

BEFORE THE FRESHWATER COMMISSIONER

UNDER The Resource Management Act 1991
(the **Act** or **RMA**)

**IN THE
MATTER** of an original submission on the
Proposed Regional Policy Statement
for Otago 2021 (**PRPS**)

BETWEEN **OTAGO WATER RESOURCE USER
GROUP**

Submitter FPI043

FEDERATED FARMERS NZ INC

Submitter FPI026 and FSFPI026

DAIRY NZ

Submitter FPI024 and FSFPI024

**BEEF & LAMB NEW ZEALAND LTD
and DEER INDUSTRY NEW
ZEALAND**

Submitter FPI025 and FSFPI025

AND **OTAGO REGIONAL COUNCIL**

Local Authority

SUMMARY OF EVIDENCE OF KATE SCOTT

DATED 29 AUGUST 2023



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Summary of evidence

1. My name is Kate Scott, I am a resource management and farm environmental planner. I am also the founder and executive director of Landpro Limited. I refer you to my expertise and experience outlined in my evidence.¹
2. The purpose of this evidence is to set out the broad suite of regulatory changes that are in the pipeline and which are affecting the sector already, or that will do so within the life of the proposed RPS.
3. This evidence also provides a detailed overview of the convergence of issues that are at play, in particular the role out of Certified Freshwater Farm Plans (CFWFP's) and the Resource Management Freshwater Farm Plan Regulations 2023 (FFP), and their interconnectedness with the RPS and other lower order planning documents.
4. I note for clarity that whilst I am a planner, that I have not provided a full planning brief of evidence, however, have provided some context to support planning matters where they specifically relate to the wider issues including CFWFP's, visions and transitional provisions. I have reviewed the evidence of Ms Perkins for the submitters, and I agree with her conclusions and recommended changes.

Change cannot happen overnight²

5. The agricultural sector is subject to reform from all angles and this is not expected to change in the near future. The reforms already in place will take decades to implement properly, with much of the cost borne by farmers themselves.
6. The sector does not disagree with the intent behind the reforms but needs time to properly be able to implement them in a way that will result in the best environmental outcomes.
7. Despite the uncertainty, there has been a significant shift amongst rural landowners and communities to do more for the environment, which

¹ At [1]-[14].

² At [184]-[186].

has been led by voluntary catchment groups, resulting in a number of successful projects and on the ground practice change.³

The need for transition

8. Given that there is so much regulatory change currently being deployed in the rural sector, it is critical the combined and cumulative effects of reforms are considered by decision makers in determining whether the visions and objectives in the RPS are 'ambitious but reasonable'.⁴
9. The RPS should recognise the need for transition and the need to take particular care to avoid unintended consequences as a result of new policy direction. This should be recognised through a more explicit approach where competing priorities are acknowledged, and that where such competing values materialise, e.g. water vs carbon, there should be direction provided about which response needs to come first because there are insufficient resources available to enable everything to be undertaken at the same time and still achieve better outcomes for the environment.⁵

Consequences of a lack of direction

10. The lack of clarity puts farmers in a position where they do not want to incur the costs of undertaking changes on farm, for the regulations to change again and for the work they have done to be futile.⁶ In essence they are anxious about 'early adopter penalty'. What the provisions should be trying to provide is an 'early adopter advantage' so the sector have the confidence to move quickly.
11. This issue becomes apparent through CFWFP's, which require landowners to document actions at a catchment scale (amongst other actions) setting out how actions behind the farm gate will meet and address the catchment context, challenges and values. Clear visions in the RPS (at an FMU or Catchment Scale) would set up for integrated

³ At [20-25].

⁴ At [187].

⁵ At [188].

⁶ At [43].

management between the FFP regulations and other planning instruments. This is because the visions can be responded to through the FFP's and assist the farming sector in identifying what things need to be focussed on. Effective implementation of CFWFP's will be a key method for enabling and delivering Te Mana o te Wai⁷.

12. The implications of not providing clear direction and clear priorities are starting to arise in an Otago context already. There are many farmers being forced to decide between pastoral farming and the planting of pine trees due to rising uncertainty and costs. Is that what Otago wants in its catchments? Have the hydrological implications of mass pine forestry been considered? What about landscape and effects on the soil resource? Let alone the economic and social effects on the community?⁸
13. This is an example of the lack of integration that can arise.⁹

How do we fix it?

14. This can be achieved through clear visions, priorities and values and by providing for a joined up holistic and transitional pathway to implement and adopt efficient change on the ground.¹⁰
15. Regulations and their transitional timeframes must recognise that change takes time to implement and because farms are made up of interconnected biological processes changes may not show immediate results.¹¹
16. Challenges for farmers need to be in considered in a holistic manner as a disjointed approach will have widespread effects on environment, economy, and community and give rise to a suite of unintended consequences.¹²

⁷ At [91-95].

⁸ At [189].

⁹ At [190].

¹⁰ At [191].

¹¹ At [36].

¹² At [143].

17. The role of non-regulatory methods, and catchment groups into the future needs to be directed and secured through the RPS to provide ongoing opportunity for rural communities to meet the needs of their communities and their environments.¹³ Catchment Groups have a role to play to translate local objectives that are more meaningful to landowners, as well as recognising that freshwater policy could be use to better incentivise collective management.¹⁴
18. We need clear transitional pathways, to set clear integrated objectives and to avoid duplication.¹⁵
19. **I would be happy to answer any of the Panel's questions.**

Dated 29 August 2023



Kate Scott

¹³ At [177].

¹⁴ At [31-35].

¹⁵ At [43].