

**BEFORE INDEPENDANT HEARING COMMISSIONERS
APPOINTED BY THE TIMARU DISTRICT COUNCIL**

UNDER: the Resource Management Act 1991

IN THE MATTER OF: Submissions and further submissions
in relation to the Timaru Proposed
District Plan

**STATEMENT OF EVIDENCE OF MARK BRIAN CHAMBERLAIN
ON BEHALF OF WESTGARTH, CHAPMAN, BLACKLER ET AL
(SUBMITTER NO. 200)**

HEARING STREAM E2: CULTURAL VALUES

Dated: 23 January 2025

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INTRODUCTION

1. My full name is Mark Brian Chamberlain.
2. My property, Mansfield, is located at 85 Balfour Road, Hazelburn. It is a semi-intensive sheep and beef property, with finishing lambs and cattle, located in Totara Valley. My wife Jenny and I, in partnership with our family, have farmed Mansfield for over 30 years.
3. I am a member of the Limestone Group (*Westgarth, Chapman, Blackler et al.*) that made an original submission (submission no. 200) and further submissions (further submission no. 269) on parts of the Proposed Timaru District Plan (**Proposed Plan**) relating to Sites and Areas of Significance to Māori (**SASM**).
4. My evidence is provided in support of those submissions and covers:
 - (a) An overview of my property, its special features and our farming operation;
 - (b) My views on:
 - (i) Ms Whyte's recommended changes to the SASM provisions to address submitter concerns;
 - (ii) Additional changes to the SASM provisions required to address the concerns of the Limestone Group.

SUMMARY OF EVIDENCE

5. We have always felt privileged to have rock art on our property, although now we are starting to realise that they could be a liability due to restrictions that would be imposed on the use of our property in the future if the SASM rules in the Proposed Plan when notified were to be retained, or if future changes to the district plan's SASM rules were made.
6. In the past we have worked closely with the Māori Rock Art Trust and allowed them to have unlimited access to the rock art sites to help with the establishment of the Rock Art Centre. We sought and have followed all their advice regarding the care of the drawings and management of our farming activities around them. We could have provided useful input into the SASM

mapping exercise undertaken as part of the planning process and are surprised that we were not consulted and no site visits were made by those who developed the SASM overlays and the related planning provisions that were included in the Proposed Plan.

7. I largely support the changes to the Proposed Plan's SASM provisions that have been recommended by Ms Whyte. However, based on the advice we have received from the Māori Rock Art Trust in the past, I consider that a 10m mapped SASM buffer area around the rock art sites would be sufficient to manage the negative effects of most activities on those sites, rather than the 250m buffer proposed by Ms Whyte. I appreciate that there are some activities, such as irrigation, large-scale earthworks or other land disturbance activities, that would have a direct impact on the sites at a distance of 10m. However, such activities could be required to have a larger set back e.g. 50m further from the rock art sites.
8. Reducing the setback from the rock art sites would ensure that resource consent is only required for activities that could affect those sites and minimises this risk to us arising from future plan changes introducing new rules that would place more restrictions on activities in the SASM overlay.
9. I ask that the Hearings Panel make sensible, realistic decisions for the good of all involved, and to afford appropriate and evidence-based protection to the rock art sites in the Timaru District.

BACKGROUND

Features of Mansfield and our farming operation

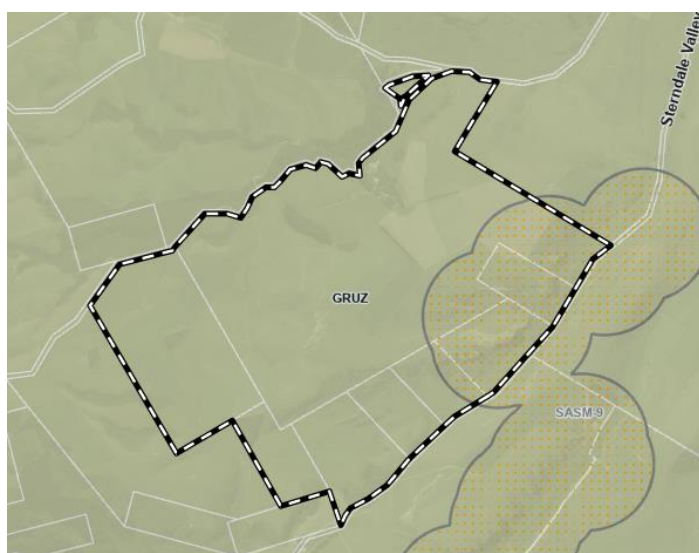
10. Mansfield has many special features including significant natural areas, Māori rock art, and historic limestone buildings. We are proud to have and look after these special features on our property. We consider ourselves to be guardians of the land.
11. I started farming by leasing a property at the age of 21, in 1981. I bought my first block of land 5 years later and then have scaled up since to the farm we have now.
12. Jenny and I have achieved our goal of farm ownership through hard work and determination. Along the way we have been loyal supporters of Silver

Fern Farms, and we were awarded Lamb Supplier of the Year (Northern South Island) in 2018. We were finalists again in 2024.

