



SUBMISSION

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Submission on: Proposed Hutt City District Plan

Date: 2 May 2025

Submission by: Federated Farmers of New Zealand

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Federated Farmers welcomes this chance to submit on the Proposed District Plan for the Hutt City.

We wish to be heard in support of this submission.

Federated Farmers also seek any consequential changes necessary to give effect to the relief sought in each of the individual submission points made.

Reference	Submission	Relief Sought
ECO - Ecosystems and Indigenous Biodiversity		
Rule ECO-R1	Federated Farmers supports the permitted status of exotic vegetation removal in all zones.	1. ECO-R1 Federated Farmers submits that the permitted status for removal of exotic vegetation in all zones is retained.
Rule ECO-R2	Federated Farmers supports the permitted status of indigenous vegetation removal in the rural zones.	2. ECO-R2 Federated Farmers submits that the permitted status from removal of indigenous vegetation in the rural zones is retained.
NFL- Natural Features and Landscapes		
Identification And Mapping.	<p>Identification of ONLs needs to be justified and robust, and mapping needs to be clear.</p> <p>Federated Farmers wants good quality criteria when identifying ONLs, and sites must meet most criteria in order to be classified as an ONL.</p> <p>Given that the East Coast Regional Park and the Remutaka Forest Park are significant tracts of natural land areas that are present in the Hutt City Council boundary, there doesn't need to be much private land included as additional ONL areas. The obligation to protect outstanding natural features and landscapes is already being met by identifying and protecting the Regional and Forest Parks.</p> <p>Consultation must be meaningful and informative. Landscape information for landowners should include the reasons why the land is classified as significant or outstanding. This would provide an opportunity to point out where criteria are not met. Landowners may be encouraged to do voluntary management if they understand why, it is so special.</p> <p>Federated Farmers opposes buffer areas being included in the ONL classification. We have observed councils including a buffer around the</p>	<p>3. ONFLs are confined to Crown-owned property such as the East Coast Regional Park and the Remutaka Forest Park.</p> <p>4. Buffer areas and continuity areas must not be identified as ONFL, because their value is only in being adjacent to the ONFL rather than meeting ONFL criteria in their own right.</p> <p>5. Affected landowner submissions are carefully attended to and boundaries adjusted accordingly.</p> <p>6. Policy NFL-P1 is amended to read <i>Identify and map Outstanding Natural Features and Landscapes on crown land that meet the majority of criteria, and describe their identified landscape values in SCHED4 - Outstanding Natural Features and Landscapes.</i></p>

Reference	Submission	Relief Sought
	<p>actual landscape or feature, or areas in between individual ONFLs being mapped as outstanding for the reason that these areas provide continuity between features or protection of the feature itself. If it does not meet the criteria, it should not be identified as being outstanding.</p> <p>Mapping must be clear and certain. It is vital for landowners to have confidence where the boundaries are and be able to translate these from the map onto the ground, because there is a regulatory implication if they cannot.</p>	
NFL Objectives and Policies	<p>The District Plan needs to be clear that access is not available across private land unless with permission from the landowner, this is particularly important for ONFLs and the <i>Coastal Environment</i>. Policies that discuss public access seem to make the assumption that the coastal environment only runs along the beach strip, but actually it extends well back into private, terrestrial land.</p>	<p>7. NFL-O1 Federated Farmers supports Objective NFL-O1 that reads <i>The landscape values of Outstanding Natural Features and Landscapes are protected from inappropriate subdivision, land use, and development</i>, as being consistent with Section 6(b) of the RMA, we particularly support the focus on only <i>inappropriate</i> development, rather than protection from all development (such as farming where this land use already occurs.)</p> <p>8. NFL-P2 Federated Farmers submits that Policy NFL-P2 is amended to read <i>Allow for customary harvesting by Mana Whenua within <u>Crown-owned</u> Outstanding Natural Features and Landscapes in accordance with tikanga Māori</i> for the reason that access over private property is only at the permission of the landowner and the District Plan must not assume access over private property.</p> <p>9. NFL-P4 (1) Federated Farmers submits that Policy NFL-P4 includes an additional of clause within article 1 to allow for</p>

