

9520 Bob Butts

Feedback to Golden Bay Natural Features and Landscapes Consultation

Submitter:

Bob Butts
Motupipi Property
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8th Sept 2016
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Background:

I sent in feedback to the SWG in March 2015 re the ONL line marking the edge of the Motupipi Estuary's eastern arm on our lifestyle property's boundary.

The TDC responded by stating that the.... *request was considered: This is an automatic correction (not a change) which is proposed along with about 86 other properties which has been shown as ONFs because the title (limited as to parcels) extends into the CMA.*

That is fine for TDC environment and planning staff who understand these maps but for the landowner, recreational users of the estuary and compliance staff this is not obvious at all. There is a reference to this ONL boundary extending inward to mean high water springs (MWHS) on page 25 of the SWG report. I can't find an obvious reference anywhere else.

The problem is if I go about my lawful farming business on land adjacent to the estuary or clean out one of the ditches or ponds, as happens regularly, some recreation user of the Motupipi Hill or the estuary checks the TDC maps, notices I am working within the Coastal ONL and then it's up to the landowner to prove where the MHWS line is in reality. Another example is duck shooting season when shooters are building their mai mais. Our property breeds water fowl and we have established a bird sanctuary. Compliance staff has a map stating where the MWHS is drawn over the property and then there is a time consuming argument to prove the point. These matters become a recurring problem when you have to convince a new compliance officer or another concerned environmentalist or hunter that the line on TDC's maps can be incorrect. This is a regular occurrence when you live on the coast in Golden Bay.

Solution:

Simply re draw the inaccurate MHWS blue line correctly around the estuary boundary. This is very easy to establish on my land as the native plants I have planted around the estuary turn up their toes and die if they ever get inundated by salt water.

I've attached a map of where the boundary should be drawn, (red line). It is very obvious when you see it on the aerial photograph. The neighbouring properties boundaries are drawn accurately.

This may seem a minor matter but the consequences of incorrect information are very time consuming for landowners.

Signed:



Dated: 16 September 2016

www.topofthesouthmaps.co.nz



Top of the South Maps



----- incorrect MHWs line used to define creek boundary
It is obviously easy to identify the
Correct MHWs.



22 September 2010

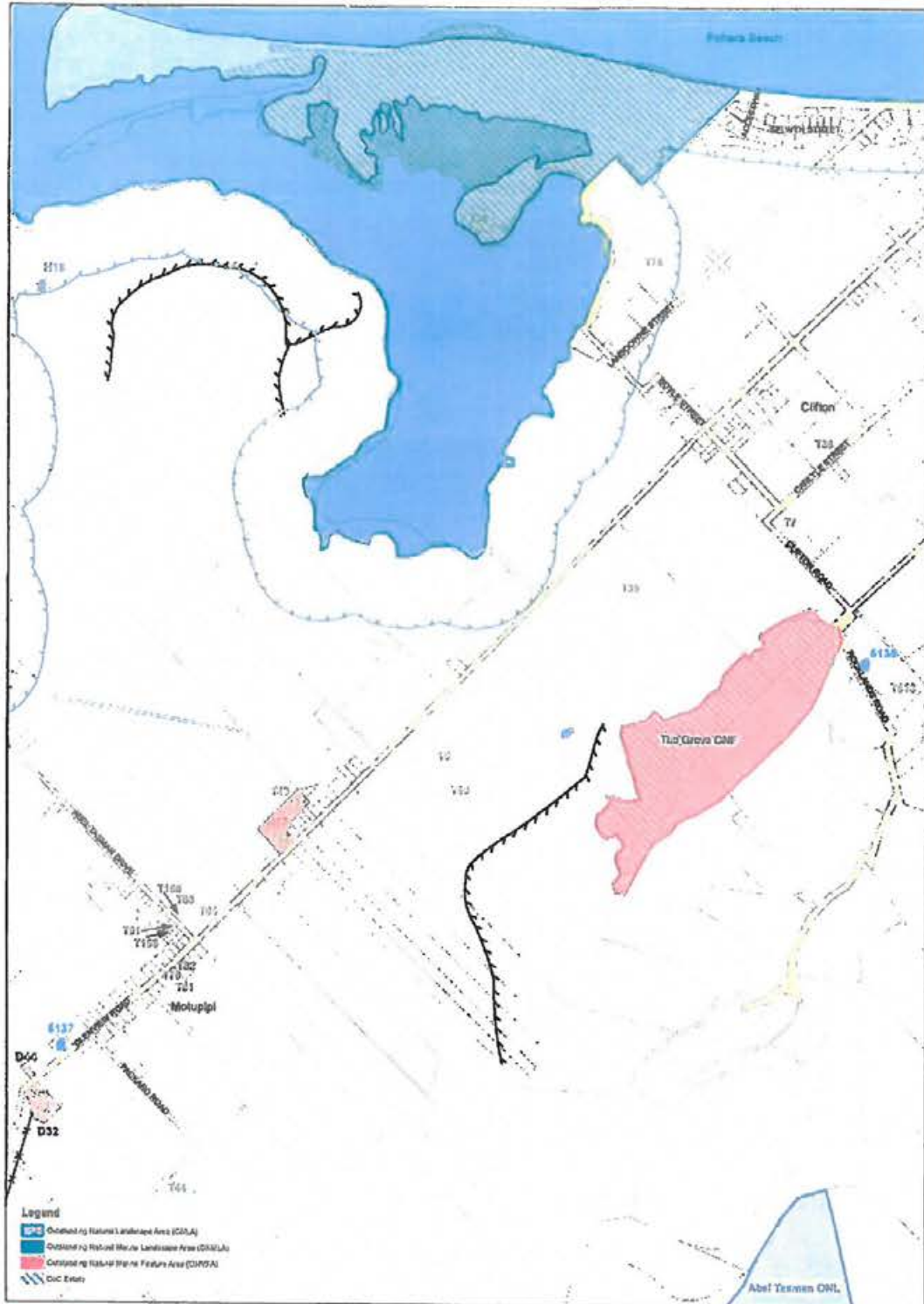


It is the policy of the Council to provide a high quality of service to its ratepayers and to ensure that the Council's resources are used efficiently and effectively. The Council's resources are limited and it is essential that the Council's resources are used in a way that ensures the highest possible quality of service to its ratepayers. The Council's resources are limited and it is essential that the Council's resources are used in a way that ensures the highest possible quality of service to its ratepayers. The Council's resources are limited and it is essential that the Council's resources are used in a way that ensures the highest possible quality of service to its ratepayers.

Top of the South Maps

— line as drawn on aerial maps depicting Mfws.
 — line showing Mfws in reality





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Monika and Bruno Stompe

Since you didn't even tell us that a small group of people decided our properties should be part of the ONL for so many years, We feel disappointed, frustrated and disrespected. WE owners know as good as anyone else what is so outstanding and beautiful. So, if it comes to ONL, why is not everyone included from Farewell Spit to Kahurangi Lighthouse and all of Harwoods farm? Actually all of Golden Bay should be included. Isn't it all outstanding? What about all of New Zealand, Milford Sound, etc? Why are we the guinea pigs, we are one of the furthest and most isolated regions of NZ, which apparently you wish to conserve for the public. Don't you think there are more important place that need looking after that are located more within the public view?

As well as having to face all the new restrictions, we should not have to pay at all for resource consent. We feel it is a dispossession of our land, which will limit us in many ways. Our land will be devalued and if we would need to sell, we are looking for a buyer with much love for the land and the ONL, who doesn't care about large amount of restrictions on the land. As you can imagine, this will limit interested buyers. So you are basically you are devaluing our land and we should be compensated and rates should also be lowered.

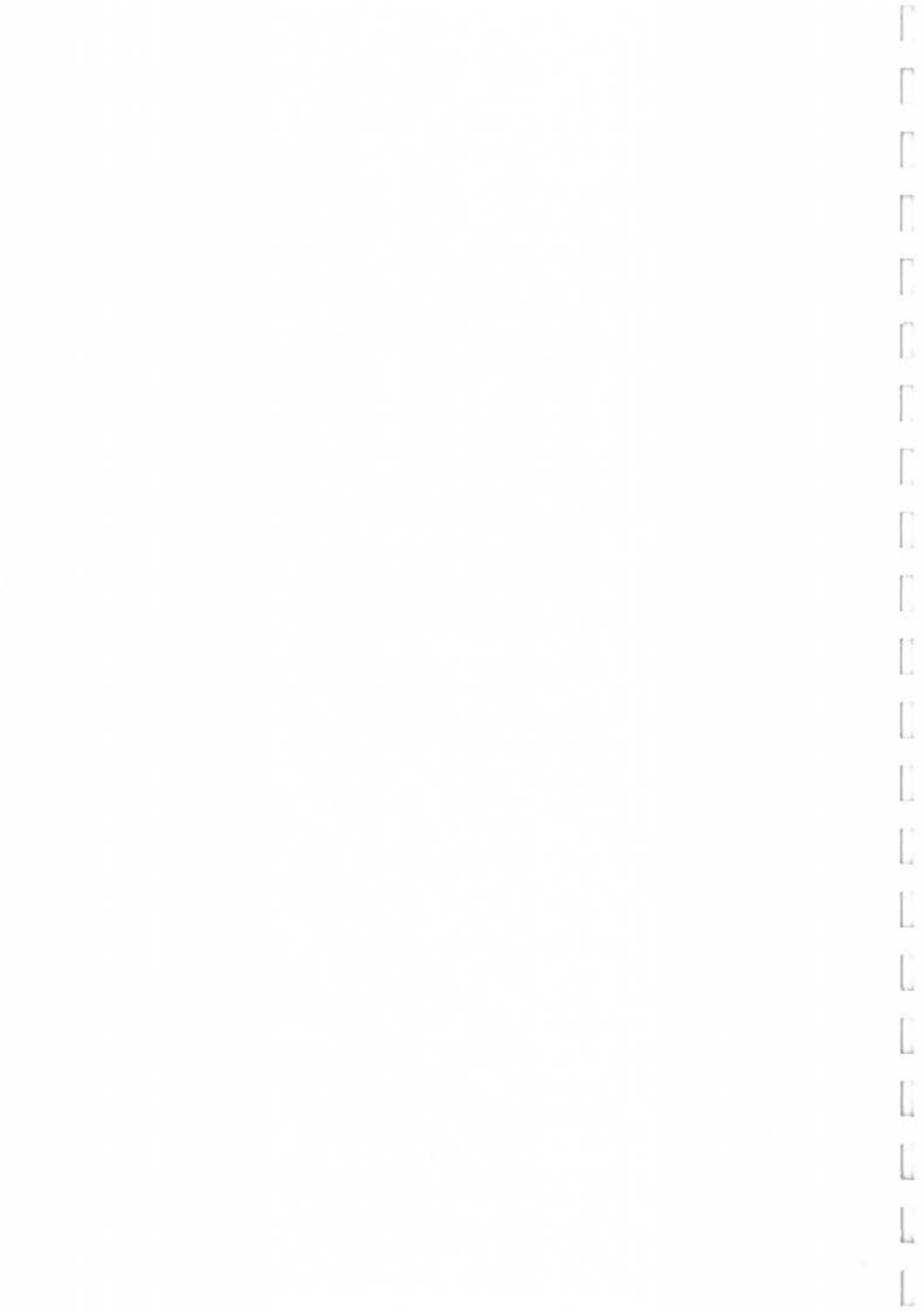
The council is making it nearly completely impossible to change income opportunities ie. From sheep farming to ostrich farming. What if sheep farming is not sustainable anymore? Profits are already marginal Times change, this very possible! Who will compensate us? Will we have to sell? Who will buy a farm that can't be changed?

There are so many ways in which this new restriction will affect us. It is a worrying prospect for our future and the future of the next generations.

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Monika and Tomas Uratil

First of all we need to say that land owners of the areas considered for ONF are fully aware of our beautiful land and have always fought to keep it intact for our future generations. We always have in the past and we always will. We really don't feel that we of all people need the rules imposed by the council to look after what we own.

