

22/9/16

Peter Miller

347 Nguroa Rd  
Collingwood 7073

Ph 03 5248361



Submission

Re: ONL on Golden Bay North-West Coast

We object to the inclusion of our privately owned farm land at Nguroa in an ONL, which means another set of rules on the coastal section of our farm.

Because of the 200 metre Coastal Zone that has been in place for something like two decades, the rules in that area are already strong enough to protect the coastline, so there is no need for the ONL zone.

The area of our farmland included in the proposed ONL is not natural. This land was felled out of native bush in around 1920, burnt and sowed in pasture, and has been grazed ever since.

Since my purchase in 1964 it has been cleared of regrowth scrub, fenced, and fertilised by aeroplane, and is definitely not natural.

There seems to be some disparity along this north-west coast with the ONL areas, with some sections of land left out, and other areas included.

We do not want any rule changes that affect the way we farm at present or in the future.

Peter Miller.

*P. J. Miller*

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

The main body of the document contains several sections of text, each discussing different aspects of the subject matter. The text is written in a formal, academic style, with clear headings and sub-headings. The content appears to be a detailed report or a series of essays, covering various topics related to the field of study. The text is well-organized and easy to read, with a logical flow of ideas and arguments.

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

22/9/16

Marjorie Miller  
347 Nguroa Rd  
Kaihoka  
Collingwood 7073

Ph 03 5248361



Submission

Re: ONL on Golden Bay North-West Coast

Location: Peter and Marjorie Miller property at Nguroa. Between Nguroa Bay and DOC Estate to the North.

It is proposed that this coastal Nguroa farm owned by Peter and Marjorie Miller is to have ONL status imposed on approximately 31% of the farmed area, without visits or consultation from the Small Working Group.

We strongly object to this incorrect assessment which is a gross disregard for private ownership and our need to run a business. We need to have a safe working environment with fences, drains, and tracks for weed control and OSH requirements, without restrictions.

We are already subject to the 200m Coastal Environment Zone restrictions, and North of Nguroa Bay the coast is cliff-lined. The cliffs do not need protection because they drop down into the sea and cannot be damaged by stock or human activity. Pasture land has always extended to the cliff edge.

Other cliffs along the NW coastal strip are not ONL.

The ONL on our property extends well into farmed hill country, part of which is not visible from the coast.