Reference	Submission	Relief Sought
		<p>vegetation removal around powerlines (both public and private) to meet Electricity (Hazards from Trees) Regulations 2003.</p> <p>10. NFL-P4 (2) Federated Farmers supports article 2 of Policy NFL-P4.</p> <p>11. NFL-P4 (3) Federated Farmers submits that the activities listed in article (1) also apply to indigenous vegetation removal in ONFLs in the Coastal Environment, because the maintenance of safety (such as around buildings or existing access tracks) and the clearance for new activities (such as beehives and new tracks) will also need to occur within the coastal areas of an ONFL.</p> <p>12. NFL-P5 Federated Farmers supports Policy NFL-P5 Article 2 which provides for existing activities associated with farming to continue, and consequentially we seek that existing farming land use is acknowledged in Schedule 4 to ensure that there is a link between this policy.</p> <p>13. NFL-P6 Federated Farmers seeks an additional clause in Policy NFL-P6 for new activities where they are consistent with underlying zoning (such as the rural zone) and with existing land uses (such as farming.)</p>

Reference	Submission	Relief Sought	
SCHED4 - Outstanding Natural Features and Landscapes	<p>Federated Farmers submits that the ONFLs in Schedule 4 meet most of the criteria, that land ownership is noted as either private or Crown, and actively farmed areas are excluded from ONFL classification, and existing land uses that are occurring on each ONFL noted in the Schedule.</p> <p>Criteria. Federated Farmers supports the use of criteria to ensure that identification has a robust process and is not arbitrary. Most of the criteria should be met before a site is classified as an ONFL. Some of the criteria on their own will not be robust enough. Listing what criteria the ONFL meets will be important when assessing if a proposed activity is consistent with the ONFL values and can be considered appropriate.</p> <p>Land ownership. The draft schedule lists four Outstanding Natural Features, all of which are contained within the Greater Wellington Regional Council's East Harbour Regional Park, or as a Department of Conservation Scientific Reserve. There is no mention in the schedule if these ONFs also occur over private property.</p> <p>Where these ONFs are inside Crown land, Federated Farmers supports these features as meeting Section 6(c) matters and deserving of protection.</p> <p>Federated Farmers hopes the boundaries of these ONFs are consistent with the boundaries of the Crown property they are associated with, and that they are not classified over any private property.</p>	<p>14. That Schedule 4 for Outstanding Natural Features and Landscapes includes the following information for each ONFL:</p> <ul style="list-style-type: none">• What criteria the ONFL meets;• What land uses are currently present on the ONFL, particularly if primary production land use is present.• What the land ownership consists of: either fully within Crown land or privately owned.• Whether or not the site is available for public access. <p>15. That ONFL boundaries and information are adjusted according to landowner submissions, and actively farmed areas are removed out of ONFL classification.</p> <p>16. That the boundaries of the following ONFs are limited to crown-owned land and do not cross over to private property:</p> <ul style="list-style-type: none">• Turakirae Head ONF• Baring Head/Ōrua-pouanui ONF• Parangārahu Lakes ONF• (Lake Kohangapiripiri and Lake Kohangatera)• Mākaro /Ward Island ONF	
	Outstanding Natural Feature	Landowners	
	Turakirae Head ONF	The headland is protected as a Department of Conservation Scientific Reserve.	

Reference	Submission		Relief Sought		
	Baring Head/Ōrua-pouanui ONF	Greater Wellington Regional Council’s East Harbour Regional Park.			
	Parangārahu Lakes ONF (Lake Kohangapiripiri and Lake Kohangatera)	The Parangārahu Lakes are protected and managed along with Pencarrow Head/Te Rae-akiaki as both a Department of Conservation Reserve and as a part of Greater Wellington Regional Council's East Harbour Regional Park.			
	Mākaro /Ward Island ONF	The island is designated as a Department of Conservation scientific reserve			
	The schedule lists three Outstanding Natural Landscapes. The South Coast and Remutaka Range ONLs are not exclusively in Crown ownership, meaning that the classification and regulations will affect private property.				
	<table><tr><th>Outstanding Natural Landscape</th><th>Landowners</th></tr><tr><td>South Coast ONL</td><td>Partially within the East Harbour Regional Park, and partially over private property.</td></tr></table>	Outstanding Natural Landscape		Landowners	South Coast ONL
Outstanding Natural Landscape	Landowners				
South Coast ONL	Partially within the East Harbour Regional Park, and partially over private property.				

