

# SUBMISSION

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To: Kaipara District Council Hearing Committee  
Private Bag 1001  
Dargaville  
NORTHLAND 0340

Submission on: Proposed District Plan for Kaipara

Submission by: Federated Farmers of New Zealand (Northland Province)

Date: 30 June 2010

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Federated Farmers appreciates the opportunity to present our submission to the Hearing Committee on 7 July 2010. We acknowledge any submissions by individual members of Federated Farmers.

Representing Federated Farmers is Northland Provincial President Matthew Long, and Regional Policy Advisor Rhea Dasent.

This submission is representative of member views and reflect the fact that resource management and government decisions impact on our member's daily lives as farmers and members of local communities.

Primary production activities such as dairying and horticulture make significant contributions to the economic, social and cultural well-being of the Kaipara district. These activities also have a positive impact on the economic sustainability and continued viability of many of the district's towns such as Dargaville and Kaiwaka.

Federated Farmers believes that when undertaking a district plan review it is essential that Council take into account, and balance the economic, social, cultural and environmental considerations of any particular policy or provision.

#### **NOTES REGARDING STRUCTURE OF HEARING EVIDENCE**

- Federated Farmers has been assigned the reference number **174** for our original Submission, and **490** for our Further Submission.
- For clarity we have used the same numbering system as the Hearing Reports for our individual submission points. Where we refer to a Federated Farmers Further Submission, we indicate this by including **FS** in the numbering.
- Headings given in this Hearing Evidence relate to the relevant Hearing Report prepared for the Kaipara District Council by Beca Carter Hollings and Ferner Ltd.
- The Resource Management Act 1991 is referred to as the RMA throughout our Hearing Evidence.

## CHAPTER 4: OVERLAYS

Federated Farmers are opposed to the protection of landscapes using “Overlays” as a Section 6 matter when these are located within rural zoning and are used for farming activities.

Section 6 (b) of the Resource Management Act 1991 along with associated case law requires local authorities to recognise and provide for the protection of outstanding natural landscapes and features from inappropriate subdivision, development and use as a matter of national importance.

The Council has indicated in their Section 32 Report that Outstanding Natural Landscapes are already protected by being located within Department of Conservation or Crown-owned land, and are therefore not at risk of being adversely affected by inappropriate subdivision, use or development. This is one of the reasons why Chapter 18 has been deferred. Federated Farmers supports this decision.

However, landscapes which are considered to contribute to *amenity* values are afforded a lesser degree of statutory protection in that particular regard must be had to amenity values as per Section 7 (c) of the RMA.

The Overlay Areas seem to be intended to address amenity values as per Section 7 (c). The majority of these Overlay Areas derive their amenity values from human activity, mainly farming. They have also been zoned as Rural, which indicates that primary production activities occur here. These areas are not Outstanding Natural Landscapes or Features.

Federated Farmers considers that the Rural zoning, subdivision and development rules are in place to help ensure that the rural landscape remains rural in character. Therefore amenity values are already being maintained and enhanced by the Rural Zone provisions. Overlay Areas are unnecessary to have regard to Section 7(c) and should be deleted. Subsequently rules should be consistent and apply throughout the entire Rural Zone, there is no need for separate Overlay Area rules.

This submission point appears to have been omitted from the Summary of Submissions and although Federated Farmers brought this to the Council’s attention in our Further Submission, it appears that there remains no Hearing Report recommendation.

### Relief Sought:

- That Overlay Areas are removed from areas with Rural Zoning that are used for primary production.

**FS 9** Relief Sought by Submitter:

Submission 135/27 sought new objectives in the Overlays Chapter.

Summary of reasons for this submission:

Federated Farmers opposes submission 135/27 because further objectives are unnecessary as the values the submitter sought to address are already provided for in the existing Objectives.

The Hearing Report recommends that submission 135/27 be rejected. Federated Farmers supports this recommendation.

Relief Sought:

- That submission 135/27 be rejected.

**FS 10** Relief Sought by Submitter:

Submission 137/14 sought to clarify Objective 4.4.2 in that public access is to the coastal marine area, and not to the entire West Coast Overlay as a whole.

Summary of reasons for this submission:

Federated Farmers supports submission 137/14 in that Section 6(d) of the RMA requires the maintenance and enhancement of public access to the coastal marine area. Federated Farmers does not support access over private property without the landowners express permission.

The Hearing Report recommends that submission 137/14 be accepted in part, and Objective 4.4.2 be amended accordingly.

Relief Sought:

- That submission 137/14 be accepted.

**FS 11** Relief Sought by Submitter:

The relief sought by submission 135/29 to Objective 4.4.3 was to replace the word *enable* with *ensure*, deleting the words *where such use and development*, and replacing the word *recognising* with *protecting* to provide greater direction.

Summary of reasons for this submission:

Federated Farmers opposes submission 135/29 in that the terms currently used are consistent with RMA principles of enabling. The use of the word *protecting* with regards to amenity values is inconsistent with Section 7(c) and would in fact elevate amenity over the status it is given in the RMA.

The Hearing Report recommends that submission 135/29 be accepted in part, but does not amend the Objective according to the relief sought.

Relief Sought:

- That submission 135/29 be rejected.

**FS 12** Relief Sought by Submitter:

The relief sought by submission 135/30 to Objective 4.4.8 was that the word *enabling* be replaced with *controlling*.

Summary of reasons for this submission:

Federated Farmers opposes submission 135/30 because the term *control* is too restrictive. The term *enable* is consistent with the purpose of the RMA.

The Hearing Report recommends that submission 135/30 be rejected. Federated Farmers supports this recommendation.

Relief Sought:

- That submission 135/30 be rejected.

**FS 13** Relief Sought by Submitter:

The relief sought by submission 116/9 to Objective 4.4.8 was that the enabling provision be deleted.

Summary of reasons for this submission:

Federated Farmers opposes submission 116/9 in that the term *enable* is consistent with the purpose of the RMA. Visual and amenity impacts are already provided for under the maxim to reduce adverse effects.

The Hearing Report recommends that submission 116/9 be rejected. Federated Farmers supports this recommendation.

Relief Sought:

- That submission 116/9 be rejected.

**FS 14** Relief Sought by Submitter:

The relief sought by submission 427/7 to Objective 4.4.8 was that the enabling provision be deleted.

Summary of reasons for this submission:

Federated Farmers opposes submission 427/7 in that the term *enable* is consistent with the purpose of the RMA. Visual and amenity impacts are already provided for under the maxim to reduce adverse effects.

The Hearing Report recommends that submission 427/7 be rejected. Federated Farmers supports this recommendation.

Relief Sought:

- That submission 427/7 be rejected.

1 Provision in the proposed district plan:

**Policy 4.5.1** states

*By avoiding locating those activities which have the potential to discharge contaminants and adversely impact on sensitive environments within the West Coast Overlay.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the location of the activity itself. Some activities are small in scale which would mean that adverse effects are minor, such as storage of animal health products, or weed spraying. Some properties are completely within the West Coast overlay so aiming to avoid location of certain activities in the overlay would be impractical for some property owners. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities near all definitions of sensitive environments.

Further Submission 465/41 opposes our relief sought, because the Regional Policy Statement clearly identifies circumstances where the policy preference is to avoid adverse effects.

Federated Farmers refers to Water Quality Objective 17.3.3 of the Regional Policy Statement which seeks to avoid, remedy or mitigate adverse effects of discharges on cultural values of water. Water Quality Policy 17.4(e) seeks to avoid, remedy or mitigate adverse effects of unauthorised discharges. The RPS allows for more than just *avoidance* of effects on sensitive environments. Federated Farmers notes that Coastal Management Policy 22.4(a) 2(a) of the Regional Policy Statement does in fact seek to avoid effects on the natural character of the coastal environment, however the policy also states that where avoidance is not practical, then councils will have regard to remediation and mitigation. Federated Farmers therefore considers that Policy 4.5.1 of the District Plan should provide for the remediation or mitigation of adverse effects, and will retain consistency with the Regional Policy Statement.

The Hearing Report recommends that submission 174/1 be accepted in part, and that Policy 4.5.1 is amended with the addition of the words *remedying or mitigating the adverse effects*. Federated Farmers supports this recommendation.

However we still consider that the focus of location of activities should be removed from the Policy. Focusing on location only is too constrained, and could unnecessarily restrict this aspect rather than the adverse effects themselves.

Relief Sought:

- That Policy 4.5.1 is amended to read

*By avoiding, **remedying or mitigating the adverse effects of** ~~locating~~ activities which have the potential to discharge contaminants and adversely impact on sensitive environments within the West Coast Overlay, or words to this effect.*

2 Provision in the proposed district plan:

**Policy 4.5.2** states

*By requiring activities to be developed, sited, designed and operated so as to avoid discharges and effects which could adversely affect the natural environment, particularly sensitive receiving environments in the West Coast Overlay.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the development, site or operation of the activity itself. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities near all definitions of sensitive environments.

The Hearing Report recommends that submission 174/2 be accepted in part, and that the terms *remedy and mitigate* be included and that Policy 4.5.2 is amended to read:

*By requiring activities to be developed, sited, designed and operated so as to avoid, **remedy or mitigate the effects of emissions and discharges and adverse effects** on the natural environment, particularly sensitive receiving environments in the West Coast Overlay.*

Federated Farmers considers that the focus on development, site, design and location of activities is too constrained, and could unnecessarily restrict these aspects.

It appears that no submitters actually asked for the words *the effects of emissions* to be inserted into the Policy. Federated Farmers opposes the Hearing Report recommendation when it is not in response to relief sought by a submission.

Relief Sought:

- That Policy 4.5.2 is amended to read

*By requiring activities ~~to be developed, sited, designed and operated so as to avoid~~, **remedy or mitigate the effects of emissions and discharges and adverse effects** on the natural environment, particularly sensitive receiving environments in the West Coast Overlay. or words to this effect.*

3 Provision in the proposed district plan:

**Policy 4.5.3** states

*By managing the scale, location and design of activities, particularly with respect to built form in the West Coast Overlay.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the scale, location or design of the activity itself. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities.

The Hearing Report recommends that submission 174/3 be rejected, with the reason that the word *managing* provides direction as to how land use will be controlled. Further Submission 465/41 opposes our relief sought, for similar reasons.

Federated Farmers disputes this reasoning. The terms *avoid, remedy or mitigate* provide the resource user with much more understanding as to how land use will be controlled, the term *managing* is considered to be less informative.

Federated Farmers considers that the focus of Policy 4.5.3 should be on adverse effects of activities. There is little need to manage scale, location and design of activities if it is not for the purpose of avoiding adverse effects.

The Hearing Report accepted our relief sought to include the words *avoid, remedy or mitigate adverse effects* with regards to other policies relating to the West Coast Overlay, Federated Farmers considers that built form is no different and adverse effects should still be avoided, remedied or mitigated to retain consistency with the RMA, and also with other Policies.

Relief Sought:

- That Policy 4.5.3 is amended to read

*By **avoiding, remedying or mitigating the** ~~managing the scale, location and design~~ **adverse effects** of activities, particularly with respect to built form ~~to maintain amenity values and protect natural character~~ in the West Coast Overlay. or words to this effect.*

#### 4 Provision in the proposed district plan:

##### **Policy 4.5.5** states

*By avoiding locating those activities which have the potential to discharge contaminants and adversely impact on sensitive environments within the East Coast Overlay.*

##### Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the location of the activity itself. Some activities are small in scale which would mean that adverse effects are minor, such as storage of animal health products, or weed spraying. Some properties are completely within the East Coast Overlay so aiming to avoid location of certain activities in the Overlay would be impractical for some property owners. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities.

The Hearing Report recommends that submission 174/4 be accepted in part, and that Policy 4.5.5 be amended with the addition of the words *remedying or mitigating the adverse effects*. However the Hearing Report does not recommend the deletion of *locating*.

Further Submission 465/41 opposes our submission with the reason that the NZ Coastal Policy Statement and the Regional Policy Statement clearly identify circumstances where the policy preference is to avoid adverse effects.

