



# FEDERATED FARMERS

SUBMISSION ON:  
Draft Environment Strategy for Waipa

# SUBMISSION

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**TO:** Waipa District Council  
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**SUBMISSION ON:** Draft Environment Strategy for Waipa

**FROM:** Waikato Federated Farmers

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**Waikato Federated Farmers wishes to be heard in support of this submission.**

# INTRODUCTION

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The Waikato Province of Federated Farmers appreciates this opportunity to submit on the draft Environment Strategy for the Waipa District. We appreciate a chance to participate during the formation of the Strategy as an important stakeholder group, and look forward to working with the Council in the future.

# GENERAL COMMENTS

Waikato Federated Farmers is pleased to see that the Waipa District Council intends to make good use of education and incentives as ways of achieving outcomes.

Waikato Federated Farmers agrees with the comment on Page 2 that “no individual or agency has the ability or resources to go it alone.” Many farmers are expected to contribute positively to the environment by fencing off and retiring areas of their land and carry out improvement works for public good, but receive no public funding or acknowledgement for their voluntary actions. Urban dwellers are not expected to contribute their own land and resources to the same degree as farm owners are.

Waikato Federated Farmers reminds the Council of functions and powers of regional councils and district councils as set out in the Resource Management Act 1991:

Regional Council functions as outlined in Section 30.1(c) of the Resource Management Act 1991:

- (c) *The control of the use of land for the purpose of -*
  - (i) *Soil conservation:*
  - (ii) *The maintenance and enhancement of the quality of water in water bodies and coastal water:*
  - (iii) *The maintenance of the quantity of water in water bodies and coastal water:*
  - (iiia) *the maintenance and enhancement of ecosystems in water bodies and coastal water:*
  - (iv) *The avoidance or mitigation of natural hazards:*
  - (iv) *The prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances.*

Territorial authorities functions under Section 31.1(b) of the Resource Management Act 1991:

- (b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
  - (i) *the avoidance or mitigation of natural hazards; and*
  - (ii) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and*
  - (iia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
  - (iii) *the maintenance of indigenous biological diversity.*

Although we appreciate the desire of the Council to carry out holistic and integrated management of the resources in the Waipa District, we are concerned about unnecessary overlap and added cost without added value of some Council activities.

Waikato Federated Farmers considers there should be more clarity of the use of the word “environment” in this draft Strategy. Although the introduction states that the purpose of the Strategy is to enhance the environment, some issues and possible actions identified within the draft Strategy do not have a direct link to enhancing the natural environment. For example, Issue 5 of Theme 3 on page 14: recognition of sites for cultural well being, is directly linked to cultural well being rather than to the environment. Issue 2 of Theme 4 on page 33: improving the vibrancy of towns, seems to be more about enhancing social and economic well being. The draft Strategy seems to be more focussed on enhancing the well being of the district while reducing effects of these on the natural environment, rather than just focused on air, soil and water.

# DRAFT VISION STATEMENT FOR THE ENVIRONMENT STRATEGY

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Waikato Federated Farmers considers that an important component of the vision statement has been omitted. The vision statement upholds environment, social and cultural well beings, but has mislaid economic well being. The vision endorses that Waipa is productive and a desirable place to work, but does not follow this with economic well being in the final statement. Economic well being is extremely important to the citizens and ratepayers of Waipa, without economic well being the Waipa District would decline. Voluntary environmental actions would cease, and Council would find it difficult to obtain rates funding for environmental activities.

Relief Sought:

- That the vision statement be amended to read:  
*“Waipa is a place where:  
“communities value their environment and work collaboratively to ensure Waipa remains a productive, attractive and a desirable place to live, work and play”*  
and  
*“communities strive for continual improvement, environmental understanding together with economic, social and cultural well being.”*

# THEME 1:

## COUNCIL AND COMMUNITY LEADERSHIP AND ACTION

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Waikato Federated Farmers strongly supports initiatives in which the District Council demonstrates leadership and acts as a good role model with regards to environmental practice and encouraging stakeholder participation.

**Goal: Waipa District Council demonstrates leadership in environmental sustainability.**

Strong support is given for actions to address Issue 2 in that the conditions are met on consents held by the Council. Too often district councils seem to be given a free pass for adverse environmental effects caused by its activities. Other resource users are expected to uphold their consent conditions or face enforcement action, so should the Council.

