

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of Hearing Stream 1 for the
Natural Environment topic of the Proposed Central
Hawkes Bay District Plan.

BY FEDERATED FARMERS OF NEW ZEALAND

TO Central Hawke's Bay District Council

Statement of Evidence

**Rhea Dasent
On behalf of Federated Farmers**

28 February 2022



INTRODUCTION

1. This Statement of Evidence is for Hearing Stream 1 for: *Natural and Coastal Environment* which covers Ecosystems & Indigenous Biodiversity, Natural Features & Landscapes / NFL-SCHE6, Open Space & Recreation, Public Access, Activities on the Surface of Water, Coastal Environment / CE-SCHE7, and Large Lot Residential.
2. My name is Rhea Jane Dasent and I am a senior regional policy advisor for Federated Farmers of New Zealand. I am authorised to speak on behalf of Federated Farmers.
3. I have thirteen years of experience in resource management issues to do with farming, having worked for Federated Farmers as a regional policy advisor since 2009. My role is to provide policy advice and advocacy on behalf of Federated Farmers members in processes arising under the Resource Management Act, Local Government Act and Local Government (Rating) Act. I analyse, submit, present at hearings and conduct Environment Court appeals on behalf of members. My work is informed and mandated by our elected representatives and local members. I also have practical farming experience, being currently employed on the family farm in the Hastings District.
4. I hold a Bachelor of Science Degree and a Bachelor of Arts Degree from Victoria University of Wellington, and I have previous experience as a resource consent officer working for local government.
5. My views are closely aligned with those of Federated Farmers, due to my personal farming background.
6. Federated Farmers is a voluntary membership-based organisation that represents farmers and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand's farmers and as such has a keen interest in the Central Hawke's Bay District Plan.
7. Federated Farmers made a submission and further submissions on the Natural Environment topic of the District Plan. These submissions are representative of our members' views and experiences with the management of the resources in the Central Hawke's Bay District and reflect the fact that these chapters of the proposed Plan will have a significant impact on our members' daily lives as farmers, members of the local community, and as land and water users. Farms are affected by the Ecosystems & Indigenous Biodiversity, Natural Features & Landscapes and Coastal Environments chapters because these resources have been overwhelmingly identified in the Rural Zone, and on properties that are actively used for farming. Farmers are affected by the Public Access chapter because of their location near waterbodies or the coastline.
8. I wish to acknowledge and support submissions made by individual members of Federated Farmers.

OVERALL POSITION

9. Federated Farmers submitted seeking that the natural environment resources are accurately mapped and ground truthed, objectives and policies recognise and provide for existing farming landuses, rule regimes enable normal farming activities to take place with permitted status, and that standards are fit for purpose.
10. Accurate mapping of the resources, such as location and extent of SNAs, ONFLs and the Coastal Environment, is vital in ensuring that farmers know exactly where the associated rules will apply. Individual landowner submissions will provide specific details on the accuracy of mapping. I urge the hearing panel to consider these submissions carefully.
11. Recognising and providing for farming land uses in objectives and policies acknowledges that many of these special landscape and biodiversity resources are found on rural zoned land, and on actively farmed properties. Many natural resources remain because landowners have made special efforts to retain them, such as for biodiversity sites and QEII covenanted sites. Farming and these natural resources can co-exist so long as provisions strike the right balance that enables existing land uses alongside the protection obligations under Section 6 of the RMA.
12. Federated Farmers want to continue farming as a permitted activity, because it was lawfully established and is a vital component in the people and communities of Central Hawkes Bay providing for their economic, social and cultural wellbeing. We want rules that are practical to implement on farm, with standards that are fit for purpose.

ECOSYSTEMS AND INDIGENOUS BIODIVERSITY

Definition of Clearance

13. Federated Farmers' submission point S121.232 sought amendments to the definition of clearance, in particular deletion of (f) *drilling or excavation*, (g) *discharge of toxic substances* and (h) *mob-stocking*.
14. The S.42a Report discusses in paragraph 4.3.22 that it would be useful to further define what mob-stocking is, and suggests using MacKenzie District Plan as an example:

'CLEARANCE

in relation to indigenous vegetation means the felling, burning, removal, damage or destruction of the vegetation, including the following activities within the vegetation drip line:

- a. application of chemicals*
- b. application of seed of exotic pastures*
- c. burning*
- d. changes to soils, hydrology, or landforms*
- e. drainage*
- f. drilling or excavation discharge of toxic substances*

g. mob-stocking (means confining livestock in an area in which there is insufficient feed and in a way that results in the removal of all or most available vegetation).

h. Overplanting'

15. Federated Farmers agrees with this amendment to (g). We are pleased that mob-stocking is recognised as being distinct from extensive grazing or livestock using trees as shelter and shade. Paragraph 4.3.22 notes that the Council has assured farmers that fencing of SNAs will not be required. A verbal assurance is not as reassuring as amending the provision. Perhaps this assurance can be cemented with a method in the Plan.
16. However we do not agree with the S42a Report's recommendation to reject our submission to delete points (f) and (g) nor its discussion in paragraph 4.3.21 that Federated Farmers has not provided evidence why these two extra points deviate from the 2019 Draft National Policy Statement for Biodiversity definition of *clearance*. It is our view that the Council has not provided sufficient evidence why these two extra points are needed for the Central Hawke's Bay District, when the nation-wide definition does not include them. Mr Kessels in Section 6.2 of Appendix C notes ... *'drilling or excavation' and 'discharge of toxic substances' ...are reasonably anticipated activities that could have adverse consequences ... and therefore should be retained within the definition*. However this still does not explain why a deviation from the NSIB is necessary for this district.

Planted Indigenous Vegetation

17. Federated Farmers submitted that planted indigenous vegetation (like domestic and ornamental garden planting, riparian and shelter planting, indigenous plantation forestry) should be excluded from the definition of *Indigenous Vegetation* (Sub point S121.237.) In a similar vein, we also sought that policy ECO-P1 exempts planted indigenous vegetation from being classified as an SNA (sub point S121.252) and Rule ECO-R1 be deleted as redundant should planted indigenous vegetation be exempted from the definition (sub point S121.028.)
18. In paragraph 4.3.59 the Section 42a Report says ... *it is more appropriate to provide for exclusions within the rule framework as currently provided in the PDP rather than include them in the definition as sought by this submitter*. No further detail is provided as to why this may be the case. Paragraph 7.3.18 addresses the exemption from the ECO-P1 criteria, again noting the permitted rule and concluding *I do not consider the amendment as sought provides any particular advantage over the proposed approach*.
19. We are pleased that the report agrees that there is limited benefit in restricting the trimming or clearance of indigenous vegetation that has been planted and tended by people. Many farmers choose to plant native species in garden areas alongside driveways and tracks and around buildings, simply because they are beautiful and increase biodiversity like birds and insects. Native species

planted on riparian margins, retired land or around wastewater/effluent disposal sites serves the practical purpose of improving soil and water quality.

20. Even though it is a permitted activity under ECO-R1, this is still unnecessary regulation. Regulating this resource will not benefit the farmer, nor the council, nor the environment. Farmers will have to check rules before they do any work. Council will waste time monitoring and enforcing the rules for planted vegetation, instead of focusing on remnant or significant vegetation. The environment will not benefit from a focus on non-significant vegetation, nor from the disincentive it provides for planting new areas.
21. An easier method is to clearly exclude planted vegetation from the definition and from the SNA criteria. That way, it is outside the regulation and recognised as a resource that doesn't need District Plan intervention.

Objectives

22. Federated Farmers was satisfied that the proposed objectives were appropriate. However we did seek an additional objective that recognises some use of the resource is necessary for people and communities to provide for health and safety, and their wellbeings – which is evidenced by the range of permitted activities.
23. Our new objective (sub point S121.017) is discussed in the Section 42a Report starting in paragraph 5.3.77. The Report suggests an amendment to the policies to make clear the link between the permitted activity rules and the policy framework:

ECO-P2 To protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna from the adverse effects of landuse and development, including earthworks and vegetation clearance., whilst providing for limited trimming and clearance opportunities where it is necessary for the economic, social and cultural wellbeing of people and their health and safety.'
24. Federated Farmers supports this amendment to policy ECO-P2 as a way of addressing our submission point.

