

BEFORE THE HEARING PANEL

PROPOSED PLAN CHANGE 65

STATEMENT OF BRAEMOAR FARMS

Thank you for this opportunity to speak.

My name is James Moar and I have been a resident of the Pohangina/Ashhurst/Saddle Road area for all of my life. My family has farmed in this area for 130 years.

In 1990 my wife Jenny and I moved to our current farm on the Saddle Road. I am passionate about the land, and our farm provides our livelihood as well as being our home. At that time we thought we were moving to a quiet corner of New Zealand where we could enjoy our farm and make the most of its potential. Over time we have learned that we will be asked to share our land for the benefit of many others in the community in a way that not many other landowners in New Zealand have had to do.

In 1995 Meridian Energy approached us to use part of our farm for the Te Apiti Wind Farm. The process of investigations, construction and operation presented significant challenges to both our farming operation and to our way of life. We experienced significant disruption having to completely remove all our stock with one week's notice of construction commencing (a requirement not anticipated in the resource consent) and we now have electronically secured gates at the entrance to our property as people perceive our farm to be public land. We did however recognise that our property had the potential to provide a significant benefit for the wider community through the generation of wind power. We consider that we have worked constructively with Meridian over a period of many years and have been reasonable in considering its needs.

In 2017 our farm was once again required for a major infrastructure project when NZTA approached us to use a small part of our farm for the new Manawatu Tararua Highway. Once again this has been

a difficult and challenging process with uncertainty over the route, how construction would be managed and the areas required for access, laydown and other purposes. We have had to live with a high degree of uncertainty over what may happen however I believe we have always been constructive in our discussions with NZTA, recognising that the wider community needs a safe road alternative to the Manawatu Gorge. There is always some “give and take” – for example, we have now agreed to allow up to 400 vehicles per day use our driveway for access and parts of our land will be required for mitigation planting.

In addition, we note that close to our house is a site of significance to local iwi. We have an agreement with the iwi for access and on occasions there have been up to 600 people visit the site at a time. We are happy to work in with the iwi and appreciate the need to respect the cultural connections to this site, and the land more generally. We feel a similar cultural connection – this land is our home and we feel a duty of care to look after it.

It is important that the Commissioners appreciate the importance of the land to my wellbeing and that of my family. Those before me, and perhaps more importantly, those who will take care of the land and our farm after me. We appreciate we are part of a legacy, and every decision we make will impact the future of our children, and theirs. Our decisions are made with careful planning, communications and discussions, ultimately ending at a decision that is based on considerable debate and sound research.

Having regard to our relationship with infrastructure companies, iwi and also the internal decisions we make as a family about our farm, I hope that the Commissioners are able to appreciate that I am far from unreasonable and open to working with other parties.

Which leads me on to Plan Change 65.

Since learning our land was proposed by Manawatu District Council, to be identified as part of an Outstanding Natural Landscape, my family has been overwhelmed with unease. This process has

been unlike the infrastructure projects I have been involved in. These projects have involved considerable loss of land and change to our farming practices, yet they have left us less anxious.

As an affected landowner under Plan Change 65, the level of communication and information sharing by the Council has been well below what we would have considered as appropriate or fair, and certainly less than we have received in the past from Meridian and NZTA. Because of this, we feel Plan Change 65 more directly threatens our property rights, creates higher levels of permanent uncertainty and takes away future opportunities.

We understand that the proposed Outstanding Natural Landscape is intended to protect the special values of the Ruahine Ranges for the enjoyment of the community. Plan Change 65 offers that protection by removing or diminishing development opportunities or property rights on our land.

We are being told to give up those opportunities in order to provide a greater good. In addition, we are being asked to pay the same rates for land that has less potential, and to incur more costs in the event that we did wish to pursue a new land use.

In short, it feels that we are being made to personally pay to provide a community benefit. We have asked the district council to indicate if it intends to provide any incentives or rates relief to landowners such as ourselves. We have been advised that no consideration has been given to this.

The Ruahine Ranges

The landscape report prepared for Council describes the special values for the Ruahine Ranges using technical terms which we have read through. As life-long residents of the Manawatu we certainly appreciate the Ranges are an ever-present back-drop.

I refer to the One Plan summary of the qualities of the Ruahine Range (as recorded on page 10 of the Council's s32 Report Appendix 1) being "the skyline's aesthetic cohesion and continuity, its prominence throughout much of the Region and its backdrop vista". It refers to the Ruahine Ranges

Outstanding Landscape being in two parts – the Forest Park administered by DoC and then “the series of highest ridges and highest hilltops along the full extent of the Ruahine Ranges”.

We note that our land, when viewed from the Manawatu Plains cannot be seen. Its use for possible future activities would not therefore undermine the objective of maintaining the ridgelines and hilltops or the sense of naturalness that the Council wants to preserve. In our view, the use of our land for farming or for the erection of a modest and appropriately sited building does not in any way adversely impact how the Manawatu community may view the Ruahine Range.

We have been advised that other submitters may be seeking similar alterations to Plan Change 65 as us. That is, they would like their land excluded from the Outstanding Natural Landscape or have the ability to construct modest buildings. We would like the Commissioners to consider the circumstances of individual land owners such as ourselves; and to allow some development to still occur while meeting the requirements of the Horizons One Plan for the unobstructed ridgelines and hilltops. A blanket approach which treats the DoC land and individual land owners the same does not seem fair and it is not a one size fits all exercise.

We also appreciate that Council would not want to see our land unreasonably developed, perhaps by a large pine forest planting. We agree that these types of activities are not appropriate and would require resource consent. However, we do not consider it reasonable to take a hard line requiring resource consents for all activities, when the objective is to preserve the forested backdrop to the Plains and not all future land uses would affect that outcome.

