

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Plan Change 1 to the Hurunui
and Waiau River Regional Plan: Dryland Farming

AND

IN THE MATTER of submissions and further submissions by
Ravensdown Limited
(Submitter No. 11)

STATEMENT OF CARMEN WENDY TAYLOR

24 September 2019

1. INTRODUCTION

Background - My Role for Ravensdown Limited

- 1.1 Ravensdown Limited (**Ravensdown**) lodged a submission (Submitter No. 11) on Proposed Plan Change 1 (**PPC1**) to the Hurunui and Waiau River Regional Plan (**HWRRP**). I prepared the submission on behalf of Ravensdown in conjunction with Anna Wilkes, Ravensdown's Environmental Policy Specialist. Ravensdown did not prepare a further submission/s on PPC1 to the HWRRP.

Code of Conduct

- 1.2 Whilst this is a Council Hearing and whilst also acknowledging that this is a written statement, I acknowledge that I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court updated Practice Note 2014, and agree to comply with it. My expert qualifications and experience are set out in **Appendix A** of this statement. I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

2. STATEMENT SCOPE

- 2.1 Ravensdown, as stated within its submission, supported the intent of PPC1 to address HWRRP implementation issues for dryland farmers in the catchment areas of the Hurunui and Waiau Rivers by providing for these type of farming activities as permitted activities. While the intent and associated PPC1 provisions were supported, Ravensdown's submission also requested some minor amendments or refinements for the purposes of consistency with similar provisions in the Canterbury Land and Water Regional Plan (**LWRP**) or to provide clarity in terms of intent or purpose of the provisions.
- 2.2 While Ravensdown's submission advised that Ravensdown wished to be heard in support of its submission, following a review of the section 42A Report by myself and Anna Wilkes, and given the nature of PPC1 and Ravensdown's submission (i.e., in support of PPC1), it has been decided that hearing attendance is not necessary¹. However, I have prepared this written statement for the Hearing Panel to consider as it deliberates on matters covered by this hearing.
- 2.3 In my opinion, PPC1, subject to the minor amendments recommended in the section 42A Report (as provided in Appendix 1), provides an appropriate permitted activity framework for dryland farming activities in the Hurunui and Waiau River catchments, subject to compliance with relevant criteria, while ensuring that the area's land and water resources is not adversely affected from these farming activities. On this basis, I am not requesting any further amendments to PPC1.

¹ An email advising the Hearings Officer (Ms Fernando) that Ravensdown will not be attending the hearing was sent to 'planhearings@ecan.govt.nz' on Friday 20 September 2019. This email also advised that Ravensdown were intending to provide this written statement.

2.4 For completeness, I have not made any specific comment on Ravensdown's submission in response to the section 42A Report recommendations for the following reasons:

- (a) A provision of PPC1 was supported by Ravensdown and no significant amendment to the provision has been recommended in the section 42A Report (Policy 5.3C²; Rule 10.1A which provides for dryland farming, subject to conditions, as a permitted activity³; consequential amendments to Rules 10.1⁴ and 11.1⁵; proposed definitions for 'change of land use'⁶, 'Dryland Farmer Collective Agreement'⁷, 'Farm Portal'⁸ and 'winter grazing'⁹; and, proposed Schedules 2A¹⁰ and 6¹¹); and
- (b) I consider that in relation to two of PPC1's provisions, while the section 42A Report recommendations are not necessarily the specific amendments sought by Ravensdown, I am willing to accept the section 42A Report's recommendations and therefore no further amendments are being sought within this statement. The two PPC1 provisions, and the nature of Ravensdown's submissions, were as follows:
 - (i) Consequential amendment to **Rule 10.2**¹². This operative rule permits a change in land use, within the area covered by Map 4 of the HWRRP, subject to a range of conditions. The operative definition for 'change of use', which is subject to amendment under PPC1, identifies that a change of land use is where an increase greater than 10% of the long-term average release of nitrogen or phosphorus from the property occurs (i.e., 'the 10% rule'). The proposed amendments to this rule reflect the intent of PPC1 to provide for dryland farming as permitted activities under a separate regulatory framework within the HWRRP. Given the intent of PPC1, it is appropriate that the change of land use rules of HWRRP apply if the land use changes from dryland farming (as defined under PPC1). For this reason, Ravensdown's submission (Sub. No. 11.5) supported the consequential amendment to Rule 10.2, subject to two minor amendments. The section 42A Report accepted the request to clearly

² Policy 5.3C (Ravensdown Sub. No. 11.2) – as assessed in paragraphs 151 to 161 of the section 42A Report.

