

Proposed Natural Resources Plan:

Submitter:

Allan Smith

Submitter Number:

S35

17 SEP 2015

Submission of Allan A Smith

Greater Wellington Regional Council

Proposed Natural Resources Plan for the Wellington region

1 Introductory Comments

1.1

Please enter your details below	
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This is an individual submission.

Personal Introduction

I have a Master of Arts degree with Honours from the University of Canterbury, majoring in Economics and Political Science. My professional career included nineteen years with the Reserve Bank of New Zealand, seven of those at the Level of Chief Manager. I also served for two and a half years as Adviser to the Australian Executive Director at the World Bank in Washington DC.

My farming experience includes 47 years of farm ownership, 25 of those as an active farm manager. My wife and I have owned property on Terrace Road, Reikorangi for 39 years. This currently amounts to 430 hectares.

Summary of Submission Content

The focus of the submission is mainly on policies and rules which will directly affect day-to-day activities of our farming and property management operations. The submission has not been completed in your preferred format; I have been unable to devote the time needed to do a full assessment because of other work pressures at this time of year.

Comments on the Proposed Plan (The submission numbering corresponds to that used in the Proposed Plan. Suggested insertions are underlined; deletions struck through.)

2.2 Definitions

Break-feeding

Comment: Electric fencing is usually the preferred method for break-feeding but a more inclusive wording is preferable in order to remove any possible confusion as to intended meaning. This would be achieved by inserting the words “..or other temporary..” after the word “electric”

Relief sought: Amend as follows.

The feeding of livestock on pasture or forage where feed allocation is controlled by the frequent movement of an electric or other temporary fence.

Erosion Prone Land

Comment: The proposed definition of erosion prone land as having a slope in excess of 20 degrees is too conservative. It conflicts with existing definitions used in the region and more widely across the country. Kapiti Coast District Council has proposed a 28 degree slope as the maximum slope for permitted earthworks. This is consistent with GWRC definition used in the Regional Soil Plan where Area 2, which includes the bulk of KCDC, has a definition for erosion prone land of a slope greater than 28 degrees. While I accept the general principle that the steeper the land the more likely it is to be susceptible to erosion, this does not address the practical question of whether the 28 degree slope currently applying in KCDC is inappropriate. I think there is little evidence to indicate that the present rule is giving rise to excessive erosion. The climatic variability in this area means that some erosion during extreme weather events is inevitable but I see no evidence that the 28 degree slope cut-off for permitted earthworks is giving rise to higher-than-normal erosion.

Relief sought: Amend as follows.

“The pre-existing slope of the land exceeds ~~20~~28 degrees.”

Gully

Comment: The proposed definition lacks adequate assessment/identification criteria. The definition provided at present is so broad as to render it meaningless. “A small valley” could describe most of my property. Council is proposing policies and rules elsewhere in the Plan which prohibit actions within 50 metres of gullies. Either a more restrictive definition needs to be created or the reference to gully needs to be removed from all discharge to land rules.

Relief sought: Delete or amend the definition.

3 Objectives

O27

Comment: Vegetated riparian margins are a means to an end not an end in themselves. The unbounded nature of the wording of this objective is too broad. Where livestock pressure is undermining water quality, biodiversity or channel integrity this objective may be justified but in some situations the creation of vegetated riparian margins brings other problems such as increased difficulty in managing aquatic or land based weed species. If low intensity livestock access is not resulting in adverse consequences there is no justification for requiring vegetated margins. The objective should make clear that vegetative riparian margins are not universally applicable.

Relief sought: Amend as follows.

Vegetated riparian margins are established and maintained where they are needed to help protect water quality, adjoining biodiversity and waterway channel integrity.

O33, O35

Comment: While the sentiment expressed in both these objectives can be supported, reality suggests that they are unrealistic as stated. Choices will inevitably have to be made about where to expend scarce economic resources on restoration of sites in each of these categories and between the categories. There will be cases within each category where priorities have to be set. These priorities will need to take account of several factors such as scarcity, size and cost of restoration.

Relief sought: Amend as follows.

In both cases add after "restored where this is practicable".

4 Policies

P3 Precautionary Approach

As worded this policy carries with it the potential to undermine any development initiative. Almost by definition any new initiative will have some potential for adverse effects on the receiving environment. Caution should be exercised but use of the term "a precautionary approach" carries an implied threat of intervention to prevent development until all uncertainties are removed. An improved statement would recognise the point that is made in the following policy P4 that sometimes adverse consequences are inescapable but if the benefits overall are sufficient to warrant proceeding then managing and/or minimising the adverse consequences is the appropriate response.

Relief sought: Amend as follows.

"Use and development, in situations ~~shall be managed with a precautionary approach~~ where there is limited information regarding the receiving environment and the adverse effects the activity may have on the environment, should be undertaken in a manner designed to minimise any adverse effects."

P7 Uses of land and water

The approach adopted in this policy of listing activities which are considered beneficial carries with it the certainty of omitting some activities which would qualify. One which can have highly beneficial effects as a use of land is forestry. At certain points in time it can also have detrimental effects on water quality. However, it serves to highlight the shortcomings of a listing approach. A preferable approach would be one which specifies the need to find a balance between competing uses or claims on the limited resources which will enable conflicts to be resolved and cultural, social and economic aspirations to be met.

Relief sought: Amend in line with the comment above.