This new proposal not only devalues our land, but also makes it incredibly difficult for us to survive and adapt to what the future holds. The council wishes to conserve the land, but if we can't make ends meet with all these new restrictions, then we have to sell. We are not allowed to change the way we run our business with the new restrictions, so what choice do we have.

The council is taking our rights as owners and now we have to lodge resource consent for so many more things. What's the point of owning anything? It's the same as you would have a small section of land in town and now if you want to make a small footpath, need to ask the council if you can. And don't forget you also have to pay for asking? Where is the fairness in that?

What about the rest of Golden Bay. Golden Bay as a whole is outstanding, actually all of New Zealand is? Where is the fairness in that? Why these properties only, the public sees a lot of properties and we are in one of the most remote areas of New Zealand. Why us?

Below are a few more points that might make the future more survivable.

1) The area included in the ONL is very peculiar. We believe Lake Othui and surrounding areas should be included. It is known for its beauty and has public walkways around it, because of the outstanding beauty! The area from The Kahurangi Lighthouse along the coast to the North should all be included, as well as all of Harwoods farm. If anyone has been there, they would know how outstanding this part of Golden Bay is. It's also interesting that the area from Farewell Spit to Millers/Wylies is not included. We really think it should be included as well.

(We know that some of the members that worked on deciding which farms should be included, did not include their own How unfair, that's totally totally wrong!)

2) There should be a reduction of rates! This new proposal will devalue our land with the many new restrictions. Thus less potential buyers, of course why would you buy something that you can't do much

with! We should be compensated for our LOSS. This is something that is forced against our will and hugely effects our livelihood. Who will compensate?

• D 3) Certainly any submissions of resource consent expenses must be covered by the council ie: the rate payers, our properties are a public value with the ONL. Not only is our land being devalued, but we also have to apply for many more resource consents than other, trying to get things done.

• 3 4)I understand forestry will be a BIG issue in this proposal. This will be a problem for the future. Carbon farming, not only beneficial for the environment is also profitable and can help with income. This sort of planting calls for exotic trees. This should be considered in the proposal, with easier ways to establish small forests in areas that cannot be seen by public, possibly by acres/year basis!

Thank you for giving us the opportunity to state our concerns and I sorry but there are many. It's our livelihood, what we own and all we have. I think anyone would feel very worried about the future, with the new proposal in mind.

Special thanks to Tom and Steve for trying to make this work for us. We do really appreciate it!

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Anna Mather

Golden Bay's Outstanding Natural Features and Landscape

My husband and I moved to Golden Bay largely because we were captivated by its beautiful natural landscape. We felt the environment offered so much for us to explore and enjoy from protected coastal areas, swimmable rivers, scenic countryside to challenging alpine terrain. These features combined with a vibrant community seemed the perfect location.

We are not disappointed.

There are so many outstanding natural features and landscapes in the Bay that I feel that there should be more rather than fewer inclusions in the draft Landscape Plan. I am concerned that three areas were left out: Mt Burnett, Sam's Creek and Te Tai Tapu estate. These were all previously identified as worthy of ONF status and sit within already identified ONLs. I am aware that the Small Working Group who worked tirelessly for many years to evaluate notable sites, recommended the inclusion of these three as ONFs.

We must be mindful that we are here as custodians of the land. The special characteristics of the natural features apparent in the Bay must be protected so that future generations are also able to appreciate them.

I am basically in support of the Draft Landscape Plan provided that the three omitted areas: Mt Burnett, Sam's Creek and Te Tai Tapu estate are included.

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9529 Gordon Mather
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Submission on Golden Bay's Outstanding Natural Landscapes and Features - Draft Plan.

My wife and I have owned a property at Milnthorpe in Golden Bay for the last 5 1/2 years and have been resident permanently since late 2015. We have travelled extensively throughout NZ over many years and when approaching the cessation of full-time employment, decided to live in GB as one of the most appealing locations in the country.

Besides the vibrant community, we are attracted by its great diversity of landscapes from coastal to alpine environments where natural features worthy of note abound. Not only are these stunning visually, but in many cases remain relatively unspoiled by human activity. Where human development has occurred, there is a sense that there has been an appreciation of and sensitivity to the local environment. Overall, the bay has retained a character of great charm with numerous areas closer to the pre-colonial settler development, and even the rural farming land development has often remained (at least to recent times) relatively sympathetic to environmental values.

With the intensification of pressures on land use that comes from population growth, increased tourism activity, changes of pattern and intensification of rural land use, it is fundamental that recognition of the inherent values of the natural landscapes and natural features that make this region so special are identified and accorded an appropriate status and where necessary, measure of protection, if wanton and careless modification or worse, destruction is not to occur. TDC is obliged to complete this process which has taken some 20 or more years so far. It appears to have regarded this task as low priority. It is time for action.

The draft document is the result of intensive input, consultation with community, various interest groups and landowners among others. By its very nature it is unlikely to have total unanimous support from all in the local community, however it does have widespread support from those who value their natural environment. The draft plan is now in a thoroughly revised and largely acceptable state. It has reached a point where it needs to be adopted and become operative under the District Plan.

However, I am concerned that three areas were left out of the draft plan: Mt Burnett, Sam's Creek, and Te Tai Tapu estate. All three have been identified as worthy of ONF status and sit within already identified ONLs. They have been subject to robust criteria for inclusion viz. inherent landscape quality, regardless of other factors such as potential future development, current ownership, or perceived need for protection. This approach has been followed by the Small Working Group (SWG), who have recommended the inclusion of these three as ONFs. Their exclusion for variously stated other reasons that do not stand scrutiny, is not valid.

I am supportive of the document provided it is with the inclusion of the three omitted areas:

Mt. Burnett
Sam's Creek
Te Tai Tapu estate.

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Submission on Golden Bay's Outstanding Natural Landscapes and Features - Draft Plan.

I urge the council to now adopt this Draft Plan, which has undergone a very lengthy gestation that has amply allowed for vigorous informed debate and interested parties' submissions. I very much want this document to become a live and active guide to the future management of Golden Bay, and to give appropriate status to these special characteristics that are so identifiable and collectively define the natural environment, before they are degraded or lost to future generations.

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Tim and Julie Robilliard

Feedback on Golden Bay ONL and ONF

We consider that for each site the questions are:

What are we trying to protect? There need to be compelling reasons.

Is this resource already well represented in publicly owned land? If so then do not impose on privately owned land.

Why are we protecting it? Or for whom? Need clear reasons.

Re involving landowners in the process of developing policy.

Ensure that everyone has been consulted as part of a positive inclusive process.

Our experience with wetland assessment was one of superiority and judgement on behalf of the assessor. Please make this a positive, constructive experience for landowners. We are the people who have ensured these assets remain.

For continuing farming businesses

There must be written assurance that what is currently permitted in the district plan will remain permitted.

In a rapidly changing world farmers want to be able to continue to have viable businesses and be able to live rurally. This requires having options to respond to market demands and possibly move into other activities without long and expensive and unpredictable consent processes.

There are farming activities that need to be carried out without requiring a resource consent. These include: weed control; Manuka removal or spraying; Manuka planting; maintenance and replacement of existing structures, tracks, fences; planting shelter belts; controlling regrowth forest and wilding trees.

Balancing – Challenges and detail

1 Rules. It is very important that uncertainty is minimised. In the current documents there is a high level of uncertainty in some places. There should be a mechanism to respond to anomalies and make amendments in a reasonable time frame.

2 Private property, public access, who pays.

Any property which has an ONL or ONF on the property should have 100 % rates relief for that area. These areas are being identified for public benefit. The area also includes any set back area. We , the public, all need to play our part in the protection of landscapes.

Access to ONL, ONF on private land needs to be negotiated on a one by one basis as each will have different issues.

Access carries with it a requirement for adequate supervision – a TDC responsibility.

3 Minimising bureaucracy. While most landowners are committed stewards of the land there do need to be restrictions in place for the less enlightened. The restrictions need to be well thought out and practical.

4 Scale of development. Farming businesses often struggle to produce viable financial returns. Reasonable development should be encouraged. We suggest up to 5 % of the total area of a property can be developed before more consultation is involved.

5 The stewardship of farmed land is a partnership between land owners and the community. There will be better end results through education of all parties rather than regulation.

In conclusion, the areas we are discussing exist because of the efforts of current and previous generations of farmers. The decisions made around ONL and ONF will affect our assets and livelihoods.

It is easy to make idealistic decisions if you are not directly affected.

Part of this balance is a financial contribution from the general public.

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Alexander and Andrea Closs

As a second generation farmer and tourism operator at Te Hapu, these are my views on the proposed ONL plan.

If new restriction are to be put on privately owned land which will restrict development and subdivision in the future, the land owners need some sort of compensation for loss. By loss I mean loss of opportunity for diversification, exotic tree planting for carbon credit returns, subdividing and of course if the land owner were ever to sell ONL land opportunity to sell to prospectors or someone who would want to develop or diversify the land the prospect for the buyer would be a lot less attractive by having extra restrictions being ONL land. This could well take them out of the market, we would have to sell to someone with lots of money already who doesn't need to make money out of the property possibly to some conservation group or overseas buyers.

Any new resource consent required on land that new restrictions have been put on the rate payer not the land owner should pay for.

My parents Ken & Sandra Closs saved hard working in shearing gangs to buy Te Hapu Farm in the early 80s, they don't have any other investments outside of the property all 3 of us kids want to see the property stay in the family and my wife and baby have moved to the area a year ago to start this goal, we now lease Te Hapu Coastal Cottages from the Trust and have plans to take over the farming operation in time. With retirement and old age looming my parents may end up having to sell the Trust if they will now not be able or be very hard to subdivide a small piece off to get them through their retirement years, which of course means we would all have to go.

If Council wants people and young families to live in these areas they can't be making it harder and more expensive to do so. By trying to minimize growth and diversification on this land on the north western coast which population is already declining it will only push more people into the cities looking for work. Have we not already got a big enough housing crises in Auckland? Not all of us want to live in cities, it should be made easier and cheaper and people be encouraged to live and even move to rural areas and this is only going to lessen with growth and development been taken away from these areas. There is a huge amount of Kahurangi National Park surrounding this area which will never be touched, I think the small amount of privately owned land on the north western coast should not be overburdened with restrictions now and for further generations living on this land.

Will we be able to plant exotic trees for carbon credit emission trading? If we are not able to this is a direct loss which needs compensation.

It seems to be somewhat corrupt that the only two land owners who were in the working group were the only farms that have managed to have their land not included.

We appreciate council's time for our site visit and look forward to your response to our concerns of this plan and workings around it.

Regards Alexander & Andrea Closs

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Paul Keown

**Golden Bay's Outstanding Natural Features and Landscape
Submission on Discussion Document for Draft Landscape Plan**

I am a Geographer and an Environmental Educator who now lives in Golden Bay. I have taken a keen interest in Golden Bay Issues since moving here. I have watched with interest the work of the Natural Features and Landscapes Project and now welcome this opportunity to comment on the Draft Plan.

The Golden Bay certainly has an outstanding landscape and is part of the reason we moved here. It is very important that this outstanding environment get as much protection as possible.

I THEREFORE SUBMIT THAT:

1. There are three areas that do not have ONL status in the draft plan and should have. Namely, Mt Burnett, Sam's Creek, and Te Tai Tapu estate. These three should be included as ONLs.

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The Department of Conservation (DOC) submission on the earlier SWG draft report argued that the dolomite quarry could be included and that specific policy and rules may be necessary. DoC also submitted that the Sam's Creek area should not be excluded because of mining permits and/or potential for mining. Te Tai Tapu estate was deemed suitable for inclusion into the Kahurangi National Park and should gain appropriate protection in the TDC landscape plan.

2. ONFs due to their small size are more susceptible to damage than ONLs. Some activities such as **subdivision, earthworks and the removal of indigenous vegetation should be prohibited or avoided in ONFs**. I support the use of the 20 m buffer zone around ONFs for the same reasons. I would also ask that other restrictions be developed to, for example, **prevent the construction of multi-story buildings close to ONFs**.