Federated Farmers refers to Water Quality Objective 17.3.3 of the Regional Policy Statement which seeks to avoid, remedy or mitigate adverse effects of discharges on cultural values of water. Water Quality Policy 17.4(e) seeks to avoid, remedy or mitigate adverse effects of unauthorised discharges. The RPS allows for more than just avoidance of effects on sensitive environments. Coastal Management Policy 22.4(a) 2(a) of the Regional Policy Statement does seek to avoid effects on the natural character of the coastal environment, however the policy also states that where avoidance is not practical, then Councils will have regard to remediation and mitigation.

Federated Farmers considers that the inclusion of the terms *remedying or mitigating* along with *avoiding* will be consistent with the RPS and we support the Hearing Report recommendation to insert these words.

Federated Farmers considers that the focus on only location of activities is too constrained, and could unnecessarily restrict this aspect.

##### Relief Sought:

- That Policy 4.5.5 is amended to read

*By avoiding, **remedying or mitigating the adverse effects of** ~~locating those~~ activities which have the potential to discharge contaminants and adversely impact on sensitive environments within the East Coast Overlay. or words to this effect.*

5 Provision in the proposed district plan:

**Policy 4.5.6** states

*By requiring careful management of activities including their location, design and operational arrangements so as to avoid discharges which could adversely affect the sensitive receiving environments in the East Coast Overlay.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the location, design or operational arrangements of the activity itself. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities near all definitions of sensitive environments.

The Hearing Report recommends that submission 174/5 be accepted in part, with the reason that the use of the terms *avoiding, remedying or mitigating* is consistent with the RMA, and will also provide resource users with flexibility to address adverse effects. Federated Farmers supports this recommendation.

The Hearing Report also recommends that the phrase referring to location, design and operational arrangements of activities not be deleted as sought. The reason given is that these specific matters impact on the way activities are established in the East Coast Overlay and therefore address ways that adverse effects can be reduced.

Federated Farmers opposes this reasoning because the specific focus on location, design, and operational requirements is too constrained, and could unnecessarily restrict these aspects.

Relief Sought:

- That Policy 4.5.6 is amended to read

*By requiring careful management of activities ~~including their location, design and operational arrangements so as~~ to avoid, **remedy or mitigate** discharges which could adversely affect the sensitive receiving environments in the East Coast Overlay. or words to this effect.*

6 Provision in the proposed district plan:

**Policy 4.5.7** states

*By managing the scale, location and design of activities, particularly with respect to built form in the East Coast Overlay.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the scale, location or design of the activity itself. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities. The Policy does not state the purpose as to why scale, location and design of activities is to be managed.

The Hearing Report recommends that submission 174/6 be rejected, and in response to submission 135/36 as well, the Policy is amended to read:

*By managing the scale, location and design of activities, particularly with respect to built form ~~in the~~ **to protect natural character and maintain and enhance the amenity values of the East Coast Overlay.***

The Hearing Report considers that the term *managing* provides direction as to how land use will be controlled. Further Submission 465/41 opposes our relief sought, for similar reasons.

Federated Farmers disputes this reasoning. The terms *avoid, remedy or mitigate* provide the resource user with much more understanding as to how land use will be controlled, the term *managing* is considered to be less informative.

Federated Farmers considers that the inclusion of the terms *remedying or mitigating* along with *avoiding* will be consistent with the RPS. Other policies relating to the East Coast Overlay will have this terminology, so Policy 4.5.7 should as well, to retain consistency. As with the West Coast Overlay, why should only built form be managed, when other policies provide for activities to avoid, remedy or mitigate their adverse effects?

Submission 135/36 stated that the policy does not identify the purpose to which scale, location and design are being managed, which is why relief sought is to include the words *to protect natural character and maintain and enhance the amenity values*. Federated Farmers considers that the management is to avoid, remedy or mitigate adverse effects, and as such these words should be inserted into Policy 4.5.7.

Relief Sought:

- That Policy 4.5.7 is amended to read

*By **avoiding, remedying or mitigating the adverse effects** ~~managing the scale, location and design of activities, particularly with respect to built form in the~~ ~~to protect natural character and maintain and enhance the amenity values of the~~ East Coast Overlay.* or words to this effect.

7 Provision in the proposed district plan:

**Policy 4.5.9** states

*By avoiding locating those activities which have the potential to discharge contaminants and adversely impact on sensitive environments within the Kai Iwi Lakes Overlay.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the location of the activity itself. Some activities are small in scale which would mean that adverse effects are minor, such as storage of animal health products, or weed spraying. The term “sensitive environments” is also very broad and could include dwellings, waterways, or the entire Kai Iwi Lakes overlay. Avoiding locating all activities near sensitive environments is impractical. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities near all definitions of sensitive environments.

The Hearing Report recommends that submission 174/7 be accepted in part, and that Policy 4.5.5 be amended according to our relief sought. Further Submission 465/41 opposes our submission with the reason that the NZ Coastal Policy Statement and the Regional Policy Statement clearly identify circumstances where the policy preference is to avoid adverse effects.

Federated Farmers refers to Water Quality Objective 17.3.3 of the Regional Policy Statement which seeks to avoid, remedy or mitigate adverse effects of discharges on cultural values of water. Water Quality Objective 17.3.4 seeks to reduce and minimise quantities of contaminants which adversely effect the water quality entering water bodies. Water Quality Policy 17.4(e) seeks to avoid, remedy or mitigate adverse effects of unauthorised discharges. The RPS allows for more than just avoidance of effects on sensitive environments.

Federated Farmers considers that the inclusion of the terms *remedying or mitigating* along with *avoiding* will be consistent with the RPS and we support the Hearing Report recommendation.

Federated Farmers considers that the focus on only location of activities is too constrained, and could unnecessarily restrict this aspect.

Relief Sought:

- That Policy 4.5.9 is amended to read

*By avoiding, **remedying or mitigating the adverse effects of** ~~locating~~ these activities which have the potential to discharge contaminants and adversely impact on sensitive environments within the Kai Iwi Lakes Overlay. or words to this effect.*

***NB For Reader: the Hearing Report mistakenly assigns the reference number 174/7 to five separate submission points dealing with five different policies. For clarity of reading I have referred to each point as 7a, 7b etc. as they are in fact separate submission points.***

**7a** Provision in the proposed district plan:

**Policy 4.5.10** states

*By managing the scale, location operation and design of activities, particularly with respect to built form and potential aural impacts.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the scale, location or design of the activity itself. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities.

The Hearing Report recommends that submission 174/7a be rejected with the reason that the word *managing* provides direction as to how land use will be controlled. Further Submission 465/41 opposes our relief sought, for similar reasons.

Federated Farmers disputes this reasoning. The terms *avoid, remedy or mitigate* provide the resource user with much more understanding as to how land use will be controlled, the term *managing* is considered to be less informative.

The Hearing Report recommends that Policy 4.5.10 be amended in response to submission 135/33 to read:

*By managing the scale, location operation and design of activities, particularly with respect to built form and potential aural impacts **to enhance the natural character, landscape and social and cultural values of the Kai Iwi Lakes.***

Federated Farmers opposes this recommendation and that the management is to avoid, remedy or mitigate adverse effects, and as such these words should be inserted into Policy 4.5.10.

Relief Sought:

- That Policy 4.5.10 is amended to read

*By **avoiding, remedying or mitigating the adverse effects** ~~managing the scale, location operation and design~~ of activities, particularly with respect to built form and potential aural impacts ~~to enhance the natural character, landscape and social and cultural values of the Kai Iwi Lakes.~~ or words to this effect.*

**7b** Provision in the proposed district plan:

**Policy 4.5.11** states

*By requiring careful management of activities including their location, design and operational arrangements so as to avoid adverse effects, particularly discharges which could adversely affect the sensitive receiving environments in the Kaipara and Mangawhai Harbours.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the location, design or operational arrangements of the activity itself. The term “sensitive receiving environments” is also very broad and could include dwellings, waterways, or the entire Harbours overlay. Avoiding locating all activities near sensitive environments is impractical. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities near all definitions of sensitive environments.

The Hearing Report recommends that submission 174/7b be rejected, for the reason that the word *managing* provides direction as to how land use will be controlled.

Federated Farmers disputes this reasoning. The terms *avoid, remedy or mitigate* provide the resource user with much more understanding as to how land use will be controlled, the term *managing* is considered to be less informative. This policy is discussing adverse effects arising from land use activities and so *avoid, remedy or mitigate* is considered appropriate and consistent with the RMA.

Relief Sought:

- That Policy 4.5.11 is amended to read

*By requiring ~~careful management of land use activities including their location, design and operational arrangements (including wastewater and stormwater systems) so as to avoid,~~ **remedy or mitigate** adverse effects, particularly of discharges which could adversely affect ~~arising from these activities on~~ sensitive receiving environments in the Kaipara and Mangawhai Harbours. or words to this effect.*

**FS 16** Relief Sought by Submitter:

Submission 137/17 sought amendments to restrict Policy 4.5.11 to addressing matters that a territorial authority has vires regarding Section 30(1)(c) of the RMA over water quality.

Summary of reasons for this submission:

Federated Farmers supports submission 137/17 because the scope of district council concerns with water quality should be limited to wastewater and stormwater to ensure consistency with the RMA.

The Hearing Report recommends that submission 137/17 be accepted in part, and that the Policy be amended with the additional wording of *including wastewater and stormwater systems*. Federated Farmers supports this recommendation.

Relief Sought:

- That submission 137/17 be accepted.

**7c** Provision in the proposed district plan:

**Policy 4.5.12** states

*By managing the scale, location and design of activities in the Harbour Overlay.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the scale, location or design of the activity itself.

There is no point in managing scale, location or design of activities if it is not to avoid, remedy or mitigate adverse effects. Providing for adverse effects to be *avoided, remedied or mitigated* is consistent with the RMA, and also provides options for managing effects from activities.

The Hearing Report appears to have omitted our submission on Policy 4.5.12, and as such does not have a recommendation.

Relief Sought:

- That Policy 4.5.12 is amended to read

*By **avoiding, remedying or mitigating adverse effects** ~~managing the scale, location and design~~ of activities in the Harbour Overlay.* or words to this effect.

**7d** Provision in the proposed district plan:

**Policy 4.5.14** states

*By avoiding locating those activities which have the potential to discharge contaminants and adversely impact on waterways and the sensitive receiving harbours.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the location of the activity itself. Some activities are small in scale which would mean that adverse effects are minor, such as storage of animal health products, or weed spraying. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities.

The term “Waterways” has not been defined in Chapter 9 of the proposed Plan, nor in the RMA. The term could include ephemeral streams or aquifers, so aiming to avoid location of certain activities in the overlay would be impractical for some property owners. The term “Waterbody” is defined in Chapter 9, but not “Waterways.”

The Hearing Report recommends that submission 174/7d be accepted in part, and that the words *remedying or mitigating the adverse effects of* be inserted into Policy 4.5.14. Federated Farmers supports this recommendation.

Federated Farmers considers that the focus on only location of activities is too constrained, and could unnecessarily restrict this aspect.

Relief Sought:

- That the term “waterways” is defined to exclude ephemeral streams and aquifers, or reference to it is deleted.
- That Policy 4.5.14 is amended to read:

*By avoiding **remedying or mitigating the adverse effects of** ~~locating those~~ activities which have the potential to discharge contaminants and adversely impact on waterways and the sensitive receiving harbours to maintain the ecological and amenity values of Waterways. or words to this effect.*

**7e** Provision in the proposed district plan:

**Policy 4.5.15** states

*By managing the scale, location, operation and design of activities, particularly with respect to built form and vegetation.*

Summary of reasons for this submission:

Council should focus on the adverse effects of activities, rather than on the scale, location or design of the activity itself. Providing for adverse effects to be avoided, remedied or mitigated is consistent with the RMA, and also provides options for managing effects from activities.

The Hearing Report recommends that submission 174/7e be rejected, with the reason that it is not considered that this policy is prohibitive in terms of landuse development.

Federated Farmers considers that the terms *avoid, remedy or mitigate* provide the resource user with much more understanding as to how land use will be controlled, the term *managing* is considered to be less informative. The Policy currently has is no direction as to why activities will be managed, which should be for the purpose of avoiding, remedying or mitigating adverse effects.

Federated Farmers considers that the focus on only scale, location, operation and design of activities is too constrained, and could unnecessarily restrict these aspects.