Waikato Federated Farmers requests that an additional possible action be identified in Issue 2. The District Council not only needs to budget and carry out infrastructure upgrades, but needs

to ensure that growth and development does not overload existing infrastructural capabilities which could cause increased breaches of consent conditions. This action will link in with a similar action on page 32 under the Sustainable Communities theme, which discusses provision of adequate services.

**Relief Sought:**

- That an additional possible action be identified for Issue 2 page 11 that states that Council will ensure that new development will not overload existing infra-structure and lead to breaches of consent conditions.

# THEME 2:

## SUSTAINABLE RURAL ENVIRONMENT AND LANDUSE

Waikato Federated Farmers considers that sustainable soils, air and water is not just a rural issue, but rather encompasses the whole district. In fact, many of the issues identified in Theme 2 can apply equally to urban, commercial and industrial areas as well as to rural areas. Possible actions identified in the draft Strategy also encompass actions that could be taken outside of the rural zone. We therefore consider that the name of Theme 2 could be changed to better reflect issues and solutions, in that they are based more around adverse environmental impacts that can occur as a result of district-wide use, development and subdivision.

Waikato Federated Farmers considers that all land uses and industries must be included in a holistic and integrated approach in order to see real improvements in the environment. To focus on only rural land use and particularly agriculture is not only inequitable, but will not produce the desired results. The environment does not start as soon as you leave the town boundary.

### Relief Sought:

- That the title of Theme 2 be revised to include sustainable district wide use, development and subdivision and not just activities in the rural zone.

### Goal: Focus residential and rural-residential growth around existing settlements to protect prime agricultural soils.

The protection of agricultural soils is an aspiration many Federated Farmers members hold. However we would voice a concern that the draft Environment Strategy will guide policy and plans to protect only certain types of soils, and that this in itself may reduce opportunities for varied production in the region. For example, soils that may be perceived as poor for agricultural use by policy planners and therefore suitable for residential development may be used for successful production. Some examples would be permanent crops like manuka for honey production, and grape vines.

Council identifies a possible action in order to protect prime agricultural soils is to cluster residential growth and subdivision. This method may not achieve the aim as many towns and settlements have historically

been located on prime soils, and clustering development around these areas will exacerbate the problem. An example of this would be Class 1 soils between Cambridge and Hamilton.

### Relief Sought:

- That an additional possible action be included that provides further guidance in that the Council should remain flexible and consider soils on a case-by-case basis when discussing development and versatile soils.
- That the title of Theme 2 be revised to include sustainable district wide use, development and subdivision and not just activities in the rural zone.

### Goal: Future generations inherit healthy and productive soils.

The current actions listed on page 19 show that agriculture industry groups and the regional council are addressing soil health and soil contamination. Waikato Federated Farmers is concerned where overlap of functions means that both regional and district councils may be carrying out the same activities, but without added value.

Regional Council functions as outlined in Section 30.1(c)(v) of the Resource Management Act 1991 include a function over adverse effects of hazardous substances. Section 31.1(b)(iia) of the RMA describes territorial authority functions over adverse effects of use, development or subdivision of sites that have been contaminated by hazardous substances.

The *Current State* section on page 19 mentions use of fertilisers and excessive nitrification as impacting on soil health, but also includes agrichemicals. The draft Environment Strategy needs to provide clear guidance between the two separate issues being: sites contaminated by hazardous substances; and gradual accumulation of contaminants (such as heavy metals) in soils.

The District Council has not identified any possible actions it could carry out under Section 30.1(c)(v) The District Council needs to carry out actions that ensure that where sites are identified as contaminated by hazardous substances that any disturbance or activities arising from use,

development or subdivision of land on or near the contaminated site does not endanger people. Any contamination remediation should be carried out by the persons wishing to change the land use, as some contaminated sites will not be impacting on existing rural or industrial activities, but could impact if land use is changed to residential.

**Relief Sought:**

- That the title of Theme 2 be revised to include sustainable district wide use, development and subdivision and not just activities in the rural zone.
- That a clear distinction is made between soils that have been contaminated by hazardous substances, and gradual accumulation of contaminants in soils.
- That an additional possible action be included stating that the Council will ensure that adverse effects of any use, development or subdivision of sites that have been contaminated by hazardous substances are mitigated or prevented.