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Dr Paul Keown
1835 Takaka-Collinwood Highway
RD 2, Takaka, 7182.

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GOLDEN BAY/MOHUA LANDSCAPE PROJECT.

Submission by Dr Andrew Tilling. 19 Sept 2016

1. BACKGROUND

The Tasman District Council has spent considerable time and effort to develop the Golden Bay/Mohua Landscape Proposal. A Small Group of eight people was established in 2012, selected by a larger community Working Group convened by the TDC to find common agreement on what are considered to be the outstanding natural landscapes and features in Golden Bay.

The Small Group only selected what they considered to be outstanding natural areas or features. This was a very difficult process, for which they should be commended. They did not go on to suggest what rules should be adopted to support their findings. This is understandable as this is a technical task for which the lay-group does not have the expertise. This is rightly the domain of the TDC's professional staff. They should have been able to translate the Small Group's findings into workable measures to protect the landscape values that have been identified.

2. SUMMARY OF THE SUBMISSION

However, the rules that have been set out in the Proposed Change to the TRMP are inadequate and insufficient.

The landscape is shaped by many forces. It is indeed a 'working landscape', moulded by socio-economic factors. But it is also an environment that is the result of interrelated ecological processes. These processes often can't be seen, but they are on-going. They are natural. However, in Golden Bay, they have been exacerbated by human activity and extreme weather events, such as the 'weather bomb' of 2012. These extreme events are predicted to get more frequent and more intense with climate change. In devising rules that are going to work, the TDC needs to recognise ecological principles. This is a basic tenet, which TDC has ignored in the rules it has devised.

In practical terms, this means that Outstanding Natural Landscapes and Features cannot be isolated as "bubbles". They are connected to the surrounding areas that influence and affect them. For instance, Ligar Bay lagoon is affected by the composition and nature of the surrounding hills, which are composed of Separation Point granites. These are highly erodible, as we have seen since 2012 and before that when the hills were cleared of native bush and plantation forests planted about 25 years ago. Extensive flooding and sedimentation occurred. Hence, the rules for the GB/Mohua Coastal Marine ONL cannot just extend up to mean high water springs (MHWS). Those in the adjoining territorial catchment are critical. However, no special rules have been

proposed for the ONL in the adjoining catchment. This principle of interconnectivity should be adopted for all ONLs/ONFs too.

Furthermore, the rules should relate to specific values or states that they seek to protect. What is the vision for the landscape? This has not been stated. Although the Pigeon Bay and associated criteria may have been used to define which areas or features merit consideration, the specific, outstanding aspects of each ONL and ONF have not been explicitly identified or agreed on by the community. Hence, they have not been stated as endpoints or outcomes or ideal states that are to be achieved or conserved. Unless they are, what we are aiming for is blurred and the rules crude, blunt devices, which appear to be ad-hoc.

The TDC needs to be as clear as possible so that any rule is justifiable and meaningful and when applied, capable of leading to tangible and, if possible, measurable, outcomes that can be monitored.

Finally, rules and regulations will not in themselves achieve the better management of the environment or the protection of landscape values. Non-statutory provisions will also be needed. Practical water and soil conservation management plans need to be devised and tied in with statutory measures. These include educating landowners, helping them to implement best management practices, offering incentives, rewards and even compensation and involving the community in landscape enhancement projects.

3. THE PROCESS OF DEVISING THE ONLS/ONFS

The Small Group acknowledged that they were not a technical group as such and so took *'technical guidance on the task of the identification of outstanding natural landscapes and features, using criteria of naturalness and the amended Pigeon Bay factors'*.

According to a Discussion Paper by TDC of 20 July 2011 *"the Pigeon Bay factors have been developed and refined through the Environment Court process; they are not frozen and can be considered as more of a guideline"*. According to the Discussion Paper, they can be divided into three categories:

i) 'biophysical values' – equating to the tangible, natural and physical components of a landscape; and

(ii) 'aesthetic values' and 'associative values' – relating to how components of a landscape are perceived by people, through a sensory and cognitive interpretation process, and

iii) 'associative values'

4. DISCUSSION

I. Defining Landscape Qualities

Equating biophysical values with the 'tangible', natural and physical components of a landscape, which include natural science values and transient values is not a helpful definition as these values arise out of biophysical and ecological processes which are not restricted to the set boundaries of the ONL. From a human perspective, it is often impossible to see the changes that are taking place. They may be imperceptible on a daily basis, but are still happening. Erosion is an example. At other times, these changes are accelerated by man-induced or manmade actions and catastrophic natural events such as super storms. impacting on the coastal environment.

Hence, what we see or feel is not in fact static. The landscape is evolving all the time and has been for millennia. What we perceive is a snap-shot. But, do we want to preserve or conserve this particular state? If the former, then we have to arrest the evolutionary process. This is impossible. If the latter, then what state do we want to achieve? Unfortunately, the proposals do not make this clear. My preference is for the latter as it not only acknowledges change and accelerating processes such as climate change, but it also allows for something that may be even better than the present. It allows for rehabilitation and improvement to what may be outstanding, making it even more outstanding. For instance, there is the potential to make the eyesore of the Tarakohe area into a more attractive place – part of an outstanding landscape area and feature.

II. A Strategy and a Vision

To achieve a future state requires a vision of the future and a roadmap. The future may be very different to the present. It is impossible to 'preserve' it, as in a snapshot, as it is dynamic. It is ever-changing. With climate change, there are likely to be significant changes to the landscape, with increasing temperatures, rising sea levels and changes in indigenous flora and fauna. A number of scenarios are possible depending on how successful global policies are at limiting temperatures to 2 degrees. These have not been discussed in the proposed change.

Unfortunately, the landscape approach that has been adopted seems to be frozen in time. A strategic approach would have enabled the Council to consider the future and how to deal with issues, such as climate change. For instance, low-lying areas such as Pakawau, Rototai and parts of Parapara and Rangihaeata, which are already subject to coastal erosion, could get worse with climate change. Special treatment

¹ Section 6 of the RMA is no help as it says that as a matter of national importance [the Council] "shall recognise and provide for: (a) the preservation of the natural character of the coastal environment" ... (b) the protection of outstanding features and landscapes..." These are not defined. It is up to local authorities to do this.

of these areas will probably be required, such as future coastal planting and control of development.

A strategy "involves setting goals, determining actions to achieve the goals and mobilising resources to execute the actions. A strategy describes how the ends (goals) will be achieved by the means (resources)" (Wikipedia, web archive). The goals should be informed by an explicit vision of the future state of the landscape that is being sought, Without agreeing on what this vision is, it is impossible for the public to know what the aim of the Proposed Change is.

When setting objectives, Council should adopt SMART criteria to judge whether they are relevant and effective. By SMART, I mean S for Specific – a target for specific areas of improvement; M for Measurable; A for Assignable – who will do it; R for Realistic and T for Time-bound – when the results are to be achieved. Another two criteria can also be added, making them SMARTER – E for evaluated and R for reviewed.

III. Landscape areas and features are an outcome of underlying ecosystem processes

These are a network of interactions among organisms, and between organisms and their environment.² This fundamental truth should have underlain the principles adopted by the Small Group in the selection of ONLs and ONFs and been part of their kete. Ecological principles are central to the landscape ecology approach. It is the science and art of studying and influencing the relationship between spatial pattern and ecological processes on multiple scales.³ It places emphasis on the relationship among pattern, process and scale and focuses on broad-scale ecological and environmental issues. This approach was taken by Boffa Miskell in their report but has not been carried through to the Proposed Plan change by TDC.

The landscape ecology approach recognises the interrelationship and interactions between biophysical, socio-cultural-economic processes by considering broad (landscape) relationships, such as between a city and its hinterland, and in the case of landscape features, those processes and actions which influence them. For outstanding natural landscapes and features, consideration must include what happens in watersheds, catchments and landscape units. Thus, it is vital that the ONLs/ONFs take into consideration the activities in adjacent areas.

Processes within this wider environment influence and to a large extent determine the feature(s) that is manifest in the outstanding natural

2 According to Wikipedia, an ecosystem is a community of living organisms in conjunction with the nonliving components of their environment (things like air, water and mineral soil), interacting as a system.^[2] These biotic and abiotic components are regarded as linked together through nutrient cycles and energy flows.^[3]

3 Wu, Jianguo (Jingle) 2008. Making the Case for Landscape Ecology. An effective Approach to Urban Sustainability. *Landscape Journal* 27: 41-50

landscape. For example, activities such as land clearance for forestry, farming, residential subdivision can accelerate erosion and increase the nutrient load, washing out into rivers and streams to contaminate wetlands and estuaries. These have been exacerbated by the increased frequency and magnitude of natural events, such as the weather bomb which hit Ligar Bay in 2012. There were major landslips and flooding. Sedimentation detrimentally impacted Ligar Bay lagoon and the adjoining marine area which is part of the proposed Coastal Marine ONL. This has changed our perception of the landscape. 4

TDC has not recognised that these processes significantly affect ONLs/ONFs, even though in its Discussion Paper of 20 July 2011 it quotes the New Zealand Institute of Landscape Architects (NZILA) Best Practice Note (2010) which defines a landscape as:

'The cumulative expression of natural and cultural elements, patterns and processes in a geographical area' (my emphasis).

IV. Translating the NZ Coastal Policy Statement into the TRMP

Four years ago I made a presentation to Council's CEO and the Environment and Planning Manager requesting that Council should immediately give effect to the NZ National Coastal Policy Statement 2010. This states that local authorities must amend regional policy statements, plans, proposed plans and variations to give effect to the NZCPS provision, as soon as practicable.

As the proposed landscape plan clearly impacts on the coastal environment, Council is obliged to give effect to the NZCPS. "As soon as practicable" does not mean that Council can delay this consideration indefinitely. The NZCPS obliges local authorities to make provision for the following, as set out in Objective 1:

- *To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:*
 - *maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature.*

4 Judge Jackson has stated that different landscapes cannot, in the view of the Environment Court be sufficiently distinguished from neighbouring areas by reference to their element, pattern and processes. "In our view, a much more useful and scientifically based unit of land is the hydrological catchment and that should be the starting point of most analyses. Only when considering areas where there may be an outstanding natural landscape (or feature) should the concept of 'landscape' (or feature) be the starting point for management purposes. And when deciding that issue in [a] case where it is raised, the first question is 'what is the relevant landscape?' First Interim Decision on the Mackenzie District Council Plan. Decision No [2011] NZEnvC 387, para 83.

Furthermore, Policy 1(2) specifically requires councils to recognise that the coastal environment includes:

- *(h) inter-related coastal marine and terrestrial systems, including the intertidal zone;*

NZCPS Policy 7 states:

(1) that in preparing regional policy statements and plans councils must:

- a) identify areas of the coastal environment where particular activities and forms of subdivision, use and development:*

(i) are inappropriate; and

(ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process;

and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.

(2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects.

Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.

I have added emphasis to some of these provisions and will allude to them below as they highlight some of the shortcomings of the proposed change to the TRMP.

5. BOUNDARIES OF ONLS/ONFS

The Small Group should be commended for unifying all the small inlets in Golden Bay into one ONL – The GB/Mohua Marine ONL. In previous drafts, inlets such as Parapara were labelled as ONFs. This fragmented the outstanding marine landscape. But, it is difficult to understand why the Whanganui Inlet ONF and the Wainui Bay Inlet ONF are subsets of larger ONLs. Why should they be treated differently to ONLs?

The adoption of mean high water springs (MHWS) as the inland boundary of marine ONLs is unrealistic. The Small Group Report has described how the boundary has extended on to the land at "Port Tarakohe, where it abuts the Port Tarakohe Cliffs ONF and onto some land associated with the estuaries, mainly to include promontories, headlands and spits that are part of the estuarine features". But these

promontories, headlands and spits are not even whole features. They are parts of them and anyway do not define the whole landscape character. By not including the catchment, to the ridge top, the underlying processes are not recognised. The same principle should apply to all ONLs and ONFs.