Reference	Submission		Relief Sought
	Matiu/Somes Island ONL	Department of Conservation scientific reserve	
	Remutaka Range ONL	Remutaka Forest Park and partially over private property.	
	<p>Federated Farmers submits that the Council carefully considers the submissions of individual landowners regarding ONFLs identified on their properties. Landowners have an intimate knowledge of their land and will be vital for ground-truthing ONFLs and ensuring boundaries are correct.</p> <p>Existing land uses must be acknowledged. Where private property is identified as an ONFL, the actively farmed areas must be excluded from ONFL classification. This will ensure that the actively farmed area can continue its current land use without undue hinderance, and it is likely that the natural factors of the ONFL values will be reduced in these areas anyway.</p> <p>The Schedule must acknowledge existing land uses that occur in ONFLs to ensure that any resource consents can be assessed as either appropriate or inappropriate with the character and of the landscape when an activity is being assessed against objectives and policies.</p> <p>A farm activity, such as an over-height farm implement shed, must not be viewed as being inappropriate when it is located in the rural zone on a working farm. Same with plantation or farm forestry, with the NES for Plantation Forestry 2017 requiring that no afforestation must occur on an ONFL, existing forestry must be acknowledged in the schedule as</p>		

Reference	Submission	Relief Sought
	being present. Primary production activities where there is already primary production land use occurring, must not be assessed as being a new activity, but instead as an appropriate continuation of an existing land use.	
Rule NFL-R2 Restoration and enhancement activities in Outstanding Natural Features and Landscapes	It is important that restoration and enhancement are permitted to ensure that there is no regulatory disincentive or hinderance to carry out these activities.	<p>17. NFL-R2.1 Federated Framers supports the permitted status and is pleased that pest and weed control is acknowledged in the District Plan as being an activity that enhances ONFLs.</p> <p>18. NFL-R2.1 Federated Farmers supports the permitted status of activities in accordance with QEII and other covenants.</p>
Rule NFL-R3.1 Indigenous vegetation removal in Outstanding Natural Features and Landscapes	<p>Federated Farmers supports the range for indigenous vegetation clearance activities that can occur as permitted in NFL-R3.1.</p> <p>However further activities need to be included as permitted in Rule NFL-R3:</p> <ul style="list-style-type: none"> • Clearance to maintain and protect electricity supply as required by the Electricity (Hazards from Trees) Regulations 2003. Private landowners must be allowed to maintain their electricity supply on their own property. Where a powerline branches off the distribution line to supply a private house, it is the landowner's responsibility to maintain their own line. • Clearance to maintain existing pasture must also be permitted. Scattered indigenous vegetation such as manuka, kanuka and toitoi can start to grow and because they are not palatable to livestock can become established and be detrimental to 	<p>19. NFL-R3.1 Federated Farmers seeks that permitted rule NFL-R3.1 also applies to the Coastal Environment.</p> <p>20. NFL-R3.1 Federated Farmers seeks clearance to meet the Electricity (Hazards from Trees) Regulations 2003 is also included as a permitted activity. Private landowners as well as electricity providers will need to carry out clearance to secure their supply.</p> <p>21. NFL-R3.1 Federated Farmers seeks that maintenance of existing farm tracks and fences, as well as clearance for new, is provided for as permitted in clause (viii)</p> <p>22. NFL-R3.1 Federated Farmers seeks a new clause for the clearance of scattered indigenous vegetation to maintain existing productive pasture be permitted.</p>

Reference	Submission	Relief Sought
	<p>pasture. Removing scattered specimens from pasture will not have adverse effects on the ONFL values.</p> <p>Federated Farmers opposes the standards in NFL-S1 applying to the permitted activities in NFL-R3.1, because the area thresholds of 100m2 and 200m2 are much too small for the activities to be carried out as permitted.</p>	<p>23. NFL-R3.1 Federated Farmers seeks that the standards in NFL-S1 do not apply to the permitted activities in NFL-R3.1, because the area standards of 100m2 and 200m2 are much too small for the activities to be carried out as permitted.</p>
<p>Rule NFL-R3.4</p> <p>Indigenous vegetation removal in Outstanding Natural Features and Landscapes</p>	<p>Federated Farmers opposes the restricted discretionary status of any form of indigenous vegetation clearance within the Coastal Environment. This status incorrectly assumes that the vegetation is vital to the natural character, and that the clearance is an inappropriate activity.</p> <p>The indigenous vegetation will not always be vital to natural character of the Coastal Environment, and its removal will not always compromise natural character preservation as required by RMA Section 6(a). Likewise, the vegetation will not always have RMA Section 6(c) significance. The Restricted Discretionary status makes an assumption that any indigenous vegetation is upholding natural character and significance.</p> <p>There will be many activities where clearance of indigenous vegetation in the Coastal Environment is necessary for people and communities to provide for their wellbeing and health and safety. The list of permitted activities like clearance to maintain the safe use of buildings, fences, electricity powerlines, tracks and roads, will also apply to the Coastal Environment as well as to the wider ONFL, and must be considered appropriate and therefore permitted.</p>	<p>24. NFL-R3.4 Federated Farmers seeks that the list of permitted activities in NFL-R3.1 also applies to the Coastal Environment, because the acknowledgement that these safety activities need to occur as permitted within the ONFL will also apply to the Coastal Environment, in order to allow people and their communities to provide for their wellbeing, health and safety.</p>

