

**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 KIM PHILLIP ROBINSON
FOR SUBMITTER [349]: LOCHIEL FARMLANDS LIMITED
8 September 2020**

Next Event Date: Hearing 18 - Rural - 29 September 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 Rural 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 Rural topic and provides context in terms of farming practicalities.

Rule 22.2.3.1 Earthworks - General

- 6 In respect of earthworks, LFL sought an increase in the maximum volume to 2,500m³ on the basis that the permitted volume of earthworks (as currently provided for in the notified version) is too small (1000m³ per 12 months).¹
- 7 The section 42A reporting author has rejected this submission point on the assumption that "*a conversion rate of 1m³ equating to 2T of aggregate, then the permitted threshold provides for some 70 truck and trailer loads of aggregate material per year.*" The author of the report has considered this to be a sufficient threshold to cater for most properties and anything

¹ Submission point 349.10

over and above this limit would trigger the need to apply for a resource consent.

- 8 LFL also submitted that the general standards for permitted earthworks in the Rural zone are too limiting as well as the volume (discussed above), the slope (1:2 slope) and the limit on importation of fill (200m³) is too small for Rural ancillary earthworks generally and the cut height (1m) is too low.²
- 9 LFL suggested that the earthworks limits for the Rural zone in Thames-Coromandel district are appropriate and therefore should be adopted.
- 10 The reporting author has rejected that submission point on the basis that *“those limits are considered generous and if not undertaken appropriately could result in significant adverse amenity and physical effects on the land resource.”* My understanding is that the Thames-Coromandel limits were agreed following an appeal process involving over 70 appellants. The limits were accepted by environmental groups and farmers alike as being both appropriate and necessary. They are not overly generous and instead take into account the fact that not all of the district is flat. Large parts of the north and western areas of Waikato District are very hilly.
- 11 We are currently putting in an effluent pond for the feedpad on the farm and were advised that we would not need a consent for that (on the basis that it must be less than 1000m³) but that then does not leave much volume for anything else on the farm for the remaining 12 months.
- 12 We have also amalgamated titles recently so the entire farm is just one ‘site’. As one site for 3,567 hectares it does not give us much scope if we are limited to 1000m³ per year. Our tracks are approximately 35km metalled already. This all comes from off site. It needs to be maintained. In addition there are 20km of grass or clay tracks. Some of these may become metalled as the environmental outcome is better.
- 13 A 12 tonne digger bucket (size of the machine) is about 0.6 of a cubic metre so 2500 cubic metres would equate to 4100 bucket loads. One cubic metre of compacted clay expands to about 2 cubic metres of loose clay when it is dug up. One truck and trailer unit carries about 16 cubic metres depending on the density of the material so 1000 cubic metres

² Submission point 349.11

equates to about 62.5 unit loads. On a big project it wouldn't be hard to move that quantity and that leaves no permitted leeway for any additional earthworks on the farm for rest of a 12 month period. We need to be able to do a level of earthworks on the farm for tracks and drains and general maintenance and this should not be subject to specific limits.

- 14 In addition, schedules C and D of the Proposed Waikato Regional Plan Change (**PC1**)³ set out the standards that farms have to comply with in the next 3 years. A significant amount of work may be required on farm tracks and roadways in order to achieve that compliance. This will be in addition to the normal use and could mean that a lot of existing tracking will need more farm rock. The district plan rules need to consider the likely earthworks needs on farms for the lifetime of the plan. That is not just the earthworks needed for continued and normal farming activities, it must also take into account the needs for compliance.
- 15 Schedule C of PC1 requires stock exclusion around water bodies. The decisions version of PC1 requires fencing to exclude stock from both permanent and intermittent water bodies. Lochiel has kilometres of intermittent water bodies because it is a hilly property. It will not be alone in having intermittent water bodies that are not currently fenced. A lot of fencing on hilly properties will need some benching and associated earthworks in order to achieve a stable platform for fencing access and construction.
- 16 Schedule D of PC1 requires existing and new races, laneways, culverts and bridges to meet standard 6a, which reads: “...*races, laneways, culverts and bridges must be designed ... and maintained to prevent ponding and to direct runoff to vegetated areas. Direct runoff to surface water or to intermittent flow paths must not occur.*” This standard applies to new farm infrastructure immediately and to existing infrastructure over the 3 years following PC1 becoming operative. Lochiel will have work to do on some of its existing infrastructure to ensure compliance and that work will require earthworks. I would expect that many farms will have to do some compliance work, including those that are much smaller than Lochiel.

³ See Proposed Waikato Regional Plan Change – Schedule D, part D 6(b).