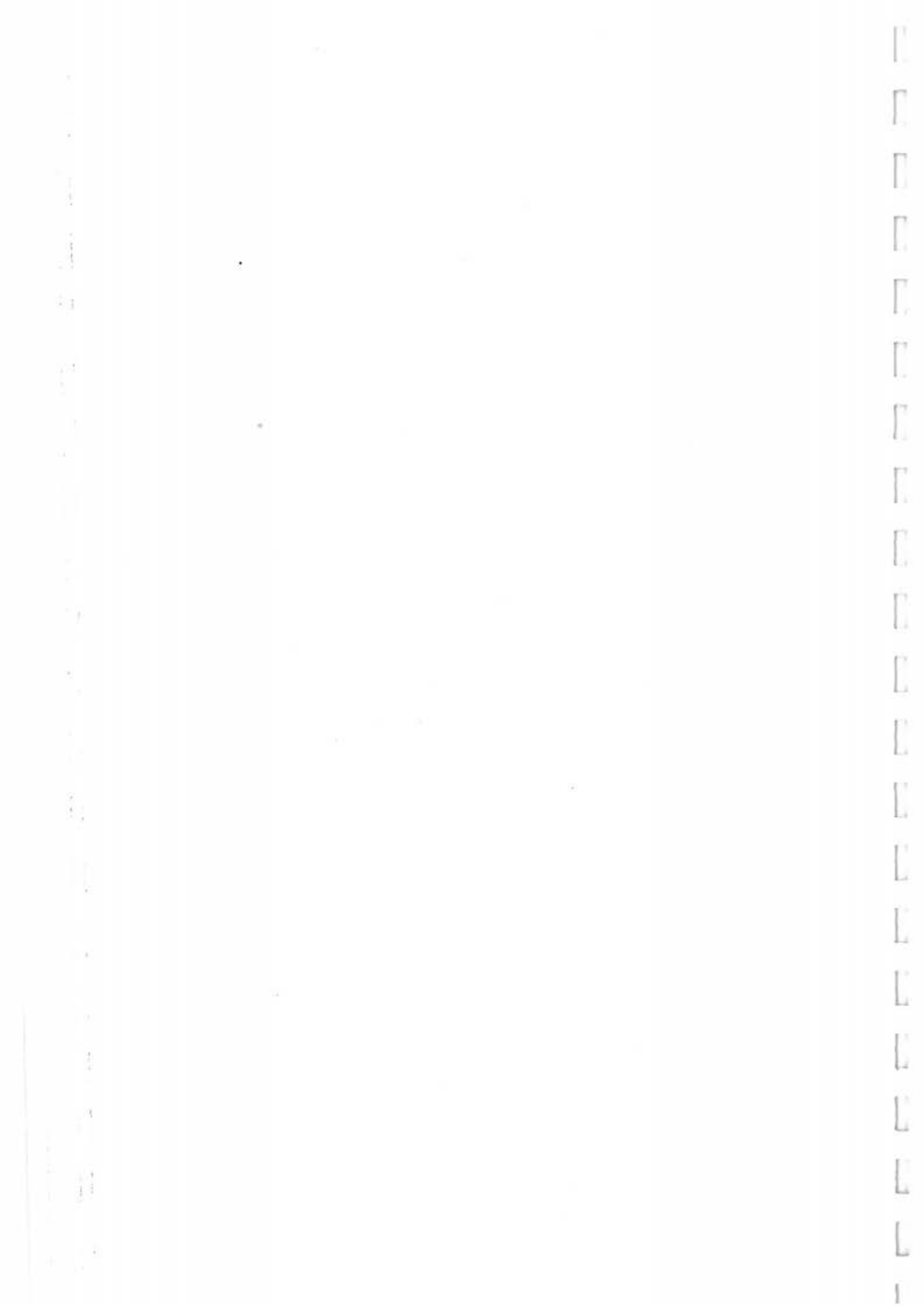
If the whole NW coast is deemed so special, why are some parts (e.g. between Turamawiwi River and Big River) left out? The process is inconsistent.

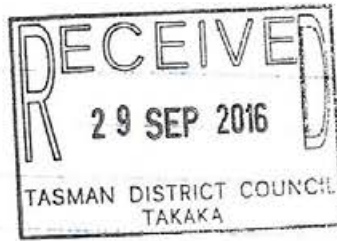
As 848ha of extra forest and coastline ONL in NW Nelson has just been added to Kahurangi National Park (announced by Environment Minister Dr Nick Smith MP on July 22 2016), surely our small privately owned NW portion can be excluded.

We object to our property being included in an ONL. It amounts to a potential land-grab with further restrictions to follow.

(Mrs) Marjorie Miller.

*M R Miller*





Ngurua Rd  
Kaihoka  
Collingwood 70  
28. 9. 16

Dear Tom,

This map, + 5 pages of photos were meant to be included in my ONL submission of 22/9/16

Please study them together.  
Thank you.