ONLs and ONFs should include specific landscape-directed rules in the adjoining territorial water catchments. However, the catchment area of the GB/Mohua Marine ONL is not covered by the proposed Special Area Rules in Chapter 18. There are no specific rules for landscape protection in the terrestrial catchments of Ligar/Tata, adjoining this marine ONL. This area could be regarded as buffer zones and should have specific rules which are devised to achieve the landscape values in the adjoining ONL.

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Without adopting specific rules covering activities which are judged to have negative impacts on the identified values of the ONL or ONF, it is highly unlikely that these areas will be adequately protected, conserved or enhanced in future.

6. EXCLUDED AREAS

Mt Burnett, Sam's Creek and Te Tai Tapu blocks have been excluded from the proposed ONFs and should be included in the TDC Proposed Change to the TRMP.

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The Small Group Report left the landscape status of Mt Burnett unconfirmed as it concluded that how the site and activities are managed should be best determined by discussions between the Council, the leaseholder (quarry operator) and landowners (DOC). This is not satisfactory, as the TDC should have entered into these discussions prior to releasing the proposed landscape plan. It has had years to do so.

The Small Group was in a dilemma as they recognised that:

'One of the challenging aspects of coming to know and assess a landscape is the difference made by different viewpoints - including whether the observer is viewing from a distance or close up, or enclosed within the landscape' (my emphasis). An example of this was the Group's deliberations around Mount Burnett. "The mountain is a rare outcrop of dolomite rock, with distinctive botanical associations. It is also the only economic quarry of the mineral in New Zealand. The Group agreed that from a distance, seen from many parts of the Bay, the domed summit of Mt Burnett is a stand out feature in the Wakamarama range. From closer in, the quarry site - by the nature of its mining activity - is highly modified...."

7. VIEWS AND SITE-LINES SHOULD BE PROTECTED

The visual environment is one element of a landscape and feature. Vistas depend on the position of the viewer, as the Small Group realised. This matters because ONLs/ONFs can be compromised by inappropriate structures or activities in the foreground or ones which compromise ridgelines. In the existing, operative TRMP, certain ridgetops are delineated as important. These seem to be arbitrary as it is not apparent which perspectives are important, from where. Close-up, the karst cliffs at Pohara seem imposing, but from further back, say from the end of the breakwater at Port Taroakohe, more of the backdrop is visible. What will be the consequences of a residential subdivision on the top of these cliffs? There are a number of such public viewing points which are important in the appreciation of Golden Bay landscapes, including approaches from the sea.

8 However, the proposed change does not identify which views should be protected. Council should identify these and ensure that the sight-lines to important ONLs/ONFs are protected from intruding structures which include buildings and also electricity transmission and cells phone masts and other possible structures such as windmills. Such viewpoints might include the one at Harwood's Corner at the top of Takaka Hill, the public viewing point on SH61 near Onekaka, vistas along Abel Tasman Drive, especially between Pohara and Tata Beach and the one at the top of the saddle between Tata and Wainui Bay.

8. RULES

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10 The Pigeon Bay and associated criteria may have been used to define which areas or features merit consideration, but for each ONLs and ONFs the specific, valued aspects have not been stated as endpoints or outcomes, nor what activities are judged to be inimical to those values. For instance, what defines the Coastal Marine ONL around Ligar Bay/Tata, including the lagoon? It could be argued that the clear water quality, golden sands and swimmability (lack of pollution and the gentleness of the beach) are significant factors which are worthy of protection and enhancement and which make it "outstanding". Turbidity, high E. coli readings, debris from logging and increased deposits of mud significantly reduce the value and experience of the bay. These qualities can be measured and agreed standards could be devised. They then become part of the state that is to be protected or enhanced. This requires the setting of objectives, policies and rules for each ONL/ONF and a state or outcome that the rules are pointed to protect or achieve. Where possible these should be quantified and operationalised.

As discussed above, the Proposed Rules exclude the watershed of the GB/Mohua Coastal Marine ONL. If the boundary is not extended beyond MHWS, an alternative would be to designate the catchment area a Marine Buffer Zone subject to special rules too.

Critically, the proposed Special Area Rules need to be tightened up and, as far as possible, be quantified, based on best management practices and underlined by science. 11

Many of the proposed rules are descriptive, arbitrary and subjective (as are those in the operative TRMP). They are not targeted to the outcomes that the ONLs/ONFs are implicitly seeking to achieve. An example is s.18.15.2.1.1 Permitted Activities (Standards for Adjacent Activities)

'The construction or alteration of a building or structure is a permitted activity that may be undertaken without a resource consent, if it complies with the following condition.....(b) Buildings or structures that are not fences or tracks are set back a minimum of 20.0 metres from the boundary of a Golden Bay ONFA' (emphasis added). 13

Why 20m? This is arbitrary.

The Rule should state as a legal requirement, what the activity defaults to if it fails the Permitted Activity test, bearing in mind that a Permitted Activity cannot be refused.

Another example, proposed is s18.15.2.2.2 Controlled Activities (Earthworks). A resource consent is required:

"The Council has reserved control over the following matters:

(1) The location and visibility of the proposed activity" (my emphasis)

How is this visibility to be assessed? No guidance is given. The relevant point is that this is too vague and gives the TDC too much discretion. It does not help the Council's decision-makers make a recommendation and it does not help the applicant. This leads to uncertainty, delay and ad-hoc decision-making. 12

Another example will suffice: see s.18.15.2.4 Destruction or Removal of Vegetation: A resource consent is required. "The Council has reserved control over the following matters:

(1) The effects of the proposed activity on indigenous vegetation;

(2) The extent of revegetation and rehabilitation of the proposed activity;

(3) The effects of the proposed activity on landscape characteristics" (my emphasis)

But landscape characteristics have not been defined. So, how are these to be assessed? 14

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It would help if Best Management Practices are followed and made explicit in the TRMP. For instance, the Best Environmental Practices for Forestry (<http://maxa.maf.govt.nz/sff/about-projects/search/02-038/bep-1st-edition.pdf>) should be required for all forestry proposals which impact on ONLs/ONFs, as well as requiring a forest management plan at the outset of planting and on proposed harvesting.

Chapter 25: Coastal Marine Area Rules □ **6.1 Section 25.6: Outstanding Natural Marine Features and Landscapes**

The rules for the Coastal Marine Area are vague and too general. Hence they give TDC too much discretion,

For example, rule .25.6.2.1.2 *Restricted Discretionary Activities (Disturbance)*

"The disturbance of the foreshore or seabed that does not comply with the condition in rule 25.6.2.1.1 is a restricted discretionary activity:

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) The location and visibility of the proposed activity; □*
- (2) Rehabilitation of the proposed activity and location; □*
- (3) The effects of the proposed activity on landscape characteristics; □*
- (4) The effects of the proposed activity on topography and landforms; □*
- (5) The cumulative effects of the proposed activity and past activities on landscape characteristics". □*

The rules talk about "landscape characteristics" but these have not been defined. How is Council going to judge the effects on 'topography and landforms'? Since these are not defined, subjective decisions will be made. Guidelines are needed.

Golden Bay has been acknowledged as "a working landscape, with aquaculture, boating and fishing forming an integral part of Golden Bay's landscape" (Proposed Change, Schedule 25J: Golden Bay Outstanding Natural Marine Features and Landscapes, Golden Bay – Mohua Coastal Marine Area, page 12). Whilst agreeing that this is so, the challenge is how to accommodate these activities without resort to arbitrary rules and regulations.

9. OTHER RULES AND NON-STATUTORY MEASURES

There are some aspects of landscape protection which defy the setting of statutory prescriptive rules, such as for cultural appreciation and some aspects of aesthetics. However, surrogate rules can and should be devised such as for the colour treatment and height of structures to make them less obtrusive. Public input and consensus are needed in setting these rules. 15

Acknowledging that rules cannot be devised for all landscape values and that to do so would be fruitless, some rules could be set as indicators of environmental health, underpinning the enhancement of outstanding area/feature values, e.g. water quality and turbidity. Measurable standards are required. These are sorely lacking in the Proposed Change to the TRMP.

Non-statutory matters include those such as water and soil catchment plans. These should set objectives, which can be linked to ONLs/ONFs such as at Ligar/Tata. Sustainable Land Management is an established discipline which integrates best management practices in a practical working landscape. An example is physical works, such as the building of weirs in steep riverine situations and the creation of sediment traps, undertaken by farmers and land managers to control run-off. The TDC could also actively use bio-remediation to protect and enhance the environment and landscapes. Natural systems are used to ameliorate the effects of pollutants and reduce the frequency and negative impacts of flooding and sedimentation. Revegetating riparian strips and insisting on the planting of the margins of streams and wetlands with native species is an example of such measures. We already have started this process in Golden Bay with the Aorere River stream care initiative, DOC supported planting on the Motupipi estuary and the Fonterra programme along the margins of rivers. Another initiative, Project Crimson, with the support of the TDC and DOC has enabled us to revegetate the area from the Abel Tasman Memorial to the bottom of the hill. This has not only removed the weeds but helped enhance the landscape qualities of the proposed GB/Mohua Coastal Marine ONL. More of this type of direct action is needed, embracing and supporting voluntary, community groups such as the Ligar-Tata Landcare Group.

Unfortunately, the TDC does not have catchment plans which would provide the basis for practical, landscape enhancing initiatives. It needs to prepare these as soon as possible and inter-link them to statutory provisions and the setting of objectives for each ONL/ONF. 16

Acknowledging that Golden Bay is a working landscape recognises that human activity has created much of what is valued and that people need to be able to continue to make a living from natural resources. This also requires recognition that, if the community requires protection of some values from specific activities, then those who work within those areas require help and encouragement to achieve that protection. Council should, therefore, also give consideration to non-

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statutory means to facilitate this. This could include education and outreach programmes as well as incentives, such as rates relief, if necessary.

10. REDRESS SOUGHT

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- A Strategy and clear Vision Statement should be developed, outlining what future state of the landscape is sought by the Proposed Change to the TRMP. From this, specific objectives and policies for each ONL/F should be developed.
 - The specific values of each ONL/ONF should be set out, together with an analysis of what activities constitute threats to those values, which could be permitted and which might be prohibited.
 - Rules should then be devised within and external to areas and features which threaten those. These should recognise ecological principles and be capable of being measured where possible. Indicators and surrogate rules should be established.
 - The rules themselves will then be more specific and not contain the unrestricted discretion that they currently do.
 - As a consequence, it should be clear for each class of activity what it defaults to if it does not meet the conditions for that activity. Non-complying and prohibited activities should, therefore, be identified.
 - Give effect to the provisions of the NZ National Coastal Policy Statement 2010 (NZCPS) by preparing a coastal plan which interlinks the proposed change covering landscape matters.
 - Implement non-statutory measures to conserve and enhance the identified values and incorporate these into council policy and interrelate them to statutory measures.
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Steve & Maria Zelko
PO Box 213
Takaka, 7142

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Steve and Maria Zelko

To: TDC, Richmond

Attn.: Tom Chi – Policy Planner

Re: Submission against Draft Plan Change on GB Outstanding Natural Features and Landscape (ONFA and ONLA)

We are the owners of blocks NL 10A/1194 and NL 26/117 totalling 153 ha. We purchased these blocks so we can form the road and erect overhead lines over them in order to access national grid and be able to sell surplus electricity that we generate with our hydro scheme. It was our intention and plan to recuperate the investment that went into buying the land as well as considerable investment in effort and resources in forming the road and erecting overhead lines (in a very difficult terrain - over 6 km) by selling the land that was no longer needed and do so by subdividing, which given the acreage we can do of right. We applied for and have received resource consents for road formation as well as erection of overhead lines. The road is in its final stages of completion and the overhead line work will follow. The proposed plan of designating part of our property as "outstanding natural landscape" would put restrictions on what we could do with the land and severely limit our ability of selling the land which would result in us losing well over a million dollars. When we purchased the land and set the plan in motion there were no indications of "outstanding natural landscape" plans. If the plan is to be adopted it would effectively take land from a private landowner and turn it into park land. This is a fundamentally undemocratic way of government's encroachment on the right of private ownership. It is our understanding that the decision was made following few meetings attended by a handful of people. It is also our belief that some of our immediate neighbours were involved in this, two of whom have promised us an easement so we could access the grid over their property but than reneged. Later, prior to buying additional land we asked former councillor Noel Riley to talk to the neighbours in hope that they would give us an easement, none would. When we became aware of the "outstanding natural features" being considered we sent an email to Shelagh Noble and offered to have the block designated as "ONLA" if the neighbours would let us access the grid over their property so that further work and scaring of the environment could be avoided, none would. Being under pressure from Internal Revenue to create taxable activity (we applied for GST exemption based on the plan to sell surplus electricity generated by our hydro scheme) we had no choice but to continue with the road, reluctantly with a heavy hart.

