

BEFORE THE INDEPENDENT COMMISSIONERS

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Waikato Regional Plan Change 1 - Waikato
and Waipa River Catchments, and Variation 1 to proposed
Plan Change 1

AND

IN THE MATTER of submissions under clause 6 First Schedule

ON BEHALF OF **BEEF + LAMB NEW ZEALAND**
Submitter

EXECUTIVE SUMMARY OF CORINA JODI JORDAN

26 MARCH 2019

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INTRODUCTION

1. My full name is Corina Jodi Jordan.
2. I am the Environment Policy Manager, North Island, for Beef + Lamb New Zealand (B+LNZ), and have been employed in that capacity since 2016. I have a Bachelor of Science degree (specialising in ecology and zoology), 1st Class Honour's degree in Natural Resource Management, and a Master's in environmental management. I have over 15 years' experience in natural resource management planning, and freshwater ecology. My particular areas of expertise are in policy and plan development, natural resource management, particularly issues relating to the sustainable management of agricultural land uses, and setting and managing to freshwater objectives.
3. I am a member of the Government's Essential Freshwater Leaders Group (FLG) which has been tasked with providing advice to the Government on its "*Essential Freshwater: Healthy water, fairly allocated program*". This program promotes national statutory reform to address the health of freshwater ecosystems and to provide for primary contact recreation. Reforms intended include changes to the RMA and amendments to the NPS-FM, along with development of a national environmental standard for agricultural land uses.
4. I have been engaged by Beef + Lamb New Zealand to provide planning evidence for the hearing on Proposed Plan Change 1 for the Waikato and Waipa Rivers, and Variation 1 to this plan change (PC1).
5. I provided a Statement of Evidence in Chief on behalf of Beef + Lamb New Zealand dated 15 February 2019
6. I confirm the qualifications and experience set out in my Statement of Evidence in Chief.
7. As set out in my Evidence in Chief, I have read the Code of Conduct for Expert Witnesses in the Environment Court's 2014 Practice Note and I have complied and continue to comply with it. I confirm that the opinions I have expressed represent my true and complete professional opinions. The matters addressed by my evidence are within my field of professional

expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

EXECUTIVE SUMMARY

8. Plan change 1 and Variation 1 are intended to give effect to the Vision and Strategy for the Waikato River and to implement the NPS-FM.
9. The Vision and Strategy applies to the Waikato River from Huka Falls to Te Puuaha o Waikato and the length of the Waipā River to its junction with the Waikato River, and includes the catchments which affect the Waikato River. As recorded in the Settlement Act (2010)¹ the overarching purpose of this settlement has been to “*restore and protect the health and wellbeing of the Waikato River for future generations*”. The Vision and Strategy establishes its vision for a “*future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come*”. Where conflict with other higher level policy instruments exist the Vision and Strategy prevails.
10. In my opinion the Vision and Strategy recognises and is consistent with the definition of sustainable management in s5 RMA. It prioritises the restoration and protection of the Waikato River, but recognises in the vision that the Waikato River has a role in sustaining prosperous communities too. This is recorded in the objectives and is also consistent with the approach in the NPS-FM.
11. PC1 also must give effect to the NPS-FM. The NPS-FM states that “*New Zealand faces challenged in managing our fresh water to provide for all of the values that are important to New Zealanders. The quality, health, availability and economic value of our fresh water are under threat... To respond effectively to these challenges, we need to have a good understand of our freshwater resources, the threats to them, and provide a management framework that enables water to contribute to New Zealand’s economic*

¹ Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

*growth and environmental integrity and provides for values that are important to New Zealanders*².

12. In relation to the NPS-FM PC1 must:
 - a. Consider and recognise Te Mana o te Wai in the management of freshwater;
 - b. Safeguard life supporting capacity, ecosystem processes and indigenous species and their associated ecosystems, along with the health of people and communities as affected by contact with freshwater;
 - c. Enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality;
 - d. Maintain and where degraded improve overall water quality within a freshwater management unit;
 - e. Set freshwater objectives for values in accordance with policies CA1 – CA47; which includes:
 - i. Considering at all relevant points in the process how to enable communities to provide for their economic well-being, including productive economic opportunities, while managing within limits;
 - ii. set water quality limits and targets to achieve the freshwater objectives,
 - iii. phase out existing over allocation, and
 - iv. Improve and maximise the efficient allocation and efficient use of water.
13. The key issues to be resolved in these proceedings, and which hearing 1 is to be focussed, are the appropriate linkages between

² National Policy Statement for Freshwater Management (2014)(updated 2017). Paragraphs 4 and 5, page 4.

the values, plans objectives, and the numerical Freshwater Objectives in Table 3-11.1, including the time to achieve them. The requirement to give effect to the Vision and Strategy is not, in my opinion in contention, but the interpretation of the Vision and Strategy and in particular the specific numerical parameters and outcomes (Freshwater Objectives) chosen to represent the Vision and Strategy, along with the methods to achieve it, are.