Relief Sought:

- That Policy 4.5.15 is amended to read

*By **avoiding, remedying or mitigating the adverse effects** ~~managing the scale, location and design~~ of activities, particularly with respect to built form and vegetation.*

**FS 17** Relief Sought by Submitter:

Submission 116/10 sought amendments to Policy 4.5.15 to show that growth in elevated bush country such as the Brynderwyns is not appropriate.

Summary of reasons for this submission:

Federated Farmers opposes submission 116/10 because the purpose of the RMA is to be enabling, and the policy currently enables growth where compatible with values.

The Hearing Report recommends that submission 116/10 be accepted in part, and that the explanation of the Policy be amended to include reference to sensitive receiving catchments.

Relief Sought:

- That submission 116/10 be rejected.

**8** Provision in the proposed district plan:

#### 4.6.2 Other Methods

....

*Working with landowners and the wider community to establish structures and instruments which encourage voluntary land management practices.*

##### Summary of reasons for this submission:

Federated Farmers strongly supports methods that encourage voluntary approaches to land management. Landowners are more likely to proactively adopt land management practices when they have a positive acknowledgement from Council and a sense of partnership. Providing incentives and education are great ways of encouraging voluntary actions.

The Hearing Report recommends that submission 174/8 be accepted. Federated Farmers supports this recommendation.

##### Relief Sought:

- That Method 4.6.2 to encourage voluntary land management practices is retained

### CHAPTER 6: ECOLOGICAL AREAS

#### 9 Provision in the proposed district plan:

**Policy 6.6.1** states

*By progressively improving the level and accuracy of information on Significant Ecological Areas, so that it can be effectively used for information, education and regulatory methods and monitoring.*

##### Summary of reasons for this submission:

Federated Farmers supports the progressive improvement of the level and accuracy of information on ecological areas. However Council should not rule out the use of non-regulatory methods as they can be part of a suite of methods that can be used in appropriate situations.

The Hearing Report recommends that submission 174/9 is accepted, and changes to the text accordingly. Federated Farmers supports the Hearing Report recommendation.

##### Relief Sought

- That Policy 6.6.1 is amended to read:  
*By progressively improving the level and accuracy of information on Significant Ecological Areas, so that it can be effectively used for information, education, **non-regulatory and** regulatory methods and monitoring. or words to this effect.*

10 Provision in the proposed district plan:

**Policy 6.6.4** states

*By evaluating the significance of areas of indigenous vegetation by reference to the criteria listed in Appendix III of the Northland Regional Policy Statement*

Summary of reasons for this submission:

If evaluation occurs when a resource consent application is made, Council is collecting information on significant sites at the expense of the individual resource user. Information on areas of significant indigenous vegetation should be collected by the Council as part of their Section 6c) obligations to the RMA. Seeing as this information is for public benefit, the Council should pay for it's collection.

The Hearing Report recommends that submission 174/10 be rejected, with the reason that the cost of Council evaluating areas outweighs the benefits.

Federated Farmers concurs that although in dollar terms costs may be considered to outweigh benefits, benefits do include the protection of biological diversity where sites are found to be significant. Biological diversity and the protection of significant sites is an important public good, and so the cost of obtaining information on potential sites should not fall onto individual resource users.

Where a full district-wide assessment is impractical, Federated Farmers has promoted an alternative approach successfully to various Councils, in which the council pays for the evaluation of the significance of indigenous vegetation sites on an application basis. Such an approach has a number of advantages for both Council and individual resource users.

Advantages for Council include:

- Full investigation of the significance of indigenous vegetation sites in the entire district will not need to be undertaken. This will reduce the Council's cost of gathering and ground-truthing information.
- Assessments will be on an application basis, ensuring that only those sites which are at risk of being cleared are investigated for level of significance.
- The assessed significance of sites will be based on robust criteria that can be inserted into the Plan. This will mean that all sites are assessed equally.
- The schedule can be reviewed during a plan change, and incorporated into the Plan if appropriate.

In our opinion, the cost to Council of this approach is minimal and will meet Section 6c) obligations. Waikato District Council and Waitomo District Council both use this approach meaning that the Council pays for an ecological assessment of indigenous vegetation sites on application. Both of these councils are comparable to the Kaipara District Council, in that they have limited resources to carry out a full district-wide survey of sites, and minimal risk of clearance.

Relief Sought:

- That Policy 6.6.4 is amended to read: *By **Council** evaluating the significance of areas of indigenous vegetation by reference to the criteria listed in Appendix III of the Northland Regional Policy Statement* or words to this effect.

**11** Provision in the proposed district plan:

**Policy 6.6.5** states

*By providing incentives in the Plan which encourage voluntary protection of indigenous vegetation and habitats of indigenous species.*

Summary of reasons for this submission:

Federated Farmers strongly supports this policy. Providing incentives is an excellent way of encouraging voluntary actions, forging Council/landowner partnerships and providing recognition of the public good aspect of voluntary actions on private land.

The Hearing Report recommends that submission 174/11 be accepted. Federated Farmers supports this recommendation.

Relief Sought:

- That Policy 6.6.5 is retained.

## CHAPTER 12: LAND USE – RURAL

### 12 Provision in the proposed district plan:

**Objective 12.5.2** states

*To retain rural character and amenity, including the:*

- sense of open space*
- low dominance of built form*
- areas of indigenous vegetation and significant fauna;*
- unmodified natural landforms;*
- low traffic volume roading network.*

#### Summary of reasons for this submission:

There is ambiguity over the phrase “unmodified natural landforms.” There is no reference to mapped or identified landforms, so the phrase could be up to personal conjecture. Are these landforms truly unmodified by human activities, or does this include landforms in pasture, which some may view as natural or unmodified because of the lack of built form. Areas of indigenous vegetation and significant fauna also need to be defined further.

The Hearing Report recommends that submission 174/12 be rejected, with the reason that significant indigenous fauna and unmodified natural landforms are not mapped, and it would be inappropriate to include reference in the Objective. FS 465/36 was in opposition for similar reasons.

Federated Farmers opposes this recommendation, as the Objective does not provide certainty to resource users and will be overly onerous and subjective when applied.

As a result of submission 91/48 the Hearing Report recommends that the phrases *an environment uncluttered by structures* and *privacy and quietness* be inserted as additional matters of rural character and amenity.

Federated Farmers strongly opposes these additional matters of rural amenity. The rural landscape is a working landscape, on which many members of the district rely on to produce food and to earn a living. These additional matters will perpetuate reverse sensitivity issues, where the rural zone is viewed primarily as a scenic landscape, not a working landscape. Structures such as hay barns, dairy sheds or implement sheds are vital to primary production, and are part of rural character. Barry Crump even published a book “Back Down the Track” of his photographs of farm structures in the rural landscape. *Low Dominance of Built Form* already encapsulates this submitter’s concerns. Including quietness as a matter of rural amenity will lead to problems like complaints over cows moo-ing, tractors harvesting, or dogs barking while they round up sheep. These are all activities that contribute to rural amenity and also to its economic, social and cultural values.

Relief Sought:

- That Objective 12.5.2 is amended to read:  
*To maintain rural character and amenity, including the:*
  - sense of open space
  - low dominance of built form
  - ~~-an environment uncluttered by structures~~
  - ~~-Privacy and quietness~~
  - areas of indigenous vegetation and significant fauna **as identified in the planning maps;**
  - unmodified natural landforms **as identified in the planning maps;**
  - low traffic volume roading network.

Or words to this affect.

**FS 29** Relief Sought by Submitter:

Submission 441/5 sought the inclusion of rural activities to Objective 12.5.2.

Summary of reasons for this submission:

Federated Farmers supports submission 441/5 because rural activities do contribute positively to rural character.

Many of the district's rural landscapes look they way they do due to the management practices undertaken by primary producers such as grazing of livestock, fencing patterns, and seasonal and permanent crops. It is the results of these activities that determine rural character and amenity. Therefore, not including certain activities in an objective about rural character and amenity may result in the landscape losing many of those amenity values. It is important to acknowledge that primary production activities determine what we see when looking over the rural landscape, and that these activities contribute positively to rural character and amenity.

The Hearing Report recommends that submission 441/5 be rejected. Federated Farmers opposes this recommendation.

Relief Sought:

- That submission 441/5 be accepted.

**FS 30** Relief Sought by Submitter:

Submission 116/31 sought to amend Objective 12.5.3 to focus on protection of indigenous vegetation.

Summary of reasons for this submission:

Federated Farmers opposes submission 116/31 because the objective is already consistent with the RMA with the focus on avoiding, remedying or mitigating adverse effects. Section 6(c) of the RMA states that significant indigenous vegetation is to be protected, whereas the relief sought by submission 116/31 will protect all indigenous vegetation whether it is significant or not. This is inconsistent with the direction given by the RMA.

The Hearing Report recommends that submission 116/31 be accepted, but that significant areas of indigenous vegetation be protected. Federated Farmers supports the Hearing Report's recommendation to use terminology consistent with the RMA.

Relief Sought:

- That submission 116/31 be rejected.

13 Provision in the proposed district plan:

**Objective 12.5.6** states:

*To provide for a range of activities in the rural zone which are located, designed and operated in such a way as to avoid potential reverse sensitivity effects on existing landuses in the vicinity.*

Summary of reasons for this submission:

Federated Farmers supports this Objective, as the assumption is that new activities will have to internalise their possible reverse sensitivity effects, allowing existing activities that are appropriate for the rural zone to continue, particularly those activities that area associated with primary production.

The Hearing Report recommends that submission 174/13 be rejected, for the reason that reverse sensitivity effects of new land uses on existing are already adequately addressed. However in response to another submission, the wording has been revised to include *remedy and mitigate* with regards to adverse effects.

While Federated Farmers supports the inclusion of the terms *remedy and mitigate* we remain concerned that this Objective will mean that a change in farming activities (e.g. from cropping to livestock) will be required to avoid effects on an existing lifestyle property, even though the farming activity is an appropriate and expected activity for the rural zone.

Relief Sought:

- That Objective 12.5.6 is amended to read.  
*To provide for a range of activities in the rural zone which are located, designed and operated in such a way as to avoid, remedy ~~and~~ or mitigate potential reverse sensitivity effects on existing landuses in the vicinity **that are appropriate for the rural zone.** or words to this effect.*

**14** Provision in the proposed district plan:

**Objective 12.5.8** states:

*To provide for development of land with a range of allotment sizes that is appropriate to the character of the surrounding rural environment.*

Summary of reasons for this submission:

A range of site sizes is important for primary production. Site sizes should be addressed on a case-by-case basis to allow for a range of primary production activities to be carried out on appropriate sites, some examples would be a sheep farm on a large site, to an avocado orchard on a smaller horticultural block.

The Hearing Report recommends that submission 174/14 be accepted. Federated Farmers supports this recommendation.

Relief Sought:

- That Objective 12.5.8 is retained.

**15** Provision in the proposed district plan:

**Policy 12.6.3** states:

*By allowing greater intensity of development where this is offset by protection, enhancement or establishment of natural features, vegetation and open space, where they significantly contribute to the natural environment, as well as rural character and amenity.*

Summary of reasons for this submission:

Federated Farmers supports the provision for transferable development rights. This allows development to occur and provides net environmental benefit.

The Hearing Report recommends that submission 174/15 be accepted in part, with some changes inserted in response to another submission. Federated Farmers supports this recommendation.

Relief Sought:

- That Policy 12.6.3 is retained.

**16** Provision in the proposed district plan:

**Policy 12.6.5** states:

*By restricting subdivision and development (including ribbon development) that adversely affects the natural environment values of the rural area and it's landscapes.*

Summary of reasons for this submission:

Restricting subdivision and development is unnecessary, rather that it should be managed in a way that requires adverse effects to be avoided, remedied or mitigated.

The Hearing Report recommends that submission 174/16 be accepted. Federated Farmers supports this recommendation, but we note that the text of Policy 12.6.5 has not been amended accordingly to include the words *avoid, remedy or mitigate*. Providing for adverse effects to be avoided, remedied or mitigated will be consistent with the RMA.

Relief Sought:

- That Policy 12.5.6 is amended to read:  
*By ~~restricting~~ **managing** subdivision and development (including ribbon development) to **avoid, remedy or mitigate** adversely affects on the natural environment values of the rural area and it's landscapes.* or words to this effect.