Prior to us settling here most of the land we own was used for sheep grazing. Being environmentally conscious, soon after we bought it (2000) we stop the grazing and allowed the land to regenerate. We also planted over 10,000 trees. The hydro scheme is our small way of contributing to renewable energy generation. Further more, it is our intent to donate part of the profits from surplus generation to the community. We feel we have done enough. Given the fact that the road has been formed through the whole length of the area under consideration, coupled with overhead lines, a possible dwelling on a 50 Ha block could hardly add much in a way of intrusion on the landscape, while both of us being past 60, should the plan be adopted our inability to sell the land would have a significant impact on our retirement.

WE ARE OPPOSED TO ANY PART OF OUR LAND BEING DESIGNATED AS ONFA OR ONLA.

We had a number of dealings with the Council over the years and have nothing but good things to say about the regulations governing the issues we dealt with, the process, as well as the staff whom we found to be professional, capable and people of integrity. We are saying this because it would be with regret that, should the proposed plan be enacted we would be left with no choice but to turn the matter over to our attorneys and seek redress through legal process.

Respectfully,

Steve and Maria Zelko

September 29th 2016

9544

Don Mead

Feedback on Golden Bay draft landscape plan

Although I was a representative for Friends of Golden Bay on the Small Working Group for landscape assessment I would like to make the following personal comments.

1. I was very disappointed that Council chose not to ask for feedback on the three disputed area of Conservation Land. This was a major mistake as the wider opinion of residents would be valuable. .1
2. In my opinion all three disputed areas undoubtedly should be outstanding landscapes and indeed the whole of the Mt Burnett area could well be designated an ONF as this peak is a focal point for the Bay. Clearly these areas meet the criteria for ONLs and they were excluded on non-landscape criteria. That is obviously wrong. .2
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3. I personally think that the whole of the NW area should have been included in an ONF as was recommended by all landscape experts who have assessed this area for TDC. .4
4. I also prefer the landscape architect, Andrew Craig's, recommendation that the whole of the Upper Takaka Valley (including the lowland farmland) should be designated an ONL. I am concerned that lowland development could well compromise the landscape as seen from SH 60. .5
5. I would also prefer Andrew Craig recommendation that the individual estuaries be ONFs as they are more sensitive areas within the larger Golden Bay seascape (ONL). .6

On the subject of the suggested plan changes to the TRMP I strongly support the Friends of Golden Bay submission.

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9546
Brent and Michelle Riley

BN&MM Riley
60 Snake Creek Road
Patarau RD 1 Collingwood
North West Coast Golden Bay
25 September 2016

Submission to ONFL September 2016

Michelle has been a member of the Small Working Group SWG evaluating ONF and ONL landscapes in Golden Bay. The Riley Partnership owns and farms several properties in the Collingwood region and Brent and Michelle reside in the North West Coast at Patarau.

An ONFL notice was sent to the Rileys re this NW Coastal property at Snake Creek.

We wish to make these points:

1. The letter from TDC was unspecific about where the ONFL fell on our Patarau property, citing three ways a property would be designated ONF or ONL, which included a 20m buffer zone.
2. We have to conclude that a buffer, adjacent to Lake Otuhie which is a proposed ONF, affects our property as it does not seem to be within the mapped ONL boundary. The designation with farm level maps is needed to ensure property owners clearly know which areas are in consideration. This will avoid any unintentional effect on ONFLs. Further, in line with current work on wetlands and SNAs we recommend that TDC offer to ground truth any proposed ONFL areas.
3. We recommend that the TDC remove the Buffer rule to ensure clarity for property owners. In addition, it layers more regulation over Golden Bay land. In our case the wetland that feeds into Lake Otuhie on our property in which this buffer appears to fall, has already been identified under the current Wetland identification. Layering designations over land will lead to confusion, and more expense to both the land owner and to TDC.

Small Working Group Recommendations

1. We recommend that the report of the SWG be recognised, as it has been a lengthy, robust process. In reaching for consensus, by definition any areas not identified as ONFL are outside the recommendations and should not be swept into an ONFL designation.
2. We support the view that farmland is highly modified in comparison to pristine natural areas in the bay, and particularly in the area that we live on the North West Golden Bay coast. Grassland, fencing, housing and sheds as well as livestock all reduce the outstanding and natural features. In order to ensure continued economic values of farmland and the ability of farming businesses to operate in profit TDC should exclude these areas from ONFL designation. TDC has stated it supports continued farming systems and to reduce any risk that the ONFL might impose it is important that farming land is not tied up in this process.
3. The recommendation stated in the SWG report (Appendix 1) to restrict free standing towers to less than 10m in height (resource consent required) was not discussed and endorsed by the SWG. We do not support this reduction from the current 25m allowance. In addition, communication towers may need to be on or near ridgelines to ensure clear line of the network. As happened recently with the proposal to install an additional cell phone tower in Golden Bay, consent complication and cost resulted in the withdrawal of Vodafone, making future cell development less likely. Golden Bay businesses and services rely on

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reliable communication networks. As a community we cannot afford to make this more difficult to achieve.

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4. Appendix 1 SWG Report states that a second dwelling may be allowed in an ONL area provided it is less than 300 square metres. We submit that a rural house in a remote area may easily be larger than this taking into account extra bedroom for visitors, storage space needed e.g. large pantry, home office, mud room. We believe this recommendation, made by council staff- not the SWG, should be amended to better reflect necessity. It should also be noted that most hay, cowshed or woolsheds would also be greater than 300 square metres.
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 5. TDC needs to clarify how and when a Section 32 Evaluation Report is to be completed. Although it is stated that Telfer Young have considered there to be no effect of ONFL on property values, rural valuers we know have intimated this may not be the case.

General:

We are following and have become involved in the ONFL process because we depend on a viable farming business for our family and staff livelihoods. We ask that TDC Councillors make considered decisions that support the economic wellbeing of the Golden Bay community.

We will be involved in any further discussions or submissions.

Thank you for the opportunity to provide feedback at this stage.

Brent and Michelle Riley

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Joan Butts

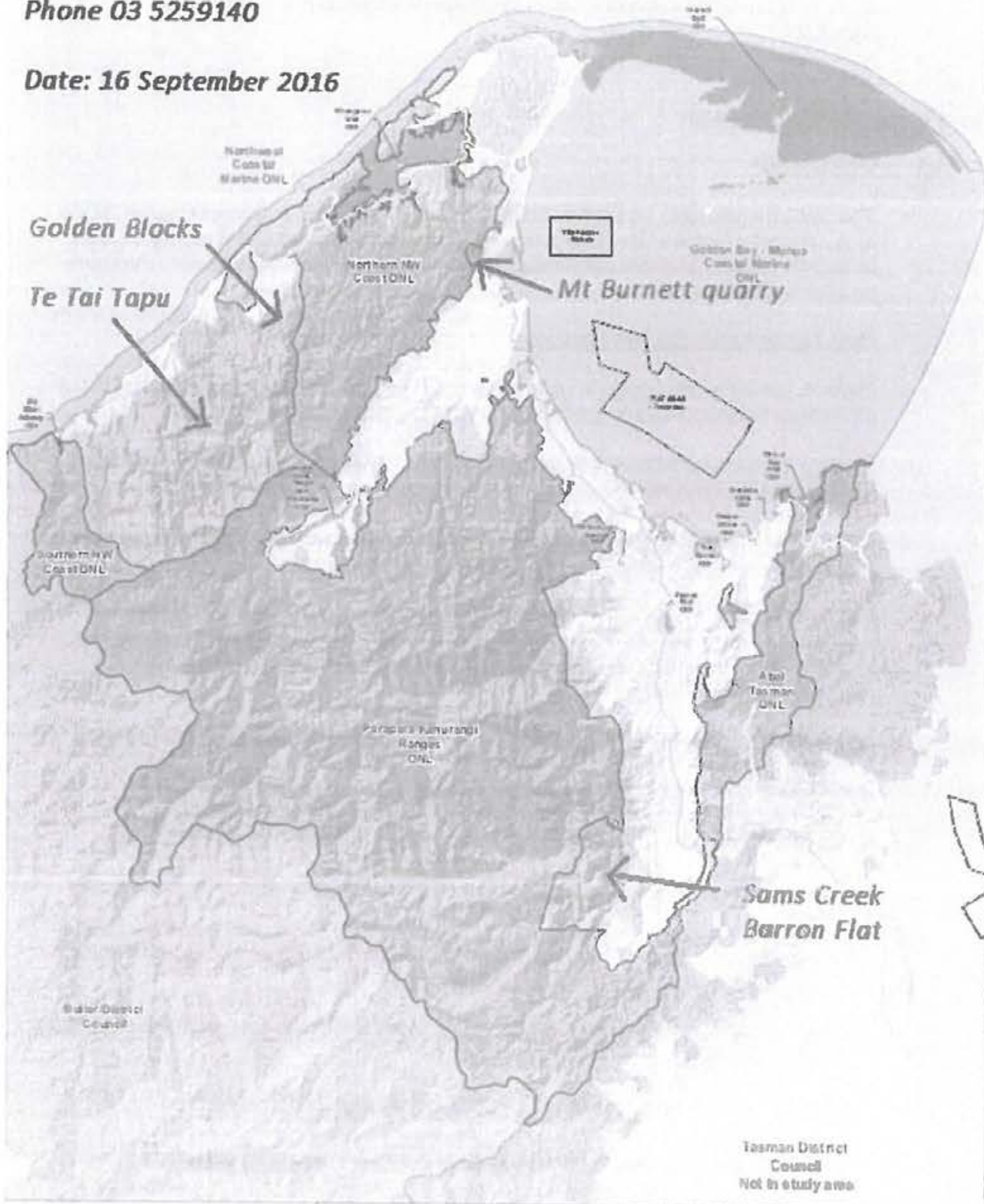
Feedback for Golden Bay ONFL Process

Joan Butts: Member of the Small Working Group

Email: joanbutts@port-tarakohe.co.nz

Phone 03 5259140

Date: 16 September 2016



ONFL Location Map
following a review of feedback received

Legend

	ONFL	DOC East
	ONFL Marine	DOC West

0 5.5 km

This map is an approximation and does not constitute a guarantee of accuracy. It is intended for general information only. It is not intended for use in any legal proceedings. The map is the property of the Tasman District Council and is not to be reproduced without the written consent of the Council.

Outstanding Natural Features and Landscapes (ONFL)

- I acknowledge the Small Working Group (SWG) report, as agreed at the Environment and Planning Working Group meeting on July 4th 2016, was our best effort to represent all sectors of our community.
- The areas referred to as the no-consensus areas did not have the support of the majority of the SWG members. I offer the below information in support of this statement.

1. General Overview

1.1 ONFL SWG

- The SWG membership was representative of the whole Tasman District Council (TDC) area, not just a Golden Bay (GB) community consultation group. SWG members lived in Nelson, Mapua, Motueka, St Arnaud, Upper Takaka, Clifton, Collingwood, Parapara and the North West Coast.