P8 Beneficial Activities

The all-inclusive wording of some of the elements is inappropriate. The value, both economic and environmental of (f) the retirement, fencing and planting of riparian margins will vary greatly depending on the location and circumstances of the waterway being 'protected'. It is likely to be inversely related to the incremental value which can be captured by (d) the removal of aquatic weeds or pest plants. When access is no longer possible following retirement, fencing and planting of riparian margins; any possibility of effective removal of aquatic weeds and pest plants is lost. The costs associated with riparian planting and fencing in areas of low intensity stock access may far outweigh any benefits from the marginal improvement in water quality which can be achieved. Conversely, the rapid rise in cost of aquatic weed and pest plant control, following fencing and retirement of riparian margins is almost certain to rule out effective control. The very title of this policy conveys an impression that it must be good when the practical reality is that often to capture the benefit requires judgement about which, of inherently conflicting goals, should be given priority. Some re-wording is desirable in order to recognise this fact.

Relief sought: Amend as follows.

"The following activities....

....

(f) the retirement, fencing and planting of riparian margins, in appropriate situations, and

...."

P17 Mauri

The policy would be more powerful if it contained, or pointed to, some explanation of the types of activities that might sustain or enhance mauri. As it stands the statements in (a) to (c) call for behavioural patterns without explaining what actions will produce those patterns.

Relief sought: Amend in line with the comment above.

P40 Ecosystems and habitats with significant indigenous biodiversity values

An ecosystem or habitat with significant indigenous biodiversity values can only be "protect[ed] and restore[d]" where it is practically possible to do so. Even DOC and GWRC recognise that in some

instances it is not economically feasible or practically possible to achieve the object of this policy. The wording needs to be modified to recognise this.

Relief sought: Amend as follows.

~~“Protect and restore~~ Care for the following ecosystems and habitats with significant indigenous biodiversity values, improving them where this is practical.”

5 Rules

5.1 Air quality

R1 Outdoor burning

The blanket exclusion from outdoor burning of all specified materials seems excessive. While a blanket ban may be appropriate for many of the specified materials, including small amounts of materials such as treated timber offcuts or painted timber in the prohibition appears unreasonable in rural areas. It is noted that the specified materials list allows minor amounts of painted timber but includes all treated timber. Minor amounts of treated timber, such as offcuts in small quantities, should be able to be burnt in rural areas where alternative means of disposal are not readily available.

Relief sought: Permit minor amounts of some specified materials to be burnt in rural areas.

5.3 Discharges to land

R70 Clean fill material

The volume restriction in (f) for clean fill deposited on a property seems unduly restrictive. The volume, origin and deposit location data requirements also seem excessive given the small amount permitted to be discharged under this rule.

Relief sought: increase the permitted volume to 400m³.

R71 Pit latrine – permitted activity

The conditions attached to this permitted activity are such as to preclude the creation of any new pit latrine. Condition (a)(i) prohibition if within 50 metres of a gully would rule out virtually all of my farm because of the broad definition used to define gully in the Proposed plan. Condition (a)(ii) goes further because the community drinking water supply protection area applied by KCDC covers the whole catchment of the Waikanae river above the extraction point and so this condition precludes creation of any new pit latrine anywhere in the area.

Relief sought: Amend the conditions so as to make them less draconian in their impact.

5.4 Land use

R94 Cultivation or tilling of land – permitted activity

Condition (c) is unreasonable in high natural rainfall areas. Rainfall events occur on our property every year that exceed 75mm in 48 hours. In such a situation it is not possible to prevent sediment laden water from running off cultivated land and indeed any runoff will be joining sediment laden water already in the stream.

Relief sought: Amend the conditions to exclude naturally occurring high rainfall events.

R95 Break feeding – permitted activity

Condition (b) is unreasonable in high natural rainfall areas. For the reason given above in reference to R94 the condition needs to be amended to exclude naturally occurring high rainfall events.

Relief sought: Amend the conditions to exclude naturally occurring high rainfall events.

R97 Access to the beds of surface water bodies by livestock – permitted activity

The restriction on the number of times livestock can cross a river with water flowing or ponded in it contained in (d)(v) seems unreasonably limiting. In most situations where this applies each cycle of grazing will require the livestock to cross twice, once going into and the second coming out of the area where access requires crossing the water course. This effectively denies the farmer the right to move the livestock at any other time for any other purpose such as attending to stock health needs. While for larger operations the option of providing culvert or bridge access as an alternative may be feasible, for smaller operations the cost of such options may well be prohibitive. More flexibility should be granted.

Relief sought: Amend condition (d)(v) to permit up to three return crossings per month.

R115 Culverts – permitted activity

This rule permits a preferred means of small waterway crossing which will benefit water quality. However the maximum pipe diameter is too small to provide adequate margin for heavy rain events in this relatively high rainfall area (average annual rainfall in the last 20 years 1700mm but with variation ranging from 1100mm to 2400mm). A maximum pipe diameter of at least 1.65m is preferable. A slightly larger pipe tolerance is to be preferred to an overtopping flow.

Relief sought: Amend condition (h)(ii) to increase the maximum diameter to 1.65m; amend condition (h)(iii) by an equivalent amount.

R120 Minor sand and gravel extraction – permitted activity

The 15m³ and 50m³ annual extraction limits in condition (c) (i) and (c) (ii) is too low for larger properties. Even a light maintenance dressing on the main farm access track on our 430ha property requires much more than 50m³. I suggest amended limits of 30m³ and 100m³.

Relief sought: Amend conditions (c)(i) and (c)(ii) volume limits to 30m³ and 100m³ respectively.