Yours sincerely,

Marjorie Miller

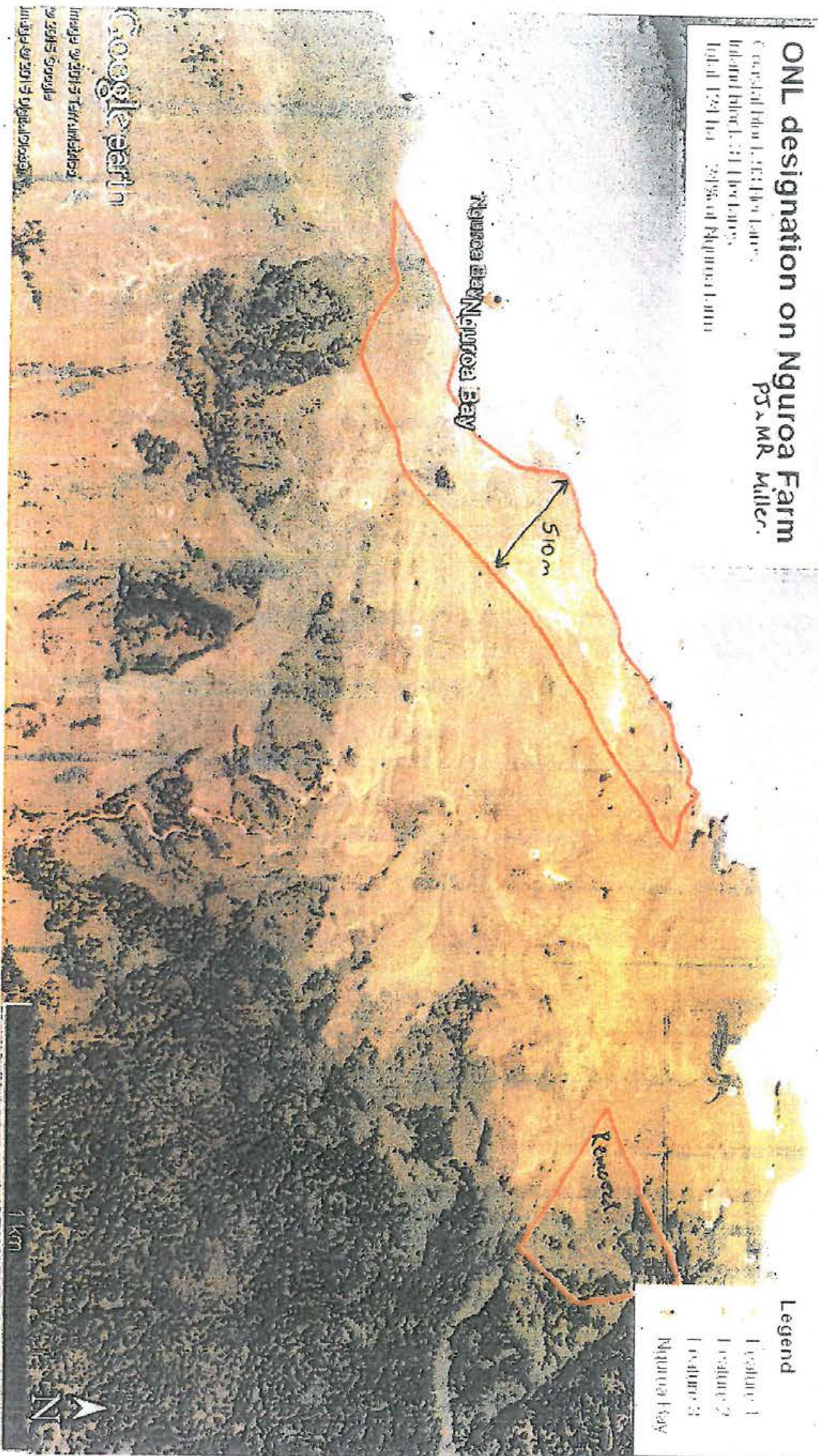
[The page contains extremely faint, illegible text, likely bleed-through from the reverse side of the paper. The text is arranged in approximately 30 horizontal lines across the page.]