Noted issues with the SWG process

- Politics: The SWG was equally weighted with green politics and business interests but all members claimed a very special interest in the Golden Bay environment.
- There were fears some members were simply information gathering and establishing bottom lines for landowners.
- The first meetings were spent with SWG members entrenched holding their respective sector's view about ONFs leaving little middle ground for negotiation.
- Mining: Several SWG members had publically stated they were anti mining and discussed whether ONLs could be used to stop mining. This was totally inappropriate as we were evaluating landscape values. We did discuss if mining could be an appropriate activity in an ONL.
- I represented the commercial interests on the SWG, including the mining companies. My family and I have no vested interests in the gold mining industry. I do not have a preconceived view or position on any land use or development in Golden Bay. The time to establish the effects of a new or change in land use is when the environmental assessment is evaluated at the resource consent application stage.
- I attended every meeting so I did not miss any of the negotiations or decision making.
- The SWG was tasked with identifying the areas in the GB project area that met the ONFL criteria. We were to evaluate these areas on landscape values only without regard to ownership or potential development or use.
- We spent years ground truthing Golden Bay, researching the Law and Policies and then negotiated to find an uneasy agreement.
- A proposal to put the whole of GB in an ONL was rejected by the majority.
- A proposal to put the whole of the DOC Estate in an ONFL was also rejected
- ONFL criteria was never definitively defined and agreed.

- There was never an agreed definition of outstandingness or naturalness.
- Mike Stevens explained how to use the outstandingness and naturalness scale and the SWG used this process to make progress.
- Consensus voting
 - There was never an agreement reached about how consensus was to be achieved.
 - In reality it always came down to the members in a clear minority conceding to the majority. This was the only way to progress. Not easy when you conceded an area totally against your good judgment. Everyone experienced being in the minority vote.
- Non consensus areas
 - We did not agree to identify non-ONFLs- this is not how the majority of the SWG understood the process
 - The areas that did not meet the ONFL criteria were not ONFLs by default.
 - We looked at specified areas and then we identified and recognised the areas that met the ONFL criteria for inclusion.
 - The SWG understood that there had to be concessions both ways, a gifts-and-gains process was promoted by Debs Martin of Forest and Bird.
 - We also identified the best of some areas as ONFLs to appease some member's insistence that an area needed to be represented. E.g. Tarakohe Cliffs, Hanson-Winter Reserve and The Grove as the best examples of the Hogsback limestone feature.
 - There would be very few consensus areas if we had used the strategy of having to agree to areas that were ONFLs and also agreeing to areas that are not ONFLs.
 - The whole of Golden Bay would need to be reassessed if the SWG had used a method whereby the non ONFLs were to be agreed also.
 - I understood we used the default approach. If an area was not accepted as an ONFL, then it was out. I was stunned when I was told we had to identify and agree on non-ONFLs. I certainly would not agree to support some of the compromise decisions we made if this had been promoted during the negotiations
 - This interpretation of the consensus process was only promoted after the SWG had finished their deliberations

1.2 Department of Conservation (DOC) Estate

- The first map the SWG was given incorrectly showed all of DOC Estate as National Park, so for two years I believed the whole area was a National Park and accepted the area had been assessed for conservation values. It was a surprise to find out there were so many categories of DOC Estate land and much of the stewardship land had low conservation values.
- Stewardship land
 - DOC and the Ministry for the Environment publications explained how the National Parks were created.
 - Publications on Mining activity in the DOC Estate explained why certain decisions were made.
 - The SWG agreed that the National Park had been assessed for conservation and landscape value so we agreed it could be an ONFL.
 - There are areas in the Kahurangi National Park (KNP) that do not meet the ONFL status but the SWG understood that would be balanced in the SWG deliberations.
 - The SWG did not have the resources to ground truth the whole GB project area.

Refer to Sections 2- 4 for my feedback on Sams Creek, Barron Flat, Mt Burnett and N/W Coast.

1.3 Misleading TDC briefing to the community

- The SWG were told that:
 - Landscape factors were to be the only consideration for designation as ONFL.
 - TRMP Rules and Regulations and Policy were robust and there would be minimal changes.
 - There would be no buffer zones. The lines on the ONFL maps were drawn taking this information into account.
 - SWG assured many times there would be little change to the TRMP
- After the SWG maps were completed- TDC then overhauled the TRMP's Policy, Rules and regulations.
- The information presented in the last SWG report to the community by the TDC and SWG asking for feedback was totally misleading.
- The proposed draft changes to the TRMP are seen as very restrictive and potentially very costly to the landowners.

1.4 Community feedback SWG initial report

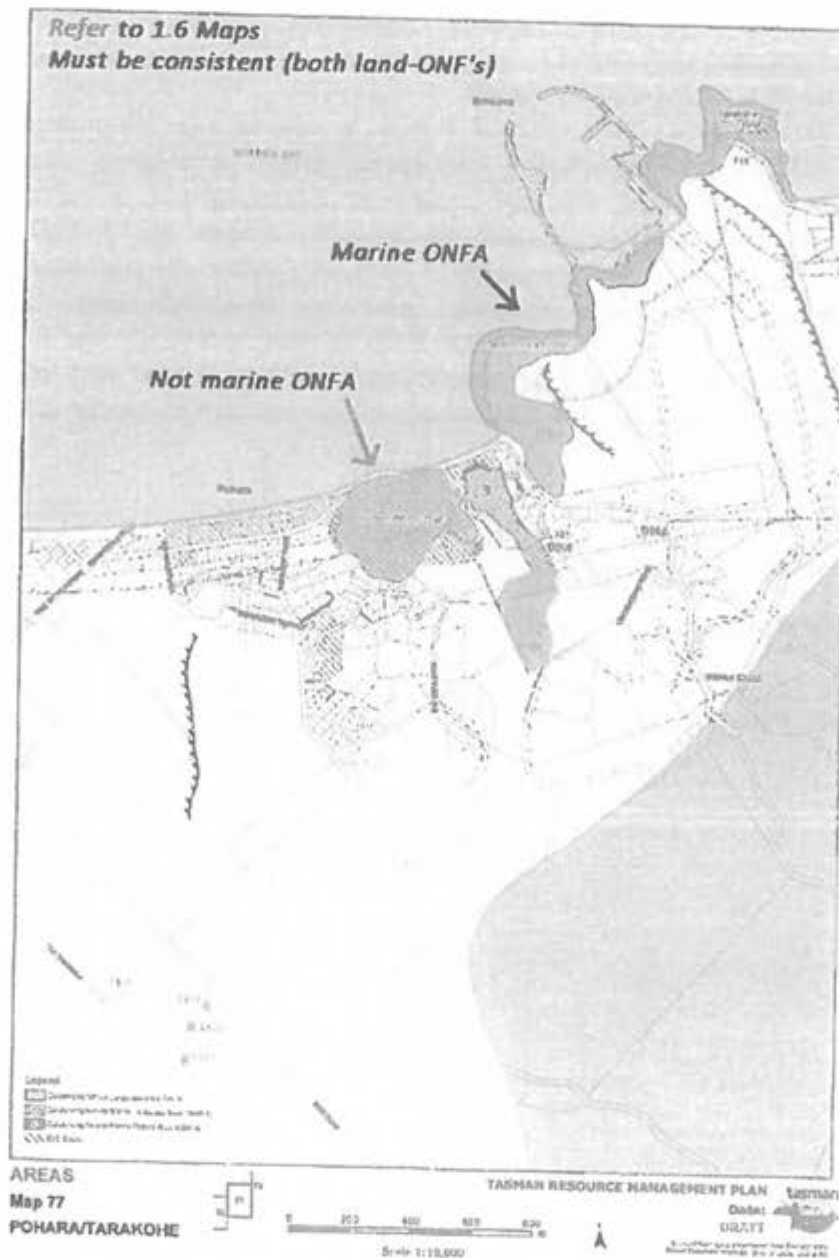
- The Friends groups and Forest and Bird members simply reiterated their stated policy.
- The resident GB SWG representatives received most of the feedback from the local community. Much of this feedback was not in written form.
- We now have been accused of misleading the community as TDC has not proceeded as promised.
- A commitment to landowners' requests for TDC staff visits for ground truthing their land should be honoured

1.5 Draft rules

- Buffer zones over residential, industrial and commercial zoned areas are totally indefensible. The SWG drew lines on maps on the understanding there would be a policy of no buffer zone. The SWG maps were laboured over with a lot of local knowledge, ground truthing and after landowner input.
- Landowners paid a premium to purchase this land and they pay premium rates with a justified expectation of land use rights as listed in the TRMP
- Buffer zones of 20 metres on Rural zoned land will not achieve the ONF protection sought. It may be promoted as usual planning practice but ONFs should leave no confusion and clearly define the ONF.
- Buffer zones will in reality move buildings closer to public roads and make a more dominant visual effect against the ONF.
- Open Space zones have a 3 meter buffer zone. Why is this ONFA extended to 20 meters?
- Weed control
 - Waive Resource consent fees in an ONF and set up an agreed long term eradication program
- Appropriate Activities
 - Commercial fishing's existing rights e.g. down the NW Coast in the Marine ONL and estuaries needs to be clearly stated as an appropriate activity in all relevant areas.
- Many people have asked why appropriate activities have not been included in the draft plan.

1.6 Maps

- The map showing the Tarakohe Cliffs ONF was agreed by the SWG and landowner to be a land based ONF, not a marine ONF.
- The October 2014 SWG report describes the ONF as land based (p46).
- The final draft report clearly shows the marine ONL and ONF as separate.
- The Marine ONL went over the land reclaimed from the seabed, i.e. the Tarakohe Port area and Talleys site. It did not extend over the Cliffs.
- The ONF land area adjacent to the Tarakohe Cliffs, i.e. the Hanson-Winter ONF is a separate land ONF adjacent to the marine ONL.
- The maps need to be consistent with the SWG's map zoning and reflect the SWG decisions.
- This needs to be corrected (Map below).



1.7 Section 32

- The Golden Bay community utilises natural resources to produce employment and the products won are important to the whole of NZ. Examples of industries, farming, (dairy, meat and fibre), fishing, aquaculture, mining - dolomite, gold and other minerals (important for medical procedures, electronics etc.), tourism,
- Speech from DOC Director General Al Morrison 2013 quote: 'If you take the current footprint of actual area mined and add in both the area approved for mining, and all the area approved for exploration, it covers about 0.03% of the conservation land. If you take the footprint that pests destroy if not controlled, it covers 91.7% of the conservation land. DOC does not have the resources to control all that area, and the resources required is well in excess of any reasonable call on the taxpayer alone.'
- We need a prosperous NZ built on a healthy functioning environment.
- Recent DOC Director Generals (Al Morrison and Lou Sanson) both agree the best way forward is to work with communities, businesses and industries. If they want to use the natural resources then they should help fund future conservation projects. Take from nature, contribute back to nature.
- Tasman District needs policy and rules to acknowledge and accommodate the need for future telecommunication transmission aerials, wind farms, wave turbines and all the new technology that will become an increasing part of our lives in the future. Golden Bay businesses already use telecommunication apps to stay viable in a difficult working environment. This needs to be incorporated in the draft rules and policy.
- Ridgelines are very important sites for telecommunication and GB needs communication towers to function in this modern world. We lost the last Vodophone tower because the process was too expensive and difficult. The TRMP rules need to enable the next opportunity especially if there is no net loss to the environment.

2. Sams Creek and Barron Flat

2.1 Overview

- The DOC Upper Takaka area that was deemed worthy of inclusion in a National Park is a proposed ONL zone.
- The non-consensus area is classified as stewardship land managed by DOC. It was specifically excluded from the Kahurangi National Park when assessed for the N/W South Island National Park Investigation 1993.
- This report states that most of the area may not meet national park criteria on its own.
- The areas that had high conservation values were included in the Kahurangi National Park and the remaining area was left in stewardship land.
- There have been many opportunities during partial reviews since 1996 to reclassify this area into National Park
- Every 10 years a conservation management strategy is prepared for each conservancy. This provides an opportunity for the public to propose reclassification of particular stewardship areas.
- DOC welcomes proposals to promote suitable areas for inclusion into the National Parks.
- There were several areas adjacent to the Kahurangi National Park given National Park status in July 2016. This included 49 ha of Cobb Valley land. This park increased by more than 890 ha and now covers 453,791 ha.
- The SWG was told to assess this area on landscape values alone.