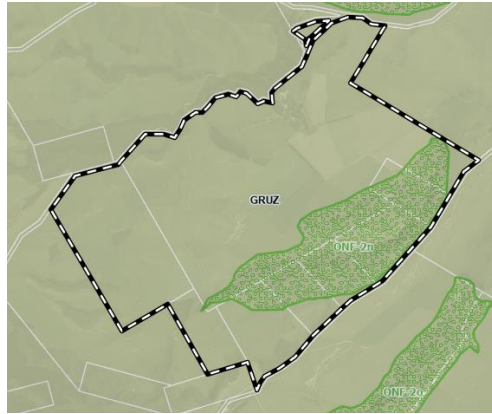
13. In late 2023 we completed a Farm Environment Plan (**FEP**) addressing environmental issues on our farm. Last year, we were accredited with NZ FAP+ to a silver standard. This is a higher-level voluntary sustainability standard that provides assurances of traceability, food safety, and animal health and welfare. This year, we are working towards a gold standard, which involves meeting more stringent environmental standards.
14. We have always farmed in a sustainable manner (sometimes to the detriment of total production) to protect the biodiversity and landscape values of the farm. We have always maintained and protected the historic buildings and Māori Rock Art on our property through the likes of repairs and maintenance of the buildings, and observing setbacks from the rock art sites.


Planning overlays affecting our property

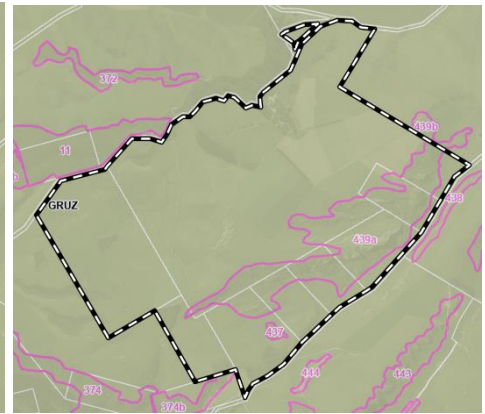
15. Our property is partly subject to SASM-9, Wāhi Tapu - Opihi Rock Art Sites, as shown below:




16. The SASM overlay area covers the best part of our farm.
17. There is also a large area on our property that the Proposed Plan classifies as a Significant Natural Area (**SNA**) and Outstanding Natural Feature (**ONF**) (shown below).

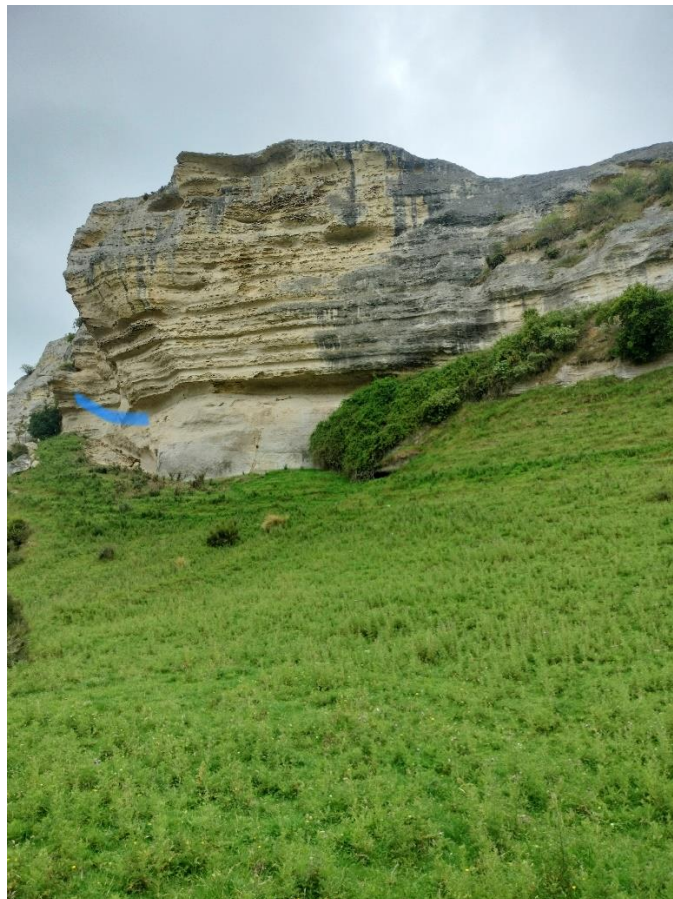


 ONF-2n: Glen Hays



 SNA-437 and SNA-439a

18. The rock art is located at the bottom of limestone bluffs, as shown in the photograph below.



19. The SASM overlay is located in the same mapped area as the SNA and ONF, which are located at the top of the limestone cliff, but is approximately 150 feet below those areas. The overlay comprises setbacks around two circles of SASM overlay; one in a cliff beside a road and the other near a

gully on our farm. The SASM overlay extends into our neighbour's property, and across a public road.

