

## FOREST AND BIRD SUBMISSION

### GOLDEN BAY OUTSTANDING NATURAL LANDSCAPES AND FEATURES PROJECT.

5th September 2016

To Tasman District Council

Environmental Planning and Policy Section

Queens Street, Richmond.

Submission is prepared by

Rudy Tetteroo and Debs Martin

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#### INTRODUCTION

The Royal Forest and Bird Protection Society Incorporated (Forest & Bird) was set up in 1923 to assist with the protection and preservation of native forest, birds and animals that inhabit them. With over 8000 subscription holders and 70,000 donors, it has campaigned for over 90 years in order to give nature a voice and secure the protection of New Zealand's remaining native species on land and in the oceans that surround New Zealand.

The constitutional purpose of Forest & Bird is to *"take all reasonable steps within the powers of the society for the preservation and protection of the indigenous flora and fauna and natural features of New Zealand."*

Forest & Bird's vision is that Aotearoa/New Zealand is a place where ecological resilience is at the heart of everything we do. Forest & Bird's goal, on behalf of its members and donors, is to give nature a strong and independent voice.

Forest & Bird welcomes the opportunity to submit feedback on the Golden Bay Outstanding Natural Features and Landscapes 2016 draft plan change prepared by Tasman District Council (TDC) as part of a consultation process that was started in 2008. The goal of the project was to seek collaboration from those with an interest in Golden Bay landscapes, including residents and landowners, so that

the final identification of Outstanding Natural Landscapes (ONLs) and Outstanding Natural Features (ONFs) in Golden Bay enjoys wide support from the community and gives recognition to Section 32 requirements of the Resource Management Act (RMA) which requires the protection of outstanding natural landscapes and features from inappropriate subdivision, use and development.

## BACKGROUND

Understanding that the work spans decades, the latest process to identify Golden Bay's outstanding natural features and landscapes (ONFLs) began in 2008 when Tasman District Council carried out several landscape investigations and began to engage with community groups and stakeholders. In 2010 a larger working group was established with representatives from over 30 groups with diverse community interests including Forest & Bird, Golden Bay Federated Farmers, Golden Bay Community Board, Friends of Golden Bay, mussel farmers and DOC to discuss how the process might work. This led to a small working group (SWG) using the expert information provided, and by undertaking a site-led approach supported by the Pigeon Bay Factors, identified ONFLs in Golden Bay. Final recommendations were presented to Tasman District Council in a workshop held in April 2015 and the final report was lodged in July of that year.

After consultation and meetings with the SWG, Tasman District Council has adopted most of the advice and has undertaken to prepare maps and draft policies and rules that will become part of the Tasman Resource Management Plan (TRMP) Draft Plan Change.

## GENERAL COMMENTS

In general, Forest & Bird supports the identification of ONFLs in the report of the SWG, and as notified by Tasman District Council, with the following exceptions:

1. Three headlands at Puponga, Pakawau, and Parapara.
2. Sam's Creek and Mt Burnett adjacent to the Parapara-Kahurangi ONL
3. Te Tai Tapu Estate – NW Nelson Conservation Park adjacent to Southern North West Coast ONL.

The July 2015 report of the SWG identified these six key sites where no consensus or agreement was reached. In the draft plan prepared by Council, these sites have been omitted from the draft plan released for feedback in July 2016.

Forest & Bird seeks that the sites are included in the draft plan change when it is publicly notified.

### Three Headlands

The report of the SWG acknowledges the final settlement of Te Tau Ihu and any Statutory Acknowledgements is a relatively recent event (occurring within the lifespan of the SWG's deliberations). Therefore we believed important conversations needed to be had by iwi where land had been returned to them, to enable discussions about what might or might not constitute appropriate activity within those sites. That, to Forest & Bird's thinking, is therefore relevant with respect to what rules might be imposed at those sites to protect an ONFL status, rather than the designation of the status *per se*.

Headlands at Puponga, Pakawau and Parapara were resolved through the settlement process and land at both Pakawau and Parapara have been retained by iwi and titles transferred as part of the treaty settlement. Part of Puponga Point headland is no longer part of the recreation reserve (Puponga Farm Park) and is no longer crown land nor farmed.

However, in keeping with the work of the SWG, it should not preclude us from identifying them as ONFLs in the first instance. In the Man o' War High Court decision, summarised in the draft Section 32 Evaluation Report, it states "The process of identifying and delineating ONFLs must occur separately from the process of developing policies and rules to protect them."

In the deliberations of the SWG, we considered that prominent headlands that interfaced between the sea and the estuary were an integral part of the marine ONL, and any use or development on them could have a detrimental impact on the contiguity of this landscape where it interfaces with the land. It is especially true that headlands are prominent visual features within that landscape, and therefore their inclusion is warranted.

In conclusion, we seek that the headlands are included, but that discussions are held with iwi to ensure that they are able to exercise manawhenua over these areas in accordance with the spirit of the settlement. This would occur in the development of the policies, methods, rules, and other means to ensure negative impacts on the Golden Bay – Mohua Coastal Marine ONL are avoided whilst providing opportunities for iwi.

### Mt Burnett

Mt Burnett is a part of the residual North West Nelson Forest Park and holds Conservation Park status. It was considered to be worthy of inclusion in Kahurangi National Park, but was excluded because of existing mining licences (mining is a prohibited activity in Kahurangi National Park under Schedule 4 of the Crown Minerals Act).

Under the Resource Management Act, mining could occur in an ONFL, provided effects on the ONFL values could be avoided, remedied or mitigated.

However, as with the Man O' War decision outlined earlier, and as consistent with the SWG process, an area should not be excluded because of activities or land ownership, but because it does not mean the ONFL threshold. It is our argument that Mt Burnett as a whole meets that threshold.

In an ONFL case in the Mackenzie Country, J Jackson, ruled it was inappropriate to carve up landscapes on the basis of an activity. Because the Wakamarama and Burnett Ranges are viewed as a whole landscape, with Mt Burnett an integral part of it, it would be wrong to exclude the area of Mt Burnett outside of Kahurangi National Park on that basis. It would create an 'artificial hole', despite being on the edge because it would effectively remove part of the ranges skyline from within the ONFL.

Forest & Bird notes that the draft section 32 report partially recommends this area for inclusion in the Park. We note that the report incorrectly quotes Andrew Craig (2012). In Craig's 2012 report he included the skyline of the Wakamarama Range (including Mt Burnett and the current dolomite mine) within the North West Coast ONL, despite it being within the lower Aorere Valley Landscape Unit. The report states: "There is a reasonable correlation between topography and land use and

cover which also more or less corresponds with the National Park boundaries. As is the case throughout much of Golden Bay and the Northwest Coast, the transition from one land use and cover regime to another is abrupt and therefore highly apparent. In the mid and lower valley this is particularly marked on its western side where it abuts the Wakamarama and Burnett Ranges, including the very distinctive Mt Burnett and accompanying 'Three Sisters' peaks." (Craig, pp71-72, August 2012 revised report).

Forest & Bird were involved in the renewal of the permit for dolomite mining at Mt Burnett, by the then permit holder, OMYA Ltd. In August 2005, the applicant prepared a report that accompanied their application. In it they state (pp9-10):

*"Visibility from the east:* The quarry workings are concealed behind Three Sisters Ridge and the proposed future workings will continue to be screened by the ridge. ... The quarry is visible in the distance from parts of Golden Bay, but is unlikely to be noticed by anyone not already aware of its existence. The part of the quarry that is visible at present is part of bench 2, and the haul road within the quarry. If operations continue as proposed in the mine plan, this area will be lowered and will then be screened by Three Sisters Ridge. The long term effect of continued quarry operation on visibility from the east will be to further reduce the already modest visual impact of the quarry. ...  
*Visibility from the west:* The quarry workings are located on a steep slope facing to the southwest, and are therefore visible from that direction. However there are no roads or access tracks in this area, which is steep and forest-covered. The quarry is not visible from the Mt Burnett access road, or from any other nearby road, track or accessible vantage point."

This clearly evidences that practically it is possible for mining to occur in an ONFL as long as it provides for the protection of those things that are valued, in this instance ensuring that the visual impact of the site is minimized through sympathetic use of ridgelines, etc.

It is our contention that this area should be included for the following reasons:

1. It is an integral part of the Wakamarama and Burnett Ranges that are included in the draft maps and its removal would be inconsistent with Case Law and the approach of the Small Working Group.
2. The evidence provided clearly identifies it as an area of outstanding natural landscape with high community association.
3. It was recommended for inclusion in the draft maps of Andrew Craig with text identifying its distinctiveness (2012).

### Sam's Creek

It is Forest & Bird's submission that parts of the area identified as Sam's Creek should be included within the Parapara/Kahurangi ONL. Sam's Creek is a mix of stewardship land and Forest Park and is subject to a mining permit.

The Small Working Group spent considerable time assessing areas to include/exclude along the Upper Takaka Valley. On the western side of the valley, we agreed on a line 200 metres below the ridgeline of the front ranges. Our rationale for that was the front ranges were the frontispiece of the ONL that led your eye beyond the initial range into the peaks and valleys beyond. It was acknowledged at the time that some of the lower slopes of the front ranges were modified, although

relatively natural. It was agreed that we would exclude areas from an ONL within the Upper Takaka Valley where the native vegetation was clearly secondary vegetation, or under pine forest, or quarried.

Some of the area excluded in the area known as Sam's Creek, but under question for inclusion by the SWG, clearly has the same values as areas within Kahurangi National Park identified as ONFL, and is indistinguishable on site. Once you enter the Takaka Valley gorge heading up towards the Cobb Valley, the vegetation on your right hand side as you travel up the valley is identical in outstandingness and naturalness to that of the Park beyond.

Many of our members have visited the site of the mining permit – a mix of deep gorge, steep sided gullies and ridges covered in towering native vegetation and are of the view that the area has both outstandingness and is highly natural.

The draft section 32 report partially recommends this area for inclusion as an ONL. It notes that it was "deemed worthy for inclusion in national park", and that in assessing the modification, it was mainly due to the Cobb Reservoir and hydro scheme – neither of which have been excluded from the present draft of maps on the ONL status of the land. The report notes that Andrew Craig identified the area as: "Upper Takaka Valley: naturalness = moderate, with some modification". That landscape unit is a very diverse unit, including pastoral land and forestry. Therefore the naturalness of the overall unit is reduced. However, the landscape values are "high to outstanding". The report also notes that the Parapara/Kahurangi degree of naturalness is seen as "high, mostly unmodified", and the landscape is "very high to outstanding".

As the area that we would seek inclusion is the areas that are indistinguishable from the surrounding Kahurangi National Park, then we would suggest that according to Andrew Craig's criteria, the area has high naturalness, with very high to outstanding landscape characteristics, and thus worthy of inclusion. It was partially recommended for inclusion by the draft section 32 report.

We therefore request Tasman District Council to delineate between the areas of modification as with the remainder of the Takaka Valley, and those with the vegetation, the natural values, and the outstandingness that are contiguous with the area included in the Parapara/Kahurangi ONL, rather than the current arbitrary demarcation based upon land tenure and mining permits. Exclusion on those reasons is flawed, is in violation of the principles of the rest of the analysis by the Small Working Group, and against case law. Forest & Bird would be strongly opposed to that situation continuing.