14. In my opinion PC1's objectives are, in part, inconsistent with the Vision and Strategy. The Freshwater Objectives have not been developed in consideration of the suite of values, and as such PC1 also does not give effect to the NPS-FM. I also consider it to be inconsistent with the purpose of the Act, in relation to reflecting both limbs of sustainability under part 2, as PC1 seeks water quality restoration back to historic states which are such that they will impact on the first limb of sustainability.
15. The restoration and protection of the health and wellbeing of the Waikato River, is not synonymous with water quality, nor necessarily numerical states which reflect a historic state or reference conditions. Water quality is a part of the Waikato Rivers health and wellbeing, but the level of quality (numerical outcome) and the parameters chosen are dependent on what values are being provided for. As such, concepts of 'restoration and protection' are shaped by that end goal.
16. In my opinion, while it is appropriate to restore and protect the health and wellbeing of the Waikato River, it should be done in a way that enables people and communities to provide for themselves, which includes their economic and social wellbeing, within defined environmental limits that achieve the restoration and protection of the *values* that have been identified in the Catchment.
17. As currently proposed the achievement of Table 3.11-1 water quality freshwater objectives is likely to significantly impact on the economic wellbeing of communities, in both the short and long term. As currently stated within PC1 achievement of the 80-year water quality outcomes "*requires technologies or practices that are not yet*

available or economically feasible. In addition, the current understanding is that achieving water quality restoration requires a considerable amount of land to be changed from land uses with moderate and high intensity of discharges to land use with lower discharges (eg through reforestation)". The consequence is that the agricultural sector, in particular, has no certainty in relation to their future, nor that of their businesses, or rural communities.

18. There is a requirement for certainty when imposing regulation on communities. That certainty allows for communities to plan for their future and make decisions about their wellbeing, including socially, economically and spiritually. PC1 create significant uncertainty by deferring management approaches to beyond the current 10 year planning cycle. Furthermore, as the plan provides no methods including rules, or targets, to achieve the 80 year freshwater objectives, I consider it to be inconsistent with the requirements of the RMA which requires us to analyse the extent to which our policies and methods achieve our objectives.
19. PC1 Objectives including Freshwater Objectives have an inappropriately narrow focus on a subset of water quality attributes, and seek, broadly, improvements from existing state even where existing state is considered good. In order to give effect to the NPS-FM, Waikato Regional Policy Statement (RPS), and to achieve the Vision and Strategy, ecosystem health in a more comprehensive sense must be addressed and this means more attributes must be established and managed for. In relation to the establishment of appropriate numerical states, these should be informed by the range of values set out in PC1 which include consumptive and non-consumptive values. Where conflict exists between the values the compulsory national values in the NPS-FM of Ecosystem Health and Human Health for recreation should essentially provide the environmental bottom line, which I consider to be consistent with the Vision and Strategy.
20. I recommend changes to the objectives particularly Objective 1 and Objective 4 to better connect the objectives with the identified values, and the values with the Freshwater Objectives. In my opinion

it is best practice to make the implicit connection between the values, objectives, attributes, and methods to ensure plan clarity and workability.

21. I recommend that Table 3.11-1 is reviewed and amended to include a broader suite of ecosystem health attributes, and that the current numerical states are reviewed in line with the suite of values identified in PC1. Where water quality is sufficient to provide for the values then it should be maintained and where it is not at a state sufficient to provide for the values it should be enhanced.
22. In my opinion the PC1 objectives should be strengthened to explicitly recognise that an outcome the Plan pursues is the use of water and land resources to provide for the economic, social, and cultural wellbeing of the region, while protecting and restoring the health of the Waikato River as reflected by its values. As such I have proposed changes to Objective 2 to more clearly establish the social, economic, and cultural outcomes which should be given effect to by PC1 in line with the higher order policy instruments and the RMA.
23. Integrated management is a requirement of the council under s30 of the Act, the NPS-FW, the RPS, and Vision and Strategy. The Vision and Strategy includes objectives which specifically recognise and provide for an integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River, along with 4 specific and targeted strategies. These strategies focus on enhancing community participation, including knowledge sharing, and responsibility, in working together to achieve holistic and integrated outcomes in relation to enhancing and restoring the health of the Waikato River.
24. I believe that adoption of a sub-catchment approach would not pose the risks identified by the officers such as “not having an ‘eye on the prize’: which is the health and restoration of the whole river system”. Rather this approach would empower communities to understand local and broader spatial scale issues in relation to environmental health, with a focus on aquatic ecosystem health. Solutions would be found that are spatially explicit and more efficient and effective at

achieving freshwater objectives, at a broad range of scales rather than the current one size fits all approach proposed in PC1.

25. I recommend tailored, integrated sub catchment management be included within the objectives of PC1, and as such have proposed amendments to Objective 4, which establishes an outcome based on supporting and empowering collective action at the sub catchment scale to deliver holistic and integrated outcomes when sustainably managing natural resources including freshwater.

DATED this 26th day of March 2019

Corina Jordan