Policy ECO-P1

25. Federated Farmers sought amendments to policy ECO-P1 to require two or more criteria to be met before an SNA is classified (sub point S121.018.) We also seek two new exclusions from being classified as an SNA, being for: QEII covenanted sites; and planted vegetation.
26. The Section 42a Report addresses the number of criteria starting in paragraph 7.3.1. and says in paragraph 7.3.6 *Requiring a site to meet at least two of the criteria as sought by Federated Farmers submission, could result in a number of sites containing significant indigenous vegetation and significant habitats of indigenous fauna that would not qualify as SNA when they normally would...*
27. It concerns us that there are sites that only meet a single criterion, as this does not appear to be a robust winnowing process to separate the areas of true significance from areas that aren't significant. It concerns us more that there

is a discussion in paragraph 7.3.24 that suggests one interpretation is that the single Criterion 1 is met then the site is automatically an SNA: *It is not the intention of these provisions that a protection status on its own would qualify a site as significant. Not all protected land will necessarily meet the test for significance under s6(c) RMA.*

28. Criterion 1 is the most concern to Federated Farmers for two reasons:
- a. Protected land (specifically QEII covenanted land) is already protected more strongly than the district plan, yet SNA status will at best be an added layer of third party interest over private land, and at worst be contradictory to the terms of the covenant.
 - b. Like the Section 42a Report, we consider that protection status does not mean that the vegetation and habitat is of significance. QEII covenanted land may be protected for historic archaeological reasons, as well as areas with high scenic, geological or recreational values, unrelated to biodiversity values.
29. The Section 42a Report's recommendation in paragraph 7.3.26 that an additional criterion must be met alongside criterion 1 goes part way to addressing our concern about number of criteria, but exacerbates our concern about covenanted sites becoming SNAs:
- ECO-P1 To identify Significant Natural Areas (being areas of significant indigenous vegetation and/or significant habitats of indigenous fauna) in the District where they meet one or more of the criteria below and describe these areas in ECO-SCHED5 and show their location on the Planning Maps (except for areas that meet Criterion 1, where at least one of Criterion 2-7 must also be met)*
30. Protected sites must be excluded from being scheduled as SNAs. Private landowners feel very strongly about their covenanted sites. Landowners are protecting land not for their own gain. They are giving up the free use of that land for other things, like production or development. They are investing their own time and resources into it. They are protecting land for its inherent qualities, and for future generations to enjoy.
31. A [study by the University of Waikato Institute for Business Research](#)¹ for the QEII Trust has found that people who protect land are collectively spending an estimated \$25 million of their own money (including the opportunity cost of not using the land in other ways) every year maintaining and enhancing their existing covenants. These landowners have made an estimated overall financial commitment of around \$1.1 – \$1.3 billion to establish and protect open space covenants.

¹ Frank Scrimgeour, Vijay Kumar, and Glenn Weenink, 2017 *Investment in Covenanted Land Conservation: A Report Prepared for Queen Elizabeth II National Trust.*

32. To include such sites in a District Plan SNA schedule casts doubt upon these dedicated landowners' abilities to protect these sites. It is saying "we don't trust you, so we must regulate you."
33. The District Plan should be satisfied that these covenanted sites already achieve the purpose of Section 6(c) of the RMA, and to avoid unnecessary duplication. To draw a comparison, the proposed District Plan is satisfied that hazardous substances are already well managed via the Hazardous Substances and New Organisms Act 1996, and therefore does not need to duplicate provisions:
34. The principal reasons section of the HAZS Chapter says *The District Plan takes the approach that hazardous facilities are generally managed adequately through the HSNO Act. Compliance with this legislation will generally ensure that any adverse effects arising from an accident or incident will be contained within the hazardous facility site.... The District Plan therefore seeks to avoid any duplication of regulation with the HSNO Act, and only contains rules in relation to Major Hazardous Facilities.*
35. A similar method and policy (sub point S121.027) is needed in the ECO Chapter to explain that sites already legally protected under different legislation are achieving the purpose of protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, and that the District Plan seeks to avoid duplication and therefore will only schedule and regulate sites that are not already legally protected.

Policies ECO-P2, ECO-P3 and ECO-P4

36. Federated Farmers sought deletion of policies ECO-P3 (sub point S121.021) and ECO-P4 (sub point S121.022) for the reason that avoiding adverse effects on significant vegetation was contrary to the permitted activity framework. Similarly, we sought that ECO-P2 is amended to provide for some limited activities to occur within SNAs (sub point S121.020.) The Section 42a Report recommends to reject all three of these submission points.
37. It is the word *avoid* that Federated Farmers is most concerned about. *Avoid* adverse effects on SNAs and indigenous vegetation could mean *prohibit*, and would prevent many activities necessary for health and safety, and economic, social and cultural wellbeings.
38. The list of permitted rules recognise and provide for some appropriate activities, within limits, to occur that will have a minor detrimental effect on indigenous vegetation, that is balanced by the benefit of the activity. Adverse effects are not *avoided*, in that they are prohibited, rather the rule framework allows for a minor level of adverse effect. For example, trimming within SNAs is not completely avoided, it is allowed within a limit, say for the purpose of clearing branches away from a powerline under Rule ECO-R3(b)(i).

