

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER Plan Change 1 – (Waikato and
Waipa Catchments) to the
Waikato Regional Plan.

**REBUTTAL EVIDENCE OF GILLIAN MARY CROWCROFT,
ON BEHALF OF MERCURY NZ LIMITED (SUBMITTER NUMBER 73182)**

HEARING BLOCK 1 – TOPIC B

26 FEBRUARY 2019

1. INTRODUCTION

Qualifications and experience

- 1.1 My full name is Gillian Mary Crowcroft. I have the qualifications and experience as set out in paragraphs 2.1 to 2.5 of my primary statement of evidence.
- 1.2 I have been engaged by Mercury NZ Limited (**Mercury**) to provide planning evidence in relation to its submissions on Plan Change 1 (**PC1**) to the Waikato Regional Plan (**WRP**).
- 1.3 As stated in my primary statement of evidence, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it.
- 1.4 In this statement of rebuttal evidence, I respond only to matters in the primary statement of evidence of Ms Helen Marr on behalf of the Auckland/Waikato & Eastern Region Fish and Game Councils.

Natural Character Value

- 1.5 Ms Marr recommends (in paragraph 71) the inclusion of an additional bullet point in the Natural Character Value section of the Values of the Waikato and Waipa Rivers (Section 3.11.1). In her evidence, Ms Marr states that Natural character is not the same as naturalness. I agree with Ms Marr on this point. However, the recommended inclusion of “matters contributing to natural form and character” is inconsistent with the style and format of other PC1 values in section 3.11.1. No other values identify “matters” which, in my opinion, are more appropriately included in policies and methods.
- 1.6 Ms Marr’s recommended insertion of “matters contributing to natural form and character including natural movement of water and sediment ...” (my emphasis) does not recognise the complex modified hydrological processes now occurring in the Waikato River. The inclusion of the recommended bullet point may infer a desire to return the river to its natural, pre-human, state. This is not feasible if the objectives of PC1 are to improve water quality in the long term while enabling people and communities to continue to provide for their social, cultural and economic wellbeing.

- 1.7 Furthermore, Ms Marr’s recommendation is inconsistent with the Waikato Regional Policy Statement (**WRPS**). WRPS Policy 8.1 provides the region’s approach to identifying freshwater body values and managing freshwater bodies. The policy states that the value setting process will, amongst other matters, recognise that where a freshwater body is currently used for the purposes of renewable electricity generation or domestic or municipal supply, those uses are recognised as being values associated with that water body. The WRPS 8A “Modified Fresh water bodies” (Table 8-1 Fresh water bodies – hydro electric generation) recognises that the Waikato River is modified: “*Waikato River, main stem from Tāupo Gates to Karapiro Dam (including hydro reservoirs) with Lake Tāupo utilised as a reservoir to store water for hydro-electricity generation purposes*”. The WRPS clearly recognises the modification of the Waikato River main stem and provides for renewable energy generation.
- 1.8 My conclusion on paragraph 71 of Ms Marr’s evidence is that the additional bullet point recommended should not be included in the natural form and character value. The point is inconsistent with the WRPS and the style and format of the other PC1 values.

Differentiation of Man-made Wetlands

- 1.9 Ms Marr, in paragraphs 157 to 162 of her evidence, contests that PC1 and the WRP give insufficient recognition to wetlands in the Waikato and Waipa catchments. She recommends that Objective 6 (which is currently limited to the Whangamarino Wetland) be amended to provide for the protection of the significant values of all wetlands, as well as contain specific provisions relating to the Whangamarino Wetland (paragraph 162).
- 1.10 The Whangamarino Wetland is unique and was established as a RAMSAR site some 30 years ago. I agree with Ms Marr that the Whangamarino has significant cultural, conservation and recreational values that should be protected. However, I do not agree that Objective 6 should be extended to all wetlands.
- 1.11 The RMA definition of wetland is used in the WRPS and WRP. The definition does not differentiate between “natural” wetlands, or those established for wetland restoration, and “other” wetlands. Wetlands established as an outcome of infrastructure projects, including hydroelectricity generation, wastewater and stormwater, require ongoing maintenance to ensure functionality. Over time these wetlands are colonised and “natural ecosystems” establish. It is reasonable to expect that ecosystem values may be affected by wetland maintenance activity.

I consider that Objective 6 should be retained as notified and not amended to include all wetlands.

- 1.12** As an alternative, Ms Marr recommends that a separate objective relating to wetlands generally could be provided in addition to Objective 6. I consider that Objectives 1 and 3 adequately address restoration and protection of wetlands in the Waikato and Waipa catchments. I conclude that Ms Marr's recommendation for an additional wetland Objective should be rejected.

Gillian Mary Crowcroft

26 February 2019