³ Rule 10.1A (Ravensdown Sub. No. 11.4) – as assessed in paragraphs 164 to 175 of the section 42A Report.

⁴ Rule 10.1 (Ravensdown Sub. No. 11.3) – as assessed in paragraphs 176 to 178 of the section 42A Report.

⁵ Rule 11.1 (Ravensdown Sub. No. 11.6) – as assessed in paragraphs 184 and 185 of the section 42A Report.

⁶ Definition for 'Change of land use' (Ravensdown Sub. No. 11.7) – as assessed in paragraphs 186 and 187 of the section 42A Report.

⁷ Definition for 'Dryland Farmer Collective Agreement' (Ravensdown Sub. No. 11.8) – as assessed in paragraphs 188 to 190 of the section 42A Report.

⁸ Definition for 'Farm Portal' (Ravensdown Sub. No. 11.9) – as assessed in paragraphs 191 and 207 of the section 42A Report.

⁹ Definition for 'Winter Grazing' (Ravensdown Sub. No. 11.11) – as assessed in paragraphs 203 to 205 of the section 42A Report.

¹⁰ Schedule 2A: Matters to be addressed in any Dryland Farmer Collective Agreement in accordance with Rule 10.1A (Ravensdown Sub. No. 11.12) – as assessed in paragraphs 210 and 211 of the section 42A Report.

¹¹ Schedule 6: Management Plan for Low Intensity Dryland Farming Activities (Ravensdown Sub. No. 11.13) – as assessed in paragraphs 212 to 222 of the section 42A Report.

¹² Rule 10.2 – as assessed in paragraphs 179 to 183 of the section 42A Report.

capitalise 'Low Intensity Dryland Farming' as it is a defined term, while rejecting the requested deletion of the reference to Condition (b) of Rule 10.1A in part (a)(ii) of this rule. I accept that the rejection of the requested second minor amendment, given the alternative pathway for Low Intensity Dryland Farming provided for by PPC1, is appropriate.

- (ii) Definition of '**Low Intensity Dryland Farming**'¹³. Ravensdown, in its submission (Sub. 11.10), supported this definition, subject to minor amendments, as the definition establishes the criteria that defines 'Low Intensity Dryland Farming' activities under the HWRRP. The section 42A Report recommended the acceptance of one of the requested amendments¹⁴, namely the inclusion in part (a)(i) which defines the limit of winter grazing on properties less than 100ha in a manner consistent with the LWRP. The other two amendments were rejected, including the requested amendment to part (d) which, as noted in the section 42A Report, had been specifically included to exclude intensive feedlot farm systems from the provisions of PPC1. The section 42A report identifies that the amendment requested would have potentially restricted some aspects of extensive dryland farming operations (e.g., stock held in stockyards). I accept that this may have been an inadvertent outcome of Ravensdown requested amendment, and therefore I agree with the recommended rejection of this submission point.

3. CONCLUSION

- 3.1 Ravensdown continues to support PPC1, as amended by the section 42A Report's recommendations, as PPC1 will address HWRRP implementation issues for dryland farmers in the catchment areas of the Hurunui and Waiau Rivers. PPC1 provides for dryland farming as permitted activities as this type of farming activity, subject to ensuring that appropriate controls are in place (as incorporated into PPC1), is characterised by low nutrient loss rates. Therefore, PPC1 will ensure that the area's land and water resources are managed sustainably.
- 3.2 In my opinion, the section 42A Report recommendations in relation to Ravensdown's submission appropriately addresses the matters raised, or, proposes other amendments which will achieve the purpose of the RMA. For this reason, no further amendments are being sought by Ravensdown to the minor amendments recommended in the section 42A Report (as provided in Appendix 1).

