

Report **12.346**
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Committee **Council**
Authors **Sharon Lee, Parks Planner**

Approval of the Baring Head/Ōrua-pouanui Draft Amendment

1. Purpose

To consider the recommendations of the Social and Cultural Wellbeing Committee and approve the Baring Head/Ōrua-pouanui draft amendment to the Parks Network Plan.

2. The decision-making process and significance

The subject matter of this report is part of a decision-making process that will lead to a decision of low significance within the meaning of the Local Government Act 2002. The decision-making process is explicitly prescribed for by Section 41 of the Reserve Act 1977.

Baring Head/Ōrua-pouanui contains scenic reserve and recreation reserve land. Greater Wellington Regional Council has the power to approve the amendment as it relates to the recreation reserve. However, it must recommend the amendment as it relates to the scenic reserve to the Minister of Conservation for his approval. Once approved by both Greater Wellington and the Minister of Conservation, the amendment will take effect.

3. Background

In May 2011, Council agreed to notify its intention to prepare a management plan for the area (and also its intention to declare the new land purchased as Scenic Reserve). Feedback was received through submissions, online forums and various focus groups. This was used by officers in the preparation of the draft amendment which was subsequently approved for release for public consultation by the Social and Cultural Wellbeing Committee on 14 March 2012.

The consultation ran from 17 March to 18 May 2012.

Letters of invitation to submit were sent to key stakeholders (iwi, relevant agencies, adjacent landowners, community groups) and those who had previously either attended meetings about Baring Head/Ōrua-pouanui or had written to the Council before the draft was published. Port Nicholson Block Settlement Trust was also contacted and a communication was sent out to their wider contact list. During May there were two public drop-in sessions (in Lower Hutt and Wellington) for the public and stakeholders to ask officers questions about the draft amendment.

A total of 42 written submissions were received. Five submissions were from Government organisations and associated bodies (Hutt City Council, NIWA and Maritime NZ, NZ Historic Places Trust, Wellington Fish and Game); five from community groups (Lower Hutt Forest and Bird, Great Harbour Way Trust, Wellington Flyfishers Club Inc, MIRO, Friends of Baring Head); twenty from Wellington Hang Gliding and Paragliding Association members (or individuals with this specific interest) and another 12 submissions from individuals.

On 14 June 2012, the Social and Cultural Wellbeing Committee heard eleven submitters and then proceeded to deliberate on the draft amendment. The recommendations of the Committee are in **Attachment 1**(Refer to **Report 12.227**). The recommendations have now been included in a reviewed version of the draft amendment contained in **Attachment 2**.

4. Issue of grazing or retirement

The draft amendment proposed to remove stock from Baring Head/Ōrua-pouanui, to allow the native values of the area to improve. Stock would only be reintroduced into the area if it was found through monitoring that grazing was a more effective tool to improve key natural values of a particular area. The role of grazing was primarily to improve biodiversity.

At the hearing of submissions two individuals raised concerns about the fire risk associated with retiring the block from grazing and allowing it to regenerate¹. The Committee discussed at length the issue of retiring the whole or part of Baring Head/Ōrua-pouanui. It was noted amongst submitters there was both support and opposition for the removal of stock at Baring Head/Ōrua-pouanui. The Committee determined that further investigation was needed into the fire risk and the role grazing might play in mitigating fire risk. Specifically the Committee sought further advice from officers to:

“report back on the fire risks associated with removing grazing from the block, prior to a decision being taken on whether or not to continue grazing.”

4.1 Research undertaken to analyse fire risk

Parks staff sought feedback from experienced rural fire officers from Greater Wellington, Hutt City Council, Wellington City Council and the Department of Conservation. Their responses are summarised below. The full reports are attached as **Attachment 3**.

¹ One of these submitters is the current grazing licence holder and the other owns a property in the vicinity.

Fire risk at Baring Head/Ōrua-pouanui is a combination of the following factors:

- Vegetation type
- Fire spread
- Challenges to fire fighting
- Public access and safety
- Risk to neighbours.

4.1.1 Vegetation type

The Hutt City Council Deputy Rural Fire Officer considers that without grazing there would be an increase in flashy fuels. This vegetation once lit would create an intense fire.

“The proposal to cease grazing at Baring Head will cause a transformation in the type of vegetation cover. This area has a microclimate somewhat distinct from Wainuiomata further to the north. In a good summer, the golden colour of the Head is more akin to the Marlborough hills, indicating a high degree of grass curing. Ungrazed, grass will become longer, possibly tussock may evolve, and shrub species such as gorse or manuka/kanuka could invade. These are all termed flashy fuels, meaning ignition is easy and rate of spread is rapid...Clearly, cessation of grazing will potentially result in much greater fire intensities.”