**17** Provision in the proposed district plan:

**Policy 12.6.6** states:

*By restricting and managing those activities which pose the greatest threat to remaining areas of indigenous vegetation and habitats of indigenous flora (vegetation clearance and earthworks); as well as rural amenity landscapes (e.g. the bulk and location of structures)*

Summary of reasons for this submission:

Instead of managing the activities themselves, the adverse effects of the activities should be managed. Indeed this seems to be what the corresponding Objective 12.5.9 intends to achieve. This approach allows innovative new methods to be developed, while still providing the council with some control over the adverse effects.

There is no need to specifically mention particular activities, as the policy should be focussed on the adverse effects arising from activities instead.

The Hearing Report recommends that submission 174/17 is accepted, and that the text is changed accordingly with the addition of the words *significant* when referring to vegetation and habitats.

Federated Farmers supports the planning recommendation, with the exception of the additional words *avoiding* and *restricting*. The phrase should be *avoiding, remedying or mitigating*, whereas

just listing *avoiding and restricting* excludes remedying and mitigating as methods of management, which is not consistent with the RMA.

Relief Sought:

- That Policy 12.6.6 be amended to read:

*By ~~restricting and managing these~~ **avoiding, remedying or mitigating the adverse effects of** activities which pose the greatest threat to remaining areas of **significant** indigenous vegetation and **significant** habitats of indigenous flora (~~vegetation clearance and earthworks~~); as well as rural amenity landscapes. (~~e.g. the bulk and location of structures~~)* or words to this effect.

**18** Provision in the proposed district plan:

**Policy 12.6.14** states:

*By requiring site and building development to demonstrate how adverse visual amenity effects will be addressed over the duration of the development.*

Summary of reasons for this submission:

Federated Farmers considers that in some cases addressing adverse visual amenity effects may be impractical, depending on scale, separation distance or duration of the visual effects. Mitigation options could be more expensive than the work itself.

Although the policy states that site and building development must only demonstrate how adverse effects will be mitigated, Federated Farmers considers that this should be required only when adverse effects that are more than minor occur.

The Hearing Report recommends that submission 174/18 be rejected, with the reason that the existing wording is consistent with Section 5 of the RMA, so changes are inappropriate.

Federated Farmers opposes this recommendation. In the Rural zone, substantial separation distances from public viewing points like roads may mean that visual amenity effects are significantly less than minor. Building a small kitset implement shed may be so quick and adverse visual effects so minor that mitigation options like screening are impractical.

Relief Sought:

- That Policy 12.6.14 be amended to read:

*By requiring site and building development to demonstrate how adverse visual amenity effects **that are more than minor** will be addressed over the duration of the development.*  
or words to this effect.

### **FS 31** Relief Sought by Submitter:

Submission 135/78 sought the addition of new policies in the Rural Chapter relating to the coastal environment.

#### Summary of reasons for this submission:

Federated Farmers opposes submission 135/78 because policies need to be consistent and apply throughout the rural zone. The *coastal environment* has not been specifically defined nor justified in needing particular policies different from the rest of the rural zone.

The Hearing Report recommends that submission 135/78 be accepted in part, with amendments to Policies 12.6.2 and 12.6..

Federated Farmers considers that the submission be rejected. The reference to *natural character of the coastal environment* is ambiguous and uncertain, how much land is within the *coastal environment*? It has nether been mapped nor is there a definition in Chapter 9.

#### Relief Sought:

- That submission 135/78 be rejected.

### **19** Provision in the proposed district plan:

#### **12.7.2 Other Methods**

- *Liaison with NZ Transport Agency regarding subdivision and development fronting state highways.*
- *Liaison with the Northland Regional Council.*
- *Provide information on values associated with properties e.g. landscapes, ecological sites etc.*
- *Promotion of voluntary protection mechanisms regarding heritage, ecological and landscape areas/items (e.g. Biodiversity fund and Heritage Assistance Fund) as identified in the Kaipara District Council's Annual Plan & Long Term Council Community Plan (LTCCP).*
- *Providing incentives to landowners who adopt voluntary measures to protect items of heritage, ecological, cultural and landscape value.*
- *Educational material/guidelines that demonstrate methods for avoiding, remedying or mitigating potential adverse effects of subdivision and development.*
- *The Kaipara District Council Engineering Standards 2009.*
- *Industry Codes of Practice or Environmental Manuals relevant in the Rural Zone, which can be used as guidelines for setting conditions on resource consents.*
- *Requirements under other legislation, including:*
  - a) Building consents under the Building Act 2004;*
  - b) National Environmental Standards;*
  - c) Kaipara District Council Bylaws.*
- *Other relevant documents:*
  - a) Local Government Act 2002;*
  - b) Historic Places Act 1993;*
  - c) Regional Plans / Policy Statements;*
- *Kaipara District Council Reserves and Open Space Strategy.*

Summary of reasons for this submission:

Federated Farmers strongly supports methods such as promotion of voluntary protection mechanisms, incentives and education. Landowners are more likely to take proactively approaches to landscape or indigenous vegetation maintenance or enhancement when they have a positive acknowledgement and partnership with Council, while retaining their sense of responsibility and ownership over their land. Regulation often has perverse environmental outcomes in that landowners do not want councils to take away their property rights, and this can result in unco-operation from both parties.

The Hearing Report recommends that submission 174/19 be rejected, with the reason that no new methods are considered necessary.

Federated Farmers considers that the Hearing Report misread our relief sought, which is that Method 12.7.2 be retained, as we are in support of methods promoting education and incentives.

Relief Sought:

- That 12.7.2 Other Methods to promote voluntary protection mechanisms, provide incentives and education are retained.

## **ZONE RULES – SUB REPORT 1- GENERAL SUBMISSIONS**

### **FS 20 Relief Sought by Submitter:**

Submission 440/3 sought that Rule 12.9.1 be amended to clarify that both paragraphs (a) and (b) must apply in order for an activity to enjoy permitted status.

#### Summary of reasons for this submission:

Federated Farmers opposes submission 440/3 because Section 9(3) of the RMA provides for a permitted status presumption for activities not explicitly listed in a district plan. The current wording of the rule is sufficient.

The Hearing Report recommends that submission 440/3 be rejected. Federated Farmers supports this recommendation.

#### Relief Sought:

- That submission 440/3 be rejected.

### **FS 21 Relief Sought by Submitter:**

Submission 14/17 sought that applications for resource consent for controlled, restricted discretionary and discretionary activities be publicly notified.

#### Summary of reasons for this submission:

Federated Farmers opposes submission 14/17 because decisions on public notification should be made on a case-by-case basis, and is already covered by Section 95A of the RMA. A requirement in the Plan for public notification for controlled, restricted discretionary and discretionary activities is unnecessary and onerous on both resource users and the council. Section 95A has the presumption for non-notification, and consent authorities can invoke Section 95D when deciding on notification.

The Hearing Report recommends that submission 14/17 be rejected. Federated Farmers supports this recommendation.

#### Relief Sought:

- That submission 14/17 be rejected.

**FS 22** Relief Sought by Submitter:

Submission 135/59 sought for a new rule in Section 12.10 providing for the erection or alteration of any buildings in an Overlay.

Summary of reasons for this submission:

Federated Farmers opposes submission 135/59 because further rules pertaining to Overlays are not required. Rural zone rules are sufficient. Additional rules should not be imposed on landscapes that are not deemed outstanding as a Section 6 matter.

The Hearing Report recommends that submission 135/59 be rejected, as this related to Chapter 18. Federated Farmers supports this recommendation.

Relief Sought:

- That submission 135/59 be rejected.

## ZONE RULES - SUB REPORT 2 - EXCAVATION AND FILL RULES

### 20 Provision in the proposed district plan:

#### **Rule 12.10.1.1**

*Excavation and fill is a Permitted Activity if:*

*(1) Rural Zone*

- a) The site is not within any area known to be subject to instability or flood hazard; and*
- b) The volume is less than 2,000m<sup>3</sup> in any hectare in any 12 month period and is not within 6m of a bank of any water body; and*
- c) All bare earth areas, including excavation and fill batter faces, are revegetated within 6 months of the earthworks being completed; and*
- d) All revegetated areas are maintained and managed so as to achieve 80% ground cover within 24 months of the earthworks being completed.*

#### Summary of reasons for this submission:

Federated Farmers considers that excavation and fill for the purposes of maintenance of farm access tracks, farm drains and works associated with a Building Permit should be an additional permitted activity standard.

The Hearing Report recommends that submission 174/20 be rejected, with the reason that the current effects-based approach enables activities while producing good environmental outcomes. Two further submissions were received in partial support of our submission.

Federated Farmers considers that excavation and fill for farm tracks and drains are activities that are expected to occur in the rural zone and that have minimal adverse effects, so should therefore be provided for in the District Plan. Works associated with a building permit have already been assessed for erosion potential.

#### Relief Sought:

- That a new permitted activity standard (e) is added to Rule 12.10.1 to read:  
***The excavation and/or fill is for the purposes of maintenance of farm access tracks, farm drains and works associated with a Building Permit*** or words to this effect.

21 Provision in the proposed district plan:

**Rule 12.10.1.1** states:

*Excavation and fill is a Permitted Activity if:*

(1) *Rural Zone*

a) *The site is not within an area known to be subject to instability or flood hazard;*

.....

c) *All bare earth areas, including excavation and fill batter faces, are revegetated within 6 months of the earthworks being completed; and*

Summary of reasons for this submission:

The use of the word *known* in a) is uncertain. Hazard areas should be officially recorded on planning maps, LIMs or some other form of council database. Evidence is required to prove that hazards are known to exist.

Rule c) requiring revegetation of all bare earth areas could be impractical where the excavation and fill has been carried out for the purpose of an access track.

The Hearing Report recommends that submission 174/21 be rejected, because not all hazards are known to Council, and also that the rule assumes that only batter faces are to be revegetated.

Federated Farmers opposes this recommendation. Is the onus on the resource user to prove that a hazard does not exist, if an area is anecdotally known or suspected to have a risk? This would result in an onerous resource management process if it turned out that there was no risk in the first place. For certainty the hazard risk should be identified by the Council as per responsibilities under Section 35 of the RMA.

Federated Farmers thinks that although the Report may assume that only batter faces should be revegetated, the rule says that *all* bare earth should be revegetated. Federated Farmers would like to see the rule less reliant on assumption with the inclusion of the words *where practical*.

Relief Sought:

- That Rule 12.10.1 .1 is amended to read:

*Excavation and fill is a Permitted Activity if:*

(2) *Rural Zone*

a) *The site is not within an area ~~known to be~~ **identified as** subject to instability or flood hazard;*

.....

c) *All bare earth areas, including excavation and fill batter faces, are revegetated **where practical** within 6 months of the earthworks being completed; and*  
or words to this effect.

22 Provision in the proposed district plan:

**Rule 12.10.1.2**

*Excavation and fill is a Permitted Activity if:*

*(2) East Coast & West Coast and Harbours (Mangawhai & Kaipara) Overlays*

- a) Any excavation and fill is of a volume less than 1,000m<sup>3</sup> in any 12 month period and is not within 6m of a bank of any water body; and*
- b) Any excavation or fill is less than 2m in depth or height over a distance less than 50m.*

**and Rule 12.10.1.3**

*Excavation and fill is a Permitted Activity if:*

*(3) Kai Iwi Lakes and Waterways Overlays*

- a) Any excavation and fill is of a volume less than 150m<sup>3</sup> in any 12 month period and is not within 6m of a bank of any water body; and*
- b) Any excavation or fill is less than 2m in depth or height over a distance less than 50m.*

Summary of reasons for this submission:

Federated Farmers considers that excavation and fill for the purposes of maintenance of farm access tracks, farm drains and works associated with a Building Permit should be an additional permitted activity standard.

The Hearing Report recommends that submission 174/22 be rejected, with the reason that the current effects-based approach enables activities while producing good environmental outcomes.

Federated Farmers considers that excavation and fill for farm tracks and drains are activities that are expected to occur in the rural zone and that have minimal adverse effects, so should therefore be provided for in the District Plan. Works associated with a building permit have already been assessed for erosion potential.