Reference	Submission	Relief Sought
<p>Rule NFL-R4</p> <p>New land use activities in Outstanding Natural Features and Landscapes</p>	<p>Federated Farmers supports NFL-R4.1(b) that permits activities in ONFLs, where that activity is a permitted activity in the underlying zone. This ensures that farming activities in the rural zone remain permitted in an ONFL.</p> <p>However, this same clause must also apply to the Coastal Environment, to ensure that changes to existing farming land uses remain permitted. Federated Farmers is concerned that changes within farming will be considered a new activity, such as a change between types of livestock and not be permitted.</p> <p>Rules that aim to protect ONLs should only restrict <i>inappropriate</i> activities and enable appropriate ones to be consistent with Section 6(a) and 6(b) of the RMA. If a farm is identified in the Coastal Environment and in an ONL then it makes sense that the existing farming activities are allowed to continue, as they must contribute to the values of the landscape.</p> <p>Requiring a resource consent for land use activities that are consistent with the existing land use</p> <p>Federated Farmers supports the permitted status of vegetation clearance for new farm tracks and fences. ONLs are large-scale landscapes with hilly and mountainous terrain, exactly the terrain that needs tracks. Farmers must provide safe vehicle tracks for their employees, in order to meet their health and safety obligations. Many councils have new earthworks within standards as a permitted activity in an ONL. The 2.5m cut-fill face standard could be applied to a permitted activity rather than a controlled activity.</p>	<p>25. NFL-R4.1 Federated Farmers seeks that NFL-R4.1 is amended so that new land use activities within the Coastal Environment in an ONFL are also permitted.</p>

Reference	Submission	Relief Sought
Rule NFL-R7 New farming fences in Outstanding Natural Features and Landscapes	Fences must be permitted within ONLs where these are identified over farms. It is highly likely that new fences will be built within ONLs as farmers are meeting their stock exclusion obligations or voluntarily retiring land. Federated Farmers asks why fencing is restricted to post and wire only as a permitted activity. Post and rail fences will be necessary where these form yards, races, or even around farm buildings. These examples of post and rail fences will be consistent with the existing farmland use and must also be permitted. It is unnecessary to have restricted discretionary status for these activities.	26. NFL-R7 Federated Farmers supports the permitted status of fences in ONFLs, although the restriction to only post and wire is unnecessary. Post and rail fences will not impact ONFL values where these are identified over farms and must also be permitted.
Rule NFL-R8 Additions to existing buildings and structures in Outstanding Natural Features and Landscapes Rule NFL-R9 New buildings and structures in Outstanding Natural Features and Landscapes	Federated Farmers supports the permitted status of additions to buildings and structures in ONLs. Permitted status for new buildings that are associated with an established land use, such as new farm building on land used for farming, is also supported.	27. NFL-R8 Additions to existing buildings and structures and new buildings and structures that are associated with an existing lawfully established land use, have permitted status.
Standard NFL-S1 Indigenous vegetation removal in Outstanding	It is unclear how the area limits in NFL-S1 interact with the activity-based rule in NFL-R3. It appears that the activity-based NFL-R3 does not impose area limits on clearance when it is for one of the listed activities, yet the area thresholds in NFL-S1 are too small for most of the listed activities to	28. NFL-S1 Federated Farmers submits that the area limits in NFL-S1 do not apply to the Rule NFL-R3, because the 100m2 and 200m2 standards are too small for the necessary activities listed in NFL-R3 to occur as permitted.