39. For policies ECO-P3 and ECO-P4, Federated Farmers is opposed to the use of the word *avoid*, if this means *to prohibit* adverse effects. Some level of adverse effect is acceptable as evidenced by the permitted activity rules.
40. Paragraph 9.3.5 of the Section 42a Report recommends to decline our submission on ECO-P2: *I do not agree the wording as proposed by Federated Farmers is helpful in achieving consistency between Policy ECO-P2 and the rule framework. In my view, the terminology 'inappropriate adverse effects' and 'appropriate activities' is confusing.*
41. Unfortunately, this is not helped by a typo in the Federated Farmers submission, where I inserted the word *inappropriately* in an inappropriate place! I should have typed *To protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna from the adverse effects of inappropriate landuse and development, including earthworks and vegetation clearance, while providing for some appropriate activities.* Please reconsider Submission point S121.020 with this more helpful wording.

Rule ECO-R3 - Within SNAs.

42. Federated Farmers submitted seeking amendments to ECO-R3 in sub point S121.030. The Section 42a Report discusses these starting paragraph 10.3.58.
43. We sought that an arborist was not needed in ECO-R3(b)(ii) to remove deadwood, windthrow or diseased vegetation. Requiring an arborist will likely delay or prevent such work being done. Either a suitable arborist may not be available and thus work is delayed, or the cost and trouble will mean the work goes in the too-hard basket for many landowners. The Section 42a Report in paragraph 10.3.71 says *...Rule ECO-R3(1)(a) provides for those smaller scale circumstances where an arborist may not be required.* This is good to know, and we agree it would allow landowners to do such work themselves within the 500m² area limit.
44. A change to ECO-R3(b)(iv) to allow landowners to trim or clear for pest control purposes is discussed in paragraph 10.3.72 of the Section 42a Report, with the recommendation: *required for pest control undertaken by or in conjunction with the Department of Conservation, Hawke's Bay Regional Council or Central Hawke's Bay District Council, or by landowners and personnel working with these organisations for this purpose; ~~and~~ or for removal of material infected by an unwanted organism under the Biosecurity Act 1993.* Federated Farmers supports this recommendation.
45. Federated Farmers also sought for some more farming activities to be added to ECO-R3 as permitted, which was recommended to be accepted by the Section 42a Report in paragraph 10.3.73. Federated Farmers supports the addition of maintaining stock crossings and bridges, and firebreaks to ECO-R3(b)(vi). However with an increasing desire to protect water quality by constructing stock crossing and bridges, and stock exclusion fencing, permitting these as *new* activities is also necessary.

Rule ECO-R4 – Outside an SNA

46. Federated Farmers submitted that limits to trimming and clearance of indigenous vegetation outside SNAs are unnecessary, because the SNA regime more than adequately meets RMA Section 6(c) obligations (sub point S121.031.) Paragraph 10.3.89 of the Section 42a Report counters that *it recognizes and acknowledges the inherent limitations of a desktop assessment and therefore provides protection for remaining areas that may have been missed.*
47. Federated Farmers disagrees. With 542 SNAs identified, a pretty thorough assessment of significance has been undertaken, and the Council should be satisfied that it has done a comprehensive search for sites that will be protected as an RMA Section 6 matter. A rule with unlimited trimming and clearance of low-quality vegetation will enable people and communities to provide for their wellbeings.