Relief Sought:

- That a new permitted activity standard (c) is added to Rules 12.10.1.2 and 12.10.1.3 to read:

***The excavation and/or fill is for the purposes of maintenance of farm access tracks, farm drains and works associated with a Building Permit or words to this effect.***

**FS 23** Relief Sought by Submitter:

Submission 135/60 sought to reduce permitted excavation and fill in Rule 12.10.1(2)(a) to be reduced to 300m<sup>3</sup> in any 12 month period.

Summary of reasons for this submission:

Federated Farmers opposes submission 135/60 because the submitter's proposed earthworks threshold of 300m<sup>3</sup> is overly onerous for resource users. The earthworks threshold should remain at 1,000m<sup>3</sup>.

The Hearing Report recommends that submission 135/60 be rejected. Federated Farmers supports this recommendation.

Relief Sought:

- That submission 135/60 be rejected.

**23** Provision in the proposed district plan:

**Rule 12.10.1.2(b)**

*Excavation and fill is a Permitted Activity if:*

*(2) East Coast & West Coast and Harbours (Mangawhai & Kaipara) Overlays*

.....

*b) Any excavation or fill is less than 2m in depth or height over a distance less than 50m.*

**and Rule 12.10.1.3(b)**

*Excavation and fill is a Permitted Activity if:*

*(3) Kai Iwi Lakes and Waterways Overlays*

.....

*b) Any excavation or fill is less than 2m in depth or height over a distance less than 50m.*

Summary of reasons for this submission:

More clarity is required over the parameters of these rules as to whether the 2m height dimension needs to extend over a continuous length of over 50 metres before requiring a consent. Further clarification is required as to how to measure the 2m dimension, whether this be height and depth combined as an entire excavation face, or just 2m from the original ground level. Diagram 9.3 in Chapter 9 Definitions shows a pictorial representation of cut and fill. Perhaps this diagram could also provide guidance on how to measure the 2m height/depth dimension.

The Hearing Report recommends that submission 174/23 be accepted, and text changed accordingly. Federated Farmers supports this recommendation.

Relief Sought:

- That Rule 12.10.1.2(b) and 12.10.1.3(b) are amended to read  
*Any excavation or fill is less than 2m in depth or height over a **continuous** distance less than 50m.*
- That guidance is provided in the plan on how to measure the 2m height/depth parameter in Rule 12.10.1.2(b) and 12.10.1.3(b)

**24** Provision in the proposed district plan:

**Assessment Criterion (vi) for Rule 12.10.1**

*Effects on Landforms.*

Summary of reasons for this submission:

Federated Farmers considers that this criterion should be focussed on identified or mapped landforms.

The Hearing Report recommends that submission 174/24 be rejected, with the reason that landforms are not mapped.

This reason confirms Federated Farmers concern. Having effects on any landforms as an assessment criterion is onerous and can extend to any landform regardless of its importance or contribution to amenity. This means that resource users have no certainty as to when this criterion will be applied.

Only landforms that are identified as being outstanding should be protected from adverse effects. This Criterion should be amended to refer to identified and mapped landforms, or should be deleted until such time as the Council can identify and map these landforms.

Relief Sought:

- That Criterion (vi) for Rule 12.10.1 be amended to read:  
*Effects on landforms **identified in the planning maps** or words to this effect,*
- Or that Criterion (vi) for Rule 12.10.1 until such time as the Council can identify and map these landforms.

25 Provision in the proposed district plan:

**Assessment Criterion (xix) for Rule 12.10.1**

*An assessment of the site's ecological, landscape amenity and heritage values, including details on any recorded archaeological sites and registered historic places, historic areas and waahi tapu, and the need for an archaeological-historic places site survey of the area to be developed.*

Summary of reasons for this submission:

Federated Farmers considers that more clarity is required as to when this criterion will be invoked.

The Hearing Report recommends that submission 174/25 be rejected, because an assessment will be needed to determine if there is a valid concern that a site will be damaged. The processing planner will consider the level of assessment required on a case-by-case basis.

Federated Farmers opposes this recommendation. The assessment criteria state that an Excavation and Fill Management Plan is to contain this information. More clarity is required as to when Criterion (xix) will be invoked, as it is currently written that a resource consent applicant is carry out an assessment even if there are no values/sites in the vicinity. This requirement is onerous and costly, and could require a consent applicant to jump through hoops even if there will be no adverse effects to such values/sites.

Federated Farmers does not oppose such an assessment when important values/sites are truly at risk of being adversely effected. We request that more clarity and guidance is provided as to when this Criterion will be invoked.

Relief Sought:

- That Criterion (xix) for Rule 12.10.1 is amended to read:

*An assessment of the site's ecological, landscape amenity and heritage values, including details on any recorded archaeological sites and registered historic places, historic areas and waahi tapu, and the need for an archaeological-historic places site survey of the area to be developed **when a valid concern is demonstrated that such values or sites are under direct threat of damage from the proposed activity.***

## ZONE RULES - SUB REPORT 2 - INDIGENOUS VEGETATION REMOVAL RULES

26 Provision in the proposed district plan:

**Rule 12.10.2.1(b)** states

*The destruction or clearance of indigenous vegetation outside an overlay area is permitted if:*

- (b) It is not part of a continuous area of predominantly indigenous vegetation greater than 6m in height and over 1 hectare in area.*

**Rule 12.10.2.2(b)** states

*The destruction or clearance of indigenous vegetation within the East Coast & West Coast and Harbours Overlay areas is permitted if:*

- (b) It is not part of a continuous area of predominantly indigenous vegetation greater than 6m in height and greater than 1,000m<sup>2</sup> in area and is not located within 100m of the coastal marine area.*

**Rule 12.10.2.3(b)** states

*The destruction or clearance of indigenous vegetation within the Waterways and Kai Iwi Lakes Overlay areas is a Permitted Activity if:*

- (b) It is not part of a continuous area of predominantly indigenous vegetation greater than 3m in height and greater than 500m<sup>2</sup> in area and is not located within 100m of the coastal marine area.*

### Summary of reasons for this submission:

These rules seem to be addressing the Council's functions under Section 6(c) of the Resource Management Act. Council needs to apply more robust criteria when assessing significant indigenous vegetation rather than just a height and area provision. This gives patches of bush regardless of their quality or importance for biological diversity, automatic protection.

Robust criteria are needed for assessment of the significance of indigenous vegetation, and once a site has been identified as Significant it should be listed in a schedule. The use of a schedule will ensure that resource users have certainty around identified areas of significant indigenous vegetation. We note that some areas have been identified as Ecological Areas in Chapter 6 of the proposed plan, but this list is limited to sites under Crown ownership and management. The proposed rule criteria around only height and area parameters are not sufficient to reflect the ground-truth or quality of indigenous vegetation sites.

The Hearing Report recommends that submission 174/26 be rejected. The Hearing Report also recommends that, on the advice of the Council's ecologist, indigenous vegetation on alluvial plains, sand dunes, pakihi and gumland be provided with specific limits on area that can be cleared, and

also reduces the height provision from 6m down to 4m for the Rural Zone, and for East Coast & West Coast and Harbours Overlays.

Federated Farmers strongly opposes these recommendations. There is no certainty for resource users as to where alluvial plains, sand dunes, pakihi and gumland are located because they are not mapped in the District Plan. So resource users do not know whether these provisions will apply to their activities or not. These height and area provisions still do not provide enough assessment as to whether the vegetation is significant or not.

Two Further Submissions were received in support, and two in opposition. FS 465/37 opposes this submission because the changes do not give effects to habitat protection policies of the Regional Policy Statement.

Federated Farmers disputes the reasoning of FS 465/37. The Overlay Areas are intended for amenity purposes. It is important that amenity values under Section 7(c) and significant biodiversity values under Section 6(c) are addressed separately. Having more stringent rules for indigenous vegetation clearance within Overlay Areas is unjustified. Objective 23.3.3 of the Regional Policy Statement which provides for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. The vegetation subject to these rules has not been identified as significant. The proposed rule criteria around only height and area parameters are not sufficient to reflect the ground-truth or quality of indigenous vegetation sites.

Relief Sought:

- That Rules 12.10.2.1(b) and 12.10.2.2(b) and 12.10.2.2(b) are deleted
- Council undertake an assessment of the ecological significance of sites using robust criteria when it is able to, and prepares a schedule of sites.

27 Provision in the proposed district plan:

**Rules 12.10.2.1(v) 12.10.2.2(v) and 12.10.2.3(v)** provide for indigenous vegetation clearance that is for maintenance purposes of building, structure, road or track including any telecommunication work or utility services.

Summary of reasons for this submission:

Federated Farmers strongly supports these commonsense rules. Although fences are included in the Resource Management Act definition of building, it would provide clarity to readers if fences were explicitly included in the rules.

The Hearing Report recommends that submission 174/27 be accepted in part, and proposes to add the words ***or any fence associated with a building or structure (where the fence is required for security or safety)*** to the rules.

Federated Farmers considers that the additional wording creates confusion as to what kind of fences are included in the rule. It seems that only fences that are associated with a building are included, like a fence around a house. Federated Farmers asked for fences to be included so that vegetation clearance could be carried out to maintain paddock and boundary fences on a farm. As these fences are not associated with a building, it would appear that they are not included in the rule. For the sake of explicitly including *fences* for reader clarity, the issue seems to have become even further confused.

Seeing as Rules 12.10.2.1(vii) 12.10.2.2(vii) and 12.10.2.3(vii) only provide for vegetation clearance necessary for the purposes of fencing and excluding livestock from an area to be protected permanently. Farm fences around areas that may not have been covenanted for whatever reason are not included. Farmers should be able to carry out vegetation clearance in order to maintain farm fences should be permitted, as this is a common and legitimate activity.

Relief Sought:

- That Rule 12.10.2.1(v) 12.10.2.2(v) and 12.10.2.3(v) are amended to read:  
*The removal is necessary for maintenance of any building, structure, or any fence, associated with a building or structure (where the fence is required for security or safety), or any road or track including any telecommunication work or utility service;*

**28** Provision in the proposed district plan:

**Rules 12.10.2.1(vii) 12.10.2.2(vii) and 12.10.2.3(vii)** provide for vegetation clearance necessary for the purposes of fencing and excluding livestock from an area to be protected permanently for ecological and/or soil conservation purposes.

Summary of reasons for this submission:

Federated Farmers strongly supports these rules, and congratulates the council for such a practical approach. Requiring a resource consent for clearance activities which ultimately have an ecological protection purpose is often a disincentive for farmers to carryout fencing for livestock exclusion. However the rule should not be limited to areas with formalised permanent protection areas. Often farms have areas of bush that may be actively managed by the landowner, but have not yet gone through a formal covenant process.

The Hearing Report recommends that submission 174/28 be rejected, for the reason that it could raise ambiguity on interpretation. This “permissive” consideration of clearance is already provided for as an assessment criterion.

Federated Farmers opposes this recommendation. We would not want to see areas of bush that are not formally protected go to ruin for want of a livestock exclusion fence. Good efforts of individual land owners need to be encouraged.

Relief Sought:

- That Rules 12.10.2.1(vii) 12.10.2.2(vii) and 12.10.2.3(vii) are amended to read:  
*It is necessary for the purposes of fencing and excluding livestock from an area to be protected ~~permanently~~ for ecological and/or soil conservation purposes. Or words to this effect.*

**29** Provision in the proposed district plan:

**Rules 12.10.2.1(viii) 12.10.2.2(viii) and 12.10.2.3(viii)** provide for vegetation clearance when it is the understory of a plantation forest and the activity is carried out as part of forestry operations.

Summary of reasons for this submission:

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. Having to obtain resource consent for indigenous vegetation clearance as part of forestry operations may discourage forestry landuse.

The Hearing Report recommends that submission 174/29 be accepted. Federated Farmers supports this recommendation.

Relief Sought:

- That Rules 12.10.2.1(viii) 12.10.2.2(viii) and 12.10.2.3(viii) are retained.

**30** Provision in the proposed district plan:

**Rules 12.10.2.1(ix) 12.10.2.2(ix) and 12.10.2.3(ix)** provide for vegetation clearance when it is in accordance with the terms of a QEII or other covenant, or a sustainable management plan under the Forests Amendment Act.