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Natural Features and Landscapes	comply as permitted, for example 200m ² limit in NFL-S1 is much too small for a farm or walking track.	29. Federated Farmers also seeks that the coastal environment has the same area standards as the ONFL standards.
Standard NFL-S2 New buildings and structures and additions to existing buildings and structures in Outstanding Natural Features and Landscapes	<p>50m² is much too small for a useful and functional farm building. Can a landowner save several years of allowance and build a bigger shed? Even a basic small two-bay shed with bays 4.5m wide and 6m deep will be 54m² and need resource consent. These sheds will be necessary to store hay, such as animal shelters, park farm vehicles and equipment. This four-bay shed will be 18m long and 6m deep and is not an out-of-the-ordinary shed but will need resource consent for both the floor area and the height.</p>  <p>2 / 60 4 Bay Lean-to Depth: 9m Height: 6.6 - 6.0m</p> <p>The underlying zone floor area standards will be sufficient to maintain the values of the ONFL where it occurs over the rural zone and is used for farming purposes. This means that the buildings will be consistent with the existing landscape values, which will include existing farming. This standard highlights the problem with identifying working farm areas as</p>	<p>30. NFL-S2 Federated Farmers submits that the same Rural Zone floor area limits for buildings apply to farm buildings within ONFLs.</p>

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	ONFLs, as it will hinder the working aspect of a land use that is already occurring.	
SASM – Sites and Areas of Significance to Māori		
Policy SASM-P1	Federated Farmers submits that identification of SASMs is by using criteria, similar to the ONFL identification process.	31. That Policy SASM-P1 is amended to read: <i>Identify sites and areas of significance to Māori <u>using criteria</u> with tangata whenua and in accordance with tikanga Māori.</i>
Policy SASM-P3	Federated Farmers supports the method of categorising SASMs into three categories which recognises and provides for the differing levels of significance of the site/area and manages these according to risk and the sensitivity of the SASM to other activities. Support is given for the protection of Category 1 SASMs from inappropriate subdivision use and development as consistent with Section 6(f) of the RMA.	32. That Policy SASM-P3 is retained.
Policy SASM-P4	Federated Farmers supports the method of categorising SASMs into three categories which recognises and provides for the differing levels of significance of the site/area and manages these according to risk and the sensitivity of the SASM to other activities. Support is given for the avoidance, remediation and mitigation of adverse effects on Category 2 SASMs.	33. That Policy SASM-P4 is retained.
Policy SASM-P5	Federated Farmers supports the method of categorising SASMs into three categories which recognises and provides for the differing levels of	34. That Policy SASM-P5 is retained.

Reference	Submission	Relief Sought						
	<p>significance of the site/area and manages these according to risk and the sensitivity of the SASM to other activities.</p> <p>Support is given for the acknowledgement of Category 3 SASMs.</p>							
Policy SASM-P6	<p>Federated Farmers submits that access to SASMs over private property is at the landowner’s permission. This is an opportunity for tangata whenua and landowners to develop a close and mutually beneficial relationship. Landowners will prefer a direct relationship with local tangata whenua people, and we have heard of very positive relationships where both parties have an interest in an area of land and have negotiated directly with outcomes that suit both.</p> <p>Federated Farmers submits that two policies are provided for tangata whenua access to their sites and areas of significance: one policy enabling access over Crown land; and a second policy facilitating the relationship between tanagata whenua and landowners in order to encourage an access agreement.</p> <p>This relationship will be necessary for policy SASM-P9(1).</p>	<p>35. That policy SASM-P6 is split into two policies that discuss tanagata whenua access to SASMs that occur on Crown land, and SASMs on private land:</p> <p><i>Enable tangata whenua to carry out tikanga Māori (including mahinga kai) within sites and areas of significance to Māori that are located on Crown land.</i></p> <p><u>Facilitate relationships between tangata whenua and landowners to encourage access to Sites of Significance to Maori where these are located on private property.</u></p>						
Rule SASM-R4	<p>Federated Farmers submits that the R4 rule cascade separates Category 2 from Category 1 SASMs. Category 1 SASMs have a unique policy approach in that they are to be protected, and Category 2 SASMs are to have adverse effects upon them avoided, remedied or mitigated. Yet in Rule SASM-R4 Cat1 and Cat2 SASMS are treated the same, when they should be differentiated.</p> <p>Rule SASM-R4 must be similar to Rule SASM-R2 for land disturbance, which has a rule cascade with permitted status for Category 3, permitted status with SASM-S1 compliance for Category 2, and permitted status</p>	<p>36. That additions, alterations or new buildings and structures for Category 2 SASMs have permitted status with compliance with SASM-S1:</p> <table><tr><td colspan="2"><i>SASM-R4 Additions, alterations or new buildings or structures within a Site or Area of Significance to Māori</i></td></tr><tr><td><i>SASM Category 3</i></td><td><i>1. Activity Status: Permitted</i></td></tr><tr><td><u><i>SASM Category 2</i></u></td><td><i>2. Activity status: Permitted</i></td></tr></table>	<i>SASM-R4 Additions, alterations or new buildings or structures within a Site or Area of Significance to Māori</i>		<i>SASM Category 3</i>	<i>1. Activity Status: Permitted</i>	<u><i>SASM Category 2</i></u>	<i>2. Activity status: Permitted</i>
<i>SASM-R4 Additions, alterations or new buildings or structures within a Site or Area of Significance to Māori</i>								
<i>SASM Category 3</i>	<i>1. Activity Status: Permitted</i>							
<u><i>SASM Category 2</i></u>	<i>2. Activity status: Permitted</i>							