ECO-R6 Wetlands

48. Federated Farmers sought that there be some permitted activities for wetlands, and identification of the wetlands so people know where the rule applies (sub point S121.033.)
49. In response to other submitters, the Section 42a Report acknowledges that there are some activities that will be appropriate within a wetland, and recommends in paragraph 10.3.97 to add Note 1 exempting wetland restoration work by DoC, HBRC or CHBDC, and in paragraph 10.3.107, Note 2 exempting operation, maintenance and upgrading of a network utility.
50. The exemptions in Note 1 need to extend to the same restoration activity undertaken by landowners. Landowners may be acting with QEII to restore their wetland, or be acting in accordance with the Regional Pest Management Plan controlling [aquatic pests and weeds](#).
51. The exemptions in Note 2 need to extend to other activities such as for safety and to maintain existing infrastructure such as roads, tracks, bridges and fences. Indigenous vegetation within a wetland will not be limited to low-profile grasses or small plants, it could also refer to large bushes and trees. These may pose risk to falling on fences, across roads or paths, onto buildings. Clearance might be necessary for safe approach to bridges and stock crossings. An effects-based rule would recognise that the adverse effect of clearing to keep a powerline operational and safe, will be the same as clearance to keep a fence or road operational and safe.

NATURAL FEATURES AND LANDSCAPES

Significant Amenity Features.

52. Federated Farmers opposes Significant Amenity Features and submit they are deleted, along with NFL-O2, NFL-P6, NFL-P7 and NFL-P8. SAFs are not needed to meet Section 6(c) nor Section 7(c) RMA requirements, and will burden both the landowner and the Council for no benefit above what zoning already provides.
53. A perverse outcome is also created when land use restrictions aimed at enhancing amenity have the potential to work against other environmental priorities such as improving water quality or protecting significant natural areas for example. New central government regulations designed to accelerate improvements to water quality are going to require an increase in the earthworks being undertaken for stock exclusion fencing, putting in water reticulation infrastructure, new culverts and bridges and the new tracks required to reconnect the farm and ensure safe passage for farm vehicles. More will be coming with regards significant natural areas and the stock exclusion and pest management goals which are being sought for biodiversity purposes. SAFs place extra burden with undue delay, cost and uncertainty in having to meet additional amenity objectives and policies when seeking resource consents to achieve these national goals.
54. The Section 42a Report maintains that there are some qualities that lift these landscapes above their rural zoning in paragraph 7.3.2 ... *whilst not worthy of recognition as 'outstanding', they are clearly distinguishable from normal rural landscapes*. Federated Farmers disagrees that this justifies a separate landscape classification. Risks to these SAFs will be no more than for the rest of the Rural Zone, and already managed according to the zone provisions. The specific values or associations mentioned in paragraph 7.3.3 like historic heritage and sites of significance to Maori are already managed by the HH and SASM chapters of the Plan, recreation via the OSR chapter, and nature by the ECO chapter.
55. Some councils have decided to delete significant landscape/amenity classification from their proposed District Plans: Otorohanga District; Kaipara District, and more recently Waikato District.
56. The hearing panel for the proposed Waikato District Plan made these findings in January 2022 in their [Decision Report 10](#)² for Significant Amenity Landscapes (SALs):
- 10.11 Our decision is to delete the SAL overlays in their entirety, including the policies in Chapter 3.4, along with SAL rules and maps. ...*
- 10.12 Our reason for deleting the SAL overlay is that we see it as redundant. Removing the SAL policies and rules from the PDP will make no material*

² Independent Hearing Panel Decisions Report 10 for Landscapes, 17 Jan 2022, pg 24.

difference to maintaining landscape values, but it will avoid unnecessary costs to landowners.

....

10:20 We consider the zones effectively identify and recognise areas with different amenity values throughout Waikato District, and that the zone policies and rules manage these amenity values appropriately.

...

10:23 We consider that none of the SAL rules will materially enhance landscape amenity. We accept the evidence that these controls add unnecessary costs and inefficiency to farming activities and may have perverse outcomes.

57. The Hearing Commissioners decided to delete Visual Amenity Landscapes (VALs) from the Kaipara District Plan³ in 2012:

While the landscapes identified as VALs are pleasant and clearly have amenity value, they are generally working landscapes that have been created by farming /pastoral activity, and there is little to distinguish one landscape that is a VAL from one which is not. Moreover we find that these landscapes are not at 'risk' of being lost to development and/or subdivision (given the provisions of the decisions version of the Kaipara District Plan).

The provisions applying to VALs as notified would lead to:

- *considerable uncertainty,*
- *time and cost re consenting processes re time and related costs for little or no benefit, and*
- *unnecessary burdens of compliance.*

That from a resource management perspective it is more appropriate not to identify VALs as this would better enable the people and communities of Kaipara to provide for their social, cultural and economic wellbeing by not having unnecessary regulation.

The costs of introducing VALs would outweigh any benefit and would fail the section 32 'test'.

