

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

AND

IN THE MATTER of the Freshwater Planning Instrument Parts of
the Proposed Otago Regional Policy Statement
2021

STATEMENT OF EVIDENCE OF

Hamish Gordon Rennie FOR Wise Response Inc

30 June 2023

SUMMARY OF EVIDENCE

1. My name is Hamish Gordon Rennie and I am a full member of the New Zealand Planning Institute and an Associate Professor of Planning and environmental Management at Lincoln University.
2. I have focussed my evidence on addressing the reporting officers rs42A report in relation to Wise Response's (WR) submission.
3. In summary, I conclude that, from a planning perspective:
 - (a) The recommendations of the reporting officers provide improvements and support several of the recommendations made by WR in changing the direction from 'avoidance of harm' to one of 'ecological gain', but
 - (b) The RPS could be improved through the provision of clearer timeframes and specific outcomes such as those sought by WR and
 - (c) There is a clear opportunity to promote mitigation of GHGs that is not addressed through the pORPS as it stands or as recommended to be amended by the reporting officers.

INTRODUCTION

4. My name is Hamish Gordon Rennie.
5. I am a full member of the New Zealand Planning Institute (NZPI) and an Associate Professor of Planning and environmental Management at Lincoln University. I hold the qualifications of BSc(Hons)(Otago), MA(Newfoundland) and PhD (Waikato) all in Geography.
6. I also currently hold Making Good Decisions (expiring 2024) certification and a Practising Resource Manager Certificate from the NZ Association for Resource Management.
7. I have worked in central government over a period of approximately 12 years as a Land Resources Scientist (Ministry of Works and Development 1981-82), programme manager/policy analyst (Ministry of Foreign Affairs and trade 1985-1989) executive officer (Department of Health 1989) senior

conservation officer and manager (Department of Conservation 1990-1995). My experience ranged across various aspects of soil and water conservation, developing country project planning and management, and Area Health Board planning prior to joining the Department of Conservation.

8. In the Department of Conservation I provided policy advice, sometimes directly, to Ministers, Cabinet Committees and a Parliament Select Committee on various aspects of developing and implementing the Resource Management Act 1991, the New Zealand Coastal Policy Statement and, internationally, the Convention on Biological Diversity and the Madrid Environmental Protocols to the Antarctic Treaty System.
9. Since leaving central government for academia I have been employed as an academic at Waikato University (1995-2007) and Lincoln University (2007-present) teaching a range of courses in the NZ Planning Institute accredited planning programmes at each university.
10. In sum, I have been involved in various aspects of planning for almost 40 years. In 2022, I received the Distinguished Service Award from the NZPI.
11. My academic activities, have included research on freshwater planning and management, planning legislation, co-governance and coastal and marine planning. Among my publications are:
 - (a) Collins, K.E.; Doscher C.; Rennie, H.G.; and J.G. Ross 2013 “The effectiveness of riparian ‘restoration’ on water quality – a case study of lowland streams in Canterbury, New Zealand” *Restoration Ecology* 21(1):40-48
 - (b) Hughey, K.F.D; Rennie, H.G. and N. Williams 2014 “New Zealand’s wild and scenic rivers: Geographical aspects of 30 years of water conservation orders” *NZ Geographer* 70: 22 – 32
 - (c) Rennie, H.G. 2014 “The Selwyn-Waihora Catchment: A triumph for collaborative management?” *Resource Management Journal* (April): 31 – 35
12. Since leaving the public service I have served as a Minister of Conservation appointee to hearings of Restricted Coastal Activities (including in Otago) and

a commissioner or expert planning witness for various councils, iwi or other clients on resource consent hearings or plan change hearings.

13. I am currently one of the 12 people serving on the Government's Severe Weather Recovery Review Panel which involves reviewing Orders-in-Council prepared to facilitate recovery from the severe weather events that affected the North Island earlier this year.
14. I am also co-owner of a sheep stud on land owned by my family for over 150 years on the lower Selwyn River and hold a resource consent to farm as well as a consent to irrigate from the Selwyn River. Our Farm Environment Plan has been audited twice with A grades each time.
15. A trustee of the Waihora Ellesmere Trust since 2007, I have served three terms as its chair. The Trust is a community organisation that established in 2003 essentially to facilitate the improvement of the health of Lake Ellesmere (Te Waihora), its tributaries and environs. Among other activities, the Trust has organised the biennial Living Lake conference series bringing together the most recent management related science for the Lake and its catchment and providing an integrated knowledge base for action.
16. In all three capacities, academic, landowner/consent holder and trustee I have been actively engaged in water management and planning issues in Canterbury, particularly in the Selwyn Zone. This has informed my understanding of freshwater issues and planning.
17. I have also represented Wise Response in hearings of Plan Change 7 to the Otago Regional Plan. And provided advice to and appeared for Wise Response in relation to the proposed Regional Policy Statement coastal provisions.
18. I have been I have been retained by Wise response Inc to prepare a statement of evidence on planning matters in relation to its submissions on the proposed Regional Policy Statement Freshwater Planning Instruments.
19. In preparing this evidence I have read the following documents:
 - (a) Draft evidence of Wise Response experts