Reference	Submission	Relief Sought	
	with conditions for Category 1, to recognise the policy approach for each category.		<p><u>Where:</u></p> <p>a. <u>Compliance is achieved with SASM-S1: <i>Accidental discovery protocol.</i></u></p>
		<p>SASM Category 1</p> <p>SASM Category 2</p>	<p>3. Activity status: permitted</p> <p><u>Where:</u></p> <p>a) The additions and alterations are for an existing residential activity,</p> <p>b) The new building or structure is less than 200m², and</p> <p>c) The addition or alteration to a building or structure are within an industrial/commercial zone and are less than 200m².</p>
Standard SASM-S1	Federated Farmers supports accidental discovery protocol, and we submit that a factsheet is developed with the protocol and key people contact details, and is provided to all landowners with a SASM on their property.	37. A factsheet is developed with the accidental discovery protocol and key people contact details, and provided to all landowners with a SASM on their property.	
SCHED6 - Sites and Areas of Significance to Māori	<p>Federated Farmers submits that the SASMs in Schedule 6 meet most of the criteria, that land ownership is noted as either private or Crown, and existing land uses that are occurring on SASMs are noted in the Schedule.</p> <p>Schedule 6 format: The table format of presenting ONFL information in Schedule 4 should also be used for SASM information in Schedule 6. The</p>	<p>38. That a table similar to that in Schedule 4 for ONFLs is also used to present the information in Schedule 6.</p> <p>39. Federated Farmers supports the categorisation of SASMs into three categories, and managed accordingly.</p>	

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	<p>table format is much easier to read and find individual sites and their categories, which is vital for determining what rules apply.</p> <p>Categorisation: Federated Farmers supports the categorisation of SASMs into three categories, which recognises and provides for the differing levels of significance of the site/area and manages these according to risk and the sensitivity of the SASM to other activities.</p> <p>Mapping: Federated Farmers submits that the sites are shown on the planning maps by category, so map users can see what category the site is and therefore what provisions apply.</p> <p>Criteria. Like our submission on ONFLs, Federated Farmers supports the use of criteria to ensure that identification has a robust process and is not arbitrary. Most of the criteria should be met before a site is classified as an SASM.</p> <p>Land ownership. The draft schedule is no mention in the schedule if these SASMs also occur over private property, which is important information when it comes to tangata whenua access to sites.</p> <p>Federated Farmers submits that the Council carefully considers the submissions of individual landowners regarding SASMs identified on their properties to ensure the boundaries are correct.</p> <p>Existing land uses must be acknowledged. Some SASMs cover large geographical areas, and where these occur over private property, it is likely that farming activities like grazing will be occurring.</p> <p>The Schedule must acknowledge existing land uses that occur in SASMs to ensure that any resource consents can be assessed as either</p>	<p>40. Federated Farmers submits that the Planning Maps show the SASMs by category.</p> <p>41. That Schedule 6 for Sites and Areas of Significance to Maori includes the following information for each SASM:</p> <ul style="list-style-type: none"> • What criteria the SASM meets; • What land uses are currently present on the SASM, particularly if primary production land use is present. • What the land ownership consists of: either fully within Crown land or privately owned. • Whether or not the site is available for public access. <p>42. That SASM boundaries and information are adjusted according to landowner submissions.</p>