As before, mining activity would then have to be consented in an environment cognisant of the need to protect the ONFL landscape characteristics.

### **Te Tai Tapu Estate**

Much of the northern end of the Tai Tapu Estate is included in the Northern NW Coast ONL. The remainder is situated between the Northern and Southern NW Coast ONL.

It was Forest & Bird's opinion, and in support of the work done by previous Landscape Architects including Frank Boffa and Andrew Craig, that the whole of the NW Coast was an ONL in its entirety. In the negotiations within the Small Working Group, we isolated areas where pastoral farming was a

dominant activity within the landscape, where the naturalness and outstanding values were not as high as the surrounding land and where its removal would not be inconsistent with the work of the Small Working Group. It was not an easy process for us, as we frequently fell back onto the opinion that in this region, the whole of the area was clearly an ONFL. However, at the end of the negotiations, there was no agreement as to the inclusion of the Te Tai Tapu Estate.

Although having had a history of modification, the area now longer shows evidence of this, and viewed from the coastline, consists of large slopes intersected by river valleys and covered in natural vegetation. Its relatively low altitude, sloping terrain and contiguity of the mountains to the sea in a number of places, make it a very important biophysical place.

Kahurangi National Park investigation deemed it worthy for inclusion, and apart from the effects of some past forestry, the modification was seen as very small in comparison to the vast natural areas of the site. Boffa (2004 and 2005) identified it as having high landscape and natural character and included it as an ONL. Andrew Craig in 2012, similar noted the naturalness as high, mostly unmodified, and the landscape as very high to outstanding. The draft section 32 report recommended it for inclusion in the Southern NW Coast ONL.

The only reasons why it would be omitted are:

1. Because of iwi interests
2. Because of mining interests
3. Because it did not meet the Natural and Outstanding thresholds for inclusion.

To omit it for reasons 1 and 2 would be erroneous and inconsistent with the application of the SWG, and of Case Law. We note that all of the land is currently classified as stewardship land and its management is guided by the Nelson Marlborough Conservation Management Strategy for conservation purposes. Any iwi interests would be explored through that mechanism, and as such it does not stop it from being included as an ONL.

To omit it for reason 3 would be a valid reason, but the evidence of experts, and the support for its inclusion by the wider community to which we have had discussions with over the years, is that it is worthy of inclusion as an ONL.

As a consequence, Forest & Bird seeks the inclusion of the remainder of the Te Tai Tapu Estate and Department of Conservation managed lands, as identified by a question mark in the final report of the SWG.

#### **Wainui Bay**

Wainui Bay is an ONF, adjoining the marine ONL on the seaward side. For Forest & Bird more broadly, it remains an area of concern that the spat catching rafts set just north of the Abel Tasman Memorial lie within the Golden Bay-Mohua Marine ONL in such close proximity to the ONF.

Although we have no judgement on the value of the spat catching site, we believe some long term solution needs to be found within the rules and methods so this site is either removed or modified in such a way that it is no longer a highly intrusive structure given its current location close to the main

road and high visibility in what is otherwise a natural coastal setting with outstanding feature and landscape values, with Tata Islands as a stunning backdrop.

Our suggested amendments around rules relating to buffering against ONFs may well assist with providing the scope needed to remove the degradation the spat catching infrastructure has on the ONL and the adjoining ONF. Already used techniques such as submersible rafts are one option.

#### **Scenic View Points and Lookouts**

The draft plan has not identified the many scenic lookout points that currently exist within Golden Bay that lie adjacent to main roads or other key stopovers and allow members of the public to appreciate the landscape and scenery they are passing through. The first site is at the top of Takaka Hill at Harwoods where visitors get an opportunity to stop and appreciate the scenic vistas of Sylvester Range and the northwards to the wider Golden Bay/Mohua. Other scenic lookouts include Onekaka, Abel Tasman Memorial, Pohara Beach, Tarakohe Marina, Wainui Hill, Totaranui Rd, North West Coast road (various stops), Collingwood Wharf, Cobb Valley Rd and Cobb Lookout. These vantage points provide an opportunity to explain the importance of scenery and landscape appreciation through on-site interpretation and would help build an acceptance of landscape features and what is being done by local authorities to protect them.

#### **Land Information Memorandums (LIM reports)**

Forest & Bird suggests that information on the location and extent of ONFLs be included in land information memorandum reports provided to landowners and prospective buyers by Tasman District Council as a service to ratepayers and a way of raising the awareness of special landscapes and features that maybe of interest to owners and the wider community.

#### **Resource Consent Fee Waiver**

Forest & Bird suggests that TDC develop a policy giving some concession to landowners in the form of some rating relief when a feature or landscape is protected and in some ways restricts the neighbor from acting in a way they might have done so in the past.

#### **COMMENTS ON DRAFT RULES**

Forest & Bird agrees that the draft rule changes are generally adequate and address the major requirements of protecting outstanding landscapes and features. Rule changes appear to protect existing land uses where they have shown to be consistent with the protection of ONFL status, and treat all new activities with a requirement to obtain a resource consent as a controlled or restricted discretionary activity. Any new earthworks or land use activity not associated with an existing activity, has stricter requirements and will be required to obtain a resource consent as a restricted discretionary activity in future.

Forest & Bird are concerned about the rules providing buffers on ONFAs. We strongly support the provision that needs to be made so that activities on the boundary or in close proximity of an ONF do not have an adverse visual impact on the adjacent protected landscapes. This concern applies to all of the planned ONFs as most are small discrete features where neighbouring activities could have an impact on their visual landscape characteristics and appreciation. It is suggested that buffers need

to be developed on a "case by case" basis. Customised buffers according to each landscape feature would then limit subdivisions, land uses, buildings, roading, excavations, structures and developments that might compromise the landscape values being protected.

Detailed submissions and relief sought.

Reference	Forest and Bird submits	Submission seeking change
Chapter 9 Landscapes	9.1.2 Issues and Objectives. Forest and Bird support the identification of important view point and scenic lookouts in the Golden Bay region as a way of building appreciation of scenic beauty and allow for its appreciation by visitors and local communities. Harwoods Lookout, Onekaka, Abel Tasman Memorial and Wainui Hill are some examples worthy of recognition.	Support and retain with the addition of recognized view points and scenic lookouts so their visual appeal, visual amenity and skylines are protected as much as possible.
Chapter 9.1 Outstanding natural Features and Landscapes.	Issues 9.1.2	Support and retain
Chapter 9 Landscapes	Policies 9.1.3.4 A The sentence as currently written is not as clear as it could be.	Amend to read....Enable the maintenance of existing activities within an outstanding natural features and landscapes where they are permitted activities or are covered by a current resource consent.
	Policies 9.1.3.4 D	Amend to read ....Restrict subdivision, use and development activities in ONF's and ONL's in the coastal environment where landscape characteristics could be degraded or damaged.
	Policies 9.1.3.4 E	Amend to read..... <u>Allow</u> (not encourage as its too strong a term) subdivision, use and development activities in outstanding....etc.
Chapter 9 MOI	9.1.20 Methods of Implementation	Support and retain.
	9.1.20.2 (c) in addition to ONL's and ONF's identify key lookouts and viewing points in Golden Bay and develop methods to protect scenic values and create opportunities to explain and interpret these values to the community and travelling public.	Include methods to identify ONFL view points and develop educational material and signage to build appreciation of landscape values.
	9.1.20.2 C	Forest and Bird are concerned that if changes to a landscape have



		negative impacts then it could be necessary to review the ONLF's objectives, policies, methods and rules.	
	9.1.20.4 (a)	Add the word <u>underlined</u> ....and where other methods <u>of protection</u> are appropriate.	.16
	9.1.20.4 (b)	Consider the <u>waiver</u> of resource consent fees if a resource consent is required only because the activity is within an ONLF and is not required otherwise.	.C
	9.1.30 Principles Reasons and Explanation	Support and retain....but add the words..... <u>allowed</u> or encouraged.	.17
Chapter 16 General Rules	16.3A Assessment Criteria for Subdivision	Support and retain with the addition of Add (2C).....In the Coastal Environment the extent to which the potential effects of subdivision on the landscape characteristics of outstanding natural features and outstanding natural landscapes are <u>avoided</u> .	.18
Chapter 18 Special Area Rules	18.15 OLF's Areas and ONL's Areas		
	18.15.2.1 Standards for Adjacent Activities	Forest and Bird seeks that buffers need to be mapped according to; a) Sensitivity of the ONLF to the planned activity b) Visibility of the activity against the ONLF.	.19
	18.15.2.1.1 Permitted Activities	Support and retain apart from (b) and refer to buffering comments above.	.20
	18.15.2.1.2 Restricted Discretionary Activities	Support and retain	.21
	18.15.2.2 Earthworks		.22
	18.15.2.2.1 Permitted Activities	Forest and Bird seek the removal of (b) due to our concern that the plan permits a range of activities where earthworks could have effects on an ONLF and should be assessed.	.23
	18.15.2.2.2 Controlled Activities	Remove the words..."or in connection with". This will clarify this statement and give more certainty.	.24
	18.15.2.3 Buildings and Structures		
	18.15.2.3.1 Permitted Activities	Support and retain. Seek the removal of (c) statement is too vague.	.25

	18.15.2.4 Destruction or Removal of Vegetation	
.26	18.15.2.4.1 Permitted Activities	Forest and Bird strongly support (a) and are keen to ensure that vegetation removal must not extend beyond the current footprint.
.27	18.15.2.4.1 Permitted Activities (Destruction or removal of vegetation.) Forest and Bird are concerned that this might lead to the removal of too much vegetation.	Amend ( c )... The purpose is for the removing indigenous <u>vegetation</u> (remove weeds) that has grown naturally from cleared land. Add (d) Or is not controlled by another rule.
.28	18.15.2.4.2 Controlled Activities	Add (c) is consistent with other rules regarding indigenous vegetation clearance.
.29		Add (5) to resource consent requirements...is consistent with other vegetation clearance rules.
.30	18.15.2.4.3 Restricted Discretionary Activities.	Add (6) is consistent with vegetation clearance rules.
E	18.15.2.5 Plantation Forestry	Support and retain
.31	18.15.2.5.1 Restricted Discretionary Activities	Support and retain. Add (8) include the coastal environment as a zone requiring resource consent.
F	18.15.2.6 Quarrying	Support and retain
.32	18.15.2.6.1 Restricted Discretionary Activities.	Add (10) to include the coastal environment as a zone requiring resource consent.
.33	18.15 Principle Reasons for Rules	Support and retain. Forest and Bird prefer the term "human created" in place of "man made". This change needs to be made in the remainder of the plan as well. Amend second paragraph ..... remove word <u>they</u> and insert <u>features</u>
.34	Schedule 18.15A	
	18.15A Grove <u>Scenic Reserve</u>	Add full name
	18.15.A Hanson Winter <u>Scenic Reserve</u>	Add full name
	18.15A Tarakohe Cliffs	Add.... Extends down to the MHWS.
	18.15A (1) Te Waikoropupu Springs	Amend.... native <u>bush</u> to native vegetation.
	18.15A (2) Parapara/Kahurangi	Add.... This area covers the southern <u>part</u> of the Wakamarama Ranges
.35	Chapter 19 Information Required with Land Use Consents or	19.2.1 Land Use Forest and Bird seek to have this amended to read... a) Changes in land cover, such as vegetation removal and