Summary of reasons for this submission:

Federated Farmers strongly supports these rules, as it avoids the unnecessary duplication of a resource consent when an agreement for vegetation clearance is already in place under a QEII covenant or under a sustainable management plan. This will save time and cost for both the Council and landowners.

The Hearing Report recommends that submission 174/30 be accepted. Federated Farmers supports this recommendation.

Relief Sought:

- That Rules 12.10.2.1(ix) 12.10.2.2(ix) and 12.10.2.3(ix) are retained.

## **ZONE RULES - SUB REPORT 3 - BULK AND LOCATION RULES**

### **FS 26 Relief Sought by Submitter:**

The relief sought by submission 291/7 to Rule 12.10.4 was to increase the gross floor area of a commercial or industrial buildings from 500m<sup>2</sup> to 5,000m<sup>2</sup>.

#### Summary of reasons for this submission:

Federated Farmers opposes submission 291/7 because farm buildings should not be included within the definition of Commercial and Industrial buildings, and so this rule should not apply.

We note that no changes are proposed for the definition of “Commercial Activity” and that the definition of “Industrial Activity” has had minor changes but still does not refer to any farming activities. Federated Farmers is satisfied that this rule will not apply to farm buildings.

#### Relief Sought:

- That farm buildings are not be included within the definition of Commercial and Industrial buildings.

### **FS 27 Relief Sought by Submitter:**

The relief sought by submission 417/34 to Rule 12.10.5 was to decrease the height restriction for buildings in Overlay areas.

#### Summary of reasons for this submission:

Federated Farmers opposes submission 417/34 because height restriction for buildings should be same through out the rural zone. There is no need for an additional height restriction in Overlays. Height restriction should remain at 10m through out the rural zone.

The Hearing Report recommends that height restriction for Overlay areas should be reduced to 8m, compared to the remaining rural zone at 10m.

Federated Farmers opposes this recommendation because the height restriction should be consistent throughout the entire rural zone.

#### Relief Sought:

- That submission 417/34 be rejected
- That height restriction should remain at 10m through out the rural zone.

**31** Provision in the proposed district plan:

**Rule 12.10.5** states

*Any building is a Permitted Activity if*

*a) The building does not exceed 10m in height.*

Summary of reasons for this submission:

The matters of discretion when a proposal does not meet the permitted activity standard of 10 metres height does not take into account the purpose of the building. Often the intended purpose of the building is the reason for the height, and this should be a matter of discretion in the Assessment Criteria.

The Hearing Report recommends that submission 174/31 be accepted in part, and recommends the addition of Assessment Criterion ii) *The functional requirements of the building to be the height specified.*

Federated Farmers supports this recommendation.

Relief Sought:

- That an additional matter for discretion is added to Rule 12.10.5 Assessment Criteria that reads:

***The functional requirements of the building to be the height specified.***

**32** Provision in the proposed district plan:

**Rule 12.10.8** states

*Any activity is a permitted activity if:*

- a) *In any one hectare, the area of any site covered by buildings and other impermeable surfaces is less than 15% in the Rural zone where it is not within an overlay;*
- b) *In any one hectare, the area of any site covered by buildings and other impermeable surfaces is less than 10% in the Rural zone where it is within an overlay.*

*Note 1: The intention of this rule is to avoid large areas of continuous seal / hardstand.*

Summary of reasons for this submission:

Federated Farmers considers that this rule is impractical and unnecessary for the rural zone.

This rule is intended to address 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. This rule is impractical and unnecessary for the rural zone.

The Hearing Report recommends that submission 174/32 be rejected, with the reason given that the impermeable surface thresholds are the same as the Far North District Plan.

Federated Farmers opposes this recommendation. The impermeable surface could be located in the centre of a 1,000ha farm, and still require a resource consent if over 15% of the hectare in the centre was impermeable. This rule is not effects based, and appears to be an urban rule inappropriately applied to a rural zone. Just because the Far North District has made this mistake does not mean that the Kaipara District should follow suit. Large expanses of concrete jungle are hardly an issue for the rural and sparsely populated Kaipara District.

Relief Sought:

- That Rule 12.10.8 is deleted.

## ZONE RULES - SUB REPORT 4 - REVERSE SENSITIVITY RULES

### 33 Provision in the proposed district plan:

**Rule 12.10.9** states

*Any activity is permitted if a 300m separation is maintained between the following activities and any dwelling used for a residential purpose:*

- *Building or enclosure intended for housing livestock*
- *Sewerage treatment site or other site of plant or animal effluent storage or disposal*
- *Building used for an industrial or commercial activity*
- *Intensive feed lot or feed storage area*
- *Intensive farming*
- *Dairying shed*
- *Mining or quarrying*
- *Any other activity that has existing use rights or resource consent to exceeds the General Noise, Use of Explosives and Blasting Standards, or a discharge consent relating to odour from the Regional Council.*

#### Summary of reasons for this submission:

Requiring a 300 metre separation distance from a dwelling and a building to house livestock is excessive, and Federated Farmers considers that the adverse effects are less than minor and can be internalised within the site. Animal sheds often need to be located closer than 300m 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

Federated Farmers also considers that the adverse effects of a feed storage building closer than 300 metres to a dwelling will be less than minor and internalised. Internal setbacks within a property is a matter for the resource user to consider, as they will be the only persons effected by their own activities.

The Hearing Report recommends that submission 174/33 be accepted in part, and that the rule be amended so the separation distance only applies to sites under separate ownership and that a) *building or enclosure intended for housing livestock* be deleted.

Federated Farmers supports this recommendation in part. We are pleased to see the amendments, but we still consider that 300m is excessive.

Both dairy sheds and feed storage are to be expected in the rural zone as part and parcel of primary production. "Feed Storage Area" is not defined in the district plan. A hay shed could be considered a feed storage area, and the adverse effects emanating from one of these would be non-existent. Requiring a 300m separation distance from a feed storage area is excessive and not effects based. Dairy sheds and feed storage sheds contribute to rural character and amenity, and the noise, odour or dust effects are also to be expected as part of primary production.

Relief Sought:

- That Rule 12.10.9 is amended to read:

*Any activity is permitted if a ~~300m~~ **150m** separation is maintained between the following activities and any noise sensitive activity as defined in Section 9 of this Plan on a site under separate ownership:*

  - ~~Building or enclosure intended for housing livestock~~
  - *Sewerage treatment site or other site of plant or animal effluent storage or disposal*
  - *Building used for an industrial or commercial activity*
  - *Intensive feed lot or feed storage area*
  - *Intensive farming*
  - *Dairying shed*
  - *Mining or quarrying*
  - *Any other activity that has existing use rights or resource consent to exceeds the General Noise, Use of Explosives and Blasting Standards, or a discharge consent relating to odour from the Regional Council.*

**34** Provision in the proposed district plan:

**Rule 12.10.12** states:

*Any activity is permitted if noise from the site does not exceed the following limits, as measured either at or within any other site zoned Residential, or within the 'notional boundary' of a dwelling in the Rural or Maori Purpose zoned site (excluding those in the Business zones):*

- a) 7:00am – 7:00pm (Mon to Fri): 50 dBA L10;*
- b) 10:00pm – 7:00am (any day): 70 dBA Lmax; and*
- c) All other times: 40 dBA L10.*

*Note 1: Provided that the abovementioned noise limits may be exceeded for activities periodically required by farming and forestry practice such as harvesting and crop protection.*

*Note 2: Sound levels shall be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.*

Summary of reasons for this submission:

Federated Farmers supports the intent of Note 1 for Rule 12.10.12 in that it seeks to protect activities periodically required by farming and forestry. Farming activities are often carried out beyond the structured hours to take advantage of seasonal or weather conditions, for more certainty Note 1 should include all farming noise arising from normal farming activities, and forestry noise as many farms have forestry blocks. This will retain consistency with Objective 12.5.5 which aims to not unduly restrict productive rural activities, and Policy 12.6.10 which requires sensitive activities (like dwellings) to buffer their effects on existing land uses rather than requiring the rural production activity to modify normal activities.

The Hearing Report recommends that submission 174/34 be rejected, for the reason that the suggested changes to Note 1 are inappropriate. The Hearing Report does not elaborate why.

Federated Farmers considers that the main reason for the rural zone is for primary production. Farming and forestry noise is to be expected in the rural zone. Our suggested change to Note 1 provides more certainty to the resource user than the phrase *periodically required* which could be difficult for both resource users and Council to interpret.

Relief Sought:

- That Note 1 of Rule 12.10.12 be amended to read:

*Note 1: Provided that the abovementioned noise limits may be exceeded for **farming** activities ~~periodically required by farming and forestry practice such as harvesting and crop protection.~~*

## ZONE RULES - SUB REPORT 3 - CONTAMINANTS AND HAZARDS RULES

35 Provision in the proposed district plan:

**Rule 12.10.19** states:

*Any activity is a Permitted Activity if:*

- a) *The aggregate quantity of hazardous substances of any hazard classification managed as part of the activity is less than the quantity specified in Appendix 24D (Hazardous Substances – Permitted Quantities Table 1); or*
- b) *The hazardous substances stored or used on the site are:*
  - i) *Trade waste in a wastewater or waste treatment facility; or*
  - ii) *Road materials within a road reserve; or*
  - iii) *Domestic storage and use of consumer products for domestic purposes; or*
  - iv) *consumer products, held for resale to the public and stored in the manufacturers' packaging; or*
  - v) *Gas or oil pipelines and ancillary equipment; or*
  - vi) *Fuel or safety equipment in motor vehicles, aircraft, ships, boats or small engines; or*
  - vii) *Small fireworks subject to the Hazardous Substances (Fireworks) Regulations 2001, or safety ammunition, in domestic quantities; or*
  - viii) *Fire-fighting substances on emergency vehicles; or*
- c) *The activity is a service station with a maximum storage for retail sale of any or all of: 100,000 litres of petrol in underground storage tanks; 50,000 litres of diesel in underground storage tanks; 6 tonnes of LPG (single vessel storage); and*
- d) *Storage or use of hazardous substances complies with Appendix 24D (Hazardous Substances – Permitted Conditions Table 2).*

Summary of reasons for this submission:

There are a number of confusions regarding the Hearing Report recommendations for submission 174/35. Submission 174/35 appears to have been addressed twice, on page 19 of Chapter 8 – Hazardous Facilities and Contaminated Sites- Hearing Report, and also on page 34 of Part B- Zone Rules Sub Report 3- Bulk and Location Hearing Report.

Chapter 8 – Hazardous Facilities and Contaminated Sites- Hearing Report also appears to have referred to Rule 12.10.9 Separation Distance rather than Rule 12.10.19 Hazardous Substances. Both Hearing Reports recommend that submission 174/35 be rejected.

Hazardous substances are already controlled by the Hazardous Substances and New Organisms Act 1996, and Agrichemicals are managed through NZS8409. Although territorial authorities have functions under Section 31 of the RMA to control the use, storage, disposal or transport of hazardous substances, Rule 12.10.19 is unnecessary duplication.

Relief Sought:

- That Rule 12.10.19 be deleted.

**36** Provision in the proposed district plan:

**Rule 12.10.21** states:

*An activity is a permitted activity if:*

- a) Treatment, storage and application of liquid effluent derived from plants or animals; or whey, (including disposal onto land by spray irrigation);*
  - i) Is set back at least 300m from a habitable building, educational facility, marae or community hall;*
  - ii) Is operated at times and in wind conditions so as to avoid nuisance to an adjoining property.*

Summary of reasons for this submission:

Federated Farmers considers that the setback distance of 300 metres is excessive and does not take into account whether a high pressure or low pressure disposal system is used. A setback of 150 metres for a high pressure system from a building is appropriate and consistent with other district planning approaches. If the effluent irrigation, treatment or storage area occurs on the property under the same ownership as the residential building then we consider that the setback distance is a decision for the resource user and should not be unduly restricted by the Plan.

Submission 174/36 is actually addressed twice in the Hearing Reports. On page 22 the Chapter 8 – Hazardous Facilities and Contaminated Sites- Hearing Report recommends that Submission 174/36 be rejected. On page 35 of Part B- Zone Rules Sub Report 3- Bulk and Location-Hearing Report recommends that submission 174/36 be accepted.