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	appropriate or inappropriate with the character and of the landscape when an activity is being assessed against objectives and policies.	
PA- Public Access		
Objective PA-O1	<p>The District Plan must not override landowners right to grant or deny access over their private property. Landowners are understandably concerned that the public will assume that access is available over their private property to mapped ONFL sites and the Coastal Environment.</p> <p>The District Plan needs to be clear that access is not available across private land unless with permission from the landowner.</p> <p>Policy PA-P3 recognises that there will be circumstances where it is appropriate to restrict public access, the objective must also reflect this.</p> <p>.</p> <p>Members along the coast tell me that they already have issues with public coming onto their property without permission, and how they bring their dogs and leave rubbish behind. The District Plan should not exacerbate this problem.</p> <p>Federated Farmers recommends that the Central Hawkes Bay District Plan 2024 is looked to as a good example of a public access objective, as it reads: <i>Practical and safe public access to and along the margins of lakes and rivers and the coast is maintained and enhanced in a way that respects private property and does not result in adverse effects on natural character, landscape, indigenous biodiversity, historical heritage or cultural values.</i></p>	<p>43. Federated Farmers submits that Objective PA-O1 is amended to read:</p> <p><i>Public access to and along rivers, lakes, and the coastal marine area is maintained and enhanced <u>where appropriate, in a way that respects private property.</u></i></p>

Reference	Submission	Relief Sought
PA-O2 Managing adverse effects of public access	<p>This policy needs to include private property as a consideration of adverse effects arising from public access. As a group, farmers provide more public access across their private property than other landowners (such as residential or industrial), and are familiar with the adverse effects such as rubbish, weed incursions or nuisance effects on their homes and places of work. Weed incursions are a particular concern with Chilean Needle Grass and Yellow Bristle Grass now in the region, which can create significant damage to livestock welfare and pasture quality.</p>	<p>44. Federated Farmers submits that adverse effects of public access on private property is included as a matter in Policy PA-O2: <i>Public access to and along rivers, lakes, and the coastal marine area does not have a negative impact on <u>private property</u>, existing natural environment values, coastal environment values, historical and cultural values or public health and safety.</i></p>
Policy PA-P3	<p>Federated Farmers supports a policy that provides for circumstances where public access is not appropriate and needs to be restricted.</p> <p>We agree with the list of circumstances in article a) however the addition of private property must also be included.</p> <p>There is no general right of public access across private land. Owners of private land have the right of exclusive occupation and enjoyment of that land. This right is enforceable under the provisions of the Trespass Act 1980.</p> <p>The addition of private property in Policy PA-P3 will be relevant to landowners who may need resource consent under Rules NFL-R2.2 NFL-R4.2, NFL-R7.2, NFL-R8.2, NFL-R9.2, NFL-R9.3 where Policy PA-P3 is listed as a matter of discretion. Assessing public access opportunities will be unjustified when a haybarn is over the floor area or the fence is not post-and-wire. Landowners should not be required to defend their right to deny or grant access over their private land during a resource consent application that is not really related to the subject.</p>	<p>45. PA-P3 Federated Farmers seeks an additional clause in PA-P3.1 for private property as a matter where it is appropriate to restrict public access. Public access over private property is only at the landowner's permission and the District Plan must not compel public access.</p>

Reference	Submission	Relief Sought
EW- Earthworks		
Objective EW-O1 Earthworks	<p>The objective must be consistent with Section 5(2)(c) of the RMA which directs that adverse effects on the environment are to be avoided, remedied or mitigated. The term <i>minimises</i> must be replaced with <i>avoids, remedies, or mitigates</i> in order to be consistent and clear in direction on how adverse effects will be managed.</p> <p>Support is given for article 1 which directs earthworks to be consistent with the underlying zone, which will enable farming earthworks to be carried out in the rural zones.</p>	<p>46. Federated Farmers submits that the term <i>minimizes adverse effects</i> is replaced with <i>avoids, remedies or mitigates adverse effects</i> to be consistent with Section 4 of the RMA.</p> <p>47. Federated Farmers submits that article 1 is retained.</p>
Rule EW-R4 Earthworks for maintaining or constructing farming tracks	<p>Federated Farmers is pleased that farm tracks are a permitted activity. Farm tracks are necessary for farmers to provide for their own and worker safe passage across farm, as per Section 5(2) of the RMA. Farm tracks on farmland must be enabled by permitted status, otherwise farmers will be forced to compromise their safety.</p>	<p>48. Federated Farmers supports the permitted status of farm tracks.</p>
Rule EW-R6 Earthworks within Flood Hazard Overlays	<p>It is unclear to Federated Farmers how much rural zoned land is within the flood hazard overlays.</p> <p>Primary production is an appropriate activity within a flood area where soils are often fertile, and preferable to other land uses like residential or commercial/industrial. Farms within flood hazard overlays must not be restricted by earthworks standards that are intended for urban zones.</p>	<p>49. That farming earthworks are considered appropriate for flood hazard overlay areas, because they enable farming land use to occur and are low-risk compared to urban land uses and earthworks.</p>
Standard EW-S1 Area of earthworks	<p>Federated Farmers submits that the earthworks volume limit is increased to 2,000m² for rural zones, similar to other district plans, to enable normal farming activities.</p>	<p>50. That the earthworks volume limit for rural zones is increased to 2,000m² per 12 months.</p>

