

BEFORE THE HEARINGS COMMITTEE

IN THE MATTER

**of hearings on
submissions concerning
the proposed One Plan
notified by the
Manawatu-Wanganui
Regional Council**

**Introductory statement of Helen Marr
for the Land hearing**

My Role

1. My name is Helen Marr and I am the One Plan Manager. I have overseen the development of the Proposed One Plan for the last 2 years. I am the primary council officer responsible for providing technical and planning reports to the panel to understand the provisions in the POP and to respond to submissions, as directed by the Chair. I am coordinating the provision of reports for all topic hearings and attending all topic hearings.
2. For some topic hearings I am the reporting officer and provide planning evidence to the hearing panel. On this occasion I have asked Phillip Percy to be the principle reporting planner for this hearing topic, and he will provide you with a more detailed introduction in a few minutes. Having said that I am still available to the committee to provide planning advice, and I am presenting information to you today in that role, in accordance with the Environment Courts Expert Witness Code of Conduct, with my duty (as set out in paragraph 5.2.1) to the hearing panel.
3. My task for this hearing then is twofold; firstly to provide leadership, consistency and coordination between the reports provided to the various hearing panels on different topics (in a similar way that the permanent members of the hearing panel provide consistency and coordination between the different topic panels), and secondly to provide an overview of the Land Provisions in the Proposed One Plan and to clarify how they fit together with the Proposed One Plan as a whole.

Scope of this hearing

4. This hearing is into the Land provisions of the Proposed One Plan. The panel will be hearing submitters today and tomorrow in Ohakune, and in Palmerston north on Thursday, Friday and Monday next week. Next Thursday has been set down as the day that the officers planning and expert evidence will be heard, also in Palmerston North.
5. The Land provisions which the panel are being asked to make decisions on as part of this hearing are Chapter 5 in its entirety, and parts of Chapter 12 (specifically Policies 12-1 to 12-4 and Rules 12-1 to 12-6) and a number of glossary terms (these are all identified in Mr Percy's recommendations report). The remainder of Chapter 12 is provisions relating to biodiversity, and they will be explored in the next hearing, which is Biodiversity and Heritage.

Relevant provisions of the Proposed One Plan

6. The provisions I have outlined above deal with a single environmental issue – Accelerated Erosion – and this issue is outlined in Issue 5-1 on page 5-4 in the Proposed One Plan. The issue identifies some of the primary types and causes of accelerated erosion. It also outlines the primary environmental effects of this accelerated erosion. I won't repeat them here but do note for your information that some of the identified effects cut across other Chapters in the Proposed One Plan, particularly Water Quality, Infrastructure and Natural Hazards. They also have some relevance to statements in Chapter 1 (section 1.4) regarding adapting to climate change.
7. Unsustainable land use is identified by Horizons Regional Council as one of the big four environmental issues facing the region. This is set out in Chapter 1 of the proposed One Plan (section 1.3). More information about the Big Four, how they were derived, and their keystone role in the POP is provided in the evidence on the Overall Plan, particularly the evidence of Bettina Anderson, and to a lesser extent the evidence provided by Andrea Bell and the planning recommendation OVR 1.
8. The Chapter also contains a single objective, albeit with many parts, Objective 5-1: Accelerated Erosion on page 5-5. The subsections of this Objective set out specific goals of the regulatory and non-regulatory methods adopted later in the POP. They relate to reducing both the risk of accelerated erosion and the effects of that erosion.
9. The way the POP responds to this issue and achieves the objectives is set out in the policies and rules that follow. In summary this response has two arms, regulatory and non-regulatory.

Regulatory response

10. The first part of the response to the issue of accelerated erosion is to identify land which has a high potential for accelerated erosion, and to put in place rules which control activities which will contribute to this accelerated erosion.
11. Land with potential for accelerated erosion is identified in accordance with Schedule A (I note that this is a major issue raised by submitters and Mr Percy will comment on this in more detail soon) and as land adjoining waterways. The POP identifies two types of activities that contribute to accelerated erosion on this land; vegetation clearance and land disturbance. These activities are first identified in the issue, then in Objective 5-1 and then in the policies in Chapter 5 and the decision making policies in Chapter 12.
12. The policies in Chapter 5 and Chapter 12 also identify situations where vegetation clearance and land disturbance on highly erodible land and near waterways may be appropriate (see Policy 5-3 and Policy 12-3). These policies identify a number of activities of environmental or social

benefit, or low impact, including forestry, establishment or maintenance of infrastructure and activities done in accordance with best management practices. The Policies currently do not link back to the infrastructure of regional and national importance identified in Policy 3-1, but Mr Percy recommends that they do, for clarity and consistency, and I agree with his recommendation.

13. The rules in Chapter 12 then set some thresholds for vegetation clearance and land disturbance on highly erodible land and near waterways, and require a resource consent to be gained for activities above these thresholds. Again, Mr Percy and other experts will provide the panel with information and discussion about the appropriateness of these definitions and thresholds.

Non-regulatory response

14. The second method that the Proposed One Plan has identified to deal with the accelerated erosion issue is to encourage land managers to improve land which already has the potential for accelerated erosion. The Proposed One Plan identifies the Horizons Regional Council's Sustainable Land Use Initiative (SLUI) as an appropriate tool to achieve this. SLUI uses whole farm business plans to provide information and tools to land owners to manage their land. It is an initiative which is voluntary and sits outside the One Plan, however is adopted as a key non-regulatory method to achieve the objectives identified in the One Plan.
15. The POP also identifies a number of other non-regulatory methods to achieve the objective (beginning on page 5-7), including education, information research and monitoring.

Intersection between the regulatory and non-regulatory responses

16. The rules in Chapter 12 state that if a landowner operates in accordance with a whole farm business plan, then they do not need to gain a resource consent for vegetation clearance and land disturbance that is otherwise controlled by the rules.
17. This links to statements in Chapter 1 (section 1.6) of the POP and the One Plan guiding principles (which are set out for your reference in recommendation OVR 1 of the overall hearing report) and in Policies 5-5 and Policy 12-2 which set out that codes of practice and best management practices should be considered for adoption where appropriate within the POP.
18. A whole farm business plan is recognized as containing appropriate best management practices, and as such activities done in accordance with one do not also need a resource consent. This is similar to the way in which codes of practice or standards are adopted into other rules in the POP.

Key Glossary terms

19. Vegetation clearance and land disturbance are key terms which are defined in the Glossary of the POP. The definition of these terms is key because they form part of the rules and ultimately include or exclude certain types of vegetation clearance or land disturbance from requiring a resource consent. For example the definition of land disturbance as it is proposed excludes the maintenance of existing tracks and roads; therefore maintaining an existing track does not require a resource consent. A number of changes to these definitions are recommended by staff and submitters.
20. These terms are also used in relation to controlling activities in rare, threatened and at risk habitats by Rules 12-7 and 12-8 so it will be important to ensure the final definitions are suitable for both purposes, or that appropriate differentiations are made within the definitions.

Comparison with existing plans

21. The chair has indicated that a comparison of the Land policies and rules in the Proposed One Plan with the existing suite of policies and rules in the operative Regional Policy Statement and Land and Water Plan would be helpful. I will present a table showing the relevant issues, objectives, policies and rules for the existing documents and the proposed One Plan, including the changes recommended by Mr Percy. This does not replace the full analysis including economic costs that has been requested and is part of an ongoing process, but I consider it would be helpful for the panel to have this particular factual information at the earliest possible time.
22. Thank you. I am happy to answer any questions of clarification at this point and at any stage throughout the hearings if that will be of assistance.