farm level: 200 Ha production  
 217 Ha conservation  
 517 Ha total

9.5 Ha unit  
 300 Ha production  
 = 31% of our productive level  
 in coastal block ONL

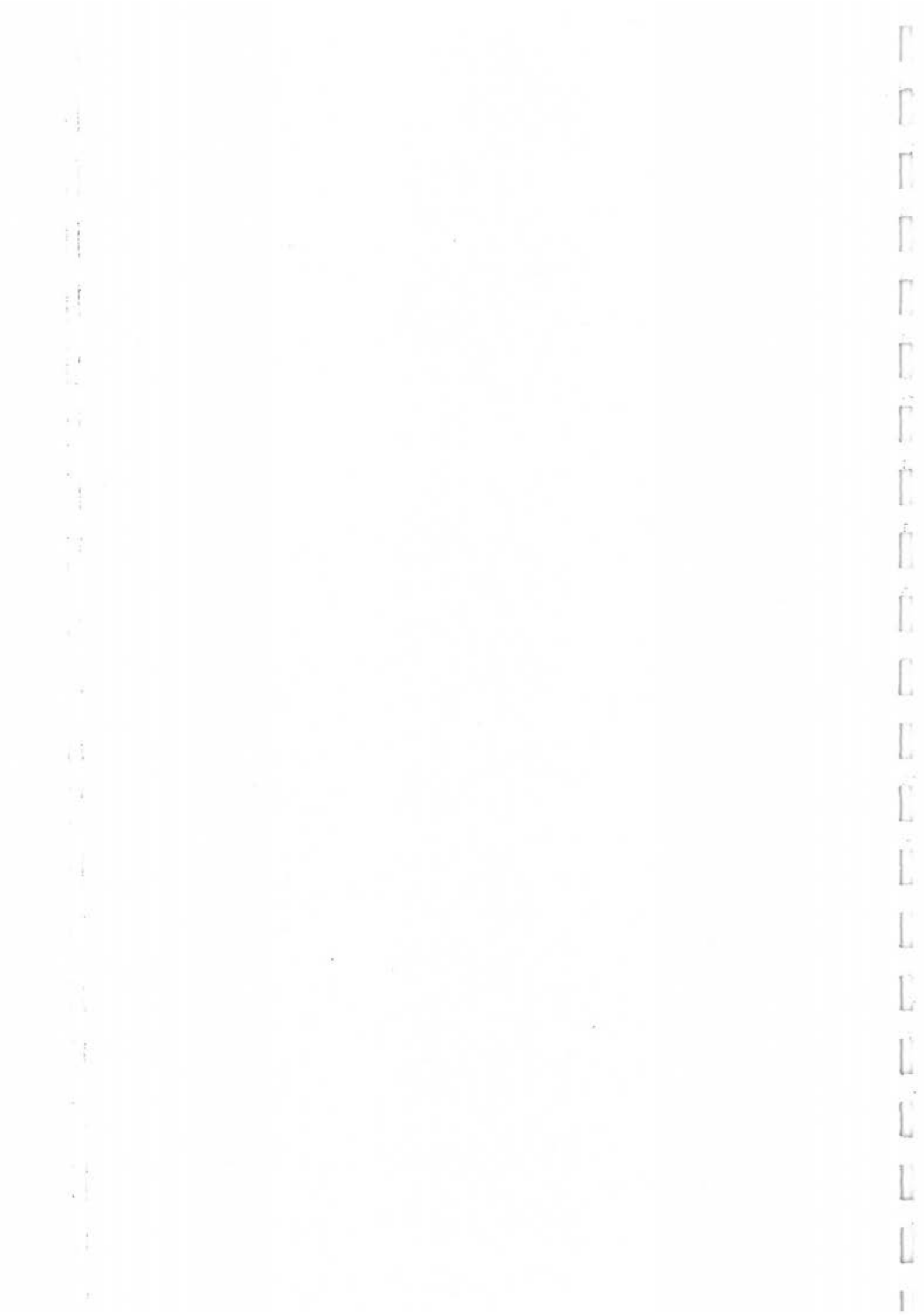
# ONL designation on Nguroa Farm

Conservation Land Unit  
 National Heritage List  
 Total 129 Ha 20% of Nguroa Farm



Google Earth  
 Image © 2015 TerraMetrics  
 by Google  
 Map data © 2015 DigitalGlobe