2.2 Reasons for support of exclusion from an ONL

I support ONL exclusion for the following reasons:

- Sams Creek is one of the few DOC Estate stewardship areas in NZ that has been assessed and deliberately left out of the Kahurangi National Park. 8
- The majority of NZ's stewardship land has not been assessed for conservation values.
- This area was excluded from the National Park after evaluating several conservation reports.
- There is a history of industrial use.
- There is obvious manmade infrastructure and modification: the Cobb Valley dam and transmission lines, roads, pine /eucalypt plantings, logged areas with regenerating kanuka/manuka, fences, farmland, houses and tracks.
- Few people would experience the area as it remains inaccessible except by private arrangement as there are locked gates and private land to negotiate. This area is not a shared and recognised area for the community as few people venture there.
- Visually Barron Flat has exotic tree planting, poor soil and slow recovery from the logging.
- Stewardship land is described in one report by the Commission for the Environment as a transition zone between working landscapes and National Park.
- This area acts as a buffer zone between the National Park and the modified farmland and this is relevant here in the Takaka Valley
- Sams Creek as viewed from the Takaka Hill is simply land adjacent to NZ's second largest National Park.

- The Sams Creek 5000 ha area is adjacent to the National Park but its landscape does not represent anything that is not already included in the Kahurangi National Park. It is not more outstanding in its own right than the surrounding land.
- The area is adjacent to the National Park and the proposed ONL line around the National Park makes a definitive boundary.
- DoC's management plan for the DOC Estate manages and protects the conservation values of all of this land including stewardship land.
- Any change in land use can be addressed under the TRMP when an application for a resource consent is deposited with the TDC.

2.3 SWG Recommendation

- The majority of the SWG agreed this area does not meet the criteria for outstandingness and the area should be excluded from an ONL.

2.4 Ecological Areas

- There are no biodiversity priority areas on this site

2.5 TDC Staff Recommendation

- Partly recommended for inclusion as part of the Parapara – Kahurangi Ranges ONL.

2.6 Comment

- I do not agree with the TDC staff's opinion that the exclusion is inconsistent with the evidence. They were not involved in the evaluation of the ONFLs; they did not hear the community's feedback.
- The area is on the periphery of the Kahurangi National Park and the ONL boundary winds its way up the Takaka Valley. It is not a straight line.
- To include this area in an ONL to stop mining is not a valid landscape evaluation reason

Biodiversity Map

1. 1000 priority areas for biodiversity have been identified by DOC. A full range of NZ's ecosystems is conserved to a healthy functioning state. They cover 3 million hectares, 28% of these are on stewardship land. These areas have high conservation values.

2. There are no biodiversity areas in the Golden Bay ONFL project areas.

3. Doc was formed in 1987. The DOC Estate covers one third of NZ. There are huge areas of stewardship land in NZ, most in the South Island. One third of the DOC estate is classified stewardship land. Stewardship land has a range of conservation values from very high to very low. In the Nelson/Marlborough area 1,288,960 ha is in the DOC estate.



53

3. Mt Burnett

3.1 Overview

- This area is situated adjacent to the Kahurangi National Park on Mt Burnett.
- It is sited on stewardship land managed by DOC.
- There are dolomite mining rights over 8.86 hectares, reduced down from the previous mining permit that allowed 128 hectares. This mining operation is monitored and reviewed regularly. Dolomite is important to the NZ economy.
- The attached aerial photos show the extent of the dolomite quarry's modification to this land.
- It is well screened from most view lines from the road below, but quite dramatic modification is obvious if viewed from above e.g. a tourist in a plane.
- There is the quarry, the quarry roads and transmitter access road and power lines up to a telecommunication transmission tower that services the Golden Bay district.
- The dolomite quarry office, rock storage and transport mustering station is further down the hill.
- This quarry is located adjacent to Solly's limestone quarry. The SWG agreed to exclude Solly's limestone quarry and the majority of the SWG could not see how this area was any different to the limestone quarry that was agreed to be too modified for ONL inclusion.
- Consistent evaluation is necessary with no regard to ownership.
- The SWG was directed to evaluate this area by looking at landscape values criteria only.
- This area clearly does not meet the naturalness bar and the site on its own is in no way remarkable. This stewardship land is modified and should have the same status as the other working quarries ie not an OFL (see attached photographs).

3.2 My recommendation

- Exclude from the ONL zoning. The majority of the SWG did not agree this area was an ONL.

3.3 Rationale

- The area is easily excluded as it's on the periphery of the Kahurangi National Park It is extensively visually scarred and does not meet the naturalness criteria because of manmade modifications.
- There is nothing in this block of land that is more outstanding or remarkable visually than the surrounding land.
- The underlying mineral of dolomite is important but not a landscape criteria.

3.4 Ecological areas

- There was a robust assessment completed on this site when the new mining licence was issued in 2005.
- There is a weed and pest management programme.
- There is an identified area of endemic species and DOC has a management plan to preserve these species of shrub, sedge and snail and also working on propagation and planting of these species. In July 2016, 246 ha West of Mt Burnett was added to the Park. This area contains a diverse forest ecosystem filled with rare plants. There is an ongoing process to add to the Kahurangi Park if adjacent land reaches a certain threshold.

3.5 Staff recommendation

- Partially recommend for inclusion as part of Parapara -Kahurangi Ranges ONL.

3.6 Comment

- The mining operation is an extractive process and will operate for 40 years until 2045.
- If you ground truth the quarry, it is obvious this land is too modified to be in an ONL.





Aerial showing proximity of MT Burnett quarry to adjacent limestone

www.topofthesouthmaps.co.nz



This is a satellite photograph taken in 2008. It shows the Mt Burnett quarry and the limestone quarry to the north west. The quarry is a large, light-colored area on the left. The limestone quarry is a smaller, darker area on the right. A road runs between them. The photograph is taken from a high angle, looking north.

Top of the South Maps *This aerial photograph shows the location and proximity of the Mt Burnett quarry to the adjacent limestone quarry to the North West. Both quarries do not meet the naturalness criteria.*




Aerial showing Mt Burnett quarry modification

www.topofthesouthmaps.co.nz



This is a satellite photograph taken in 2008. It shows the Mt Burnett quarry and the limestone quarry to the north west. The quarry is a large, light-colored area on the left. The limestone quarry is a smaller, darker area on the right. A road runs between them. The photograph is taken from a high angle, looking north.

Top of the South Maps *Aerial view of Mt Burnett quarry adjacent to Kahurangi National Park.*


4. N/W Nelson Conservation Park (Golden Blocks and Te Tai Tapu Estate)

4.1 Overview

- The NW Forest Park (N/W conservation Park), DOC stewardship land, adjacent to the Kahurangi National Park on the NW Coast has a long history of industrial activity including gold mining with old towns, roading, five producing mines, alluvial miners, coal mining, logging of huge areas and farming .
- There has been commercial activity for over 150 years.
- Extensive logging operations and roading continued into the 1980s
- This area has obviously been modified by these human activities.
- The area was specifically excluded when the N/W area was assessed to determine the extent of the Kahurangi National Park.
- The conservation values of this area are lower than the areas of the adjacent proposed ONLs.
- If you fly over the NW Coast the untouched areas are obvious, spectacular and outstanding.

4.2 Ecological areas

- There are no biodiversity priority areas on this site (see attached map).

4.3 Options

- Option 1
 - Put this modified/regenerating area into an ONL. The consequence of this would be to surround the remaining farmland with ONLs. See attached map.
 - The recent Environment Court decisions state that minor land parcels cannot be left out of a Landscape. If the so called 'no consensus' land is included in the ONL as proposed by TDC staff, then the minor farming parcels become ONL too.
 - You would have then zoned the whole NW Coast into an ONL. This is exactly what happened in Wainui Bay when the small, surrounded parcel of farmland was swallowed up and included in the Abel Tasman ONL using the same Environment Court decisions.
- Option 2
 - Exclude this area from an ONL as it does not meet the same level of naturalness or outstandingness as the surrounding land that is zoned ONL.

4.4 Recommendation

- Exclude from the ONL.
- The majority of the SWG did not agree this area was an ONL.
- This is a large parcel of land and can be excluded.

4.5 Rationale

- There have been many opportunities since 1993 to reclassify this area and include it into the National Park.
- Every 10 years a conservation management strategy is prepared for each conservancy. There are also interim reports.
- This provides an opportunity for the public to propose reclassification of particular stewardship areas.
- Iwi have unfinished business with the Government on many levels with this land, but to include this land in an ONL to stop mining is not a valid reason.
- Three blocks of land on the western boundary of the Park have been added to the park recently. These areas are in the proposed ONL.

4.6 Staff Recommendation

- Recommended for inclusion as part of Southern NW Coast ONL.

4.7 Comment

- This action would result in the whole NW Coast zoned an ONL landscape (cannot leave minor land parcels out of an ONL landscape).
- Not what the SWG agreed (refer to map on following page).

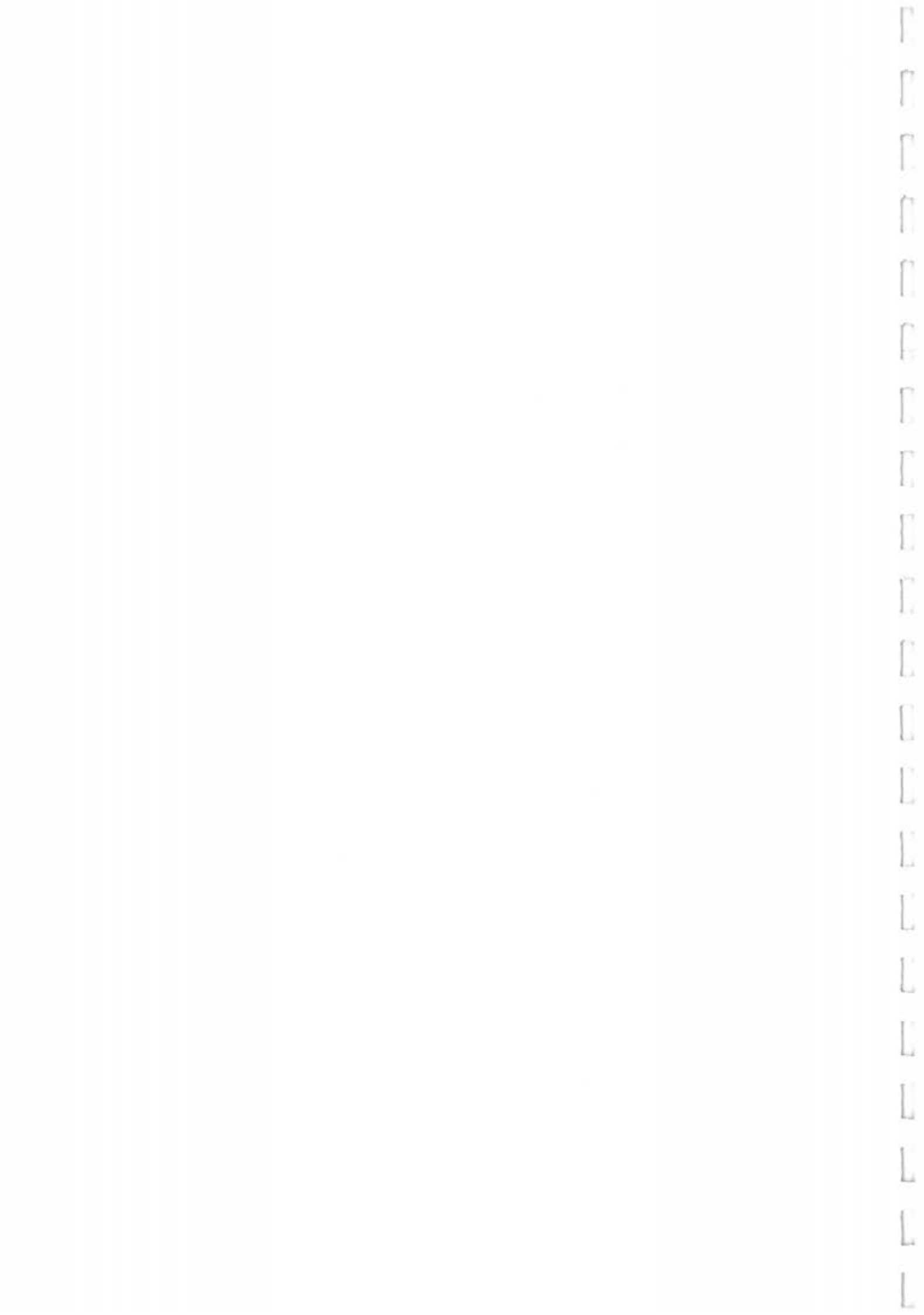
If the NW Forest Park area (Golden Blocks, Te Tai Tapu Estate) goes into an ONL then the small parcels of land (highlighted in yellow on the map below) will go into an ONL too. These yellowed areas would be surrounded by ONL- Environment Court decisions dictate they become part of the dominate ONL landscape.



