

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the hearing of submissions on Proposed Waikato District Plan Hearing 21A Natural Environments – Indigenous Vegetation and Habitats

**BY** **FEDERATED FARMERS OF NEW ZEALAND INC (“FFNZ”)**

Submitter with ID: 680

**To** **WAIKATO DISTRICT COUNCIL**  
**(“WDC”)**

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**STATEMENT OF REBUTTAL EVIDENCE OF HILARY WALKER FOR  
FFNZ ON HEARING TOPIC 21a**

**4 November 2020**

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## **STATEMENT OF REBUTTAL EVIDENCE OF HILARY JEAN WALKER**

### **Introduction**

1. My full name is Hilary Jean Walker. I am a Senior Regional Policy Advisor at Federated Farmers of New Zealand.
2. This rebuttal statement relates to the primary evidence filed by Anthony Julian Beauchamp on behalf of the Director-General of Conservation, dated 29 October 2020.
3. Mr Beauchamp's evidence addresses kauri dieback and rules to ensure it is not spread by earthworks and vegetation clearance.

### **Kauri dieback and land use controls**

4. FFNZ made further submissions opposing the Director-General of Conservation (Director-General) relief to include land use controls to address the management of kauri dieback and prevent the spread of the disease.
5. FFNZ understands the issue and is not opposed to a planning approach which uses voluntary methods until an appropriate risk assessment is undertaken, consultation with affected landowners is undertaken and regulatory bodies meet their obligations and responsibilities.
6. FFNZ is of the view that at this time WDC should not implement a planning response over and above what is being undertaken at the national and regional level.
7. Mr Beauchamp disagrees with this position at paragraph 10.3 on the basis that it ignores the fact that district councils have responsibilities for earthworks and vegetation clearance under the RMA and that proposed national rules do not include urban areas.
8. FFNZ accepts that WDC has jurisdiction to include earthworks and vegetation clearance rules within the district plan to meet RMA biodiversity responsibilities. The point of distinction is not whether they can but whether they should during this Schedule 1 process. The Director-General's submission did not include specific draft provisions, affected landowners could not have made an informed decision as to whether the relief sought in the submission affected them and to what extent.
9. Further, the Director-General's concern that the proposed national rules do not include urban areas are best addressed by being effective in making changes to the proposed national rules. Not by using district plan provisions, which could not have

been contemplated by affected parties, and whilst land use controls are within territorial authorities' jurisdiction generally, pest management and biosecurity functions are not. FFNZ maintains the view that risk management in relation to Kauri dieback disease is best left with the experts at a regional and national level.

10. A further point made by Mr Beauchamp at paragraph 10.2, is that the proposed National Pest Management Plan makes it clear that an earthworks risk management plan approach is likely to apply to earthworks on farm, if equivalent rules are not included in district plans. FFNZ considers the purpose of the acknowledgement or 'exemption' is to minimise potential duplicated controls not validation that rules in a district plan are appropriate in every instance.
11. FFNZ made submission on the proposed National Pest Management Plan, it is included for reference with this rebuttal statement. The submission lodged in March 2019 extended broad support, whilst highlighting potential implementation concerns. It is FFNZ understanding that the proposal has not been advanced since that time, and the offer to be involved in ongoing engagement with the Kauri Dieback Programme Governance Group has not been taken up. FFNZ questions whether it is appropriate for risk management costs to be transferred directly to affected landowners when the matter does not appear to be given much priority at a national response level.
12. FFNZ also guards against 'cherry picking' elements from the proposed Pest Management Plan, such as land use controls, out of context which included recognition that financial assistance should be made available to landowners on a discretionary basis (e.g., co-funding for fencing to exclude stock from kauri forest areas, and in relation to higher levels of protection for protection areas), with the type and level of such funding support the subject of separate Crown funding decisions (npmp proposal section 29, page 40).

Hilary Walker

5 November 2020