4.1.2 Fire spread

The rate at which a fire spreads depends on wind and type of vegetation. A wildfire at Baring Head/Ōrua-pouanui could travel very quickly across the tops, in as little as 30 minutes depending upon the wind direction. The Wellington City Council Principal Rural Fire Officer highlights this point:

“Unfortunately, in the worse conditions (hot, dry and windy), a wildfire would travel very quickly through the fine fuels. The heavier fuels on the escarpment would send countless embers into the air. These embers would be carried by the wind and land on receptive dry ground on the tops and the fire would quickly spread ... Historically, fires around NZ that have occurred in similar locations / conditions have moved very quickly.”

4.1.3 Challenges to fire fighting

Several rural fire officers raised a number of challenges to fighting fires on the tops of the Baring Head/Ōrua-pouanui headland. Fire trucks could not access the area via the coast or over the Wainuiomata River Bridge (due to its current weight loading). Fire fighting would be mainly reliant on helicopters. According to the Hutt City Council Deputy Rural Fire Officer:

“The area is difficult to access quickly as our fire trucks can no longer use the Baring Head access bridge ... once on the marine terrace, open water supplies are non-existent for ground fire suppression operations. Any sizable fire will require helicopters picking up water from the sea.”

The Wellington City Council Principal Rural Fire Officer adds:

“The prospect of fighting a fire with an elevated fine fuel loading on the tops of this reserve, due to cessation of grazing is not something that I would like to be planning for.”

4.1.4 Public Access and Safety

Whereas Baring Head/Ōrua-pouanui was previously private land, the public access now provided increases the fire risks. This point also raises the challenges of public safety in the reserve in the event of a fire. One fire officers notes that:

“Any members of the public on the reserve will be limited to where they can escape an approaching fire. Unless there are well defined and signposted escape routes, members of the public will be left to their own devices to escape the fires... Plans will have to be drawn up for this contingency”

The rural fire officers suggest that the greatest fire risks to the Block will be from recreational users or poachers lighting fires on the beach or in scrubland above the beach. Any illegal type of activity, such as poaching tends to occur at night, thus reducing detection of the fire before it becomes well established. Fire fighting at night can be extremely dangerous.

The danger is that a coastal fire, if not properly extinguished, could continue to burn and be pushed up the escarpments by slope and wind.

4.1.5 Risks to neighbours

The combination of greater public access to the reserve and no grazing increases the fire risks for adjacent landowners, in particular for the private property which sits within the reserve.

There is also important infrastructure and historic heritage contained within the Baring Head compound which needs to be considered in determining what fire risk is allowable.

4.1.6 Conclusion

The feedback from rural fire officers concludes that removing grazing entirely would lead to significantly heightened fire risk, both severity of consequences and the likelihood of occurrence, for Baring Head/Ōrua-pouanui area (and adjacent properties).

4.2 Discussion of methods for mitigating fire risk

Staff assessed methods to mitigate fire risk should grazing be ceased entirely and regeneration allowed. These are as follows:

A permanent total fire ban

Theoretically, this would mitigate the risks of fire, but in reality a proportion of people will continue to disregard any ban, particularly those undertaking illegal activity. In addition, the isolated nature of the area makes enforcement of a fire ban difficult. Neighbouring property owners would also need to put fire controls in place as the risk of fire from these adjoining properties also exists.

While this lowers the likelihood of fire starting, it does not lower the risk of fire spreading.

Creation of fire breaks

Earth fire breaks are a method of mitigating fire spread. In this area fire breaks would need to be built eleven metres wide and cover large areas. The nature of the terrain would make construction difficult and costly (likely to be around \$20,000 to \$30,000 with ongoing maintenance costs). As the Department of Conservation noted:

“Fire breaks in this area would be costly to maintain. Using the fire behaviour prediction tables and the figures supplied in Gavin Wallace’s report a fire intensity of 12,000 kW/m would require an 11m fire break to have a 0% probability of the fire breaching the break in grass fuels. This increases with the addition of scrub (e.g. gorse) to an 85% chance of a fire breaching an 11m fire break.”

Construction of fire breaks would likely conflict with the policies within the draft amendment as it would alter landform and potentially disturb historic sites.

Mown fire breaks around specific areas

An alternative method to reduce fire spread is mown fire breaks. These have less impact on the landscape when compared to earth fire breaks. Mown strips require regular maintenance and would be focused around areas that require greater protection, such as the Loan property (which sits within the Baring Head/Ōrua-pouanui block), the Baring Head Lighthouse compound and along exit routes (road and track edges). Mowing a 30 metres wide strip along these areas is estimated to cost \$30,000-\$50,000 annually.