Signed:

J E Butts

Dated: 17 September 2016



9549

Laurie Healy

L Healy

Submission to Draft Rules Changes (Environment and Planning) cont.

8. (Cont.) Please ensure that the landowners over whose property ONFL is placed are not disadvantaged.
9. The ONFL process for Golden Bay is almost complete. What is the timetable for this process to to be undertaken for the rest of the Tasman District?
10. Finally, I wish to be heard at the public hearing on this matter.



9554
Sandra Closs

Submission for Golden Bay's Outstanding Natural Features and Landscapes.

Submission by Sandra Closs
429 Te Hapu Road
Te Hapu
Collingwood 7073
Phone 03 524 8351

Locations identified.

I fail to understand why the whole of the West Coast down to Kahurangi Lighthouse has not been designated to be in the ONL and also the area round Lake Otuhie. All of which have outstanding natural landscape. 1

Indeed I am surprised that a great deal of the Golden Bay Coast is not included to be in the ONL. The areas chosen seem quite random. 2

The entire 367 hectares of Te Hapu farm on the West Coast of Golden Bay has been designated to be included in the ONL.

Te Hapu has a strip of undulating pasture land inland from the sea, with no rock formations which is not outstanding, I request that this area is taken out of the designated area for the ONL. 3

General Comments.

My husband Ken and I have owned and farmed Te Hapu for 36 years. We certainly believe the landscape of our farm is totally outstanding. It has been our life's work caring for the land which we love and our farming practices are based on sustainability rather than productivity [we shut up a 7th of the farm each year to reseed naturally]. Financially we do not make a profit from our farming operation and cannot pay off our mortgage. Because of this we decided to rent out the existing buildings as holiday accommodation.

My dream is for one or more of our three children to be able to continue to enjoy Te Hapu and have an opportunity to make a living from the farm and holiday home business. This could involve Fish farming, building more holiday Cottages, Carbon Farming, Wind farms, Forestry plantations, Subdivisions, to name a few ideas. I realize that to do these things now we need resource consents but it appears the new restrictions for ONL land will curtail these activities if not render them impossible to achieve. More farming practices will need resource consents which will be harder to obtain and costly. 4
5

Te Hapu farm is one of the designated areas that are privately owned and can only be seen from the sea or air. I have a huge concern that in the future if we are to remain in the ONL that a Government law could rule that all ONL areas need to have a right of access for the public. This would be totally unacceptable by us, would take away our privacy and ruin our holiday home business.

We believe farming country in the ONL will have a lower value for prospective buyers, than farming land with less restrictions over it. This could be hugely disadvantages to us and our family if we are forced to sell to pay for our elderly health care.

Draft Plan Changes

Basically I object to -

- a. Having new restrictions placed on our private property which will restrict our farming practices, and

could involve having to get costly resource consents

- ie - To realign existing farm tracks or make new ones for access and safety reasons.
- To build new fences.
- To make any additions to existing buildings which will curtail any expansion of our holiday home business.
 - To plant Shelter belts for stock protection.
 - To plant exotic trees for Carbon Farming and Forestry

A We pay very hefty rates for our land. If we are forced to have these new restrictive rules put on us I believe we should receive some compensation possibly in the form of highly reduced rates.

Signed
Sandra Closs

9556
Joanne Haldane

**D&J HALDANE LTD SUBMISSION ON THE
PROPOSED GOLDEN BAY OUTSTANDING NATURAL FEATURES AND LANDSCAPES**

To: Tasman District Council
Submitter: D&J Haldane Ltd
Contact: David & Joanne Haldane, Directors
Address: 82 Bishop Road, RD2 Takaka 7182
Phone: 03 5248223 or 0274 912194 (Joanne)
Email: joanddav@xtra.co.nz

I confirm I am authorised on behalf of D&J Haldane Ltd to make this submission.

D&J Haldane wishes to be heard in support of this submission.

1. Introduction

We are third generation farmers in the Aorere Valley and consider ourselves to be effective stewards and custodians of the land. Our property has a boundary with the 'upper' Aorere River (proposed Outstanding Natural Feature (ONF) and one with the Parapara Kahurangi Ranges (proposed Outstanding Natural Landscape (ONL)).

2. Scope and nature of submission

The purpose of this submission is to provide feedback on the locations identified and impact of draft rule changes for Golden Bay's ONFL. We are limiting our feedback to those areas we are specifically impacted by; the inclusion of the 'upper' Aorere River and the Parapara Kahurangi Ranges. We note however some or all of our submission may also be relevant to and support feedback on other areas included in the Golden Bay Outstanding Natural Features and Landscape plan.

3. Reasons for submission

The reasons for the submission are that unless the Golden Bay Outstanding and Natural Features and Landscape plan ('the plan') is amended to address our concerns below, the plan:

- a) will not assist or support the promotion of sustainable business activity
- b) will create unnecessary regulatory overlay on existing business practices

.1
.2

INCLUSION OF UPPER AORERE RIVER AND KAHURANGI PARAPARA RANGES

The inclusion of the upper Aorere River references technical advice from Andrew Craig (2012); primary and Ian Lynn (2012); supplementary, suggesting it is a 'high, mostly unmodified landscape.'

We contend the river has been 'managed' above the farmed/privately owned land for many years and therefore it cannot be suggested the landscape is 'mostly unmodified.' As recently as the flood of 28 December 2010 when water threatened the Brown Hut, the decision was made to move gravel and restore the Brown River channel back to the far side to prevent further erosion of the small area of flat land remaining on which the Brown Hut sits and from which the entrance to the Heaphy Track forms. The river is not 'natural' from that point. Over the years it has been managed in the upper reaches to mitigate the impact of flood erosion.

The Golden Bay/Mohua Landscape Project Report of July 2015 supports inclusion stating 'The braided section of the Aorere River is the only example of a braided river pattern in Golden Bay.'

We strongly object to the inclusion of the upper Aorere on the basis of the definition of a braided river. Gray and Harding, 2007 in 'Braided River Ecology,' published by The Department of Conservation (DOC) defines a braided river as one 'that at some point in its length flows in multiple, mobile channels across a gravel floodplain.'

Te Ara, the Encyclopedia of New Zealand (www.teara.govt.nz) defines a braided river as forming when 'sediment and gravel build up on the riverbed. Eventually the build up becomes so high that the water, seeking the lowest path, begins to flow down a new channel. In this way the streams of a braided river are constantly moving across their wide bed.'

Other well known examples of braided rivers in the South Island of New Zealand include the Waimakariri and Rakaia in the Canterbury Plains. It is very difficult to reconcile the physical characteristics of both these rivers sharing any similarity with those of the upper Aorere.

The Kahurangi Parapara Ranges are already legislated for protection via the Kahurangi National Park Management Plan. The objective of this plan is to 'provide integrated management objectives for natural and historic resources, including species management for recreation, tourism and conservation purposes' (*source: Department of Conservation*). A proposed ONL overlay is simply adding another layer of unnecessary regulation.

IMPACT ON SUSTAINABLE BUSINESS ACTIVITY

Many farming activities are already consistent with ONFL values and do not have adverse effects. As previously stated, we are third generation Aorere Valley farmers and consider ourselves to be effective custodians of the land.

Despite statements that the working rural landscape is important to the Tasman District and assurances of the intention for business as usual (BAU), the proposed rules will mean farmers in these areas may require additional consents to undertake and/or evolve farming processes. These processes may be a result of development of 'best practice' and should be supported and endorsed by TDC; not stifled and made more onerous by additional levels of bureaucracy and therefore cost and risk. 3

Regulations proposed to protect ONFLs can constrain ordinary farming activities, even when farming is an existing activity on an ONL.

The plan creates uncertainty around the definition of 'new activities' which may require 'controlled activity resource consents,' or 'restricted discretionary activity resource consent.'

For example:

- cropping; depending on what type of crop and rotation period, there may be a 'change the landscape;' albeit temporarily. This could be colour, height of crop, appearance of crop. Will this require consent?
- Animal husbandry; may be an animal we don't currently farm. Perhaps has a higher stocking rate/ha or be a different colour to the one previously farmed. May require higher fences to be built to contain stock. Will this require consent?
- Vegetation change; planting Manuka for honey. Will this require consent?
- Change in the use of the land; converting from sheep & beef to dairy. This is already a highly regulated consent environment. Will classification within ONFL require additional consents?

It is absolutely critical given the significance of farming to the Golden Bay region, that Council's regulatory approach is enabling. This supports the future outlook of the sector and the wider community. 4

Certainty must be provided for landowners; particularly as to how the regulations are to be 'applied on the ground.'

We are already working with extraordinary levels of Council regulation and compliance as landowners and farmers. Any ONFL regulation must ensure there is no additional cost or layer/s of bureaucracy and governance required to maintain BAU.

IMPACT ON RIVER PROTECTION

Our property has approximately 4km of Aorere River frontage. Our river flats are some of our most arable and therefore productive parts of our land and we have invested a significant amount of money in protecting our property from river erosion. We are gravely concerned the ONFL will have a significant impact on the Council 'River Z' program.

It is critical we be able to continue to mitigate (in partnership with TDC) the impact of river erosion on our river flats. Loss of land to river erosion will restrict our farming area and affect our economic viability. 5

It should also be noted river protection work is undertaken not just for farmland, but natural areas too.

The course of the river along our boundary has changed as a result of previous flood events, and the river has now encroached on part of our privately owned land. This land has been included in the maps of the ONF; suggesting the ONF now sits partly over our river flats.

This could impact proposed 'set backs' and restrict BAU and needs to be addressed and remedied.

Additional river protection considerations we have are:

- Will river protection work still be able to continue if the upper Aorere remains an ONF?
- If the upper Aorere remains an ONF, and TDC River Engineers are required to do 'site specific environmental plans,' there will be additional cost incurred. TDC should give effect to the desire of the wider community to have such regulatory overlays on private land and the extra planning costs should be covered by the targeted river funding every rate payer pays, BEFORE any split of costs of actual work (currently 50/50 in River Z) occurs with landowners
- If TDC River Engineers are required to do 'site specific environmental plans' there may be significant time delays waiting for approval for work. Part of the plan should be that work can start as soon as the plan is submitted
- Will it be mandatory for the landowner and Council to undertake river protection work in areas where river erosion has occurred?
- In what way has a LACK of ONF overlay on the River Z program (and subsequent river work undertaken) had a detrimental effect on the Aorere River?

The rationale provided in the plan for the proposed changes includes in part 'Council is required to 'protect outstanding natural features and landscapes from inappropriate... activities.'

The focus of the plan though has to be on avoiding **inappropriate** subdivision, use and development whilst enabling people and communities to provide for their health and safety and wellbeing.

As the plan is proposed we see it having significant impact on our BAU and the ability for us to continue to manage and grow a sustainable business activity. We also believe it will create unnecessary regulatory overlay on existing business practices, increasing costs and risk to our livelihood.

Joanne Haldane
30 September 2016