We also note that our land is relatively inaccessible except for trampers, hunters or by quad bike. We do not agree that this small number of people who may enter or look into our land will be offended by farm activities or a modest building. We note that the site already has an accommodation hut, something that does not detract from the overall significance of the site.

Potential Uses of the Land

It is also important that Commissioners and Council understand that we have used the land that has been mapped as part of our stock rotation. We would note that this activity must be appropriate as it has not affected the landscape being identified as outstanding and still has high amenity values. We are concerned that the Plan Change rules do not provide us with the ability to continue this existing use and will restrict our ability to adapt in the future as farm practices change. One of the things we have learned over time is that it is the ability to diversify that has enabled our farm to continue to be viable, both economically and environmentally.

Balancing Landscape and Land Use

We are aware that landscape issues are controversial in many parts of New Zealand, and in particular where protected landscapes are imposed on farmers.

We note that Council has made a number of amendments to the Provisions as first proposed and we thank Council for this. We do however remain unsure about what farming practices we can undertake, as the Plan seems limited to grazing only.

Further to this, we note that Council has imposed a date of 7 February 2020 to limit what can be considered existing. We are unsure of the significance of the actual date and how this would work for farmers who operate stock rotations. For our land, February is a busy time with regard to recreational users and can also be seasonally challenging for farmers. There may be many farmers who chose to retire their land for a number of months in consideration of factors like these. Other considerations may include concerns regarding pest management activities from Regional Council or matters such as management of fire risk and health and safety obligations.

It seems that many decisions have been made without regard to how farming is actually undertaken. I understand that other districts, such as Selwyn and closer to home Rangitikei, there is a much more

permissive approach to existing activities and recognising the importance of farming in these landscapes.

Costs

I understand that Council is required to prepare a Section 32 report which records all the costs and benefits of its proposed rules; as well as considering alternatives.

In the Section 32 report there is a single line (page 26) noting that there are costs associated with meeting the new requirements where a resource consent is required.

Those costs fall directly on us and are not insignificant. To prepare a resource consent for an activity in an Outstanding Landscape would not be something that we would be able to prepare ourselves as we don't know the right language to use. We would therefore need to hire a planner and a landscape planner to prepare reports and represent us. At a minimum we would expect that to cost \$20,000 plus Council fees and costs. We understand that Council's will often engage their own landscape consultant to peer review the applicant's reports and that we would be expected to pay for that cost as well. We do not see much change out of \$30,000. We also understand that resource consents take considerable time to process and for a non-complying activity, such as Council is proposing, it can be highly uncertain. We have no assurance that Council will approve an application.

Whilst the Section 32 report appears to dismiss this cost as almost irrelevant, this is a significant amount of money to us and is fundamentally prohibitive. We do not think we could afford this.

Accordingly, the Council will get what it wants – which is nothing will happen on the land. But for us, we have lost the opportunity to diversify our income and to maintain a livelihood. This is extremely up-setting.

We have looked at the Selwyn District Council Section 32 report on landscape. That report records a much more comprehensive list of direct and indirect costs to landowners as follows.

- Potential loss of economic and employment opportunities due to uncertainty created by the resource consent process, as well as deterring new activities establishing.
- Rural activity may be impacted by the application of the Natural Features and Landscape chapter's provisions.
- Additional costs for building in the ONL areas.
- Cost to applicants of obtaining resource consent.
- Cost to the Council of processing applications and potentially requiring its own landscape assessments.
- Provisions may restrict some types of activity in the overlay areas, which may result in lost activity in the wider economy. Indirect costs: •
- Value of land in ONL's declines due to stringent controls and limits on activities.

The Manawatu District Council assessment fails to identify most of these costs. I think that the Selwyn District Council list of costs more accurately reflects our concerns.

We purchased this land for its potential and I paid a market price that reflected those opportunities. If the land no longer has the ability to be used for a reasonable or economically efficient activity then I am unclear if it is even saleable. In 2016 I had a conversation with DoC and asked if it would ever wish to purchase the land. DoC undertook an investigation and advised that the land did not have sufficiently high ecological/landscape values for it to have any interest. So on the one hand I have the Council telling me this land is significant and on the other hand DoC telling me it is not.

The Process

Finally, I wish to comment on Council's process. I understand that in other districts in New Zealand a much more consultative process is followed than has occurred in the Manawatu. We feel we have been informed, but not consulted.

In the Selwyn District Plan process the Section 32 report records that in addition to letters and meetings there were “site visits to assess landscape values and areas on the ground with landowners and managers”.

We invited Mr Hudson to view our property, but we note that the Council did not pro-actively seek to ground-truth or otherwise meet with landowners on site to discuss their issues. We note that Mr Hudson viewed our property from beyond its boundaries.

In the Marlborough District, the Council’s landscape planner records in the Section 42A Report “affected landowners were written to with the offer to attend a meeting as well as individual site visits to verify the existence (or otherwise) or extent of, landscape values on their land.” “The targeted engagement and site visits took place over all identified ONFL areas.” ...”As a result of this engagement, the extent of a number of ONFLS identified in the pre-consultation 2009 version of the Study were refined. No whole areas were deleted, however a few small areas were amended and/or added”. We understand that in other places, where Council visits a site there is a record of the visit and any changes made to the landscape boundary.

We would have liked such a process to have been followed in respect of our land.

In conclusion we would like to ask that Council reconsult with farmers and landowners on the Outstanding Natural Landscape provisions. We have been advised by Federated Farmers that it is possible Council could progress part of Plan Change 65 in relation to infrastructure and undertake more work with landowners on the mapping of the outstanding landscapes and matters such as earthworks. as part of another project to do with the Rural Zone. We would support this option.

Thank you and I am most happy to answer any questions.