Issue 2 under this goal discusses land use practices and peat soils. The main concern the District Council has in regard to peat soils is subsidence and damage to infrastructure owned by the Council. *The Possible Actions 2<sup>nd</sup>* bullet point states that restrictions could be placed on peat soil land uses adjacent to key arterial roads. Waikato Federated Farmers asks if these restrictions will be placed on Council road reserves, or on private property? Waikato Federated Farmers requests further information on the Peat Lakes accord and the District Council's responsibilities delegated under this accord. We also ask what the Council can realistically do by way of restrictions on peat land use practices adjacent to key arterial roads, that will have the effect of reducing impacts on infrastructure. What kind of land use practices would Council be able to restrict and for what purpose?

**Relief Sought:**

- Further information is provided on the Peat Lakes Accord and the District Council's delegated functions under this accord.

- Council needs to clarify what restrictions it would place on peat soil land uses adjacent to key arterial roads and what purpose that would serve.

**Goal: to improve water quality in within the District.**

Current actions for Issue 1 are all carried out by industry good bodies and the regional council. Federated Farmers suggests that the District Council could contribute to improved water quality by carrying out more actions in urban environments and during use, development and subdivision of land. The actions identified in Theme 2 include low impact storm water and urban design, and incentives and controls in the District Plan. Federated Farmers considers that the water quality goal is a district wide issue, and not only linked to rural land use. The wording of the goal should be changed to reflect what the issues and possible actions discuss, and that is to reduce the adverse effects of district-wide use, development and subdivision on water quality. Improvement of water quality within the district is an extremely aspirational goal, and the draft Strategy acknowledges this by saying that it cannot control the quality of water flowing into Waipa from other districts.

Issue 1 under this Goal is that development and activities in inappropriate locations, and poor land use practice can damage the environment. We consider that this issue is not just occurring in rural areas, but also in urban, commercial and industrial areas.

The draft Strategy has identified that some possible actions that the District Council could take include low impact storm water design and good urban design principles in the 6th bullet point. These are activities that are not exclusively rural, and do occur in urban, commercial and industrial areas. This reinforces our conviction that Theme 2 should not just be focussing on the rural zone, but to encompass adverse environmental effects that can arise from district-wide use, development and subdivision.

Waikato Federated Farmers opposes the *Possible Actions 2<sup>nd</sup>* bullet point in that Council could encourage/require farm nutrient plans for all farms.

The District Council is overstepping its boundaries under Section 31.1 of the Resource Management Act if farm nutrient plans are to be required. We also ask under what jurisdiction the District Council would be able to require nutrient plans.

Waikato Federated Farmers supports the *Possible Actions* 4<sup>th</sup> bullet point of page 21 which states that incentives will be used to promote best practice like riparian planting. This kind of activity can be carried out under the District Council's biodiversity functions. Federated Farmers suggests that some methods to incentivise practice could be: rates remissions or rebates' reimbursements or discounts on materials required; council fee discounts; assistance with obtaining funding; and pest control assistance.

Support is also given to the sentiment of the *Possible Actions* 9<sup>th</sup> bullet point of page 21 in that planning rules that favour best practice could be used. However caution would be required in that a rule does not "lock in" a particular best practice method, as best practice is continually evolving and needs to be responsive to change.

Waikato Federated Farmers considers that some additional actions could be identified. The District Council could ensure that existing municipal infrastructure can cope with any increased growth or development in urban areas, and also that new on-site wastewater disposal systems on unreticulated properties are adequate to reduce discharges into waterways. This is a particular concern for holiday homes, as infrequent use can reduce the efficiency of a septic tank in the treatment of wastewater.

#### **Relief Sought:**

- That Theme 2 be revised to include sustainable district wide use, development and subdivision and not just activities in the rural zone.
- That the wording of the goal be revised to state that the aim is to reduce adverse effects of district-wide use, development and subdivision on water quality.
- That the *Possible Actions* 2<sup>nd</sup> bullet point on page 21 stating that Council will encourage/require farm nutrient plans for all farms is deleted.
- That the *Possible Actions* 9<sup>th</sup> bullet point on page

21 provides further guidance that incentives to encourage good practice does not "lock in" certain practices. Rules must retain flexibility to allow for future improvements in best practice.