Reference	Submission	Relief Sought
Standard EW-S6 Earthworks for farming tracks	<p>Federated Farmers supports farm tracks not being limited by a volume, because of the narrow elongated form of tracking earthworks a volume limit is quickly consumed but would not cause the level of adverse effects on amenity nor sedimentation that a more expansive consolidated area of earthworks would.</p> <p>The cut-fill face limit needs to be practical to enable tracks on steep hillsides which is where safe passage is most needed for farm vehicles.</p>	<p>51. Federated Farmers submits that EW-S6 for farming tracks does not have a volume limit.</p> <p>52. Federated Farmers submits that the cut-fill face limit is increased to 3.5m to enable safe tracking on steep hillsides that make up the terrain of the rural zones in Hutt District.</p>
Standard EW-S9 Earthworks on Sites and in Areas of Significance to Māori	<p>Federated Farmers' opinion on Standard EW-S9 for Areas of Significance to Māori depends on how much privately-owned farmland is classified as of Significance to Māori. This is because the area limit of 50m² is much too small for normal farming activities to occur as permitted.</p> <p>The larger Areas of Significance mapped over Baring Head and Pencarrow Head appear to be confined to Crown-owned land which we would support. However, the Area of Significance mapped over Orongorongo Station and the lower reach of the Orongorongo River will mean that this farmer cannot carry out normal earthworks activities like clearing ground for fencing and maintaining tracks.</p> <p>Federated Farmers is unsure how much adverse effect normal farming earthworks will have on Māori values. Archaeological sites remain protected by the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA).</p>	<p>53. Federated Farmers submits that 50m² area limit is too small for normal farming activities, where Areas of Significance to Māori occur over privately-owned farm properties.</p>
Definition : Earthworks	<p>Support is given for this definition being consistent with the National Planning Standards, and the exclusion of cultivation and fence post holes.</p>	<p>54. Federated Farmers submits that the definition of earthworks is consistent with the National Planning Standards definition.</p>

Reference	Submission	Relief Sought
NOISE		
Noise chapter	Federated Farmers supports the 'Note' on application of noise rules clause (i) that rural activities including, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis in the Rural Zones, which are a permitted activity in the relevant Rural Zone, are exempt from the noise rules and standards.	55. That Rural activities including, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis in the Rural Zones, which are a permitted activity in the relevant Rural Zone, are exempt from Noise rules and standards.
SUBDIVISION		
New policy	We remind the Council that compensation is payable under Sections 237E.2 and 237F of the RMA. Landowners should not be compelled to gift land without compensation.	56. Add new policy: <u>Compensation will be payable for esplanades reserves and strips vested in accordance with Section 237E and 237F of the RMA, unless agreed otherwise.</u>
Policy SUB-P8 Esplanade requirements	<p>Federated Farmers submits in partial support of a policy that states that requirements for esplanade reserves and strips can be waived under certain circumstances.</p> <p>We submit that additional clauses are included for safety (eg where the site is industrial or a working farm) impractical (eg where the site has steep cliffs) or financial (eg if the Council does not have the resources to provide fair compensation.) Boundary adjustment subdivision should also not trigger the requirement to provide an esplanade.</p>	57. Federated Farmers submits that additional circumstances where esplanade reserves/strips may be waived in included in Policy SUB-P8 being for where public access will not be safe due to the adjoining land use or other factors like dangerous terrain, or where the Council does not have the financial resources to pay compensation required by RMA Sections 237E.2 and 237F, or where the subdivision is a boundary adjustment.

