

**BEFORE THE HEARING COMMISSIONERS
AT WAIKATO DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of hearing submissions and further submissions on the
Proposed Waikato District Plan

**STATEMENT OF EVIDENCE OF KIM PHILLIP ROBINSON FOR SUBMITTER
#349: LOCHIEL FARMLANDS LIMITED
28 October 2020**

Next Event Date: Hearing 21A - Significant Natural Areas - 16 November 2020

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STATEMENT OF EVIDENCE OF KIM PHILLIP ROBINSON

- 1 My full name is Kim Phillip Robinson. I am a Chief Executive Officer of Lochiel Farmlands Limited (**LFL**).
- 2 LFL is a submitter and further submitter on the Proposed Waikato District Plan (**PWDP**).
- 3 LFL made several submission points in relation to the Significant Natural Area (**SNA**) topic. I have reviewed the s42A report and its recommendations in relation to the LFL's submission points.
- 4 LFL owns a 3,567hectare property and runs approximately 42,000 stock units. LFL has been farming for 31 years during which time it has entered and been successful in the Balance Environment awards, winning the PPCS (Primary Producers Co-Operative Society Limited, now called Silver Fern Farms) Livestock Farm Award in 2007. LFL was a founding member of the Green Tick project. LFL recognises the importance of sustainability of the environment, however it is also concerned with the restrictive regulatory approach under the PWDP which does not allow for farming practicalities, particularly on large farms.
- 5 My evidence is in support of LFL's submissions points in relation to the SNA topic and provides context in terms of farming practicalities.

Rule 22.2.7 – Indigenous vegetation clearance inside a SNA

- 6 In respect of rule 22.2.7 LFL sought an amendment to P1(iv) to read:¹
 - (iv) Maintaining, **repairing or reinstating** existing tracks and fences; or
- 7 The s 42A reporting author has rejected this submission point on the basis that this is an unnecessary addition as the notified rule allows for the maintenance of existing tracks and that the term 'maintenance' would allow for repairs. In terms of reinstating, the author says that "*this may be*

¹ Submission point 349.33

outside the realm of maintenance and the activity of reinstating has potential to create adverse effects on the SNA.” The author further notes:

It does somewhat depend on the length of time that the track has been unused. For example a track that has not been used for a year would look completely different to one that has remain unused for 30 years. I do not consider the relief sought would align with Policy 11.1.1 of the Regional Policy Statement where there is a requirement to maintain indigenous biodiversity. I consider this activity may need to be assessed through a consenting process.

- 8 I disagree. Firstly, if it was a track 30 years ago it would not be ‘existing’. We are talking about situations where there has been a flood or a slip. The main issue with this is that it becomes a health and safety issue for staff and farm contractors, i.e. fencers and/or haymakers. All existing track and roading areas of the farm that get damaged through heavy rains, slipping etc. must be cleared purely for safety and access.
- 9 Where slipping has occurred and we are able to get machinery to it to do repairs, then this should be allowed. Some places are inaccessible but others we can reach and re-grass and seal cracks so that further damage is mitigated by water running over the top of the ground rather than down the cracks and causing even further damage. We should not have to go through consenting process to reinstate an existing track that get damaged as a result of a flood or a slip.

Rule 22.2.8 – Indigenous vegetation clearance outside a SNA

- 10 In respect of rule 22.2.8 LFL sought that all controls on indigenous vegetation clearance for pasture maintenance and other existing activities ancillary to farming should be removed. This submission is made on the basis that farming is a permitted activity protected as existing uses under s 10 RMA and there should be no limit on the maintenance requirements for pasture track and drain maintenance and cultivation.²
- 11 The s 42 reporting author has rejected this submission on the grounds that in his opinion there needs to be some level of control to ensure the WRPS is given effect to. The author seems to be recommending removing all provision for pasture maintenance as a permitted activity.

² Submission point 349.16

- 12 The issue for LFL is patches of scrub regenerate naturally. We need to be able to clear these patches of scrub to maintain these areas for grazing. Large patches of mature scrub have a life span and wind up rotting, wind razing them to the ground and generally dying. To continue farming, we need the opportunity to manage these without seeking consent.
- 13 I understand that the Thames-Coromandel District Plan allows for the clearance of indigenous vegetation as a permitted activity if the area to be cleared is for maintenance or reinstatement of pasture on a farm that was established before the district plan was notified and that the vegetation to be cleared is *less than 15 years old and 6m in height*. In my view, these might be appear as reasonable controls (if necessary) than removing all provision for pasture maintenance as a permitted activity.

Dated: 28 October 2020

Kim Phillip Robinson
Chief Executive Officer
Lochiel Farmlands Limited