

# FEDERATED FARMERS NORTHLAND

## KAIPARA DISTRICT PLAN REVIEW



NORTHLAND

Federated Farmers is presenting our submission to the Hearing at  
**2:00PM ON WEDNESDAY, 7 JULY 2010**

The Hearing is taking place at the  
**COUNCIL CHAMBERS, 42 HOKIANGA ROAD, DARGAVILLE**

Members are invited to attend, so the Hearing Committee can see  
how their rules will affect real people out farming in the real world.

### KAIPARA DISTRICT PLAN REVIEW

#### What's in a District Plan?

District Plans are a tool to help district councils to carry out their responsibilities and functions of the Resource Management Act.

- Zones identify areas that have a particular function and what takes place there (e.g. rural zone, industrial zone, residential zone.)
- Objectives are aims and goals for each zone.
- Policies provide more detail on how to achieve an Objective.
- Rules limit what resource users in the district can do in that zone, and what activities may need a resource consent.

#### Landscape Overlays

The Overlays in the proposed District Plan are areas that have been classified as needing extra rules over and above the normal zones to protect amenity. These have been classified and mapped in the district plan as:

- East Coast,
- West Coast,
- Waterways,
- Kai Iwi Lakes and
- Harbours.

Federated Farmers is opposed to the protection of landscapes for amenity purposes when these are located within rural zoning and are used for farming activities. Subdivision rules and rural zones rules are all that is needed to help ensure that the rural landscape remains rural in character.

The Resource Management Act directs efforts towards protecting natural features and landscapes, rather than to landscapes that have derived their amenity values from human activities.

Federated Farmers considers that Overlay mapping should be removed from areas that have rural zoning. The same rules should apply through-out the rural zone, rather than having a different set of rules which are more stringent for rural areas that happen to have an Overlay.

#### "Chapter 18"

Chapter 18 was intended to deal with Landscape Character. However the Council decided to leave this chapter blank for the time being as it considered that economic growth and environmental well-being are more important aspects, and that resources and cost needed to develop this chapter outweighed the benefit to the community. The Council considered that it had the potential to compromise economic and environmental well being.

Many outstanding landscapes and features are already protected within Department of Conservation or Crown land, so the Council felt there was no need to proceed with Chapter 18 at this stage, but will look at it in the future.

Federated Farmers supports the Council in this matter, as a cost-benefit analysis has to demonstrate a real need for regulations.

#### Earthworks

Permitted Earthworks:

- Less than 2000m<sup>2</sup> in any hectare over 12 months in the Rural Zone
- Less than 1000m<sup>2</sup> in any hectare over 12 months in East Coast, West Coast and Harbours Overlays
- Less than 150m<sup>2</sup> in any hectare over 12 months in Kai Iwi Lakes and Waterways Overlays.

If you want to go over these limits, a resource consent will be needed. Federated Farmers considers that excavation and fill in the Rural zone for the purposes of maintenance of farm access tracks, farm drains and works associated with a Building Permit should also be permitted.

The rules for rural properties that are mapped with an overlay are stricter. Federated Farmers thinks that the same rule should be applied through-out the rural zone instead.

## Indigenous Vegetation Clearance

Permitted native vegetation clearance in the rural zone:

- Allowed up to 100m<sup>2</sup> on an alluvial plain or dunes
- 500m<sup>2</sup> on pakihi and gumland
- Everywhere else in the rural zone, up to 1 hectare, so long as the trees are less than 4m tall.

The native vegetation clearance rules for properties within an Overlay are more strict. If you want to clear over these limits, then a resource consent will be needed.

Federated Farmers requested the deletion of a catch-all rule which states that the clearance of indigenous vegetation needs a resource consent if it is over an area and height limit. This is because it would automatically provide more protection to any patch of bush over a certain area or height, regardless of the quality of this vegetation.

Federated Farmers thinks that the Council needs to apply more robust criteria when assessing significant indigenous vegetation rather than just a height and area provision.

Indigenous vegetation clearance is permitted for the purposes of maintaining buildings, structures, roads or tracks. Federated Farmers strongly supports these commonsense rules. Federated Farmers requested that fences should be explicitly included in the rules to provide more clarity for the reader.

Indigenous vegetation clearance is also permitted when it is the understory of a plantation forest and the activity is carried out as part of forestry operations. Federated Farmers strongly supports these rules. As plantation forests may only stand for a maximum of 30 years, any indigenous vegetation growth understory is of limited value. If forestry operations have to obtain resource consent for indigenous vegetation clearance it may discourage forestry landuse.

## Impermeable Surfaces

Permitted area of impermeable or sealed surfaces:

- Only allowed to cover 15% of any hectare with impermeable surface and buildings in the rural zone.
- In an Overlay, only allowed to cover 10%.

If you want to go over this limit, then a resource consent will be required. This rule doesn't take into account the overall size of a property.

Federated Farmers thinks this rule is impractical. Farm buildings such as dairy sheds or implement sheds, races, stand-off pads or feed pads are often located together for ease of access or site limitations, and can often be near dwellings. This means that impermeable surfaces can easily be concentrated within one hectare on a farm.

One of the reasons the Council included this rule in the proposed plan is because of the effects of stormwater run-off and increased flows downstream. Storm water run-off effects can easily be internalised within a farm. Increased stormwater

is not going to overload a reticulated system, as it might in an urban location, because farms have on-site disposal. Federated Farmers thinks this rule is not needed for rural areas.

## Setbacks from a Dwelling

300m setback needed from a dwelling and:

- Building or enclosure intended for housing livestock
- Intensive feed lot or feed storage area
- Intensive farming
- Dairying shed.

This rule is on a first in, first served basis. So when a new building is being constructed, it will be the one having to be setback 300m from existing activities. If you want to be closer than 300m, a resource consent will be needed. Federated Farmers thinks a 300m setback excessive. Many other districts only have a 100m or 150m setback.

Animal sheds often need to be located closer than 300 meters to a dwelling for the purposes of farmers' ease of access to livestock, and also site limitations could mean that the most practical building site is within one area on the property.

Effluent storage and irrigation may also need to be located closer than 300 metres to a dwelling with minimal adverse effects. This rule doesn't take into account whether a high pressure or a low pressure disposal system is being used.

Federated Farmers thinks that setbacks within a property are a matter for the resource user to consider, as they will be the only person affected by their own activities.

Federated Farmers asked for this rule to be changed so that the distance is reduced to 150m from a house on a separate property.

## Height of Buildings

New buildings are allowed to be up to 10m high without a resource consent.

Many submitters asked for the maximum height of buildings within an Overlay should be lower than in the general rural zone. Federated Farmers opposed this as the 10m height should not be reduced, and also because we consider that there is no need for a separate Overlay rule.

## Hazardous Substance Storage

Hazardous substances are already controlled by the Hazardous Substances and New Organisms Act 1996. Federated Farmers thinks that as hazardous substances are already controlled, then there is no need to have extra rules in the District Plan.

**Federated Farmers full submission is available on our website.**

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