Subdivision Applications		<p>building construction.</p> <p>b) Changes in topography or landform.</p> <p>c) Introduction of unnatural human created structures.</p> <p>d) Changes to visual quality</p> <p>e) Accumulative effects.</p>	
Chapter 25	Coastal Marine Area Rules	Support and retain.	.36
	25.6.2.1.1 Controlled Activities (Disturbance)	Amend. (c) remove reference to indigenous weeds. Also its confusing to refer to land in the Coastal Marine Area CMA. Better to call it foreshore or seabed.	.37 .38
	25.6.2.1.2 Restricted Discretionary Activities (Disturbance)	Support and retain	.39
	25.6.2.2 Structures and Coastal Occupations	Support and retain.	.40
	25.6.2.3 Destruction or Removal of Vegetation	Support and retain. Forest and Bird seek clarification on your list of indigenous weeds.	.41 .42
	25.6.20 Principle Reasons for Rules.	Para 2 remove "they" and replace with "features" for clarity.	.43
Schedule 25J			
	Big River Estuary	Amend to read... the estuary and catchment is <u>surrounded</u> by indigenous forest.	.44
	Golden Bay/ Mohua Coastal Marine	Amend to read ...Golden Bay <u>includes</u> a working landscape.	
	Northwest Coastal Marine	Replace word ... <u>extends</u> up to the dune lands.....	
	Chapter 26 Information Required with Coastal Permit Applications	Support and Retain	.45
General	<p>1) Forest and Bird would like to see information on ONL's and ONF's included on Land Information Memorandums (LIM's) so that landowners are aware of the existence of these features and the additional requirements they may impose and any development plans.</p> <p>2) Consideration is given to a complete waiver or partial waiver of resource consent applications fees as a reflection of the public value of landscapes being protected for both private and public benefit.</p>		.A .C

Forest and Bird would like to be heard at any formal hearing that might be part of this process.

RUDY TETTEROO

ACTING REGIONAL MANAGER

TOP OF THE SOUTH

**Tom Chi**

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**From:** jane@staigsmith.co.nz  
**Sent:** Monday 5 September 2016 3:06 p.m.  
**To:** Tom Chi  
**Subject:** GB Outstanding Landscapes

Tom

As per our earlier conversation, in terms of the Rules, we are concerned about the 'planning by stealth' proposed re the rules which pertain to land outside of the ONF maps but within 20m

Rule 18.15.2.1

A person unfamiliar with a RMP should be able to read a map and read the rules associated with those zones/overlays

Why would a person unfamiliar with a RMP read rules pertaining to another zone/overlay expecting it to affect them, when clearly a map does not show it

Jane

(Had a few other things, but that was the main one)


J

Jane Bayley  
Resource Management Consultant

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# FEEDBACK FORM

Let us know what you think of the locations identified and draft rule changes for Golden Bay's Outstanding Natural Features and Landscapes.



Your name: K J Lovell Your contact phone number: 03 525 9921

Your address: 1 Wainui Falls R.D. 1 Takaka

Comment on the locations identified: While I may support Wainui Estuary being designated an ONF, I do object to the adjoining privately owned properties being arbitrarily designated as ONLs. I note from the supplied map that other privately owned land adjoining designated ONFs, such as Tarakoke, The Grove, Payne Ford etc. are not affected. Nor is privately owned land from Tata Beach to Big River, adjoining equally outstanding coastal areas so designated as ONLs. Therefore I protest at the singling out of privately owned land at Wainui Bay being subject to such

Comment on the draft rule changes: discriminatory rules and conditions.

Designating the privately owned land at Wainui as ONLs separately from all other privately owned land in Golden Bay discriminates against the owners of that land in regard to our use of, enjoyment of and activities able to be carried out on our land unless sanctioned by Council staff. To restrict our Property Rights arbitrarily, presumably for the supposed scenic appreciation of the rest of society and others such as Tourists without recourse or compensation is against Common Law and Natural Justice. We would expect to be informed what will compensate us for our loss of Property Rights and what Statutory Authority allows this arbitrary forfeiture.

Please return this feedback form to any Council service centre by **Tuesday 9 August 2016**.

You can also submit feedback online: [tasman.govt.nz/feedback](http://tasman.govt.nz/feedback).

Feel free to contact us:



Tasman District Council  
Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
Website [www.tasman.govt.nz](http://www.tasman.govt.nz)  
24 hour assistance

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Phone 03 543 8409  
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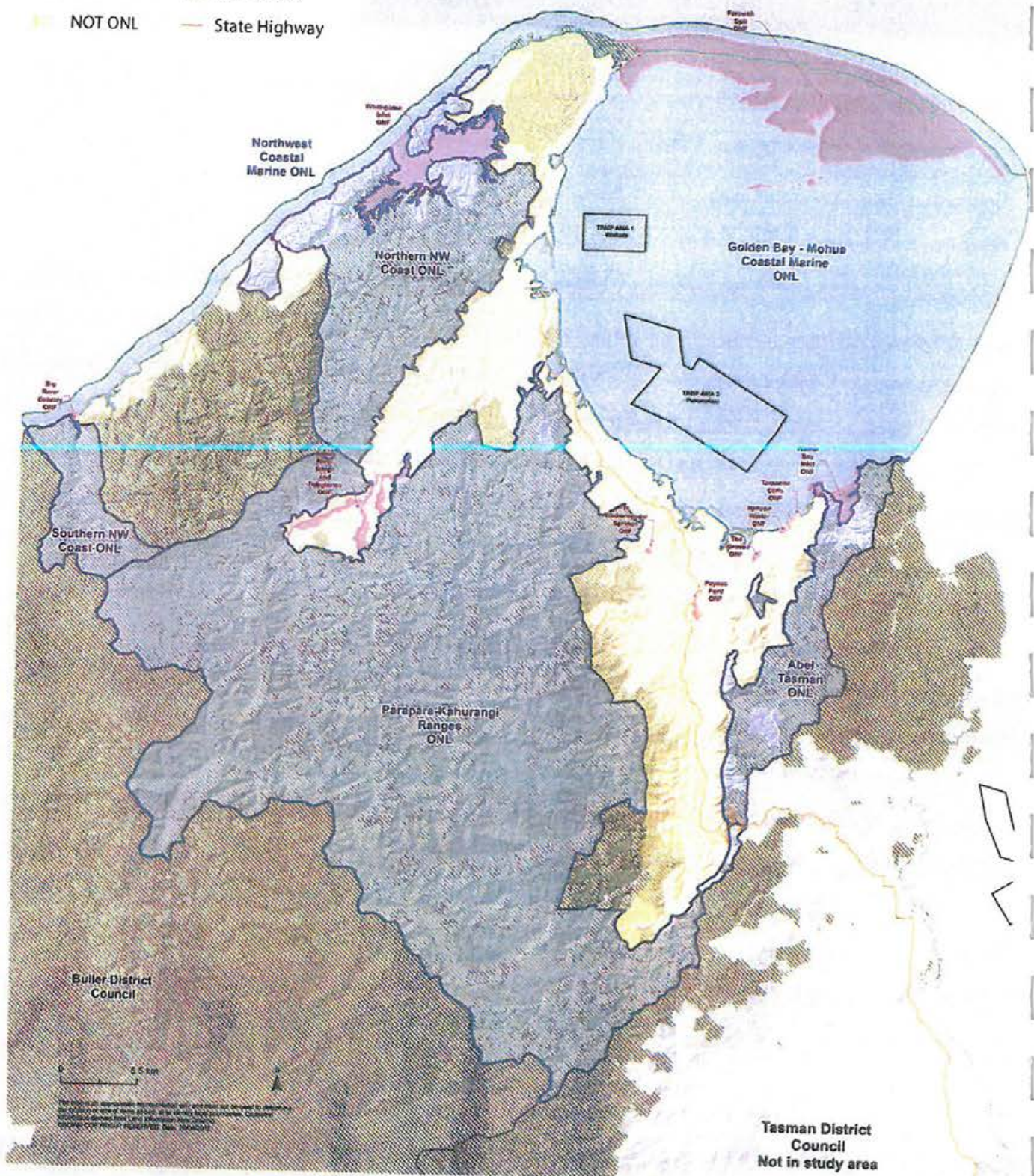
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92 Fairfax Street  
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Phone 03 523 1013  
Fax 03 523 1012

Motueka  
7 Hickmott Place  
PO Box 123  
Motueka 7143  
New Zealand  
Phone 03 528 2022  
Fax 03 528 9751

Takaka  
14 Jurisdiction Street  
PO Box 74  
Takaka 7142  
New Zealand  
Phone 03 525 0020  
Fax 03 525 0072

# Map of Recommended Outstanding Natural Features and Landscapes

- ONL
- ONL-Marine
- ONF
- DOC Estate
- NOT ONL
- State Highway



0 5.5 km

This map is an approximation of the actual land and water and does not constitute a guarantee of accuracy. It is subject to change without notice. Copyright © 2010 by the Department of Conservation, New Zealand.



# FEEDBACK FORM

Let us know what you think of the locations identified and draft rule changes for Golden Bay's Outstanding Natural Features and Landscapes.



Your name: Helen PuklowSKI Your contact phone number: (03) 5248195

Your address: 1469 Collingwood-Piponga Main Rd, Pahawan, PO Collingwood 7073

Comment on the locations identified: Already productive farmland should not be included as O.N.F. and h.. If they are, farmers should be financially compensated for loss of production caused by restrictions and cost of applying for consents. Many of the O.N.F. have been enhanced by the way farmers have looked after the lands they should not be penalized now.

If farming operations are reduced because of restrictions there must be rates relief for land owners.

Comment on the draft rule changes: As this concerns only the G. Bay area, the local residents should be allowed to make the rules for G. Bay. Why should people who live outside the area, especially outside the T.D.C. area, dictate rules which affect the income and livelihood of people in G. Bay?

Please return this feedback form to any Council service centre by **Tuesday 9 August 2016**.  
You can also submit feedback online: [tasman.govt.nz/feedback](http://tasman.govt.nz/feedback).

