9 February 2016

Wairoa District Council
P O Box 54
Wairoa 4108
Attention: Sarah Johansen

Dear Ms Johansen,

Background

1. On the 18th January the Regional Council was notified of an application by Ray and Leslie Thompson to undertake land clearance activities to clear Manuka and Kanuka on Part Umumango 2 Block on Kopuawhara Road.

2. We understand that Regional Council was considered by Wairoa District Council to be an affected party in this Limited Notified process due to its statutory role in land management.

3. Resource consent is sought to clear a total of 284 ha of regenerating Kanuka and Manuka:
   - 160 ha will be returned to pasture to be used for stock grazing
   - 88 ha will be used for the production of honey by managing Manuka growth
   - 5.22 ha of remnant forest fragments will be retained in five pockets.

Regional Council’s position

4. The Regional Council has a number of concerns regarding the proposal so cannot support the application at this time. In summary those reasons are outlined below. Fuller reasons are outlined in paragraphs 5 to 14:

   a. The proposal fails to have proper regard to the strategic policy direction in the Regional Policy Statement contained within the Regional Resource Management Plan (RRMP), particularly those issues pertaining to the loss and degradation of soil and the scarcity of indigenous vegetation;

   b. The applicants previous land clearance of indigenous vegetation undertaken as a permitted activity under rule 7 of the RRMP has failed to reestablish vegetation cover within the specified time period (18 months); as such Council cannot be reasonably confident in the applicants commitment to meet the conditions of rule 7 for this current proposal and a resource consent may be required. We would welcome a solid commitment from the applicant to work proactively with HBRC;

   c. The application does not provide suitable provision for the re-establishment of vegetation on steep hill country land. Previous attempts by HBRC’s land management section to develop a management plan in conjunction with the applicant has been unsuccessful. HBRC welcomes the opportunity to develop a management plan in conjunction with the applicant as part of this process.
Erosion in steep hill country as a result of vegetation clearance

5. The northern part of the Hawke’s Bay region has a predominance of siltstone hill country. This area is the most erosion prone landform in the region and is subject to high intensity rainstorms with a reoccurrence interval averaging 3 to 5 years\(^1\).

6. The loss and degradation of soil and in particular accelerated hill country erosion caused by the clearance of vegetation is a regionally significant issue\(^2\). Objective 11 of Chapter 3.3 of the RRMP strives for the ongoing reduction in the extent and severity of hill country erosion.

7. The Regional Council undertakes a number of non-regulatory activities towards achieving Objective 11. Land Management Advisors actively work with landowners to educate (a two way process between landowners and HBRC) and co-ordinate the development of soil conservation farm management plans. In some cases Regional Council provides financial incentives to facilitate the retirement or sustainable use of erosion-prone areas. Whilst the applicant has been in conversations with HBRC, which we appreciate, there is yet to be an agreement to work with Regional Council Staff to identify methods to mitigate the effects of land clearance of Manuka and Kanuka on the applicants land, or to develop and implement a soil conservation farm management plan.

8. The applicants Assessment of Environmental Effects (AEE) does not consider appropriate mitigation methods to reduce the risk of erosion on steep hill country. Regional Council has concerns that the applicants methods of the clearance of indigenous vegetation are likely to lead to a compounding risk of erosion and land instability in the catchment. We would welcome the opportunity to work through this with the applicant.

9. The applicant proposes to aerial spray then burn steep sections of Manuka and Kanuka to enable Manuka to grow as the dominant species for the purpose of Manuka honey production. The applicant does not propose revegetation of these steep hills but the natural regeneration of Manuka over time. Furthermore the applicant proposes to undertake further clearance as the Kanuka dominates the Manuka in ongoing clearance cycles.

10. The Council does not consider this to be a sustainable or appropriate method of soil stabilization. Furthermore, the proposed method is unlikely to satisfy the conditions of Rule 7 of the RRMP. HBRC land management staff are willing to work through an approach that would be more sustainable if the applicant would consider this and embed the agreed methods through conditions of consent.

11. A resource consent may be required from the Regional Council as a restricted discretionary activity under Rule 8 if the applicant cannot demonstrate that the land will be revegetated within 18 months.

12. The Council notes that previous vegetation clearance undertaken by the applicant in Opoututama as a permitted activity (Rule 7) has not been revegetated within the specified 18 months. A retrospective resource consent may now be required for that clearance as the applicant has not met the conditions of Rule 7. The Regional Council will be addressing that historical clearance non-compliance through separate actions, rather than as remedial works through this current clearance proposal.

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\(^1\) Chapter 3.3.2 Hawke’s Bay Regional Resource Management Plan.

\(^2\) Chapter 3.3.1 Hawke’s Bay Regional Resource Management Plan.
Scarcity of indigenous vegetation

13. The scarcity of indigenous vegetation, wetlands, and habitats of indigenous fauna as a result of vegetation modification or clearance is a regionally significant issue. Objective 15 of the Regional Policy Statement (RPS) is:

The preservation and enhancement of remaining areas of significant indigenous vegetation and significant habitats of indigenous fauna.

14. The applicant proposes to clear indigenous vegetation within a site that has been classed by the Department of Conservation as a Recommended Area for Protection (RAP) which identifies that the clearance site is significant indigenous vegetation.

15. The applicant has supplied an ecological assessment of the subject site by Boffa Miskell Ltd\textsuperscript{3} which concludes that the subject site is not significant. However because the extent of indigenous vegetation is already limited in Hawke's Bay, it is important that those remaining areas are preserved rather than reduced further particularly on steep hill country at risk of erosion.

Submitter's request

16. The Regional Council seeks that the application either be:

1. Put on hold if the applicant is willing to work with HBRC land management staff, to make amendments achieving the following:
   a. Develops a soil conservation farm management plan in conjunction with Regional Council Land Management Advisors.
   b. Clearly demonstrates how the proposal has had regard to the Regional Policy Statement;
   c. Demonstrates that the application complies will all conditions and standards in Rule 7 of the RRMP or attains resource consent for non-compliant vegetation clearance and soil disturbance (Rule 8) from the Regional Council;

OR

2. Decline the application if the above approach can't be achieved.

Other Matters

17. We do wish to be heard in support of our submission.

18. We would consider presenting a joint case with other submitters.

19. Regional Council representatives are more than happy and willing to have further discussions with Wairoa District Council planning staff and the applicant about matters raised in this submission if those discussions could achieve an outcome mutually acceptable to all parties involved.

20. The Regional Council's address for service in relation to this submission is:

\textsuperscript{3} Fuller, S. 2015. Tunanui Station Kanuka Clearance Ecological Assessment of part RAP TIN 70 Mahanga Forest.
Hawke’s Bay Regional Council
159 Dalton Street
Private Bag 6006
NAPIER 4110
Attn: Esther-Amy Powell
P: 06 833-8026
E: esther-amy@hbrc.govt.nz

21. Thank you for the opportunity to make this submission. If you have any queries on this submission, in the first instance please contact Esther-Amy Powell using the details above.

Yours sincerely

James Palmer
GROUP MANAGER STRATEGIC DEVELOPMENT