravensdown sought for Council to retain the intent of Objective O9, and reword it to read:

*“The recreational values of the coastal marine area, rivers and lakes and their margins and **natural wetlands** are maintained and enhanced where degraded.”*

66. Ravensdown sought for Council to retain the intent of Policy P10, and reword to read:

*“...(b) managing activities to maintain or enhance where necessary contact recreation values in the beds of lakes and rivers,...”*

67. In relation to Objective 09, similar to Objective 03 above, the s.42A Report (Beneficial Use and Development) does not specifically identify Ravensdown’s submission request, but does identify other submissions that sought qualifiers such as ‘over time’, ‘where possible’ or ‘where appropriate.

68. The s.42A Report notes that Objective O9 gives effect to Policies 6 and 9 of the NZCPS, and Policy 19 of the RPS, and is consistent with Objective A1(b) of the NPS-FM by ensuring that recreational values associated with

the coastal marine area, rivers, lakes and natural wetlands are maintained and enhanced. The Council Officer considers the requirement within the objective to 'maintain and enhance' guides decision makers over the life of the proposed Plan about the importance of access to, and the ability to use those areas for recreation when considering activities that may adversely affect those recreational values. The use of the words 'maintain' and 'enhance' are considered to be appropriate in that light. The Council Officer also considers none of the qualifiers are appropriate and recommends rejecting submissions seeking amendments to Objective 09, and no amendments to Objective 09 are recommended.

69. In relation to Policy P10, I note the s.42A Report indicates the policy is assessed in the s.42A Report for Water Quality (which will be heard at a later Hearings Stream). This seems inconsistent as the policy implements Objective 09 which is covered in the Beneficial Use and Development s.42A Report.
70. The request to amend Objective 09 and Policy P10 has similar planning reasons as I have discussed above in relation to Objective 03. Essentially, while Ravensdown supports the intent of these provisions, it considers clarification of when recreational values will be enhanced should be directly related to when the waterways that sustain these values is degraded. This clarity will provide clarity to the resource user, for the reasons I have discussed above.
71. I have reviewed the relevant policy referenced in the s.42A Report. While Objective 09 intends to give effect to the higher order objectives and policies referenced, I do not consider any of these provisions would preclude the amendment to Objective 09 as sought by Ravensdown. In particular I note:
  - (a) Policy 6 of the NZCPS relates to activities in the coastal environment and identifies the need to recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area (Policy 6 2b.);

- (b) Policy 9 of the NZCPS relates to safe ports and servicing national and international shipping (it is not clear to me why the Council Officer has referenced this policy);
- (c) Policy 19 of the RPS relates to managing (amongst others) recreational values of rivers and lakes, and requires these values to be maintained or enhanced;
- (d) Objective A1(b) of the NPSFM relates to the health of people and communities, at least as affected by secondary contact with fresh water.

72. I also note the Resource Management Act 1991 does not specifically require maintenance and enhancement of recreational values. Overall, I consider the amendment sought by Ravensdown has planning merit (for similar reasons I discuss above) and is consistent with the higher order policies and objectives referenced by the Council Officer for a reason to reject the request for amendments.

73. I recommend the Commissioners reject the s.42A Report recommendation and amend Objective 09 and Policy P10 as sought by Ravensdown. I consider the amendment has planning merit as it clarifies the intent of the objective, is consistent with and implements the objectives and policies of higher order instruments, and is the most appropriate way to achieve the purposes of the RMA as required by s.32 (1) (a) and (b).

#### **Maori customary use – Objective 011**

74. Objectives 11 of the proposed NRP intends for opportunities for Maori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes to be recognised, maintained and enhanced.

75. In its submission, Ravensdown supported the intent of the objective while considering any improvement should only occur when it is necessary.

Ravensdown sought for Council to retain the intent of Objective O11, and reword to read:

*“Opportunities for **Māori customary use** of the coastal marine area, rivers and lakes and their margins and **natural wetlands** for cultural purposes are recognised, maintained and improved where improvement is necessary.”*

76. The s.42A Report (Overall Policy Framework of the Proposed Plan – Part B) identifies Ravensdown’s submission in paragraph 441, and recommends it be rejected for the same reasons identified above in relation to Objective 03.
77. The comments I have made above in regards to Objective 03 apply.
78. I recommend the Commissioners reject the s.42A Report recommendation and amend Objective 011 as sought by Ravensdown. I consider the amendment has planning merit as it clarifies the intent of the objective, and is the most appropriate way to achieve the purposes of the RMA as required by s.32 (1) (a).

**Reverse sensitivity matters – new Objective 13B sought; new Policy P4B sought**

79. In its submission, Ravensdown sought two new provisions to address reverse sensitivity issues. In particular Ravensdown considered that the proposed NRP should require new sensitive activities to be appropriately located within the existing environment recognising existing lawfully established activities may generate effects unacceptable to the new sensitive activity.
80. Ravensdown sought a new Objective 13B and a new Policy 4B be included in the proposed NRP.
81. While Appendix C indicates that Ravensdown’s request for a new Objective 13B and Policy P4B are addressed in Issue 1 in the s.42A Report (Beneficial Use and Development), I am unable to see any

consideration of Ravensdown's request in that report. I note that Appendix C records that the s.42A Report recommendation is that Ravensdown's submissions be rejected.