- (b) The reporting officer responses to the Wise Response submissions as set out in the s42A report for the Freshwater Planning Provisions dated 2 June 2023 authored by Felicity Boyd, Jacqui Todd and James Evans for the Otago Regional Council.
- (c) The Wise Response oral submission on Land and Freshwater of the Proposed Regional Policy Statement for Otago of 4 April 2023
- (d) The Wise Response submission on the Freshwater Planning Instrument Parts of the proposed Otago regional Policy Statement 2021

CODE OF CONDUCT

- 20. I have read the Environment Court Practice Note 2023 Code of Conduct for expert witnesses and agree to comply with it.
- 21. I confirm that the topics and opinions addressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.
- 22. I note that this evidence and the evidence of other Wise Response experts has not had the benefit of legal advice and has been prepared on a voluntary basis. There may therefore be some errors of law and in my case my evidence has focussed on key aspects of planning relevant to the main points of the Wise Response submission rather than a comprehensive assessment and evaluation.

1. URGENCY AND TIMEFRAMES FOR ACTION

23. The reporting officers have indicated that they had reached no firm conclusion regarding timeframes for action. They have however agreed that milestones could be set within longer timeframes for stages in the delivery of particular outcomes.
24. Much of the Wise Response (WR) submission reflects its concern that the pORPS does not reflect the urgency of the biophysical context within which the policies are expected to operate and ultimately influence in a way that promotes sustainable management. The need for urgency is set out in the evidence of Mr Surrenden, Dr Sallinger, and, in respect of degraded water, Dr Joy on whose evidence I rely.
25. For this reason WR sought clear statements that would be action forcing rather than negotiated compromises that, as Dr Joy points out and as I am personally aware from my research and participating in the processes, have not been effective elsewhere (e.g., Canterbury). In essence, WR set clear targets in line with the advice of its experts.
26. At para 1480 of the s42A report it is stated that WR “provides no evidence for the 10% per annum increase in extent and quality of habitat for indigenous species so I am unsure how practical or achievable this is. I am also unsure how the 10% increase in quality would be measured. I also have difficulty with requiring “re-establishment of the original ground and surface water levels” because it is unclear what “original” is.”
27. I understand from Mr McTavish who is representing WR in this hearing that the 10% aligns with achieving individual FMU outcomes by 2035 (ie 10 years).
28. The basis for bringing the dates forward to 2035 is recognition of the need for urgency to address the growing risks of climate change (see Dr Sallinger’s evidence) and the risks to material and energy resources/the economy (see Mr Surrenden’s evidence). The argument is that the trends with both of them means action is needed to restore the ecological base as healthy and well-functioning as possible while conditions and resources enable that. This is consistent with Dr Knight-Lenihan’s evidence regarding ecosystem health and seeking ecological gain and with Dr Beattie’s evidence regarding animal welfare.

29. As regards measurement of gains, or even improvements, and establishing the original ground and surface water levels in relation to wetlands the mechanisms and indicators for these can be appropriately worked out at the regional plan and, where relevant, district plan level. However, setting the overall timeframes is a regional policy matter that should drive the plan making.

2. GAIN RATHER THAN AVOIDANCE OF HARM

30. The reporting officers have correctly identified that WR is concerned about reversing the degradation and seeking ecological gain. This is reflected in a number of recommended changes introducing language like 'improvement' into the RPS. Although this does not always represent the strength and stringency sought by WR it does reflect the direction of the WR submissions.
31. However, simply improving does not provide clear targets or outcomes. The proposed targets provided by WR provide a clear and measurable approach, with 'improvement' being a minimal supporting provision. From a planning perspective clear targets suggested by WR are desirable..

3 GREENHOUSE GASES (GHG)

32. Wise Response also seeks specific amendments across the pORPS which incorporate the use of the national net zero-carbon target for assessing what policies are necessary, realistic, a priority and sustainable in the medium and longer term.
33. The Effects Management Hierarchy that the reporting officers rely on to address GHGs was conceived before the provisions enabling GHGs to be addressed came into force.
34. I do not see how the s42a report has addressed the ability for regional policy statements and plans to address what is clearly an issue of regional significance and considerable urgency and in my opinion is appropriate to include in an RPS.
35. Provisions suggested by WR would provide a clear policy direction to plan-makers that carbon sequestration and associated responses to addressing GHGs are to be promoted through their plans. This would be useful guidance for decision-makers.

36. In passing, I note that 'promoted' denotes a more proactive stance and is consistent with the wording of the purpose of the RMA (as opposed to the more passive 'encouraged' that the reporting officers have preferred).

CONCLUSION

37. In summary, I conclude that, from a planning perspective:
- (d) The recommendations of the reporting officers provide improvements and support several of the recommendations made by WR in changing the direction from 'avoidance of harm' to one of 'ecological gain', but
 - (e) The RPS could be improved through the provision of clearer timeframes and specific outcomes such as those sought by WR and
 - (f) There is a clear opportunity to promote mitigation of GHGs that is not addressed through the pORPS as it stands or as recommended to be amended by the reporting officers.

Dated this 30 day of June 2023

Hamish Rennie