Feel free to contact us:



**tasman**  
district council

Tasman District Council  
Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
Website [www.tasman.govt.nz](http://www.tasman.govt.nz)  
24 hour assistance

Richmond  
189 Queen Street  
Private Bag 4  
Richmond 7050  
New Zealand  
Phone 03 543 8400  
Fax 03 543 9524

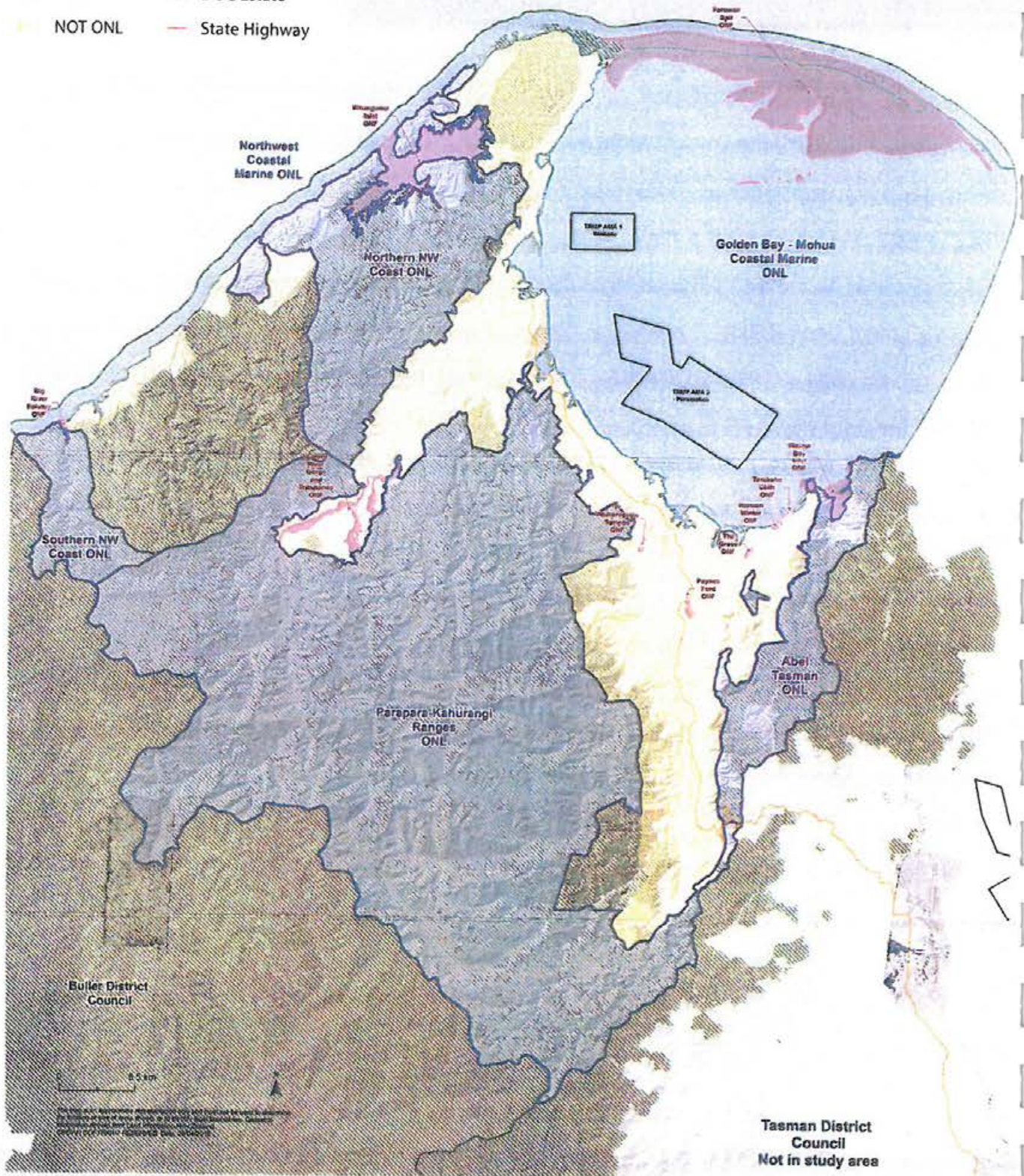
Murchison  
92 Lark Street  
Murchison 7007  
New Zealand  
Phone 03 523 1013  
Fax 03 523 1012

Motueka  
7 Hickmott Place  
PO Box 123  
Motueka 7143  
New Zealand  
Phone 03 528 7022  
Fax 03 528 9751

Takaka  
14 Junction Street  
PO Box 74  
Takaka 7142  
New Zealand  
Phone 03 525 0020  
Fax 03 525 9972

# Map of Recommended Outstanding Natural Features and Landscapes

- ONL
- ONL-Marine
- ONF
- DOC Estate
- NOT ONL
- State Highway



20-9-16  
Te Hapu

Letter (a)

Santra and Ken  
Class

21/09/2016

Dear TDC,

TDC must be acknowledged for its work with Resource Management Act (in fact) and the "small group" congratulated for its diligence in identifying areas of Outstanding Natural Landscape in Tasman District. However it must be noted that only a very small amount of privately owned land is included (and indeed why not just leave it in the National Parks, D.O.C & Council Reserves) and most of that is on, or adjacent to, the North West Coast (although the flats of Waimui Bay - a dairy farm!! - are included). Our entire farm is included, even though, prior to a <sup>somewhat belated</sup> polite visit last (?) year during which the small group ceased appropriately about our landscape, no one from TDC or the small group, to our memory, contacted us, or visited the property.

So why, specifically, is this, and other similar properties out here included?

of site, out of mind? Lots of Greenies in Solder way, they'll support it? Lets get Golden Bay done. Maybe that'll satisfy the RMA, and we won't have to annoy anyone in the rest of Tasman?

I acknowledge that this property is somewhat physically attractive (to some people), but natural (couldn't be much further from it - we derive <sup>much</sup> of income from grazing imported animals on land originally hacked and/or burnt out of native bush and converted to pasture. About as far from "natural" as you could get. Also there is nowh for the Public to view this property, apart from a boat or aeroplane, so of course our suspicions are aroused that, despite assurances to the contrary from T.D.C, there may be demands in the future from interest groups for more access to this private land, if indeed it is included in part of an Outstanding Natural Landscape.

Just as a little (rueful) aside, we note that while the two (local) members of the council

group were very enthusiastic about our farm<sup>3</sup> being included, their own farms were deemed non-outstanding, and excluded, even though one of them is pictured on page two of the Discussion Document & feedback leaflet !!

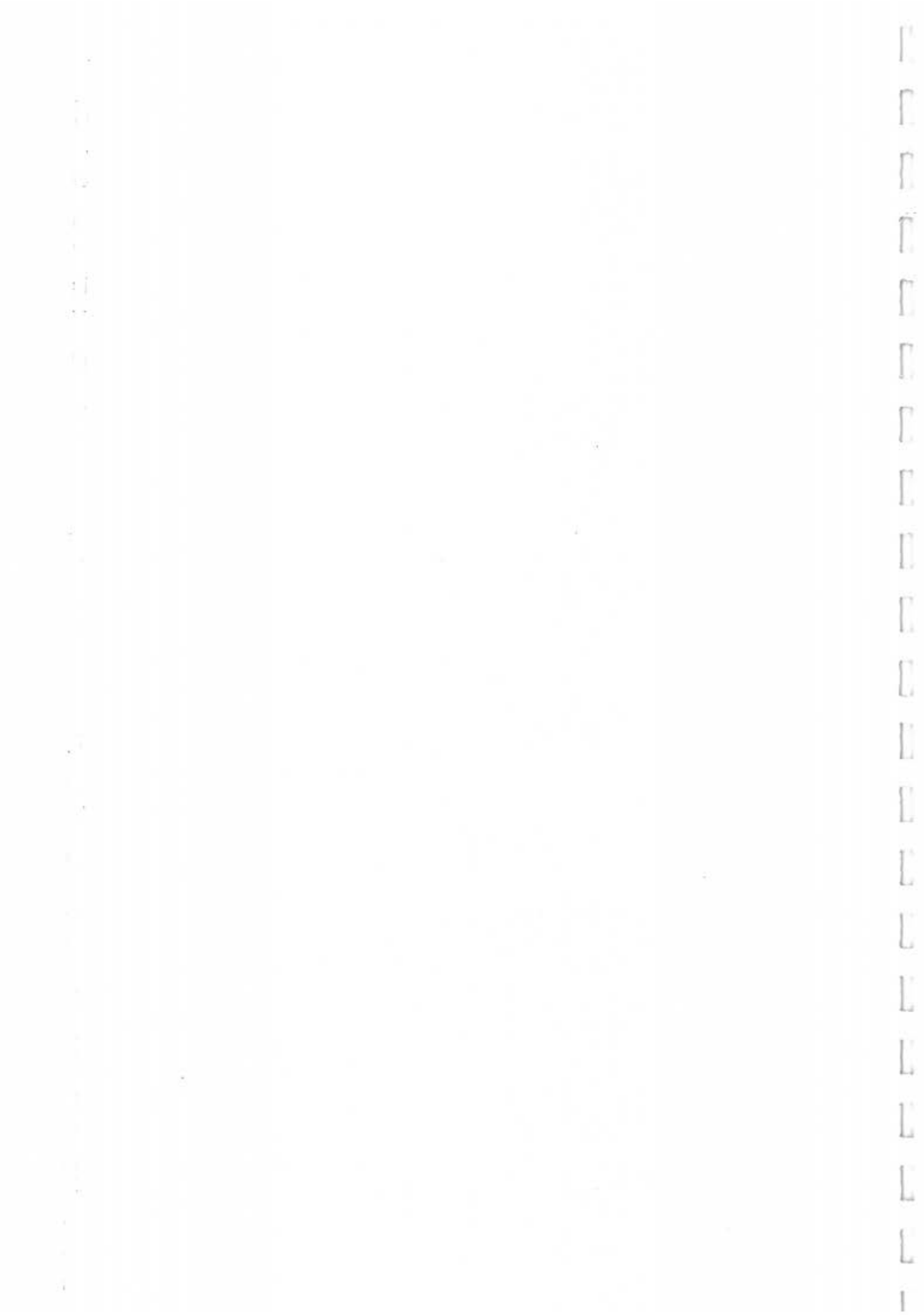
Two points are relevant here. First, an idea mooted around our kitchen table recently was "why don't we put our entire property in a QEII covenant .... as a farm (the motor was under the impression that a QEII covenant can actually be anything, and not necessarily a native regeneration or conservation area) then we can bypass the O.N.L. route and won't have to pay rates". Second, in 1988 we were in the process of selling the first farm we owned in Golden Bay, and buying this one, (Te Hapu). Golden Bay County Council, at the time was ~~to~~ proposing to introduce a "conservation area", similar to the O.N.L. A prospective purchaser was ready to sign up unconditional for our property, but then got wind that it was to be

included in the Conservation Zone (probably because it adjoined Abel Tasman National Park). They immediately included a clause in their offer contract stating that if the Conservation Zone went ahead, the contract was void. Fortunately G.B.C. abandoned the idea.

So when purchasing a freehold property, you are paying for certain rights and privileges, including private enjoyment, and the right (subject to restraints and regulations, and in varying degrees) to exploit that land (central to provide income. Tasmania is not (we hope) Stalinist Russia, some respect of private land ownership is justifiably expected, and those salient rights are curtailed or removed, surely compensation is due. This is hinted at in the Draft Plan Change leaflet section 2.4.4. So how about it?

I am confused about the vague boundaries

of the O.N.L.-marine, the inland boundaries of <sup>5</sup>.  
Which "crawls up to the dunes and cliffs of the  
North West Coast". OK that's mostly obvious, but  
in one small area a "dune" wouldn't be encountered  
at all and a "cliff" wouldn't appear till you reached  
Thompson Creek, two thirds of the way to the Aorere  
Valley (perhaps 7 km!).