20. The areas of the farm containing the rock art sites are picturesque, which is partly due to our efforts over the years we have owned the property to maintain and enhance the natural landscape. This area of limestone on our property has been used in the past for events such as local Lions Club fundraising, wedding photography, horse treks, etc. During these events, we have always ensured that an appropriate setback from the rock art has been observed, whilst allowing ourselves and other people we have invited onto our property to enjoy the beauty of the landscape.
21. We have always had a willingness to cooperate with interested parties in managing the sites, but this willingness has now been severely diminished due to the bombshell of the Proposed Plan that was dropped on us. Our goodwill will diminish further if the proposed mapping comes to fruition.

OFFICERS REPORT

22. In preparing my evidence, I have reviewed Ms Whyte's report and recommendations to address concerns raised by submitters.
23. I generally support the revisions Ms Whyte has recommended in relation to the SASM provisions in the Proposed Plan, but still hold concerns about the way in which SASM were mapped on our property and the absence of any consultation with us prior to the Proposed Plan being notified.
24. I address these concerns in more detail below.

Mapping of SASM

25. My key concern is with the way the SASM have been mapped on our property. I consider Ms Whyte's recommended 250m setback for the SASM overlay affecting our property to be too extensive and unnecessary to protect the rock art sites.
26. Totara Valley is a reasonably intensively farmed area, and within a 250m area, there are large amounts of land suitable for land use change in the future. The SASM overlay as proposed severely restricts our options for the future and has a negative effect on our land values. We also consider that

such an extensive overlay does not protect the rock art any more than it is protected now. The Proposed Plan should not require resource consent for activities that will not have a negative effect on rock art sites.

27. I understand that our existing farming activities are protected by existing use rights. However, I consider that existing use rights will only go so far. We have always felt privileged to have rock art on our property, although now we are starting to realise that they could be a liability due to restrictions that would be imposed on the use of our property in the future if the SASM rules in the Proposed Plan when notified were to be retained or future changes to the district plan's SASM rules were made.
28. In the past we have worked closely with the Māori Rock Art Trust and allowed them to have unlimited access to the rock art sites to help with the establishment of the Rock Art Centre. We sought and have followed all their advice regarding the care of the drawings and management of our farming activities around them.
29. Based on the advice we have received from the Māori Rock Art Trust in the past, I consider that a 10m mapped SASM buffer area around the rock art sites would be sufficient to manage the negative effects of most activities on those sites. I appreciate that there are some activities, such as irrigation, large-scale earthworks or other land disturbance activities, that would have a direct impact on the sites at a distance of 10m. However, such activities could be required to have a larger set back e.g. 50m further from the Rock Art sites.
30. Reducing the setback from the rock art sites minimises this risk to us arising from future plan changes introducing new rules that would place more restrictions on activities in the SASM overlay.

Consultation

31. I feel strongly that the lack of consultation with the landowners from the beginning of the District Plan Review process has been a major problem, especially as the SASM rules in the Proposed Plan took effect on notification. Mr Hart has addressed this issue in detail in his evidence for this hearing.

Temporary Events

32. I did have a concern about how a temporary event, such as a family wedding, in the SASM-9, ONF, and SNA areas of my property would have required a resource consent. However, my concern in this regard is addressed in the revisions to SASM-R4 that have been proposed by Ms Whyte and in the District-Wide permitted activity rule TEMP-R3. I understand that together these rules permit those types of activities, which I support.

CONCLUSION

33. I ask that the Hearings Panel make sensible, realistic decisions for the good of all involved, and to afford appropriate and evidence-based protection to the rock art sites in the Timaru District.
34. This would include:
- (a) Amending the boundaries of the SASM overlays relating to Rock Art sites to provide a setback of 10m from those sites;
 - (b) Requiring large-scale earthworks or other land disturbance activities, which that would have a direct impact on Rock Art sites, to have a larger setback from those sites e.g. 50m; and
 - (c) Adopting the changes to the Proposed Plan's provisions for SASM recommended by Ms Whyte, subject to the additional changes outlined in the evidence of the Limestone Group's witnesses and legal submissions.

Mark Brian Chamberlain

23 January 2025