58. This same reasoning can also be applied to Central Hawke's Bay District, the Significant Amenity Landscapes overlay and planning response should be deleted as an unnecessary and unduly onerous approach.

Farming and Rural Character

59. Federated Farmers submitted seeking recognition in the objectives and policies of the existing rural farming character where it occurs on ONFLs, and provision for existing farm activities to continue. Submission points S121.038, S121.039 and S121.040 seek this recognition and provision for farming in ONFLs.

³ Commissioners Les Simmons and Greg Hill Decisions report for Variation 1 of the Kaipara District Plan, 1 May 2012, pg 3.

60. We support the Section 42a Report recommendation to amend Policy NFL-P2 to read:
61. *To allow activities within the District's outstanding natural features and landscapes where they are for existing land uses such as farming, where they maintain the identified characteristics and values in NFL-SCHED6, and for conservation purposes and customary activities.*
62. In conjunction with this amendment, we seek in sub point S121.047 that farming is noted as an existing land use in NFL Schedule 6 where it occurs on specific ONFLs. This will mean that farming is an identified characteristic so that policy NFL-P2 can be accurately carried out.
63. The Section 42a Report says in paragraph 10.3.3 recommends to reject this sub point, saying *...that the purpose of the schedule is to describe the features and identify and summarise their landscape values.* This is true, but an additional point as part of the values column of each ONFL can note if land uses such as farming are present, without detracting from the natural values. The individual landowner submissions will provide detail as to their farming land uses, and recognising this will help address their concerns about the ONFL classification interfering with their farming.

PUBLIC ACCESS

64. Federated Farmers has an interest in provisions for public access because farms are frequently located alongside rivers, lakes and the coast where public recreation occurs, and there is a perception that public access is freely available over farmland. This is often an education issue. The boundary between public land and private land is not always marked so it can be easy to stray onto private property. Some people do not know how to behave properly and leave rubbish, do not close gates, or let their dogs loose near livestock.
65. The District Plan has a role to play when it comes to making sure the public know where access is available, and when landowner permission is needed. Provisions for esplanades need to be sensible.
66. Federated Farmers submitted on policy PA-P1 (sub point S121.049) seeking amendments that provided more flexibility as to when an esplanade would be taken, similar to the Hastings District Plan approach. A waiver may be needed for safety (eg where the site is industrial) when a reserve is impractical (eg where the site has steep cliffs) or for financial reasons (eg if the Council does not have the resources to provide fair compensation.)
67. The Section 42a Report in paragraph 5.3.27 notes that waivers can currently be achieved under the existing rule framework. And in the next paragraph says *However I do consider that the existing policy and rule framework is not clear in this respect.*

68. Federated Farmers is pleased that waivers do apply, and agrees that better clarity is needed. We therefore support the Section 42a Report's recommended wording:

PA-P1 To ~~require~~ prioritise the establishment of esplanade reserves, esplanade strips or access strips when subdividing land adjacent to priority water bodies shown on the Planning Maps.

PA-P2 To provide for the waiving of requirements for esplanade areas (esplanade reserves, esplanade strips or access strips) ~~on non-priority water bodies~~, where appropriate.

69. In submission point S121.054, Federated Farmers seeks a new policy to provide education around public access. We also submitted on the topic of public access in the Coastal Environment chapter in sub point S121.058. The Section 42a Report discusses this in paragraph 5.3.55 and recommends the following amendment to method PA-M3:

PA-M3 Advocacy and Liaison Directly negotiating with landowners, as appropriate, to encourage them to voluntarily establish public access to and along the coast or priority waterbodies.; informing the public as to the location of public access to rivers, lakes and coast and educating the public that access over private land is only by the permission of the landowner.

70. Federated Farmers supports this wording and is satisfied it addresses our submission point.

COASTAL ENVIRONMENT

Farming and Rural Character.