Letter ⑥

1

As a two generation family at Te Hapu, we believe we have done rather well by creating two incomes (sheep and cattle farming plus tourism and, to a small degree, forestry and carbon farming) for two families on what would normally be regarded as an uneconomic parcel of hard hill country.

Most of the many paying guests who visit Te Hapu every year do so because of its somewhat stunning landscape, so it is not that we deny that we live in an outstanding panorama, rather that we object to restrictions being placed on our potential activities here, especially if these restrictions are imposed without compensation. A 2

As we all know, what is economic now may not be in 20 years, so diversifications must be looked at. The proposed restrictions resulting from this property being included in an ONL or ONL marine zone would stifle entrepreneurial development, stopping the clock at now.

This property obviously lends itself to aquaculture (and we have been approached in the past). Under an ONC, such development would seem nigh impossible.

Tourism definitely works here, and the younger generation see tourism as the best prospect income stream for the future. Yet proposed ONC rules make it pretty clear that any reasonable <sup>large</sup> scale development in that field would be precluded.

Forestry--- Our sons have a small forestry block planted, which is included in the Emissions Trading Scheme. They are required to replant they fell (and this is many years away). The ONC rules appear to restrict the type of tree planted to native, or would Draft Plan Change rule 2.4.4 (b) if enacted, be an effective counter.

The Emission Trading Scheme is not mentioned in the Draft plan at all. Parts of this farm are in it now, and other parts are under

consideration. Inclusion in the ONL would, as the forestry, appear to restrict plantings to native, which sequester less carbon per growth year than most exotics, therefore limiting economic return. (Again perhaps 2.4.4 (b) would come into play here.)

We have no intention of selling this property, however, we don't know what's around the corner. An ONL listed property would definitely limit the pool of potential purchasers, thus denigrating value.

Concluding, inclusion in an ONL is not, overall, a positive prospect for this property. We do acknowledge that Te Hapu's landscape is outstanding, but you still have to pay the rates and insurance (etc) which seem

to be ever increasing. The next generation at Te Hapu do have ideas (a natural inclination surely) yet see these ideas stifled by OMB "rules". It would be a tragedy if that generation were put off taking on this property by restrictions on development, and left to seek their future elsewhere. This community is already suffering the effects of having less than desirable prospects for young families.

So - can we be an OMB. .... without the extra rules? (there are plenty now which take some huddling over, as we have discovered.)

Or if we have to have extra rules, let's have some compensation!!

Faithfully

John Cross

Ken Cross

# FEEDBACK FORM

Let us know what you think of the locations identified and draft rule changes for Golden Bay's Outstanding Natural Features and Landscapes.



Your name: Ken Clark Your contact phone number: 035208357  
Your address: 429 Te Hapu Rd Collingwood 7015  
Comment on the locations identified: see letter (a)

Comment on the draft rule changes: see letter (b)

Please return this feedback form to any Council service centre by **Tuesday 9 August 2016**.  
You can also submit feedback online: [tasman.govt.nz/feedback](http://tasman.govt.nz/feedback).

Feel free to contact us:



Tasman District Council  
Email: [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
Website: [www.tasman.govt.nz](http://www.tasman.govt.nz)  
24 hour assistance

Richmond  
180 James Street  
Richmond 7340  
Richmond 7350  
New Zealand  
Phone: 03 523 8000  
Fax: 03 523 8001

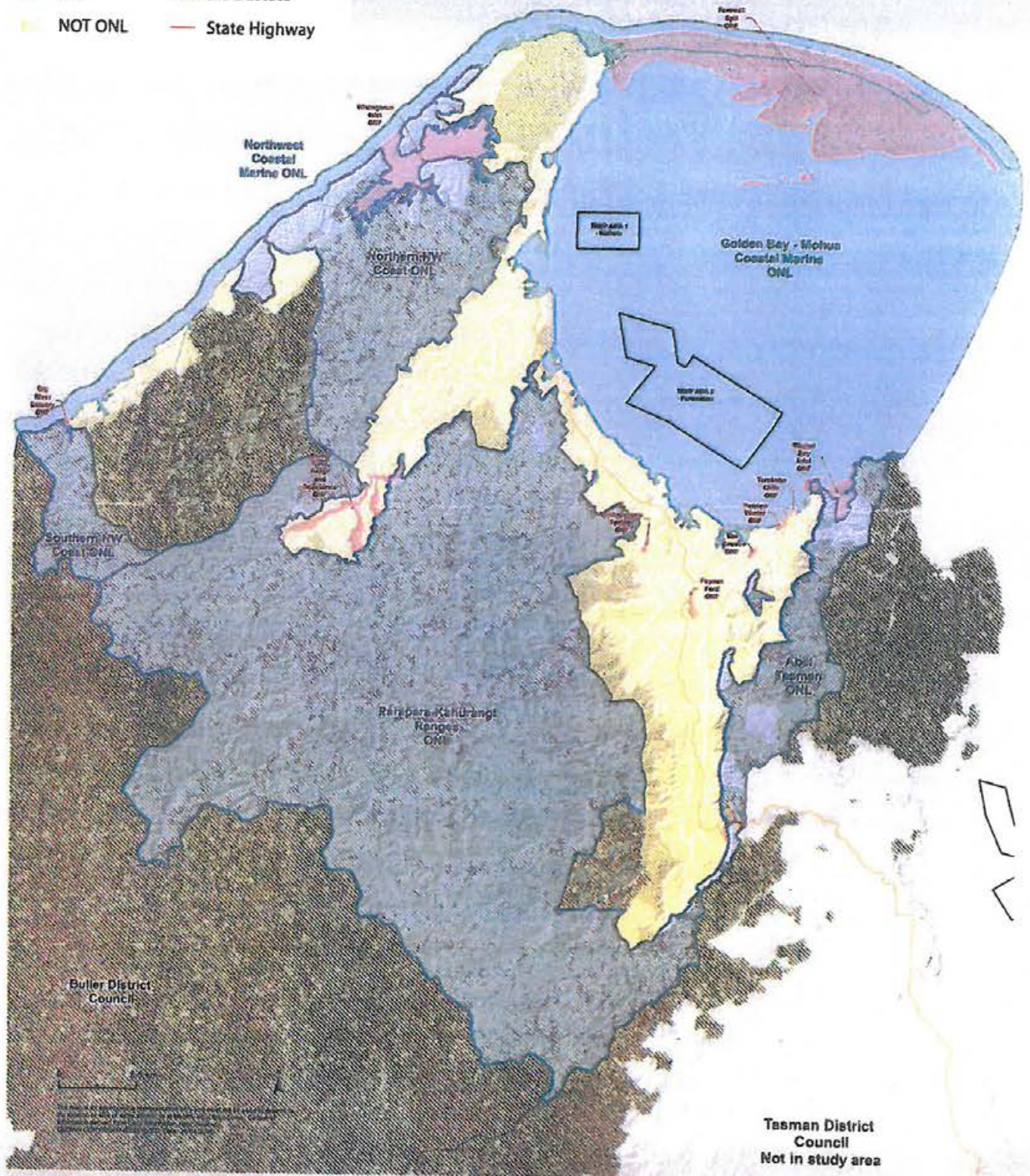
Marlborough  
24 Fairfax Street  
Marlborough 7207  
New Zealand  
Phone: 03 523 1013  
Fax: 03 523 1012

Motueka  
7 Main Street  
Motueka 7101  
Motueka 7102  
New Zealand  
Phone: 03 520 2000  
Fax: 03 520 1001

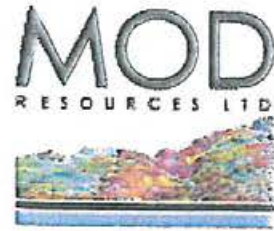
Takaka  
13 Lurline Street  
Takaka 7102  
New Zealand  
Phone: 03 520 0000  
Fax: 03 520 0001

# Map of Recommended Outstanding Natural Features and Landscapes

- ONL
- ONL-Marine
- ONF
- DOC Estate
- NOT ONL
- State Highway



21/09/2016



## Golden Bay Outstanding Natural Landscapes and Features (ONLF)

The TDC has invited informal feedback on the Golden Bay ONLF reports by 30<sup>th</sup> September 2016. Comments are provided below on the Small Working Group (SWG) and Section 32 Evaluation Reports.

### **Final report of the Small Group**

The report refers to small areas like Sams Creek where consensus could not be reached. These areas have been referred to as "Unconfirmed" on the maps and in the report. To use of the word "Unconfirmed" for these areas is misleading and implies that they may be confirmed at some point. It is proposed that "No Consensus" is used for these areas and all references in the report and maps are changed. .3

### **Section 32 Draft Evaluation Report**

Under section "4.2.1 Mapping the Outstanding Natural Features and Landscapes"

Comments on the Table attached to this section under **Option 2** (see below)

- Under the **Costs** column under **Environmental** (see highlighted in yellow below); "**but are still valuable**" This comment should be removed as it does not state on what basis they are deemed valuable and who has decided that they are still valuable. .1
- Under **Costs** column under **Economic** (see highlighted in yellow below); it should be noted that that heavier regulations may also make some operations or future operations or changes to current operations untenable. This same comment occurs in a number of table entries and they should all be modified. .2

Under **Recommendation**; the "**several unresolved locations**" are not unresolved, they are areas where there was no consensus amongst the SWG. The Council has resolved this by excluding these areas from the ONLF's and the comment should be removed. .4

## Golden Bay Outstanding Natural Landscapes and Features (ONLF)

<p><b>Option 2:</b> Adopt the ONFL overlay recommendations of the SWG July 2015 report</p>	<p><u>Environmental</u> Locations and landscapes deemed ONFs and ONLs by the community-led group are and protected.</p> <p><u>Social</u> The community-led process is both validated and further supported by Council. Diverse considerations and perspectives have contributed to the decisions.</p> <p><u>Cultural</u> Potential areas of importance to iwi are identified. The community-led process acknowledged that direct consultation with iwi is now required.</p> <p><u>Economic</u> Communities, industries and other parties benefit from the continued protection of ONFLs. These can include tourism operators, and many landowners and farmers.</p>	<p><u>Environmental</u> There are some locations where the SWG did not reach consensus and so are not deemed ONFs or ONLs but are still valuable.</p> <p><u>Social</u> Individual landowners and other parties have not been consulted directly during this process so far, so their views have not been taken into consideration at this stage.</p> <p><u>Cultural</u> Locations of importance to iwi were not adequately addressed within the community-led work. There needs to be early and direct consultation with iwi.</p> <p><u>Economic</u> Potentially heavier regulations for landscape protection may impose greater financial costs on those parties operating in affected areas. These can include some farmers, landowners and businesses.</p>
<p>Recommendation</p>	<p>This option is fully recommended as it substantially identifies those areas and locations within Golden Bay which can be deemed ONFs and ONLs. However, it does not adequately assess iwi associations and values and also includes several unresolved locations. This would be a step towards resolving the resource management issue.</p>	

Under Option 3 (see extract from the table below)

- Under **Economic**: remove the comment "There are no economic costs as the costs of the landscape assessment has already been completed". The Economics should be about the economic impact of being included on the ONLF not the cost of the evaluation to the Council.
- Under **Costs** column **Economic** – it should be noted that that heavier regulations may also make some operations or future operations untenable.



