

MEMBER ADVISORY

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NORTHLAND

LANDSCAPE PROTECTION IN KAIPARA

Federated Farmers is presenting our submission on Variation 1 to the Kaipara District Plan to the Hearing on

2PM ON TUESDAY, 29 NOVEMBER 2011

COUNCIL CHAMBERS, 42 HOKIANGA RD, DARGAVILLE

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

18 November 2011

Outstanding Natural Features and Landscapes and Visual Amenity Landscapes

The Council has mapped areas of special landscapes in Variation 1 to the District Plan that they have identified as requiring protection for inappropriate subdivision, use and development.

Two categories have been used:

- **Outstanding Natural Features and Landscapes (ONFLs)** These have been found by Council to have strong values around factors like natural science, memorability and naturalness, historical or Maori associations. There are 18 Features which are listed in the Chapter 18 text only, and 16 Landscapes which are shown on the maps and also listed.
- **Visual Amenity Landscapes (VALs)** These do not meet the criteria to be outstanding, but Council still feel that these landscapes have moderate scenic values that need protecting. 46 Visual Amenity Landscapes have been identified and shown on Appendix G maps.

Federated Farmers is concerned that ONFLs and VALs can occur on private property that is used for production. Mapping scale is so large that it is hard for land owners to work out if their property has been mapped, or where the boundary for the identified landscape is located and subsequently where the rules apply. This is vital information for landowners as it can mean the difference between a permitted activity or requiring a resource consent.

Earthworks Rules

More stringent limits for earthworks will apply in ONFLs than for the rural zone.

In Outstanding Landscapes, earthworks are limited to a volume of only 150m³ and an area of 150m² in a 12 month period before resource consent is needed. What's more, height/depth of earthworks can only go up to 2m over a continuous distance of 50m long, this will impact particularly on farm tracks across hills.

No earthworks at all are allowed on an Outstanding Natural Feature without a resource consent. VALs will have the same limits as the rural zone which is 5,000m³ per property per 12 months, but will have an extra assessment criterion if resource consent is needed.

Federated Farmers will be expressing our extreme concern at the Hearing that these earthworks rules will unfairly restrict farming, and would mean that time and resources of both the Council and farmers are being unproductively used on processing consents for normal farming practices. The rule may have been intended for large-scale developments but will instead capture farmers going about their business of farming.

Indigenous Vegetation Clearance Rules

Indigenous vegetation clearance is limited to 500m² before you need a resource consent and it is not clear if this is an annual limit or a per property limit or simply a threshold before you require resource consent anywhere in the district.

Federated Farmers will be telling the hearing panel that they seem to be confusing the protection of significant indigenous vegetation with the protection of outstanding natural landscapes, but these are two separate matters in the RMA. Even if there is indigenous vegetation growing on an ONFL this doesn't mean that it is good quality and needs extra protection, it may just be ring fern or toitoi regenerating in pasture, or manuka under pine forest. Farmers need to be able to clear indigenous vegetation for farming purposes.

Building Rules

The Council wants buildings in ONFLs that are over 8m high and 50m² floor area to get a resource consent.

Federated Farmers will be telling the hearing panel that even a standard 7m x 12m three-bay tin shed has a floor area of 84m² and would need a resource consent, this is clearly ridiculous if the ONFL has been mapped over a farm. Federated Farmers wants the floor area limit to be increased to 500m².

Contacts:

Please contact us if you have any questions.

Matt Long
Provincial President
Federated Farmers Northland
P 09 434 3370
M 027 272 3322
E matty.j.long@xtra.co.nz

Rhea Dasent
Regional Policy Advisor
Federated Farmers of New Zealand
P 0800 327 646
E rdasent@fedfarm.org.nz