Both Reports recommend that Rule 12.10.21 be deleted. The reason for this is that effluent is actually included in the definition of “hazardous substance” as BOD<sub>5</sub>, and therefore already controlled by the hazardous substances provisions. Appendix 24D allows for up to 20,000kg of BOD<sub>5</sub> to be stored in the rural zone within 30m of a waterbody or coastal water. Federated Farmers then assumes that storage is unlimited if it’s beyond 30m from a waterbody.

Federated Farmers supports the recommendation of Part B- Zone Rules Sub Report 3- Bulk and Location-Hearing Report to accept submission 174/36. Section 17 of the RMA still imbues every person with the duty to avoid, remedy or mitigate adverse effects, so we consider that if excessive odour becomes a problem then neighbours will retain the right to complain. Therefore there is no need for Rule 12.10.21 and we support the recommendation to delete it.

Relief Sought:

- That Rule 12.10.21 be deleted.

## ZONE RULES - SUB REPORT 7 – DWELLINGS AND SUBDIVISION

### FS 24 Relief Sought by Submitter:

Submission 24/4 opposes Rule 12.10.3(b) and seeks for the Kai Iwi Lake Overlay have the same subdivision performance standards as for the Rural Zone.

#### Summary of reasons for this submission:

Federated Farmers supports submission 24/4 in that the same rules should apply throughout the Rural Zone.

The Hearing Report recommends that submission 24/4 be rejected for the reason that Overlays give recognition to sensitive and valued environments, and that land use are subject to more onerous provisions to avoid adverse effects.

Federated Farmers considers that the Rural zoning, subdivision and development rules are in place to help ensure that the rural landscape remains rural in character. Therefore amenity values are already being maintained and enhanced by the Rural Zone provisions. Overlay Areas are unnecessary to have regard to Section 7(c) and should be deleted. The same subdivision rule should apply throughout the entire Rural Zone.

#### Relief Sought:

- That submission 24/4 be accepted.

### 37 Provision in the proposed district plan:

**Rule 12.12.1.1** states:

*1) Rural Zone (excluding Overlay Areas)*

- a) Every proposed allotment has a minimum net site area of 12 hectares; and*
- b) The proposed subdivision complies with the relevant Performance Standards in Section 12.10 and 12.15 of this Chapter.*

#### Summary of reasons for this submission:

A range of site sizes is important to allow for a range of primary production to be carried out on appropriate sites, some examples would be a sheep farm on a large site, to an avocado orchard on a small horticultural block.

The Hearing Report recommends that submission 174/37 be accepted, and that Rule 12.12.1.1 is retained.

#### Relief Sought:

- That Rule 12.21.1.1 is retained.

**38** Provision in the proposed district plan:

**Rule 12.12.1.2** states:

- 2) *Overlay Areas (Kai Iwi Lakes, Waterways, East Coast & West Coast and Harbour (Mangawhai & Kaipara) Overlays*
  - a) *Every proposed allotment has a minimum net site area of 20 hectares; and*
  - b) *The proposed subdivision complies with the relevant Performance Standards in Section 12.10 and 12.15 of this Chapter.*

Summary of reasons for this submission:

Federated Farmers considers that the same subdivision rule should apply throughout the entire Rural Zone.

The Hearing Report recommends that submission 174/38 be rejected, with the reason that Overlay Areas give recognition to sensitive and valued environments, and that land use are subject to more onerous provisions to avoid adverse effects.

The Overlay Areas seem to be intended to address amenity values as per Section 7 (c). The majority of these Overlay Areas derive their amenity values from human activity, mainly farming. They have also been zoned as Rural, which indicates that primary production activities occur here. These areas are not Outstanding Natural Landscapes or Features.

Federated Farmers considers that the Rural zoning, subdivision and development rules are in place to help ensure that the rural landscape remains rural in character. Therefore amenity values are already being maintained and enhanced by the Rural Zone provisions. Overlay Areas are unnecessary to have regard to Section 7(c) and should be deleted. The same subdivision rule should apply throughout the entire Rural Zone.

Relief Sought:

- That Rule 12.12.1.2 is deleted and that Rule 12.12.1.1 is amended to also apply to rural properties within Overlays.

39 Provision in the proposed district plan:

**Rule 12.12.2** states:

*Subdivision within the Rural zone (including Overlays) is a Controlled Activity if it meets the following terms for subdivision:*

- a) *Permanent physical and legal protection of the heritage feature is achieved; and*
- b) *The lot created for the preservation of heritage shall contain one or more of the following:-*
  - *Any historic site or feature listed in Part C: Chapter 17 – Heritage, Schedule 17.1;*
  - or*
  - *An ‘Area of Significance to Maori’ listed in Part C: Chapter 17 – Heritage, Schedule 17.2; or;*
  - *A heritage feature registered under the Historic Places Trust or site of significance to Maori identified since the date the district plan was notified;*
  - *A Notable Tree identified in Schedule 19.1;*
- c) *The boundaries of the lot containing the mapped site or feature must be of a size that can fully contain and protect the feature; and*
- d) *On the lot on which the heritage feature is located, the minimum net site area shall be 4,000m<sup>2</sup> and shall contain an area of at least 2,500m<sup>2</sup> exclusive of the heritage area being permanently protected, shall be made available to accommodate a dwelling and associated wastewater treatment and disposal system (and this area will enable a building compliant with the relevant performance standards of 12.10 of this Chapter); and*
- e) *Any balance lot created must be a minimum net site area of 4 hectares; and*
- f) *The proposed subdivision complies with the relevant Performance Standards in Section 12.10 and 12.15 of this Chapter.*

Summary of reasons for this submission:

Federated Farmers supports incentives that will encourage the voluntary protection of natural and cultural heritage. The Controlled activity status will make subdivision under this rule an added encouragement. Small lot sizes are valuable for farm succession, and allow retired farmers to continue to live in, and contribute to, their rural community.

The Hearing Report recommends that submission 174/39 be accepted. Federated Farmers supports this recommendation.

Relief Sought:

- That Rule 12.12.2 is retained.

40 Provision in the proposed district plan:

**Rule 12.13.1** states

*Subdivision within the Rural zone (including Overlays) is a Restricted Discretionary Activity if it meets the following terms for subdivision:*

- a) Permanent physical and legal protection of the Environmental Benefits within the site is achieved; and*
- b) The entire feature is protected; and*
- c) The Environmental Benefit meets the minimum size requirements relevant to the type of environmental benefit proposed listed below:
  - i) An 'Ecological' Environmental Benefit shall be a minimum of 0.5ha; and*
  - ii) Where the total area of the Environmental Benefit is 9.0 hectares or more, this will be considered two Environmental Benefit Lots; or*
  - iii) A 'Landscape' Environmental Benefit shall result in the whole of the portion of the identified landscape located on the parent lot being physically and legally protected; and**
- d) No more than three Environmental Benefit Lots can be created per site, and*
- e) On the lot which the Environmental Benefit is located, an area of at least 2,500m<sup>2</sup> exclusive of the area being permanently protected, shall be made available to accommodate a dwelling and associated wastewater treatment and disposal system; and*
- f) Any balance lot created must be a minimum net site area of 4,000m<sup>2</sup>; and*
- g) The proposed subdivision complies with the relevant Performance Standards in Section 12.10 and 12.15 of this Chapter.*
- h) Only one consent for a restricted discretionary (subdivision) activity in terms of a Environmental Benefit subdivision can be granted in respect of a site or any specified portion of a site and the provisions contained within this rule can be used only once for each specified portion of the site;*

Summary of reasons for this submission:

Restricted Discretionary status for subdivision for Environmental Benefit is overly onerous considering that subdivision for preservation of natural or cultural heritage features has a Controlled status.

The Hearing Report recommends that submission 174/40 be rejected, with the reason that Outcomes of Rule 12.12.2 subdivision for Natural and Cultural Heritage are more certain, which is why that rule is classified as Controlled.

For both an Environmental Benefit subdivision and subdivision for natural and cultural heritage, consideration must be given to the objectives and policies of Chapter 6. Both types of subdivision will provide equal benefit, and will be assessed under the same objectives and policies, and therefore should have equal activity status as Controlled. The Controlled activity status would encourage landowners to carry out subdivision for Environmental Benefit. Both rules consider minimum size requirements, balance lots, an area available for a dwelling and associated wastewater systems, and performance standards in Section 12.10 and 12.15. Federated Farmers

considers that certainty of outcomes are the same, and therefore activity status for Rule 12.13.1 rules should be the same as for Rule 12.12.1.

Relief Sought:

- That Rule 12.13.1 amended to be a Controlled Activity.

**41** Provision in the proposed district plan:

**Rule 12.13.2** states

*Provided that the site is not within an Overlay Area, any subdivision to create a Rural Amenity Lot is a Restricted Discretionary Activity if:*

- a) No more than two Rural Amenity lots are created per parent site;*
- b) The Rural Amenity lot created shall be a minimum net site area of 4,000m<sup>2</sup> (0.4 ha) and a maximum of 8,000m<sup>2</sup> (0.8 ha);*
- c) If one Rural Amenity lot is being created, the balance lot created shall be a minimum net site area of 4 ha;*
- d) If two Rural Amenity lots are being created, the balance lot created shall be a minimum net site area of 8 ha;*
- e) Only one consent for a restricted discretionary (subdivision) activity in terms of a Rural Amenity Lot subdivision can be granted in respect of a site or any specified portion of a site and the provisions contained within this rule can be used only once for each specified portion of the site;*
- f) Where more than one Rural Amenity Lot from a parent site is created either revegetation to create a future 'Ecological' environmental benefit of at least 0.5ha or an equivalent contribution is made to the Council Biodiversity Fund as a financial contribution.*
- g) The proposed subdivision complies with the relevant Performance Standards in Section 12.10 and 12.15 of this Chapter.*

Summary of reasons for this submission:

Federated Farmers considers that the Rural Amenity lot rule can also apply to Overlay Areas in the Rural Zone. Federated Farmers is opposed to the protection of landscapes as a Section 6 matter when these are located within the rural zone and are used for primary production activities. Rural zoning and rules are already in place to maintain or enhance rural amenity, so additional Overlay rules to protect amenity are unnecessary. The minimum size of a lot created under Rule 12.12.2 for the Preservation of Natural and Cultural Heritage is the same as the minimum size for a Rural Amenity Lot, so a precedent for the 4,000m<sup>2</sup> minimum lot size in Overlay Areas has been set. Subdivision lot sizes need to be flexible, as smaller lots are important for farm succession. This will also retain consistency with Objective 12.5.8 and Policy 12.6.3.

The Hearing Report recommends that submission 174/41 be rejected, for the reason that environmental benefit may not be achieved on-site, and so it is inappropriate for the rule to also apply to Overlay Areas.

Federated Farmers considers that the Rural zoning, subdivision and development rules are in place to help ensure that the rural landscape remains rural in character. Therefore amenity values are already being maintained and enhanced by the Rural Zone provisions. Overlay Areas are unnecessary to have regard to Section 7(c) and should be deleted. The same subdivision rule should apply throughout the entire Rural Zone.

Relief Sought:

- That Rule 12.13.2 be amended to allow the rule to apply to Overlays.

## CHAPTER 1 STRUCTURE AND TOOLS: ASSESSMENT OF ECOLOGICAL SIGNIFICANCE

### 42 Provision in the proposed district plan:

#### **Appendix 24G**

*In the absence of an assessment of the ranking of an ecological feature, assessments of significance and ranking shall be based on the following criteria:*

- 1. Contain critical, endangered, vulnerable, or rare taxa, taxa of indeterminate threatened status (sensu International Union for Conservation of Nature definitions).*
- 2. Contain indigenous or endemic taxa that are threatened or rare in Northland.*
- 3. Contain the best representative examples in an ecological district of a particular habitat type.*
- 4. Have high density of taxa or habitat types for the ecological district.*
- 5. Form ecological buffers, linkages or corridors to other areas of significant vegetation or significant habitats of indigenous fauna.*
- 6. Contain habitat types that are rare in the ecological district.*
- 7. Support good populations of taxa which are endemic to the Northland or Northland-Auckland regions.*
- 8. Are important for indigenous or endemic migratory taxa.*
- 9. Support viable populations of species, which are typical of that habitat type within an ecological district and retain a high degree of naturalness.*

*Note 1: Significant indigenous wetlands are a subset of indigenous wetlands.*

#### Summary of reasons for this submission:

Federated Farmers supports the use of criteria for robust assessment of the significance of natural areas. However for a site to be deemed significant, all criteria should be applied equally and met, rather than a site being identified as significant by meeting just one or two of the criteria. Provision is needed for identified sites to meet all or the majority of the criteria before being deemed ecologically significant and listed in a schedule. Ground-truthing of the ecological significance of sites should be done at the Councils expense, and sites then mapped to provide certainty for resource users.