**Golden Bay Outstanding Natural Landscapes and Features (ONLF)**

<p><b>Option 3:</b> Adopt the ONFL overlay recommendations of</p>	<p><u>Environmental</u> Locations and landscapes deemed ONFs and ONLs by the landscape assessments are protected.</p> <p><u>Social</u></p>	<p><u>Environmental</u> There are no environmental costs.</p> <p><u>Social</u> There will be damage to the good will and relationships developed</p>
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<p>previous landscape architects</p>	<p>There are some social benefits. The previous reports have touched on different perspectives and the values of local communities, but not substantially.</p> <p><u>Cultural</u> There are no cultural benefits. Iwi perspectives and values were not considered, and locations of importance were not identified.</p> <p><u>Economic</u> Communities, industries and other parties benefit from the continued protection of ONFLs. These can include tourism operators, and many landowners and farmers.</p>	<p>over the years by the community-led process if Council does not adequately consider their work.</p> <p><u>Cultural</u> Locations of importance to Iwi are not adequately assessed within the previous landscape assessments.</p> <p><u>Economic</u> There are no economic costs as the landscape assessments are already completed. Potentially heavier regulations for landscape protection may impose greater financial costs on those parties operating in affected areas. These can include some farmers, landowners and businesses.</p>
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## Golden Bay Outstanding Natural Landscapes and Features (ONLF)

Under the **Summary Recommendations** "a combination of 2 and 3 is recommended". The small working group had full access to the landscape reports when they made their recommendation (Option 2), so the consolidation has already occurred and the Council accepted their recommendations. It's also stated that "the SWG recommendations were significantly consistent with existing landscape character evidence". So why has a combination of Option 2 and 3 been recommended? The recommendation should be changed to Option 2 only.

<p><b>Summary Recommendation</b></p>	<p>A combination of options 2 and 3 are recommended. Potential ONFLs have already been proposed by the Small Group, and previous landscape architects have already made landscape assessments of Golden Bay. The recommendations can be consolidated. There are still gaps, however, around locations of importance to iwi and select areas where the SWG could not reach consensus.</p>
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Under Section "4.2.2 Managing Subdivision, Land Use and Development"

Comments on the Table attached to this section under Option 2 (see below).

It states under **Social** (see highlighted in yellow below); "Landscape areas and locations of importance to communities that are not deemed ONF' or ONLs are not protected" This is an incorrect statement as;

- The process of using the SWG was to identify ONLFs that were important to the communities.
- Chapter 9 of the TRMP: has as its sole objective: "protection of the District's outstanding landscapes and features from the adverse effects of subdivision, use or development of land and management of other land, especially in the rural area and along the coast to mitigate adverse and visual effects".
- Policy 9.1.3 encourages land use to be managed in a way that avoids or mitigates adverse effects on natural landforms, surrounding natural features and visual amenity values; requires structures not to adversely affect skylines and ridgelines or unity of landform, vegetation and views; promotes protection of landscapes values. Furthermore, Policy 9.3 protects significant views from key public viewpoints on tourist routes.

This statement should be removed.

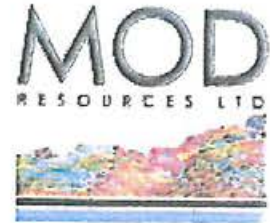
## Golden Bay Outstanding Natural Landscapes and Features (ONLF)

<p><b>Option 2:</b> Propose strictly ONFL-related amendments</p>	<p><u>Environmental</u> The landscape characteristics of ONFs and ONLs are protected.</p> <p><u>Social</u> Landscape characteristics related to social values and communities, such as historical knowledge, are protected.</p>	<p><u>Environmental</u> There are no environmental costs.</p> <p><u>Social</u> Landscape areas and locations of importance to communities that are not deemed ONFs or ONLs are not protected.</p>
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Comments on the Table attached to this section under Option 3 (see below).

It states under Social and Cultural (see highlighted in yellow below); "don't reach that threshold yet are still regarded as valuable" The Council has spent over 10 years and numerous consultants and working groups to define ONLF's. What threshold do they need to meet and why haven't they met them during this process? Remove this comment.

<p><b>Option 3:</b> Propose general landscape amendments and clarify landscape terminology</p>	<p><u>Environmental</u> The landscape characteristics of both ONFLs and other landscape areas and locations are protected. Clarifying landscape terminology will make landscape protection both easier and more effective.</p> <p><u>Social</u> Landscape areas and locations of importance to communities are protected, both ONFLs and those that don't reach that threshold yet are still regarded as valuable.</p> <p><u>Cultural</u> Landscape areas and locations of importance to iwi are protected, both ONFLs and those that don't reach that threshold yet are still regarded as valuable.</p>	<p><u>Environmental</u> There are no environmental costs.</p> <p><u>Social</u> There is a risk of Council being seen as operating outside of the scope it promised the Golden Bay communities, which was limited to ONFLs.</p> <p><u>Cultural</u> There is a substantial risk of iwi viewing Council as operating in a heavy-handed manner, affecting the lands returned recently by the Treaty Settlement process.</p> <p><u>Economic</u> Potentially heavier regulations for landscape protection may impose greater financial costs on those parties operating in affected areas.</p>
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## Golden Bay Outstanding Natural Landscapes and Features (ONLF)

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Under Section "**4.2.2 Managing Subdivision, Land Use and Development**"

Comments on the Table attached to this section under **Option 2** (see below).

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This statement should be removed.

Under **Costs** column **Economic** – it should be noted that that heavier regulations may also make some operations or future operations untenable.

### Golden Bay Outstanding Natural Landscapes and Features (ONLF)

<p><b>Option 2:</b> Propose strictly ONFL-related amendments</p>	<p><u>Environmental</u> The landscape characteristics of ONFs and ONLs are protected.</p> <p><u>Social</u> Landscape characteristics related to social values and communities, such as historical knowledge, are protected. Protected locations are likely to have been identified by members of the Golden Bay community.</p> <p><u>Cultural</u> Landscape characteristics related to iwi values and perspectives, such as historical and cultural associations, are protected.</p> <p><u>Economic</u> Communities, industries and other parties benefit from the continued</p>	<p><u>Environmental</u> There are no environmental costs.</p> <p><u>Social</u> Landscape areas and locations of importance to communities that are not deemed ONFs or ONLs are not protected.</p> <p><u>Cultural</u> Landscape areas and locations of importance to iwi that are not deemed ONFs or ONLs are not protected. There is a substantial risk of iwi viewing Council as operating in a heavy-handed manner, affecting the lands returned recently by the Treaty Settlement process.</p> <p><u>Economic</u></p>
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	<p>protection of ONFLs. These can include tourism operators, and many landowners and farmers.</p>	<p>Potentially heavier regulations for landscape protection may impose greater financial costs on those parties operating in affected areas. These can include some farmers, landowners and businesses.</p>
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## Golden Bay Outstanding Natural Landscapes and Features (ONLF)

It states under Social and Cultural (see highlighted in yellow below); "don't reach that threshold yet are still regarded as valuable" The Council has spent over 10 years and numerous consultants and working groups to define ONLF's. What threshold do they need to meet and why haven't they met them during this process? This comment should be removed.

<p><b>Option 3:</b> Propose general landscape amendments and clarify landscape terminology</p>	<p><u>Environmental</u> The landscape characteristics of both ONFLs and other landscape areas and locations are protected. Clarifying landscape terminology will make landscape protection both easier and more effective.</p> <p><u>Social</u> Landscape areas and locations of importance to communities are protected, both ONFLs and those that don't reach that threshold yet are still regarded as valuable.</p> <p><u>Cultural</u> Landscape areas and locations of importance to iwi are protected, both ONFLs and those that don't reach that threshold yet are still regarded as valuable.</p> <p><u>Economic</u></p>	<p><u>Environmental</u> There are no environmental costs.</p> <p><u>Social</u> There is a risk of Council being seen as operating outside of the scope it promised the Golden Bay communities, which was limited to ONFLs.</p> <p><u>Cultural</u> There is a substantial risk of iwi viewing Council as operating in a heavy-handed manner, affecting the lands returned recently by the Treaty Settlement process.</p> <p><u>Economic</u> Potentially heavier regulations for landscape protection may impose greater financial costs on those parties operating in affected areas. These can include some farmers</p>
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Under "Appendix 1 Table 2.3"

This table is misleading and does not add any value to the discussion as the majority of locations are not covered specifically in the different reports and direct comparisons cannot be made. Also the observations in the various reports don't lend themselves to a small comment in a table cell. This has led to over simplification of out of context quoting. This table should be removed from the report.

Some specific comments;

## Golden Bay Outstanding Natural Landscapes and Features (ONLF)

- What does **Supplementary** and **Primary** mean in this context? Is implying that the DOC 1993 report is a "supplementary report"? The DOC report was the most substantial report completed and is the only report that was based on detailed investigation and site visits. -10
- Staff recommendations should be removed as the aim of the table was to compare each assessed location and the assessments of both the SWG and past landscape and natural character reports. -11
- For the Sams Creek Area: -12
  - The DoC quote is totally taken out of context and incorrect (see explanation in Sams Creek Gold – Briefing paper to the Small Working Group). The DOC 1993 report states the following with regard to Sams Creek "The Department has carried out site investigations for the prospecting application Min 31-2178. It was concluded that there were no outstanding natural values in that area at present which would warrant national park status for this area on its own. Therefore, this area was recommended for exclusion".
  - "Although there is currently little information on the specific natural values within the prospecting application sites to the east of Min 31-2178 (Min 31-2661) it is considered that this would not meet national park criteria on its own. Therefore, this area was recommended for exclusion".
  - Areas of Sams Creek that DOC considered had natural values that warranted National Park Status were removed from the permit/s and included in the National Park.
  - The first part of the "Craig" comment on Upper Takaka is a very general comment and does not specifically apply to Sams Creek so is not relevant in this context. The second part is referring to the whole Kahurangi / Parapara area and again not relevant to Sams Creek.
  - Staff recommendations shouldn't be included. In any case what does partially recommend for inclusion mean? Which part? Why is this report recommending inclusion when DOC recommended not too, the SWG couldn't reach consensus, none of the landscape experts have visited the area and the Council accepted the decision to exclude it?

NW Nelson Conservation Park – Sams's Creek	mining licences Natural values – deemed worthy for inclusion in national park Modification – some modification from the Cobb reservoir and Hydro installation Recommendation – exclude for mining prospecting areas and licences	N/A	N/A	Upper Takaka Valley Naturalness – moderate, some modification Landscape – high to outstanding  Parapara/Kahurangi Naturalness – high, mostly unmodified Landscape – very high to outstanding	N/A	9 – Golden Bay soft rock tertiary hills	2 – Partially recommend for inclusion as part of Parapara-Kahurangi Ranges ONLF
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Forest & Bird  
GIVING NATURE A VOICE

Forest and Bird Golden Bay Branch,  
c/o Secretary,  
Jo-Anne Vaughan,  
20 Hiawatha Lane,  
Takaka. 7110.  
Email: [javn@xtra.co.nz](mailto:javn@xtra.co.nz)  
24.9.16

## RESPONSE TO DRAFT OUTSTANDING FEATURES AND LANDSCAPES IN GOLDEN BAY

The Golden Bay Branch of Forest and Bird welcomes the opportunity to respond to this draft proposal for the locations and draft rules for the outstanding natural features and landscapes (ONFL). We acknowledge the difficulties and hard work of all concerned, particularly the Small Working Group, to bring the process this far in the absence of accepted methodology, and agree that **all the ONFL listed in the Discussion Document should be included, with none removed.**

Forest and Bird is of the view that the ONFL should be decided on the basis of landscape reasons alone. That they have not been, points to a **flawed process**. It is essential that the process, outcomes and rules be fair and unassailable. The interface between the ONFL and private property has and will be subject to the real or attempted influence of vested interests, some reasonable (see below to suggested new rules, costs of consents), and some self serving. This tension has been played out in the course of the ONFL process, and we do not have confidence that the decisions about ONFL so far have not been influenced by vested interests.