82. Without a commentary in the s.42A Report it is difficult for me to comment or provide my opinion on the assessment by the Council Officer. By way of a general comment, reverse sensitivity issues can arise when non-rural activities are allowed to establish in the rural environment, and then start to complain about activities that have adverse effects that they find unacceptable. This is a matter Ravensdown has experienced with a number of its facilities in other parts of New Zealand. The proposed NRP provides an opportunity for Council to provide a clear planning response to reverse sensitivity issues by providing direction in policies on how it will consider reverse sensitivity issues through its regional plans. This is consistent with the RPS intent, including Policies 1, 54 and 56 which are directly related to Council responsibilities relating to air discharges, and soil erosion. While Policy 56 includes matters to be considered at the regional resource consent level, the proposed NRP could be strengthened to provide further policy direction on these matters.
83. I recommend the Commissioners reject the s.42A Report recommendation and introduce a new Objective 13B and Policy P4B to address reverse sensitivity issues as sought by Ravensdown. I consider these additional provisions is the most appropriate way to achieve the purposes of the RMA as required by s.32 (1) (a) and (b). I will provide suggested wording for the Commissioners consideration at the hearing.

**Precautionary approach – Policy P3**

84. Policy P3 of the proposed NRP requires use and development to be managed with a precautionary approach where there is limited information regarding the receiving environment and the effects the activity might have on the environment.

85. In its submission, Ravensdown supported the intent of the policy but noted the proposed NRP did not include a definition of ‘precautionary approach’ and considered some guidance is needed regarding how this policy will be implemented. Ravensdown sought for Council to retain the intent of Policy P3 while either introducing a definition or a note to the policy that reads:

*“A precautionary approach is one that adopts prudent foresight, and is only applied in circumstances where there is scientific uncertainty or ignorance about the nature or scope of environmental harm.”*

86. The s.42A Report (Overall Policy Framework of the Proposed Plan – Part B) recognises Ravensdown’s submission in paragraph 350 and references the s.32 Report: Ki uta ki tai which sets out how Policy P3 is to be applied. The Council Officer considers that the integrated nature of the proposed NRP, including its comprehensive suite of objectives, policies and schedules sites with significant values, provides the ‘signal’ where the precautionary approach is required, if there is limited information regarding the effects and those effects are potentially significant. The Council Officer therefore does not support Ravensdown’s request for a guidance note or a definition.

87. Ravensdown’s submission considered better defining the precautionary approach through a note or definition would add clarity to how Policy P3 may be implemented by Council in the future. I support Ravensdown’s submission as, in my experience, having clarity in a plan is paramount when resource users and council officers implement a plan. While I accept the Council Officer’s opinion that the suite of plan provisions provides a ‘signal’ that a precautionary approach will be adopted, in my opinion more than a ‘signal’ will assist to ensure the intent of the provisions is not lost in interpretation in the future. I support the wording recommended by Ravensdown.

88. I recommend the Commissioners reject the s.42A Report recommendation and amend Policy P3 as sought by Ravensdown. I consider the amendment has planning merit as it clarifies the intent of the policy, and

is the most appropriate way to achieve the purposes of the RMA as required by s.32 (1) (b).

#### **Minimising adverse effects – Policy P4**

89. Policy P4 of the proposed NRP intends to provide guidance on what minimising the adverse effects of an activity might mean (to the smallest amount practicable), and includes a list of what might be expected.

90. In its submission, Ravensdown expressed concern regarding the requirement to minimise rather than manage (avoid, remedy or mitigate) adverse effect. Ravensdown identified a number of difficulties it saw applying Policy P4 to nutrient discharges from farming activities.

91. Ravensdown sought for Council to reword Policy P4 to read:

*“Where minimisation of adverse effects is required by policies in the plan, minimisation means ~~reducing-controlling~~ adverse effects of the activity ~~to the smallest amount practicable~~ using the best practicable options to support achievement of the NRP and Waitua Implementation Programme (WIP) objectives and shall include consideration of:*

- a) the nature, objectives and functional requirements of the activity, and*
- b) the practicality of ~~consideration of~~ alternative locations and methods ~~for undertaking the activity that would have less adverse effects, and~~*
- c) the practicality of locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous vegetation), and*
- d) timing of the activity ~~or the adverse effects of the activity, to avoid time of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and~~*
- e) using **good management practices** for reducing the adverse effects of the activity, and*
- f) designing the activity so the scale or footprint is as small as practicable, and*
- g) developing strategies for priority catchments to support prioritising effective and cost-effective interventions.”*

92. The s.42A Report (Overall Policy Framework of the Proposed Plan – Part B) addresses submission on Policy P4 as Issue 7 and provides a commentary on the intent of the policy for what it was written. I note Ravensdown’s submission is not directly referenced in the s.42A Report, and the amendments sought by Ravensdown are not similar to

amendments sought by other submitters addressed in the s.42A Report. I note the Council Officer's recommendation is not to change Policy P4.

