

Southland Federated Farmers – Hearing Statement for HS10 – Ecosystems and Indigenous Biodiversity (ECO)

Rachel Thomas, Senior Policy Advisor

1. Good morning, my name is Rachel Thomas and I am a Senior Policy Advisor with Federated Farmers. Thank you for the opportunity to present our evidence today. I will take this opportunity to highlight some of our key points from our evidence and respond to the supplementary planning evidence of Mr Matt Heale, dated 20 February 2025.
2. I firstly wish to identify the matters of which we no longer take concern and agree with the recommendations put forward by Mr Heale. These are relative to:
 - a) the inclusion of new definitions for animal pest, firebreak, vehicle track, dam, and walkway; and
 - b) ECO-P10.
3. Federated Farmers expressed concern with the proposed wording of ECO-O4 in Mr Heale's s42A Report which sought to reframe the enablement of mahinga kai, as opposed to the notified version which focussed on the restoration of habitats to support mahinga kai activities. As such, the recommendation of Mr Heale is now to 'enable mahinga kai'.
4. As stated in our evidence at paragraph 55, the 'enablement of mahinga kai' is too broad. It should also be considered if the objective needs to include the level of detail which ECO-O4(1), (2) and (3) provide. In our view, it would be appropriate for the objective to read:

Indigenous biodiversity is recognised as a taonga to mana whenua and the relationship of mana whenua and their customs and traditions with indigenous vegetation and ecosystems is recognised and provided for.

~~including by: 1. Enabling the exercise of kaitiakitanga; 2. Enabling mahinga kai; and 3. Maintaining or where degraded restoring the mauri of indigenous ecosystems~~

5. This approach aligns with that of Timaru District Council in their proposed District Plan with the objective stating: *The relationship of Ngāi Tahu whanui with indigenous biodiversity is recognised and provided for*. If the Panel prefers to maintain the detail within this objective, then further detail on the enablement of mahinga kai should be included.
6. Federated Farmers would still prefer that mahinga kai is removed from ECO-P7 but if the Panel wishes to maintain this then we agree with Mr Heale's recommendation to update the wording to align with ECO(O4).
7. Turning to ECO-P11, through the s42A Report it was recommended that an amendment was made to remove reference to 'Ngai Tahu cultural purposes'. The proposed wording would replace ECO-P11(5) with:

Any off-setting and compensation packages are appropriate considering the whakapapa, mauri and any mahinga kai values of both sites and areas.

8. Federated Farmers expressed concern with the phrase 'mahinga kai values' and following on from the SASM hearing last week, we confirm these concerns remain. Ms Amy Beran, in her supplementary planning evidence dated 12 February 2025, identifies at paragraph 48 various terminology within the PDP which could cause ambiguity, for example 'cultural effects' and 'cultural well-being'. We see 'mahinga kai values' in a similar manner. While it is clear from the Mana Whenua Chapter that mahinga kai is a value, within the explanatory paragraph on mahinga kai it does not explicitly state what mahinga kai values include.

9. If mahinga kai values are included within the plan the phrase must be appropriately defined within the Mana Whenua chapter. There has been much discussion on Mana Whenua or NTCV values within the SASM hearing and therefore it is important to clarify that 'mahinga kai' is a high-level value. The effect of the current wording implies a set of values within a value which may be confusing to plan users who would expect to see a list of 'mahinga kai values' as is provided for other values in the plan, such as NTCV values and Mana Whenua values.
10. The addition of ECO-P13 has been recommended through the s42A Report. Federated Farmers supported its inclusion but suggested it be broadened to include the wider district. Mr Heale does not agree as ECO-P13 was designed relative to the bespoke provisions for the Hokonui Hills area. We are in support of these bespoke provisions and while we would prefer ECO-P13 apply across the entire district, we acknowledge Mr Heale's reasoning for it be restricted to the Hokonui Hills Area.
11. Federated Farmers has consistently expressed concern with the permitted clearance limits within ECO-R1. We have seen little narrative or justification within any of the supporting documentation regarding why these specific limits have been chosen. For example, we question why the limits are set at 1m and 1.5m as opposed to, for example, 2m and 2.5m.
12. The activities which ECO-R1 addresses will be controlled by the nature of each activity. Farmers will not clear more than is required because it is not in their interest to carry out more work than is needed. It would be a waste of their time and resources, such as staff hours and fuel costs. We do not see any need to impose strict permitted clearance limits within ECO-R1.
13. In relation to Mr Heale's paragraph 93, we clarify our understanding of ECO-R1 in that the widths proposed are in addition to the existing works. However, it may have been overlooked that a greater width may be required where vegetation has

become overgrown. An example of this is a vehicle or farm track that has not been used for many years but is now required to be cleared. The track may be narrow and designed for a smaller vehicle, but a larger vehicle (such as a tractor) could now be required for clearance, and this may require initial clearance of greater than 1m.

14. Federated Farmers expressed a concern for the health and safety of those carrying out clearance around dams. Mr Heale, at paragraph 99, suggests that existing tracks could be used for clearance of dams. Dams do not always have an existing track next to them and if they did it is unlikely that an existing track would service the entire length of the dam. It may not be appropriate for there to be a track located next to a dam due to the topography, such as hill country, or existing land use.
15. With regards to fencing, we maintain our position that no width restriction be imposed. The nature of fencing will naturally limit the clearance associated. A similar argument was made the s42A Author for the Earthworks (further information) hearing and the logic also applies here. Mr Heale recommends an amendment to ECO-R1(1) at paragraph 101, to specify that the clearance for fencing is no greater in width than originally cleared.
16. In areas where vegetation is overgrown the initial clearance width will be unknown. For instance, if there has been regrowth/regeneration of vegetation along old fence lines that need replacement, the evidence on the ground of the “existing width” is likely to be problematic given there was no past restriction requiring photographic records to be kept. We do not see the width restriction for fencing as implementable and strongly oppose the inclusion in the PDP.
17. Where the permitted activity conditions cannot be met, the cost of applying for a consent for a farmer is largely unknown. In the economic evidence provided by Ms Natalie Hampson at paragraph 101, the example of non-notified consents amounting to \$1580 and notified consents as \$5,000 is provided. These are base

level fees and, in our view, significantly downplay the actual costs that would be involved in obtaining consent.

18. These amounts do not consider consultant time for the applicant to prepare an application. In our experience, there are very few applications that get accepted as complete without the input of a consultant. Costs for a “simple” vegetation clearance consent for a fence may end up costing upwards of \$20,000 when considering the engagement of a consultant planner, consultant ecologist, GDC processing planner, GDC expert ecologist and Runanga.
19. We are happy to take questions.