- That an additional possible action be identified in that municipal and on-site wastewater disposal systems are required to adequately service properties to reduce contaminants entering waterways.

#### **Goal: to protect, enhance, restore and reconnect indigenous habitats to improve their long-term viability.**

Waikato Federated Farmers considers that biodiversity is not just a rural issue. We only need to look at the "Hamilton Halo" project run by Environment Waikato to see that biodiversity can be enhanced in urban locations too. The 7<sup>th</sup> bullet point on page 22 identifies the possible action of taking urban biodiversity initiatives, and this reinforces our conviction that Theme 2 should be based on district-wide activities and not just in the rural zone.

Waikato Federated Farmers supports the *Possible Actions* 2<sup>nd</sup> bullet point on page 22 in that the Council considers purchasing of new reserves where non-regulatory methods are unlikely to be effective. We are glad to see that regulation is not the first option to achieve biodiversity outcomes, and where voluntary methods do not work Council will purchase the land and the responsibility shifts from individual private landowner to public ownership for public good purposes.

Waikato Federated Farmers supports the sentiment of the *Possible Actions* 3<sup>rd</sup> bullet point on page 22, in that financial incentives can be provided to community-led projects. We consider that financial incentives should also be available to individual landowners who wish to carry out biodiversity initiatives.

As for the possible actions identified under Issue 3 peat lakes, Waikato Federated Farmers requests further information on the Peat Lakes accord and the District Council's responsibilities delegated under this accord.

#### **Relief Sought:**

- That Theme 2 be revised to include sustainable district wide use, development and subdivision and not just activities in the rural zone.
- That the financial incentives as set out in the 3<sup>rd</sup> bullet point on page 22 includes individual landowner actions as well as community-based actions which enhance and maintain biodiversity.
- Further information is provided on the Peat Lakes Accord and the District Council's delegated functions under this accord.

**Goal: to protect the unique and special landscape features within Waipa.**

Federated Farmers opposes the protection of rural 'working' landscapes for amenity purposes. This fails to recognise that working landscapes are subject to human activity and change, the rural landscape has been shaped by agricultural activities over several generations, and will continue to be so. Land use decisions such as planting or harvesting timber forests, seasonal cropping, change of use to pasture or into permanent crops, and subdivision can provide different amenity values. Subdivision rules and rural zones are in place to help ensure that the rural landscape remains rural in character. It is unnecessary to place additional restrictions on rural sites for amenity purposes.

Waikato Federated Farmers supports *Possible Actions* 1<sup>st</sup> bullet point on page 24, in that mechanisms will be developed to protect volcanic cones and recognition of the public good of sites protected on private land. Mechanisms developed should encourage voluntary approaches to landscape protection. Landowners are more likely to work proactively when protecting landscape areas when they have a positive acknowledgement and partnership with Council, while retaining their sense of responsibility and ownership over their

land. Regulation often has perverse environmental outcomes in that landowners do not want councils to take away their property rights, and this can result in unco-operation from both parties. As identified in the 5<sup>th</sup> bullet point, education and incentives are methods that can be used to encourage voluntary actions.

The Possible Actions 3<sup>rd</sup> bullet point on page 24 discusses retaining appropriate visual corridors through District Plan provisions to protect view paths, with particular mention of views from roads. Waikato Federated Farmers is concerned when these visual corridors from roads to volcanic cones or to rivers include farmland in between. This will place the amenity values of drivers on the road above the ability of farmers to carry out or change their farming activities. What if a farmer wants to plant a pine forest which could block the view of a volcanic cone from the road? Council will have to exercise caution so as to not produce perverse environmental outcomes, or to unfairly restrict farming activities for the sake of the view from a road.

**Relief Sought:**

- That the Strategy focuses on methods that encourage and incentivise voluntary actions to protect landscape values.
- That amenity does not take precedence as the main decision-making tool when considering development.
- That amenity values are not translated into inflexible District Plan rules that manage land use activities.

# ABOUT FEDERATED FARMERS

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Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.

The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and

- Our members adopt responsible management and environmental practices.

These comments are representative of member views and reflect the fact that resource management and government decisions impact on our member's daily lives as farmers, members of local communities, and ratepayers.

**Waikato Federated Farmers thanks the Waipa District Council for considering our comments on the draft Environment Strategy. We look forward to presenting our submission at the Hearing.**