93. Without a commentary in the s.42A Report it is difficult for me to comment or provide my opinion on the assessment by the Council Officer. Ravensdown's main concern is that Policy P4 intended to minimise rather than manage adverse effects in terms of Part 2 of the act which requires adverse environmental effects to be *avoided, remedied or mitigated*. While in principle I accept that 'minimising' can be considered a component of remedying or mitigating adverse effects and can be considered a management tool, the context of minimising in Policy P4 seems to be focused on reducing rather than controlling the effects of activities through BPO and management practices.
94. In my opinion the amendments proposed by Ravensdown are appropriate and have planning merit, add clarity to the policy, and will achieve the intent of the policy.
95. I recommend the Commissioners reject the s.42A Report recommendation and amend Policy P4 as sought by Ravensdown. I consider the amendment has planning merit as it clarifies the intent of the policy, and is the most appropriate way to achieve the purposes of the RMA as required by s.32 (1) (b).

#### **Uses of land and water – Policy P7**

96. Policy P7 of the proposed NRP lists the cultural, social and economic benefits from using land and water that shall be recognised. In its submission, while Ravensdown supported the intent of the policy, it considered that the policy should also provide for a wider range of primary production activities than just food production and harvesting.
97. Ravensdown also sought that the policy be amended to not just recognise but provide for the use of land and water as this will set a policy

framework for the rules, as all listed uses are an essential component of the functioning and productivity of the region.

98. Ravensdown sought for Council to retain the intent of Policy P7 and amend to read:

*“(f) ~~primary food~~ production and harvesting, and  
....  
shall be ~~recognised~~ enabled and provided for.”*

99. The s.42A Report (Overall Policy Framework of the Proposed Plan – Part B) beneficial use and development addresses matters relating to Policy P7 under Issue 2.2. While the Report recognises Ravensdown’s submission , it does not address its concerns directly but does reference Hammond Ltd and Horticulture NZ who both see primary production be added to the policy. The Council Officer notes aspects of using land and water for primary production are already contained within Policy P7, for example, clause (f) references food production and harvesting, and clause (h) references irrigation and stock water. The Council Officer also considers having a general recognition of rural production or rural production activities is too broad and not a useful addition to the proposed Plan. For these reasons, the s.42A Report recommendation does not recommend farming or primary production be added to Policy P7.

100. As I understand Ravensdown’s submission, it considered that primary production provides significant social and economic benefits to the region, and is a major user of the land and water resource. While I accept the Council Officer component that aspects of primary production are included in the list, other aspects of primary production are not such as cropping, dairy and drystock farming, sheep and beef etc. I also note other ‘generic’ industry names are used (aquaculture; industrial processes and commercial uses, electricity generation etc.) meaning the requested amendment is not out of character with the policy.

101. In my opinion the amendment sought by Ravensdown (and others) has planning merit and adds clarity to the policy that it applies to applies to all primary production, not just aspects.
  
102. I recommend the Commissioners reject the s.42A Report recommendation and amend Policy P7 as sought by Ravensdown. I consider the amendment has planning merit as it clarifies the intent of the policy, and is the most appropriate way to achieve the purposes of the RMA as required by s.32 (1) (b).

**PART II – MATTERS RESOLVED**

103. In the following table I record for completeness the s.42A Report(s) recommendations to accept Ravensdown submission point on various plan provisions.

<b>Submission Code</b>	<b>Plan Provisions</b>	<b>Recommendation</b>	<b>Comment</b>
S310/005	Definition: Reverse sensitivity	Accept	I request the Panel accept the recommendation to retain the definition of reverse sensitivity as written which is acceptable to Ravensdown.
S310/006	Objective O2: Importance of land and water	Accept	I request the Panel accept the recommendation to retain Objective 02 as written which is acceptable to Ravensdown.
S310.008	Objective 07: Water for livestock	Accept	I request the Panel accept the recommendation to retain Objective 07 as written which is acceptable to Ravensdown.
S310.009	Objective 08: Allocation regime	Accept	I request the Panel accept the recommendation to retain Objective 08 as written which is acceptable to Ravensdown.
S310.021	Policy P1: Ki uta ki tai and integrated catchment management	Accept	I request the Panel accept the recommendation to amend Policy P1 to address the matters raised by Ravensdown.
S310.049	Method M1: Regional plan implementation and integration	Accept in part	I request the Panel accept the recommendation to retain Method M1 as written which is acceptable to

			Ravensdown.
S310.050	Method M6 - NPS for Freshwater Management strategy	Accept in part	I request the Panel accept the recommendation to amend Method M6 which is acceptable to Ravensdown.

**Chris Hansen**

**05 May 2017**