

BEFORE THE HEARING PANEL

UNDER THE of the Resource Management Act 1991

IN THE MATTER Proposed Waitomo District Plan

BETWEEN Waitomo District Council
Local Authority

AND Waikato Federated Farmers of New Zealand (Inc)
Submitter Number 46

HEARING OF WAITOMO DISTRICT PLAN – HEARING TRANCHE 1.

**WRITTEN STATEMENT ON BEHALF OF WAIKATO FEDERATED
FARMERS OF NEW ZEALAND (INC)**

11 JULY 2024



444 Anglesea Street
PO Box 447
Hamilton
Telephone: 027 537 3385
Email: fcasey@fedfarm.org.nz

INTRODUCTION

1. My full name is Frances Mary Casey.
2. I am employed as a Policy Advisor for Federated Farmers of New Zealand Incorporated (Federated Farmers).
3. I have read the code of conduct for expert witnesses which is set out in section 9 of the Environment Court Practice Note 2023. Please note that I am not putting myself forward as an expert witness presenting expert evidence. I am appearing in this hearing as an advocate for the Waikato Federated Farmers (Waikato Province).
4. The purpose of this written statement is to outline the position of Federated Farmers and the Waikato Province on the Section 42A report recommendations on our submissions and further submissions.
5. This statement is focused on the Coastal Environment Topic which is an identified Topic for this first tranche of hearings.

CONTEXT

6. Federated Farmers is a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses.
7. Farming has a strong presence in the Waikato Region including the Waitomo District and contributes significantly to the region's economy. Primary production activities from our members make a significant contribution to the economic, social and cultural well-being of New Zealand.
8. Federated Farmers represents a variety of dairy, dry stock and horticultural land users and seeks to uphold and enhance the value of farming to the region.
9. Federated Farmers key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
 - a. Our members may operate their business in a fair and flexible commercial environment

- b. Our members' families and their staff have access to services essential to the needs of the rural community
 - c. Our members adopt responsible management and environment practices.
10. Our members want and need district plans that balance environmental, cultural, social and economic values while ensuring rules are equitable, cost-effective, pragmatic and effects based.
 11. Our members want district plans that are written in plain English; are easy to use and understand; acknowledge and reward the positive effects farming has on conservation; and recognise the importance of collaborating with communities to achieve desired environmental outcomes.
 12. A lot of regulation has come at a significant cost on financial and mental health within the primary sector. Many of the costs are unnecessary and place additional pressure on the primary industry. Decision making needs to occur with consideration of the economic, cultural, social and environmental impacts that council's decisions have on the community.

SUBMISSION AND FURTHER SUBMISSION

13. Federated Farmers of New Zealand (Federated Farmers) made a submission on the Proposed Waitomo District Plan (Proposed District Plan) on 23 December 2022.
14. Federated Farmers made a further submission on Proposed Waitomo District Plan on 26 July 2023.

CE - COASTAL ENVIRONMENT

15. Federated Farmers made a number of submissions and further submissions on the CE-Coastal Environment chapter of the Proposed District Plan.
16. The submissions were focused on recognising the functional need of certain activities in the coastal environment and that rules regulating land use reflect realistic land use practices for existing activities.

Recognition of lawfully established farming activities in CE-P1

17. Federated Farmers acknowledges that the Proposed District Plan goes some way in recognising the functional need of lawfully established farming activities when considering the appropriateness of subdivision, land use or development activities in the coastal environment.¹
18. Federated Farmers are of the view that CE-P1 does not adequately recognise the full extent of existing farming activities. Fundamental to the continued operation of lawfully established farming activities is the maintenance and upgrading of supporting infrastructure such as fencing, farm buildings and structures and farm tracks etc. In absence of any clear reference or express intention that these activities are captured by CE-P1, the Proposed District Plan is not fully providing for lawfully established farming activities.
19. Mr Matich Statement of Evidence sites section 10 of the Resource Management Act 1991 and the disadvantages that may arise from relying entirely on this section.
20. The Proposed District Plan can ensure that farms are able to continue to operate by providing a framework for maintenance and upgrades of structures such as farm tracks, fences and buildings and structures.

Existing lawfully established activities in Natural Character Area

21. Federated Farmers supported CE-O2 on the assumption that existing and lawfully established activities such as farming will be able to continue.² Further, our submission expressed concern that none of the policies for natural character appear to explicitly provide for the on-going operation of farms in a natural character area other than for track maintenance and fencing.
22. Federated Farmers is concerned that there may be land in private ownership with no existing legal instruments to protect any bush in perpetuity and that the Proposed District Plan should not presume that a

¹ Federated Farmers submission on Proposed Waitomo District Plan, page 21.

² Federated Farmers of New Zealand submission on Proposed Waitomo District Plan, page 22.

landowner is content to allow themselves to be restricted in ability to earn income from the land.

Unrealistic prescribed limitations in CE-Table 1 – Activities Rules.

23. Federated Farmers are concerned that the prescribed limitations in CE-Table 1 – Activities Rules are too conservative and unrealistic for day-to-day farming activities and will unnecessarily constrain farming activities for little or no environmental benefit.
24. Mr Match Statement of Evidence lists a range of farming activities which occur on a day-to-day basis and are essential to the efficient operation of farms.
25. Unrealistic limitations in the Proposed District Plan such as those for building heights and earthworks will require resource consent for little or no environment benefit.
26. Federated Farmers seek that the rules exclude day to day farming activities.