This approach can reduce risk to public safety and historic buildings, but does have a disadvantage in that mowing itself can create fires through sparks being produced.

4.2.1 Conclusion

The draft amendment already states that fires are prohibited on Baring Head/Ōrua-pouanui and that BBQ or gas stoves are not allowed to be used. However, even with a fire ban in place, the risks of fire still exist, and other mitigation strategies are required.

None of the options identified above (either earth fire breaks or mowing strips) would provide acceptable mitigation. The remaining option is to consider how grazing may be used.

4.3 Need to maintain grazing

In light of the research undertaken and advice from rural fire officers, officers conclude that continued grazing is a necessary measure to manage the fire risk. By minimising areas of long grass, grazing will keep large areas open with low fuel loading and provide multiple exit points for the public should a fire occur.

Currently, the area is grazed by a licensee who runs up to 700 sheep. It has been noted that because cattle no longer graze these areas that dry flammable clumps of grass, the result of Porina Moth, are not eaten. It may be necessary to reintroduce mixed grazing (both sheep and cattle) to resolve this problem and keep rank grass to a minimum. Cattle should only be introduced where an area is fully fenced and reticulated water provided, to avoid damage to high value ecological sites such as the escarpment and wetlands.

4.4 Policy implications

The current draft amendment proposes that stock are removed from the whole of Baring Head/Ōrua-pouanui area to allow ecological values of the area to improve. Under this policy the primary role of grazing (or not grazing), is to improve biodiversity. However, subsequent investigation concludes that grazing also plays a vital role in managing fire risk.

Officers recommend that mitigation of fire risk must be balanced with the objective within the plan of retaining and enhancing ecological values. Previous discussion papers to the Council have noted that grazing is having a detrimental ecological effect on sensitive coastal areas, namely the beach and escarpment. By contrast, the marine terraces are less ecologically sensitive. Grazing the less ecologically sensitive areas and fencing off others to promote biodiversity values would result in a reasonable balance between the objectives.

If Council were to adopt this approach, officers recommend that the Biodiversity and Ecosystems Policy (b) in the Draft Amendment be altered as follows:

- b. *To remove introduced flora and fauna where practicable and affordable except where:*
 - *Sheep and/or cattle are the best management option for mitigating fire risk.*
- c. *To monitor key species (eg, rare and threatened plants or animals) to understand the effect of pest plant/animal control in areas where stock are removed, whilst retaining the option to reintroduce grazing if it is found to be a more effective management tool to maintain these values.*

Explanation: *The general approach is to remove stock from ecologically sensitive areas to protect the ecological values. While grazed areas tend to have lower pest animal numbers, grazing can also damage sensitive native plants and native fauna habitats. A review in 3 to 5 years will help to determine if a different land management policy is needed.*

For clarification, officers also recommend that a new policy is included under the section Land Management:

- j. *To retain grazing in areas of low ecological significance for the purpose of mitigating fire risk.*

4.4.1 Implications of continuing grazing for recreational users

Areas where stock remains may need to be closed to the public during lambing as happens at Belmont and Battle Hill Regional Parks. The current licence holder does not request this happen, but acknowledges that this may be a necessary measure if mismothering of lambs increases dramatically.

It would also require a change in policy, prohibiting dogs in the area. The current policy in the draft amendment allows for dogs on inland trails. The presence of stock in the area is incompatible with dog walking.

4.5 Financial implications of retaining grazing

As outlined in previous discussion papers there is a cost for fencing off ecologically sensitive areas, both an initial construction cost and maintenance over time. This cost is estimated to be between \$95,000 and \$125,000. In addition a water supply would also need to be secured for the stock. Currently the stock tends to travel down to the Wainuiomata River to drink. The cost of a pump, pipeline and tanks would be approximately \$5,000. Water would not need to be pumped onto the escarpment as there is a well near the lighthouse enclosure.

The Council currently receives \$13,500 per annum in licence fees which is for grazing over almost the entire Baring Head/Ōrua-pouanui area. There is only a

small budget for fencing and to date this has been focused on constructing a stock proof boundary fence.

While a staged retirement approach would allow fencing cost to be spread over time, this is well above the current budget. Officers have discussed this issue with the lessee who currently holds the grazing licence, and is interested in continuing to do so. The lessee has indicated he is prepared to invest in fencing on the basis of a reasonable term lease being negotiated. Under the Reserves Act the grazing licence will go out to tender, with a maximum allowable period of five plus five years on a scenic reserve.