1.1. The foremost response is to urge the Council to **return to deciding ONFL on the basis of landscape alone and reinstate the three landscapes of Te Tai Tapu, Mt Burnett, and Sam's Creek as outstanding landscapes.**

It would appear that these three areas have been dropped from their places as ONL or within ONL for potential and existing quarrying and mining considerations. The 2014 report of the small working group explicitly stated that a place "needs to be included or excluded for landscape reasons alone", and included these places. In the 2015 report the three areas had become question marks. In the discussion document they have disappeared. All are sites for current or potential mining or quarrying.

Sam's Creek and Te Tai Tapu are not actively mined, the mining is only a potential in the future. Both have already been determined to be worthy of inclusion as ONL by the small working group in its 2014 report.

Activities such as mining within a ONL should be dealt with through the normal process of an application for resource consent rather than a justification to remove them from the ONFL decision. We also make the point that the exclusion of the mining and quarrying areas of Sam's Creek, Mt Burnett and Te Tai Tapu will result in owners of these areas **not** incurring the increased resource consent costs expected to be incurred by property owners inside ONL who appear already to see themselves as disadvantaged. This is another reason why the decision should be made on the basis of landscape values alone

4  
2. The second response is to request that the **Takaka Valley floor in whole or in part be an ONL**. The distinctive character of the Takaka Valley floor is defined by the winding river and the scattered totara trees on the river flats which are appreciated both from views from the Takaka hill, and from the valley floor itself. When a large number of Totara trees were cleared from a property on the valley floor some months ago there was a response from the Takaka community; an indication that the unique character of the valley floor is valued as a landscape.

5  
3. The third response is to include the following as Outstanding Natural Features

6  
1. **Devils Boots;**

2. **Ballroom Cave in the Aorere Goldfields.**

There is a good case to be made to include spectacular accessible caves as Outstanding Natural Features. They are a recognised natural feature in Golden Bay. Caves are particularly prone to damage of limestone formations and removal of moa bones etc.

### DRAFT RULE CHANGES:

There are economic implications to ONL (see below) and vested interests now or in the future may try to change the ONFL list.

7  
9.2.4.2. Include a rule to say that more ONFL may be added to the list decided by this process. i.e. this list is not final.

8  
Include a rule to say that ONFL may not be removed from the list some time in the future.

9  
18.15.

Include mining along with quarrying wherever quarrying is referred to..

18.15.2.6. Quarrying and mining

18.15.2.6.1. Restricted Discretionary Activities (Quarrying and mining)

18.15. Principle Reasons for Rules

Amend "Activities of specific concern are plantation forestry, quarrying, Add: and mining, "

10  
18.15A. (1) **Golden Bay Outstanding Natural Features areas.**

Include **The Devils Boots and the Ballroom Cave**

(2) **Golden Bay Outstanding Natural Landscapes areas**

Include **Mt Burnett, Sams Creek, Te Tai Tapu, Takaka Valley Floor.**

18.15.2.2.2 Controlled Activities (Earthworks)

(c) *Bare earth areas are revegetated where possible to achieve 80% ground cover within 12 months*

Add: **using local endemic plants which would be the natural ground cover previous to the commencement of the earthworks.**

Reason: to avoid the revegetation of bare earth areas with species which are not local or even native

### NEW RULES PROPOSED

A  
1. **Costs of Resource consents;**

Forest and Bird recognise that for those who are landowners in ONFL, there will be an increase in costs in time and money due to more resource consents being required. This has been expressed as a real grievance by affected landowners both at the information session and in the media. There is a risk that these landowners regard inclusion within an ONL as a misfortune compared with others whose land is not in an ONL. One entire farm is within a ONL. This may also affect the price if they decide to sell their properties.

**We ask that rules be added to allow for waiving of resource consent costs where a resource consent is required for no other reason than the property being included in an ONL. This would apply to current owners only and not future owners.**

2. **Protection of coastal/marine ONFL from damage via water catchments.**

The proposed boundary of the coastal ONLF is the mean high water springs. Estuaries in particular are at risk of damage due to sediment and pollution washed in from rivers, streams and surface flooding after logging and other land clearance activities. The recent logging behind Ligar Bay is a case in point.

We ask that rules be added

1. to control land clearance or other activity which could result in contamination of the coastal/marine ONFL, particularly estuaries, by sedimentation or pollution.
2. To adjust boundaries as sea levels rise

Celia Butler,

Chair, Golden Bay Branch,  
Forest and Bird.  
1900 Takaka Valley Highway,  
RD1,  
Takaka, 7183.  
hangdog.camp@paradise.net.nz

11  
12



# FEEDBACK FORM

Let us know what you think of the locations identified and draft rule changes for Golden Bay's Outstanding Natural Features and Landscapes.



Your name: Michael Reedy Your contact phone number: 027 3400205  
Your address: 796 ABEL TASMAN DRIVE TAKAKA 7183

Comment on the locations identified: \_\_\_\_\_  
\_\_\_\_\_

## KEEP MT BURNETT OUT of the Golden Bay Outstanding Natural Features and Landscape

Mt Burnett is an existing active mining area and has been for approximately 100 years. It was decided when the Kahurangi National Park was created in 1996 that it would not be included subject to mining. Changing how this area is able to be utilized will impact on the wider community and therefore should continue to be excluded from the Golden Bay outstanding natural features and landscape for the following reasons:

Dolomite rock from Mt Burnett is the only heavy density rock that qualifies in Golden Bay to be used for protection from erosion. It is commonly used in the community to protect against river erosion and for sea walls. With the rising sea levels this will continue to be a further problem, one that the Golden Bay could continue to protect itself against with local dolomite rock.

The fertilizer from Mt Burnett is New Zealand's only source of magnesium calcium organic fertilizer. It is an important necessity in farming for both soil and animal health. There is a future in organic farming as it has less impact on our waterways and will mean an overall better product for all consumers. New Zealand farming generates over \$30 billion in exports per year, feeding over 40 million people, in 100 countries around the world.

Let's ensure that some of our best resources continue to be accessible to consumers by enabling Mt Burnett to continue to be excluded from the Outstanding Natural Features and Landscape.

Please return this feedback form to any Council service centre by **Friday 30 September 2016**.  
You can also submit feedback online: [tasman.govt.nz/feedback](http://tasman.govt.nz/feedback).

Feel free to contact us:



Tasman District Council  
Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
Website [www.tasman.govt.nz](http://www.tasman.govt.nz)  
24 hour assistance

Richmond  
180 Otago Street  
Private Bag 4  
Richmond 7050  
New Zealand  
Phone 03 543 8100  
Fax 03 543 8824

Murchison  
92 Tapanui Street  
Murchison 7207  
New Zealand  
Phone 03 523 1013  
Fax 03 523 1010

Marlborough  
7 Hectors Road  
P.O. Box 123  
Tasman 7140  
New Zealand  
Phone 03 528 2022  
Fax 03 528 2751

Takaka  
14 Jackson Street  
P.O. Box 24  
Takaka 7100  
New Zealand  
Phone 03 522 0020  
Fax 03 522 9272

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24/9/16

Elsbeth Miller

347 Nguroa Rd  
Kaihoka  
Collingwood 7073

(Ph) 0279448554



**SUBMISSION**

**Re: Outstanding Natural Landscapes in Golden Bay**

Location of concern: The South-West Coast and North-West Coast of Golden Bay, in particular P.J. and M.R. Miller's farm at Nguroa (from Nguroa Bay to Puponga DOC Estate).

I am strongly opposed to the recommended ONLs for the South-West and North-West Coast, particularly Peter and Marjorie Miller's farm at Nguroa.

The ONL identified on Nguroa is largely grazed pasture area, and is no different on one side of the line on the map, to the other. A lot of this pasture land is un-spectacular sandy hill country (i.e. not outstanding). Most of these areas are already protected under the 200 metre Coastal Environment Zone, and have been for many years, so to add another layer of regulation is totally unnecessary. The 200m zone already protects these areas from inappropriate subdivision, etc. These landscapes do not need to be "preserved and protected for future generations" under the ONL banner, because they are already sufficiently protected.

Privately owned coastal land already has heavy regulations in place, therefore there is no need for another layer of bureaucracy. TDC and environmental groups (who are un-affected but still applying pressure) may not fully comprehend that the seemingly minor implications of the ONL restrictions have the potential in future to restrict normal farming activities.

**My request:** That the ONLs identified along the South-West and North-West Coast (from Big River to Puponga DOC Estate) be removed from productive farmland.

Elsbeth Miller.

