

**BEFORE THE HEARING COMMISSIONERS  
THE PROPOSED WAIKATO DISTRICT PLAN (STAGE TWO)**

**UNDER**                    **the Resource Management Act 1991**  
**IN THE MATTER**      **of Hearing 27B: Objectives, Policies, and General  
Submission**

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**STATEMENT OF JESSE QUENTIN GOODING ON BEHALF OF FEDERATED FARMERS  
OF NEW ZEALAND**

**16 April 2021**

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## **INTRODUCTION**

1. My name is Jesse Quentin Gooding I am a Regional Policy Advisor with Federated Farmers of New Zealand (“**FFNZ**”). I have been in resource management related positions in local government and a non-governmental organisation for the last three years. I hold a Bachelor of Environmental Planning degree from the University of Waikato.
2. I have reviewed the S42A report prepared by Yvonne Legarth dated 31 March 2021, for Hearing 27B – Objectives, Policies, and General Submission in relation to the proposed district plan, stage 2 (“PWDP”). This report addresses matters to which FFNZ made submissions (submitter 2173) and further submissions (FS3030).
3. The contents of this statement are made in my role as Regional Policy Advisor, in response to some of the key recommendations made on the submission points that have been assigned to this hearing topic.
4. To assist the panel the statement follows the same structure as the planning report.

## **SCOPE OF HEARING STATEMENT**

5. The planning framework is well described in both the Section 32 Report and the Section 42A Report provided by the WDC. I generally agree with the analysis. Given the general agreement I do not repeat the analysis. Rather this statement sets out where I depart from the views expressed in the Section 32, Section 32AA or Section 42A Reports, or where I consider that an alternative planning provision would better give effect to, be not inconsistent with, or have regard to (as the case may be), the various relevant documents.

### **Chapter 15 - Objective 15.2.1 Resilience to natural hazard risk**

6. WRC requested Objective 15.2.1 be amended to prioritise avoidance and remove the words “appropriately mitigated.” The S42A reporting planner interprets the WRPS as having ‘avoidance’ apply to ‘new risk’, and while it suggests levels of risk are to be managed it does not suggest a mitigation hierarchy should always be applied. In so far as this means avoidance is not applied to all risk this interpretation is supported. We agree that ‘avoid’ rather than ‘first avoid’ better gives effect to the WRPS and aligns with the risk-based approach intended.

7. Horticulture New Zealand [2149.1] requested the Objective be amended to include example responses to climate change including water storage, primary production and the practices that may support primary production. FFNZ was supportive of this submission but understand the reasoning in the S42A report that an Objective should provide intended outcomes rather than examples of responses which would more appropriately be added to policies. Notwithstanding this we support the intent of the relief sought which is to acknowledge that some activities achieve beneficial outcomes in response to natural hazards and climate change and should be promoted rather than avoided or restricted.
8. FFNZ support an amended Objective 15.2.1 similar to that provided by Horticulture New Zealand, without specific examples. We consider that this will promote a proper risk management-based response to climate change and other hazards.

#### **Policy 15.2.1.4 – New infrastructure and utilities**

9. Our interest in this policy relates to WRC submission [2102.26] where they request a new policy *15.2.1.4A – Small scale non-habitable structures in areas subject to significant risk from natural hazards*.
10. FFNZ were supportive of the proposed new policy [FS 3034.129]. It acknowledges that the policy direction of chapter 15 is not to restrict the location of farm buildings and accessory buildings in natural hazard areas. Critically, it uses the words ‘non-habitable’ which we consider provides an appropriate distinction between higher and lower risk buildings located in natural hazard areas. There are many non-habitable buildings, particularly in the farming context, that may be constructed to a level of risk where their utility to a working farm outweighs the potential loss of property. Where a new building, or accessory building is necessary to the operation of a farm it may be appropriate within the context of being non-habitable. We consider such a “trade off” is not appropriate in the context of habitable buildings unless appropriate rules apply. FFNZ are of this view not only because a habitable building extends risk from property to both property and human life, but because the residential use of a habitable building is unlikely to be necessary in the context of farming or other agricultural uses. That is, a hay shed, pump shed or other farming structure on the Waikato and Waipa floodplains may be necessary to a farming or growing operation, but the residential use of a habitable building is not instrumental to these activities. This being the case we consider it reasonable to put more controls on a habitable building than a non-habitable, implement or storage building.

11. The reporting Planner also considers that the focus of the policy to habitable buildings would not meet Objective 15.2.1. I am of the view that the amendments we request to Policy 15.2.1.12 would be appropriate if the relief sought by FFNZ to Objective 15.2.1 is accepted. As discussed earlier in my hearing statement we consider an amended 15.2.1 with some of the changes requested by Horticulture New Zealand would provide for the approach the Waikato Regional Council and FFNZ seek through this Policy.
12. FFNZ consider that the proposed new policy is intended to provide for the risk-based approach where a risk is appropriately identified as either high risk or low risk and avoided, restricted, or enabled depending on where it falls on that spectrum. In my view this is consistent with the overall objective and policy direction of the PWDP and the WRPS. Consequently, we oppose the recommendation to reject Policy 15.2.1.4A recommended by WRC and support the relief sought by WRC in the submission point 2102.26.

Jesse Gooding



Federated Farmers of New Zealand