On a practical note, temporary hot wires for cattle are seen by the current grazier as a viable cost effective solution for excluding cattle from sensitive areas. The current grazier believes that fencing off the escarpment and river access would not adversely affect the financial viability of the lease. In summary, it is likely that a workable outcome can be reached with the successful tenderer at an affordable cost to Council.

4.6 Operational management actions required

This research has highlighted the need for a combined agency fire plan for the Baring Head/Ōrua-pouanui area. Officers are working with the relevant agencies to develop this plan.

On the assumption that the policy change to allow for some grazing is adopted, a staged retirement plan which is informed by the mapped high value sites is required. This would be built into grazing licence.

The current grazing licence is due to expire in December 2012. Once the amendment is approved, the terms of the lease will be reviewed and tenders invited for grazing on the block.

Additionally, the Department of Conservation recommend that provision should be made for small areas to be fenced off to conduct fire fuel research.

5. Revised draft amendment

Officers have now revised the draft amendment based on the recommendations of the Social and Cultural Wellbeing Committee. The amendment also includes retaining grazing in some areas as fire mitigation provisions, discussed above.

A further clarification is needed with regard to bridle tracks. The amendment stated that horses will not be allowed on the road from the bridge to the terrace (for safety reasons) but omitted to say how an alternative route may be provided. Officers recommend the inclusion of a further action to the “projected future changes,” namely the investigation a bridle track at the northern end of the park leading from the bridge to the marine terrace. This was discussed by officers during the development of the draft it was inadvertently omitted.

Following the approval of the draft amendment, final approval will be sort from the Minister of Conservation as required by Section 41(e) of the Reserves Act. This is because the land includes Scenic Reserve land.

6. Communication

Each submitter will also receive a letter setting out responses to the key points of their submission. All adjacent landowners and other groups and individuals that have expressed an interest in the Baring Head/Ōrua-pouanui area will also be notified of the decision.

Once approval from the Minister of Conservation is received the East Harbour Regional Park chapter of the Parks Network Plan will be updated to reflect the Baring Head/Ōrua-pouanui amendment. This will be immediately available on the website and a printed version will be made following the conclusion of the amendment to the Parangarahu Lakes area of East Harbour Regional Park.

7. Recommendations

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Endorses the decisions of the Committee, as set out in Attachment 1.*
4. *Notes the Committee requested officers to further investigate the fire risk issues.*
5. *Notes that there is a high fire risk associated with adopting a no grazing policy at Baring Head/Ōrua-pouanui.*
6. *Notes the discussion of issues of high fire risk, as set out in Section 4 of this report, and agrees*
 - Biodiversity and Ecosystems Policy (b) is altered to read:
 - b. *To remove introduced flora and fauna where practicable and affordable except where:*
 - *Sheep and/or cattle are the best management option for mitigating fire risk.*
 - c. *To monitor key species (eg, rare and threatened plants or animals) to understand the effect of pest plant/animal control in areas where stock are removed, whilst retaining the option to reintroduce grazing if it is found to be a more most effective management tool to maintain these values.*

Explanation: *The approach is to remove stock from ecologically sensitive areas to protect the values within Stock will be retained in*

other areas where this is the best management option for mitigating fire risk.

While grazed areas tend to have lower pest animal numbers, grazing can also damage sensitive native plants and native fauna habitats. A review in 3 to 5 years will help to determine if a different land management policy is needed.

- Land Management Section is altered to read:
 - j. *To retain grazing in areas of low ecological significance for the purpose of mitigating fire risk.*

- Rules applying to activities be altered to read:

Dog walking is a prohibited activity.

7. *Notes that financial implications of allowing grazing may be partly mitigated through investment by a grazing lessee.*
8. *Approves the Baring Head/Ōrua-pouanui Amendment to the Parks Network Plan included in Attachment 2 in respect of the recreation reserve.*
9. *Recommends to the Minister of Conservation the approval of the Baring Head/Ōrua-pouanui Amendment to the Parks Network Plan included in Attachment 2 in respect of the scenic reserve.*
10. *Notes the full amendment to the East Harbour Regional Park Chapter of the Parks Network Plan will take effect once the Minister of Conservation approval is received.*

Report prepared by: Report approved by:

Sharon Lee
Parks Planner

Nigel Wilson
Chair, Social and Cultural
Wellbeing Committee

Attachment 1: Recommendations from Report 12.227

Attachment 2: Baring Head/Ōrua-pouanui Amendment to the Parks Network Plan

Attachment 3: Collation of expert reports on fire risk