¹³ Definition for 'Low Density Dryland Farming' (Ravensdown Sub. No. 11.10) – as assessed in paragraphs 192 to 202 and 208 of the section 42A Report.

¹⁴ As assessed at paragraphs 194 and 195 of the section 42A Report.



Carmen Taylor
24 September 2019

APPENDIX A – CARMEN WENDY TAYLOR – QUALIFICATIONS AND EXPERIENCE

- A1.1 My full name is Carmen Wendy Taylor.
- A1.2 I hold the qualifications of Bachelor of Science (Geography) and Masters of Regional and Resource Planning from the University of Otago. I am a full member of the New Zealand Planning Institute.
- A1.3 I have over 25 years of professional planning and resource management experience in New Zealand. Since September 2017 I have been employed by Planz Consultants Limited (**Planz**), a planning and resource management consultancy. Prior to joining Planz, I was employed by Golder Associates (NZ) Limited, and before that MWH New Zealand Limited and the Electricity Corporation of New Zealand (**ECNZ**).
- A1.4 Throughout my professional experience, I have been involved in complex projects, initially for ECNZ and then for a range of clients, which have required detailed assessments of the implications and interrelationships associated with utilising a range of resources, such as land, water (surface water and groundwater), air and the coastal marine area. These projects have generally involved technical and scientific input, which I have understood and then utilised when assessing the planning implications (both planning policy implications and resource consent requirements), of projects under the Resource Management Act 1991 (**RMA**).
- A1.5 In relation to policy development work since 2006, I been involved in the following plan development processes: Environment Southland's Variation No. 4 (Water Quality) to the Proposed Fresh Water Plan; Environment Waikato's Proposed Variation No. 6 (Water Allocation); the Proposed One Plan for the Manawatu-Wanganui Region; Central Otago District Council's Proposed Plan Changes 5A to 5W; Proposed Hauraki District Plan; Bay of Plenty's Proposed Regional Policy Statement; Environment Waikato's Proposed Regional Policy Statement; Taupo District Council's Proposed Plan Change 29; the Proposed Auckland Unitary Plan; the Canterbury Air Regional Plan, the Proposed Marlborough Environment Plan; and, Clutha District Council's Proposed Plan Change 40 (Stirling re-zoning). The nature of my involvement varies, but includes preparation of submissions, further submissions, review and advice on the recommendations of the section 42A Reports, preparation and presentation of planning evidence, review of decisions and participation in appeal processes.
- A1.6 More recently I have been assisting Ravensdown with policy development processes throughout New Zealand, including but not limited to: Plan Change 1 (Waikato and Waipa River Catchments (Healthy Rivers), and Variation 1 to this plan change, to the Waikato Regional Plan; Proposed Plan Change 13 (Air Quality) to the Regional Natural Resources Plan for the Bay of Plenty Region; Proposed Natural Resources Plan for the Wellington Region; Proposed Regional Plan for Northland; Proposed Southland Water and Land Plan; Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan and Proposed Plan Change 2 to the Waimakariri River Regional Plan; Proposed Plan Change 2 (Existing Intensive Farming Land Uses) to the Horizons' One Plan; and, the draft National Policy Statement for Highly Productive Land.

- A1.7 Examples of complex projects where I have prepared applications under the RMA and/or other legislation include:
- (a) Consent for the continued operation of the Manapouri Hydro-electric Power Scheme and the approvals required for the construction of the second tailrace at Manapouri.
 - (b) Resource consents and designations for Municipal wastewater treatment and disposal facilities at Dunedin, Queenstown and Wanaka.
 - (c) Resource consents and designations for Queenstown's sanitary landfill and waste management facilities (landfills and transfer stations) in Invercargill City and Southland District.
 - (d) Resource consents for the construction and operation of Trustpower's Mahinerangi Wind Farm in Otago.
 - (e) Discharge permits for discharges to air, land and water, as well as various regional and district land use consents, for a number of dairy manufacturing facilities.
 - (f) Discharges permits for discharges to air and coastal waters from a fertiliser manufacturing site.
 - (g) Marine consent to mine phosphorite on the Chatham Rise for Chatham Rock Phosphate Limited.
 - (h) Discharge permits, water permits and land use consents for alluvial gold mining in Central Otago.