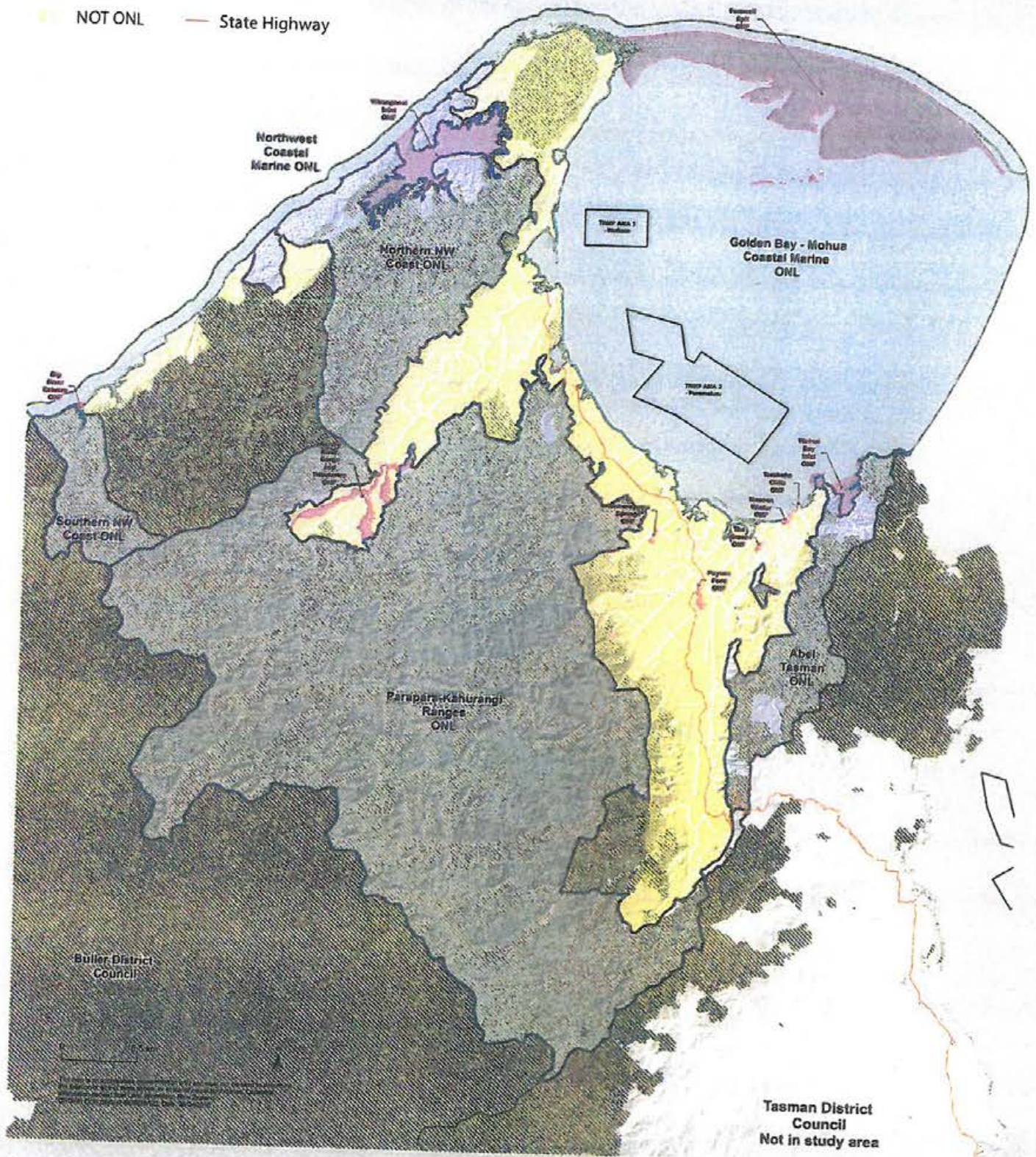
A handwritten signature in blue ink, appearing to read "Elsbeth Miller".





# Map of Recommended Outstanding Natural Features and Landscapes

- ONL
- ONF
- NOT ONL
- ONL-Marine
- DOC Estate
- State Highway





**Tom Chi**

---

**From:** Nikki Shepherd on behalf of Reception Richmond  
**Sent:** Tuesday 27 September 2016 8:39 a.m.  
**To:** Tom Chi  
**Subject:** FW: ONFLs submission

Reception Richmond |  
Customer Services Team  
DDI (03) 543 8400

**From:** Joyce Wyllie [mailto:kaihoka@xtra.co.nz]  
**Sent:** Tuesday, 27 September 2016 8:28 a.m.  
**To:** Reception Richmond <Reception.Richmond@tasman.govt.nz>  
**Subject:** ONFLs submission

Hi  
I don't think this went through last night..internet coverage issues  
Try again

Thank you for the opportunity to comment on the proposed Outstanding Natural Features and Landscapes in Golden Bay  
and Thank you for extending the deadline for submissions from 9th August to end of September 2016...this is a huge and important topic and not one to be rushed.

- 1) Firstly I commend the members of the Small Working Group for their work in discussing, negotiating and trying to understand the issues they were faced with . It is an invidious job that they were assigned to draw lines on maps on a very subjective subject like landscape. It would have been difficult and frustrating process with many meetings and I thank them for their resilience.
- 2) As an affected landowner I feel let down by council in their lack of communication with the real "stakeholders" in this process. The Small Working Group recommended that council talk to affected landowners before the Discussion Document went public. That did not happen , there was not even a letter sent out to people affected with an explanation of the process and mapping.We have been treated no differently from any member of the public on whom there is no impact of changes in policies. This is a very disappointing "oversight" and does not make us feel respected and valued ... We appreciate the recent visit from TDC staff, Tome Chi and Steve Markham , and that was constructive.
- 3) I make this submission as a farmer with about 30% of our property within the proposed Northern Northwest Coast ONL and bounded by the Wanganui Inlet ONF. I would appreciate that the following comments are given serious consideration since they come from someone who is potentially affected by changes in land use policies. This is our private property, our business, our livelihood, our future land use and possibly QV of the property which we are talking about.
- 4) We acknowledge our place is beautiful and we value it. We enjoy it , have cared for it over 3 generations and will continue to do so. We are concerned that restrictive regulations will "freeze" our operation as it is now and potential change in land use and other options for farming will not be possible.

Sheep farming at current prices is simply not sustainable ( unfortunately) and we don't know what opportunities will arise in the next 10 or 20 years.

A  
5) BUT we do not want to take all the regulations, responsibilities, and restrictions with no recognition, relief and reimbursements....which is what I see this proposal is doing to affected landowners. If the council and community value the landscape then they need to put some value in to "preserving and protecting it for future generations"

B  
6) Recommendations on how to share the cost/value of ONFLs management.

a) Rate relief for landowners with ONFLs identified on their property. Some farms are 100 % included and this must be recognised financially.

C  
b) Differential cost/share structure for processing RMA consent processes. If landowners are required to make more applications for activities in ONFLs then this should not be at their expense . In the discussion document it states in the rule changes "introduce new information requirements ", "introduce new landscape related assessment criteria" , require most other activities to be assessed through a restricted discretionary status resource consent with new landscape related assessment criteria"  
These extra "assessments" will cost and this must be shared.

1  
7) The boundaries need to be defined specifically so on the map we can see where the lines go and what land is within the proposed designated ONL and therefore impacted by draft policies ( which are, as yet, not clear) . This is a practical issue so as farmers we have clarity about areas and activities affected.

D  
8) Locations. TDC is required to identify all the outstanding landscapes in their area but have focussed solely on Golden Bay .  
I feel this has unreasonably targeted a small part of a big region ..

2  
9) Boundaries.....are the right ones in?.

I will only talk about our property here as other landowners know more about their place..

a) We are OK with the boundary running along the ridge of Lunar and that area being in the proposed Northern NW Coastal ONL.....BUT we still have concerns about what new restrictions will be put in place a draft regulations are not clear .We don't know what it really means to have this proposed change in land status.

b) The boundary along the Inlet side of our property takes in many hectares of grassed paddocks . It seems that this line has been quite randomly drawn to go with the Wanganui Inlet ONF rather than due to any outstanding natural character of the green hills. It is interesting that the photo on the front of the Discussion document is of our farm . This picture shows nice farmland but not an Outstanding natural landscape.

10) What policies /rules and other "provisions" are needed?

This is the crunch for us a landowners affected....what is "appropriate" and "inappropriate" as measured against what we are "trying to protect" .

We need enabling policies with cooperation with landowners and not heaps more limitations.

See point 6 above as to how cost needs to be shared if further requirements for consents are put in place

11) I took notes at the drop in sessions I attended and these comments below are what the TDC staff said they need feedback on.

#.... There are activities which need to be done on a farm to keep it functioning and these must be allowed to continue without any consent process..."normal" things farmers need to do like weed control,.... manuka removal,..... .....new vegetation clearance.....constructing new buildings.....maintaining existing buildings.....pasture establishment...

New tracks.....old tracks touched up.....plantation forestry and how big.....quarrying.....ditch digging.....planting shelter belts....changing crop use.....higher fences....planting trees for carbon credits or even planting manuka for honey production.

WE don't need "uncertainty" in being able to manage farms.

The assurance we have been given is that "existing man made modification" is part of the landscape so maintenance /alteration is OK and I would like to reinforce that statement

# ....There may be new things we want to do.... .....wind farms.....subdivision ....Ostrich farms.....new airstrip.....

Who knows what land use will be in the future and we need opportunity to consider change.

New activities will "require scrutiny" .....which means applying for resource consent ...and as we know from our own tough experience that means lots of stress, money time and uncertainty... going into the process with no guarantee of outcome and adding cost and risk.

# .....There are 6 areas that there are "no consensus" .....headlands at Puponga , Pakawau, Parapara ... Sam's Creek, Taitapu Estate and Mt Burnett.

These places are still being considered and in my opinion should be left out.

Stick to the areas that the Small Working Group did agree on.

#..... Mount Burnett is specially important. The hill top is a familiar outline but it is not "outstanding". This is the only dolomite works in NZ and extraction has already altered the landscape.

#.....Existing forestry blocks are art of a "working landscape" . These trees were planted to be harvested and that must be allowed without a consent process .

#.....The proposal is that "removal of regrowth forest " is OK....This is the way it should be and I would like to affirm this.

Many of us on sheep farms have experienced low incomes for many years and some of these maintenance activities have not been done due to budget constraints but will need to be done.

#.....Gravel should able to be removed from an ONL or ONF to protect land from flooding

Basically we want to be able to continue farming , operating our business , living in our rural area and still retain options to move into other activities ( tourism, trees,bees, wind turbines...who knows...)

without increased financial pressure and challenges from costly consent processes.

We already function with layers of regulations.....Coastal, Cultural Heritage, Landscape , Priority and Maori and we don't think more restrictions are required.

The majority of farmers are generous and considerate people , and we are part of that. Please give credit where it is due .

Thank you for your consideration of this submission and I would like to part of any ongoing discussion.

1. The first part of the document is a list of names and titles, including the names of the authors and the titles of their works. This list is organized in a structured manner, likely serving as a table of contents or a reference list for the document.

The main body of the document contains a series of paragraphs, each beginning with a heading or a section number. The text is written in a formal, academic style, typical of a research paper or a technical report. The paragraphs discuss various topics, likely related to the subjects listed in the first part of the document. The text is dense and contains many technical details, which are not fully legible due to the low resolution of the image.

2. The second part of the document is a list of names and titles, similar to the first part. This list is also organized in a structured manner and likely serves as a reference list or a table of contents for the second section of the document.

## Feedback to Golden Bay's Outstanding Natural Features and Landscapes

From Jo-Anne Vaughan,  
20 Hiawatha Lane,  
Takaka 7110.  
Phone: 03 5256031  
29<sup>th</sup> September, 2016

I have been closely interested in Golden Bay's landscape issues for the last 20+ years and have sadly observed the fear from the community that in allowing their properties to be identified as outstanding natural features or landscapes they would incur more cost and put a caveat on what they can do on their own land. Maybe some years down the track community attitudes will mature and this can be revisited. I was strongly of the opinion that all of Golden Bay should be declared a region of outstanding natural features and landscapes and then rules applying to everyone equally could be devised.

Outstanding Natural Landscapes and Features should really not be isolated as this process has devised. They are connected to the surrounding areas that influence and affect them and they really hold their outstanding value as a whole entity. So little of Golden Bay is not an outstanding landscape!

Having defined my disappointment I accept that we now have 'consensus' and generally I accept the outcome of the process. There are three areas excluded however that I am committed to see added. They are:-

1. The three headlands at Puponga, Pakawau, and Parapara.
2. Sam's Creek and Mt Burnett adjacent to the Parapara-Kahurangi ONL
3. Te Tai Tapu Estate – NW Nelson Conservation Park adjacent to Southern North West Coast ONL.

Jo-Anne Vaughan.  
Email: [javn@xtra.co.nz](mailto:javn@xtra.co.nz)

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