Federated Farmers considers that a district-wide site by site assessment should be carried out by the Council, which includes an ecologist's report at the Council's expense, evaluating the values of the sites and providing information to help landowners manage the site. This process should also assist the Council in ground-truthing the schedule of sites. This would also be a good opportunity to engage with landowners and forge positive relationships.

We recognise that the Council has limited resources with which to carry out such a district-wide assessment. Until such time, further clarity and guidance is required as to when this Appendix will apply. Currently resource users have little certainty around where these sites of ecological significance may be located, or when these criteria will be invoked.

If a full district-wide site assessment is considered impractical for Council, then we suggest an alternative approach. Federated Farmers has promoted this alternative approach successfully to various Councils, in which a Council pays for the evaluation of the significance of indigenous

vegetation sites on an application basis. Such an approach has a number of advantages for both Council and individual resource users.

Advantages for Council include:

- Full investigation of the significance of indigenous vegetation sites in the entire district will not need to be undertaken. This will reduce the Council's cost of gathering and ground-truthing information.
- Assessments will be on an application basis, ensuring that only those sites which are at risk of being cleared are investigated for level of significance.
- The assessed significance of sites will be based on robust criteria that can be inserted into the Plan. This will mean that all sites are assessed equally.
- The schedule can be reviewed during a plan change, and incorporated into the Plan if appropriate.

In our opinion, the cost to Council of this approach is minimal and will meet Section 6c) obligations. Waikato District Council and Waitomo District Council both use this approach meaning that the Council pays for an ecological assessment of indigenous vegetation sites on application. Both of these councils are comparable to the Kaipara District Council, in that they have limited resources to carry out a full district-wide survey of sites, and minimal risk of clearance. Submission 174/10 to Policy 6.6.4 relates to this topic, and our relief sought is that Council shall pay for the evaluation of the significance of areas, rather the individual resource user. Please feel free to contact Federated Farmers if you require further information on this approach.

The Hearing Report appears to have omitted our submission on Appendix 24G Assessment of Ecological Significance, and as such does not have a recommendation.

Relief Sought:

- That provision is made for sites to meet all criteria before being identified as ecologically significant.
- That further guidance is provided as to when these Criteria will apply.
- Council undertake an assessment of the ecological significance of sites, and prepares a schedule of sites either by carrying out a district-wide survey, or on an application basis.

## CHAPTER 9: DEFINITIONS

### FS 8 Relief Sought by Submitter:

Submission 441/2 seeks to clarify that ancillary soil disturbance as a result of harvesting trees is not covered by the definition of Definition 9.48 Excavation.

#### Summary of reasons for this submission:

Federated Farmers supports submission 441/2 in that that earth disturbed by harvesting of forest should be listed as an exception for the definition of excavation.

The Hearing Report appears to have mistakenly inserted our Further Submission to Submission 441/10 regarding Definition 9.145 Vegetation Clearance.

The Hearing Report recommends that submission 441/2 be rejected.

Many Federated Farmers members have forestry blocks on their land. Earth disturbance of cultivation and maintenance of farm tracks are exceptions form this definition, and so to should disturbance as a result of normal forestry activities as forestry can be considered an anticipated rural landuse alongside farming

#### Relief Sought:

- That submission 441/2 be accepted.

### FS 3 Relief Sought by Submitter:

Submission 99/17 seeks amendments to Definition 9.49 Existing Use Rights.

#### Summary of reasons for this submission:

Federated Farmers partially supports submission 99/17 in the definition of “Existing Use Rights” should be consistent with the RMA. However s.10A does not provide for the situation where an existing lawfully established use is discontinued. Differentiation is required between s.10A existing use right, and s.10(2) existing uses in relation to land protected, to ensure clarity.

The Hearing Report recommends that submission 99/17 accepted in part. The Hearing Report recommends that the Definition be amended to refer to Section 10 and 10A of the RMA only. Federated Farmers supports this recommendation.

#### Relief Sought:

- That submission 99/17 be accepted in part.

**FS 4** Relief Sought by Submitter:

Submission 431/33 seeks to amend Definition 9.70 Intensive Farming.

Summary of reasons for this submission:

Federated Farmers supports submission 431/33 in that calf rearing should be explicitly excluded from the definition of Intensive Farming, for reader clarity.

The Hearing Report recommends that submission 431/33 be rejected because it is not considered necessary to include further examples of activities which might be of limited duration.

Federated Farmers does not support this recommendation. We have encountered problems with other district councils regarding interpretation of whether calf-rearing is considered an intensive farming activity or not.

Relief Sought:

- That submission 431/33 be accepted.

**FS 5** Relief Sought by Submitter:

Submission 434/21 sought to amend Definition 9.80 Maintenance

Summary of reasons for this submission:

Federated Farmers supports submission 434/21 because the definition of maintenance is too restrictive, and that works required to keep a building, structure or equipment in good repair can often exceed painting, guttering and water cleaning without creating adverse effects.

The Hearing Report does not appear to have any recommendations regarding Definition 9.80 Maintenance.

Relief Sought:

- That submission 434/21 be accepted.

**FS 2**    Relief Sought by Submitter:

Submission 441/10 sought to distinguish between indigenous vegetation and exotic vegetation in Definition 9.145 Vegetation Clearance.

Summary of reasons for this submission:

Federated Farmers supports submission 441/10 in that the definition does need to distinguish between Indigenous vegetation and exotic vegetation.

The Hearing Report appears to have mistakenly inserted our Further Submission to Submission 441/2 regarding Definition 9.48 Excavation.

The Hearing Report recommends that submission 441/2 be rejected, and it appears that the Hearing Report recommends that the definition for Vegetation Clearance remains as it was notified.

Federated Farmers does not support this recommendation.

Relief Sought:

- That submission 441/10 be accepted.

43 Provision in the proposed district plan:

**Definition 9.67: Indigenous Wetland**

*An indigenous wetland is any naturally occurring wetland of 50m<sup>2</sup> or more (with a minimum width of 5m) which is permanently or seasonally wet (in that the water table is at or near the ground surface during high water table conditions) and which is dominated by indigenous wetland plant species including all or some of the following:*

- a) Raupo;*
- b) Flax;*
- c) Sedge associations;*
- d) Kahikatea;*
- e) Cabbage tree;*
- f) Manuka/kanuka on peatlands;*
- g) Mangrove and saltmarsh;*
- h) Kuta.*

*For the purposes of this Plan, indigenous wetlands that have been created for conservation purposes, as a requirement of a resource consent, are included within the definition of "indigenous wetlands".*

*The definition excludes wetlands created and subsequently maintained principally for or in connection with:*

- a) Effluent treatment and disposal systems; or*
- b) Stormwater management; or*
- c) Water storage; or*
- d) Other artificial wetlands, water courses or open drains.*

*The definition also excludes:*

- a) Trees with a pasture understorey; or*
- b) Exotic rush/pasture communities; or*
- c) Land which has been modified prior to 27 October 2001 to the extent that it is no longer ecologically viable.*

Summary of reasons for this submission:

Federated Farmers considers that this definition of Indigenous Wetland seems to be a way of assessing Significance to meet Section 6(c) obligations of the RMA. The intent of such a definition is ambiguous and unnecessary.

The Hearing Report recommends that submission 174/43 be rejected, and adds further criteria, even though no submissions requested this relief. The Report also accepts Further Submission 465/39 which asks for new Objectives Policies and Rules for Indigenous Wetlands. If any such were developed these need to be notified and go through a Schedule 1 process.

The points appear to be criteria, with sites meeting the criteria being identified as Significant under Section 6(c). It is uncertain as to why such a definition is required, since there are no objectives, policies or rules that relate to Indigenous Wetlands. If a wetland has been assessed using the criteria in Definition 9.67 and found to be an Indigenous Wetland, the status of that wetland is then ambiguous.

Appendix 24G notes that Significant Indigenous Wetlands are a subset of Indigenous Wetlands. Indigenous Wetlands are either significant under Section 6(c) of the RMA, or they are not and do not require their own assessment criteria.

Relief Sought:

- That Definition 9.76 is deleted
- That text in the Plan referring to Indigenous Wetlands is deleted.
- Council undertake an assessment of the significance of indigenous wetland sites, and prepares a schedule of sites.

44 Provision in the proposed district plan:

**Definition 9.126: Sites of Significance to the Department of Conservation**

*All those sites containing indigenous vegetation or habitat ranked moderate, moderate-high, high or outstanding on the Sites of Significant Biological Interest (SSBI) database or equivalent under the Department of Conservation's, Protected Natural Areas (PNA) Programme. In the absence of an assessment of the ranking of an ecological feature, assessments of significance and ranking are based on the criteria contained in Appendix 24g - Assessment of Ecological Significance in Part D of the Plan.*

Summary of reasons for this submission:

Federated Farmers is not confident that these Sites of Significance to the Department of Conservation referred to in the definition have undergone a robust process before being classified. This definition allows sites of significance referred to in the District Plan to be determined by only one party – the Department of Conservation – and does not allow other interested parties to take part in the classification process. As for use in the District Plan, there is no information in the plan as to where these sites are located. Resource users need to know where the sites are if it is a matter of discretion of rules in the plan.

The Hearing Report recommends that submission 174/44 be rejected, and in response to other submissions recommends that the definition be changed to be for sites of *ecological* significance.

If this is the case, then this definition now appears to refer to the identification of sites to uphold Section 6(c) obligations in the RMA. Sites of Ecological Significance should be assessed by robust criteria, with sites needing to meet all or most of the criteria before being identified as a Site of Ecological Significance.

Currently the definition still refers to sites ranked by the Department of Conservation's Significant Biological Interest Database, which has been developed outside the RMA process. Neither is this

information is available to the public, and resource users have no idea whether sites have been identified on their land or not. Council should undertake an assessment of the ecological significance of sites using appropriate criteria, and a schedule of sites should be prepared to provide resource users with certainty.

Federated Farmers considers that the definition should be deleted.

If the intent is to have a definition for sites for the purposes of Section 6(c) of the RMA then the implications of this go beyond the information that is provided in this District Plan. Any Sites of Significance Indigenous Vegetation need to be notified and go through a Schedule 1 process.

Relief Sought:

- That Definition 9.126 is deleted
- That text in the Plan referring to Sites of Significance to the Department of Conservation is deleted.

**FS 7** Relief Sought by Submitter:

Submission 135/52 sought for the title of Definition 9.126 to be amended to *Sites of Ecological Significance*.

Summary of reasons for this submission:

Federated Farmers opposes submission 135/52. Even if the title of the definition is changed, the text of the definition still refers to sites ranked by the Department of Conservation's Significant Biological Interest Database, which has been developed outside the RMA process. Neither is this information available to the public, and resource users have no idea whether sites have been identified on their land or not.

The Hearing Report recommends that submission 135/52 be accepted and the title of Definition 9.126 changed accordingly.

Federated Farmers does not support this recommendation.

Relief Sought:

- That submission 135/52 be rejected.

## CHAPTER 18: LANDSCAPE

### FS 34 Relief Sought by Submitter:

Submission 441/16 sought that Chapter 18 be excluded from the District Plan, until a s.32 analysis is complete and further consultation carried out with affected parties.

#### Summary of reasons for this submission:

Federated Farmers supports submission 441/16 for reasons given by the submitter.

Federated Farmers supports the Hearing Report recommendation of Option 3, which is to notify a separate variation to the Plan with Objectives/Policies/Methods, Rules and Mapping to address Landscape at a later date.

#### Relief Sought:

- That submission 441/16 be accepted.

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Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.

The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

This submission is representative of member views and reflect the fact that resource management and government decisions impact on our member's daily lives as farmers and members of local communities.

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Federated Farmers thanks the Kaipara District Council for considering our submission to the proposed District Plan.