- Legend**
- Feature 1
  - Feature 2
  - Feature 3
  - Nguroa Farm





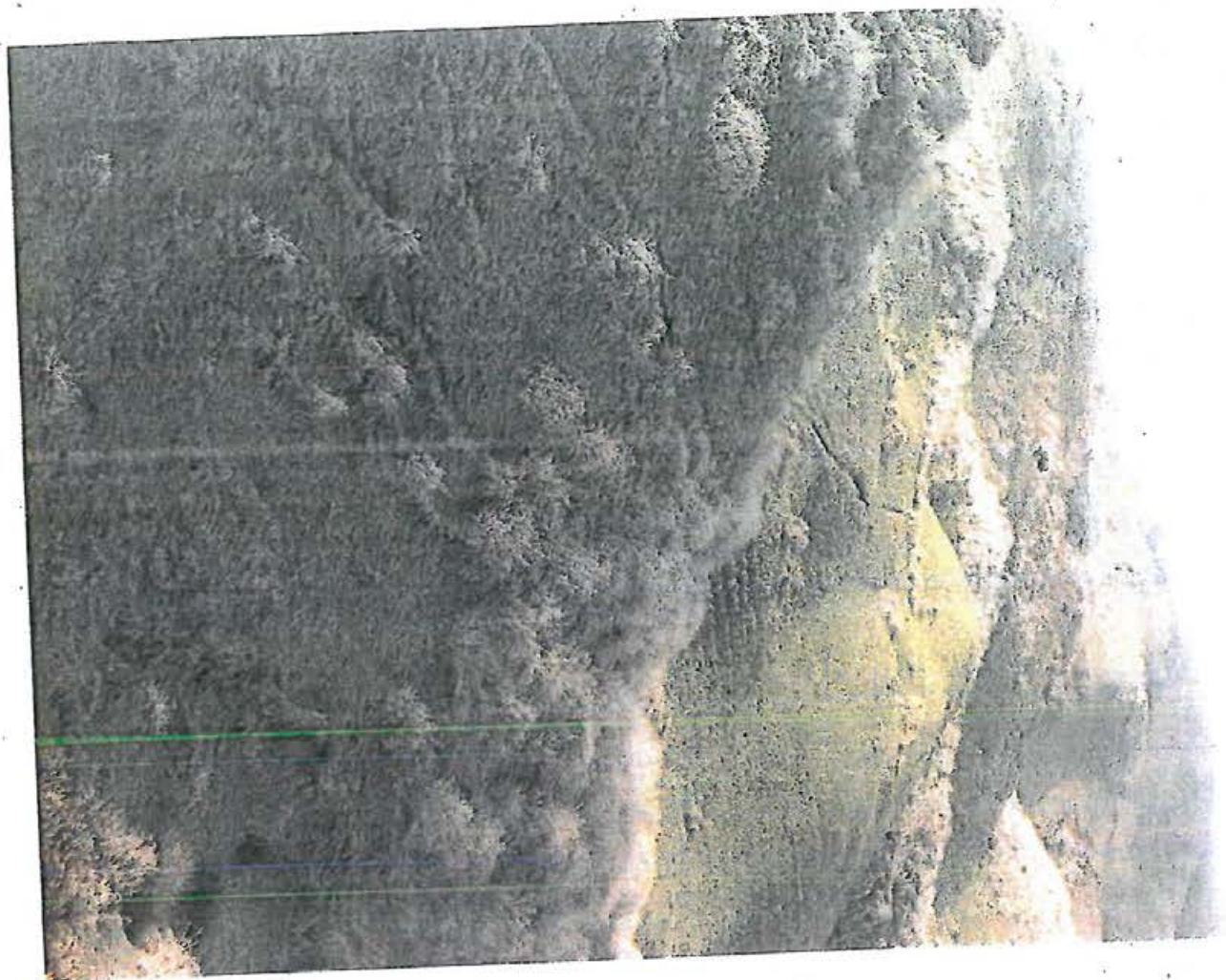


11  
T-  
2  
100  
ft  
ca

Faint, illegible text or markings along the left edge of the page.

Vertical markings or text along the right edge of the page, possibly from a binding or adjacent page.

Proposed ONL 9.16  
in [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  
led [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  
s [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  
n [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  
in [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  
- site - Not 'natural'



Faint, illegible text on the left margin, possibly bleed-through from the reverse side of the page.