71. Federated Farmers submitted seeking recognition in the objectives and policies of the existing rural farming character on the coastal environment zone.
72. Sub points S121.055, S121.056, S121.057, S121.059, S121.061, S121.062, S121.063 and S121.064 all ask for amendments to the proposed objectives and policies to include the existing farming land uses and rural character as a positive attribute of the Coastal Environment, and that proposed activities that are consistent with these attributes may continue. Sub point S121.065 seeks a new policy. Paragraph 5.2.3 of the Section 42a Report summarises all of these submission points nicely, and analysis starts in paragraph 5.3.1.
73. Federated Farmers agrees that the Council has an obligation to preserve character under RMA Section 6(a). We agree that identifying and mapping the coastal environment consistently with the Regional Council's Coastal Environment Plan is appropriate.
74. We also agree with the Section 42a Report's statements: 5.3.5 *The term 'preservation' indicates the need to maintain in the existing state. The vast majority of accessible land in the coastal environment area in Central Hawke's*

Bay is rural in character and farming land use predominates. On that basis, I consider that the existing rural/farming land use has contributed to the existing state of natural character of the coastal environment in the District. And 5.3.6 In that sense, I accept that preserving existing natural character includes recognising and providing for the continuation of rural land uses, including existing farming activities – subject to constraints...

75. We support the Section 42a Report’s recommendation to amend Objective CE-O2 to include *natural and rural character* and amend Policy CE-P6 to include *consistency with underlying zoning and existing land use* as matter 8.

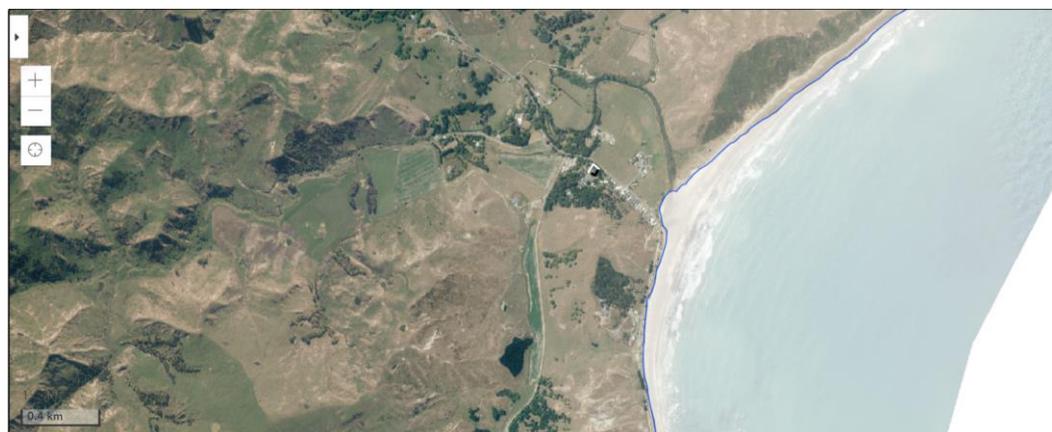
76. However the objectives and policies need to go further to acknowledge farming in the coastal environment.

77. Objective CE-O1 includes the human aspect of small settlements recessed onto bays as a distinctive landform of the coastal environment, but omits the other human aspect that is just as, if not more prominent than small settlements, the surrounding farmland. If settlements are part of the landform, then why not farming?

78. This is an aerial of Aramoana beach settlement, which is recessed into a bay as acknowledged by CE-O1(5). The farmland surrounding the Aramoana settlement is the other definite feature of this coastal environment.



79. Up the coast further this is Pourere Beach, which again has surrounding farmland:



80. If settlements are acknowledged in CE-O1 as a distinctive feature of the Central Hawkes Bay coastline, then farming must be too. The extensive sheep and beef farms are an existing feature that makes the Central Hawkes Bay coastline what it is. We acknowledge that there has been a big reduction of coastal indigenous vegetation cover because of farming, but this is a legacy issue from previous generations which, in keeping with central government policies of the day, valued bringing land into active production more than preserving native bush. This is a function of different values over time.
81. Federated Farmers is concerned that if farming landuses and rural character are not acknowledged in objectives and policies as being part of the existing coastal environment, then normal farming activities may be stymied. The people that farm alongside the coast value their beautiful location, but they also need to make sure their farm can provide them with the means of earning a living and they can adopt modern farming technologies and methods. The increased desire for fencing and stock exclusion is one such activity that should not be prevented.
82. The Section 42a Report's discussion on CE-SHED7 (starting in paragraph 8.3.1) and recommendation to retain the High Natural Character Area 6 gives rise to an example of why it is necessary to acknowledge existing farm land uses. Paragraph 8.3.20 says that *a high natural character notation only comes into play at the time a resource consent is otherwise triggered* which is why objectives and policies must recognise and provide for existing farming land uses.

Rhea Dasent
for Federated Farmers
28 February 2022.