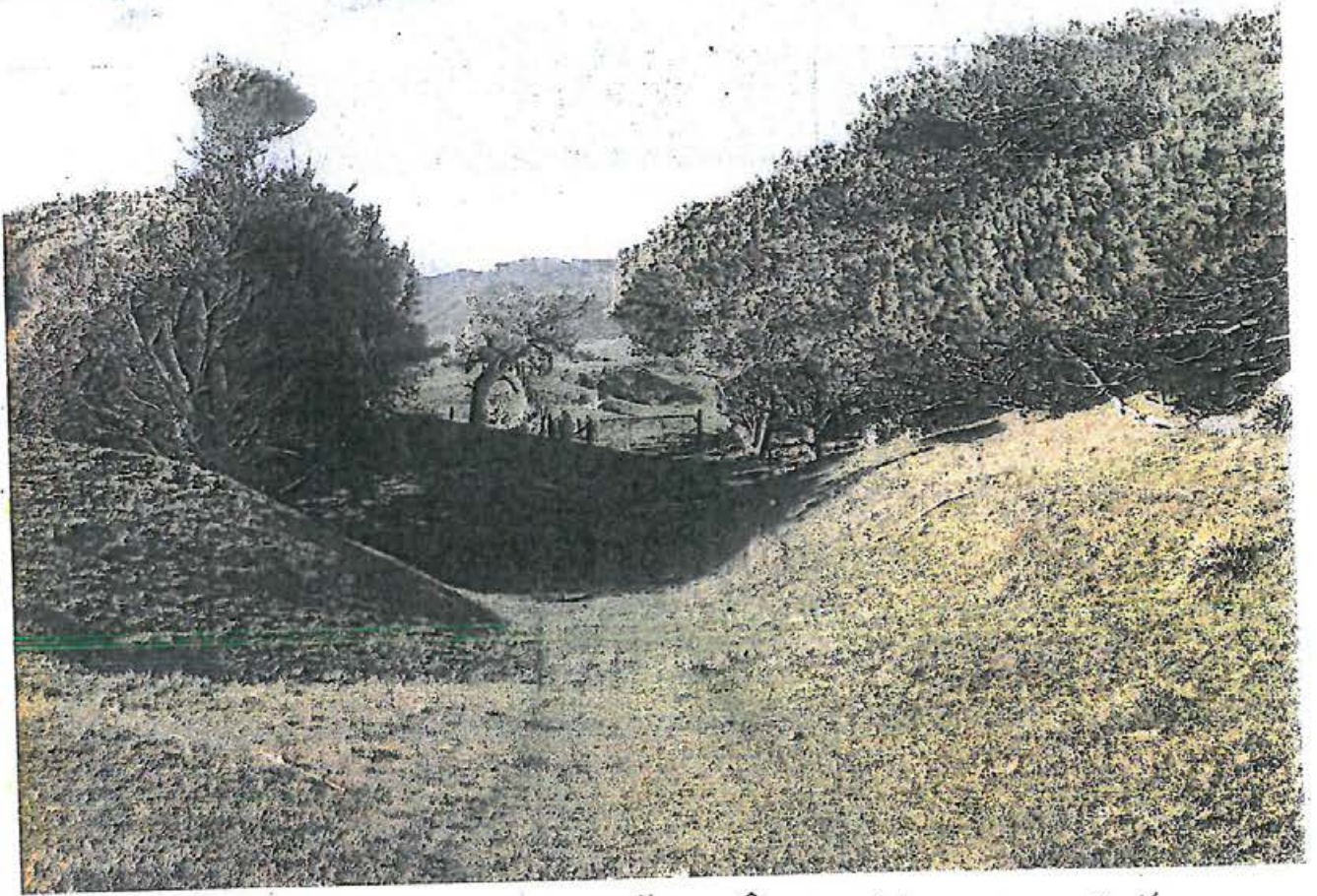
Vertical text on the right edge of the page, possibly from a binding or adjacent page.



Proposed ONL on Miller farm, Nguroa. 9.16  
All land in this photo included.  
Grazed pasture. Not "natural"

Faint vertical text on the left margin, possibly bleed-through from the reverse side of the page.



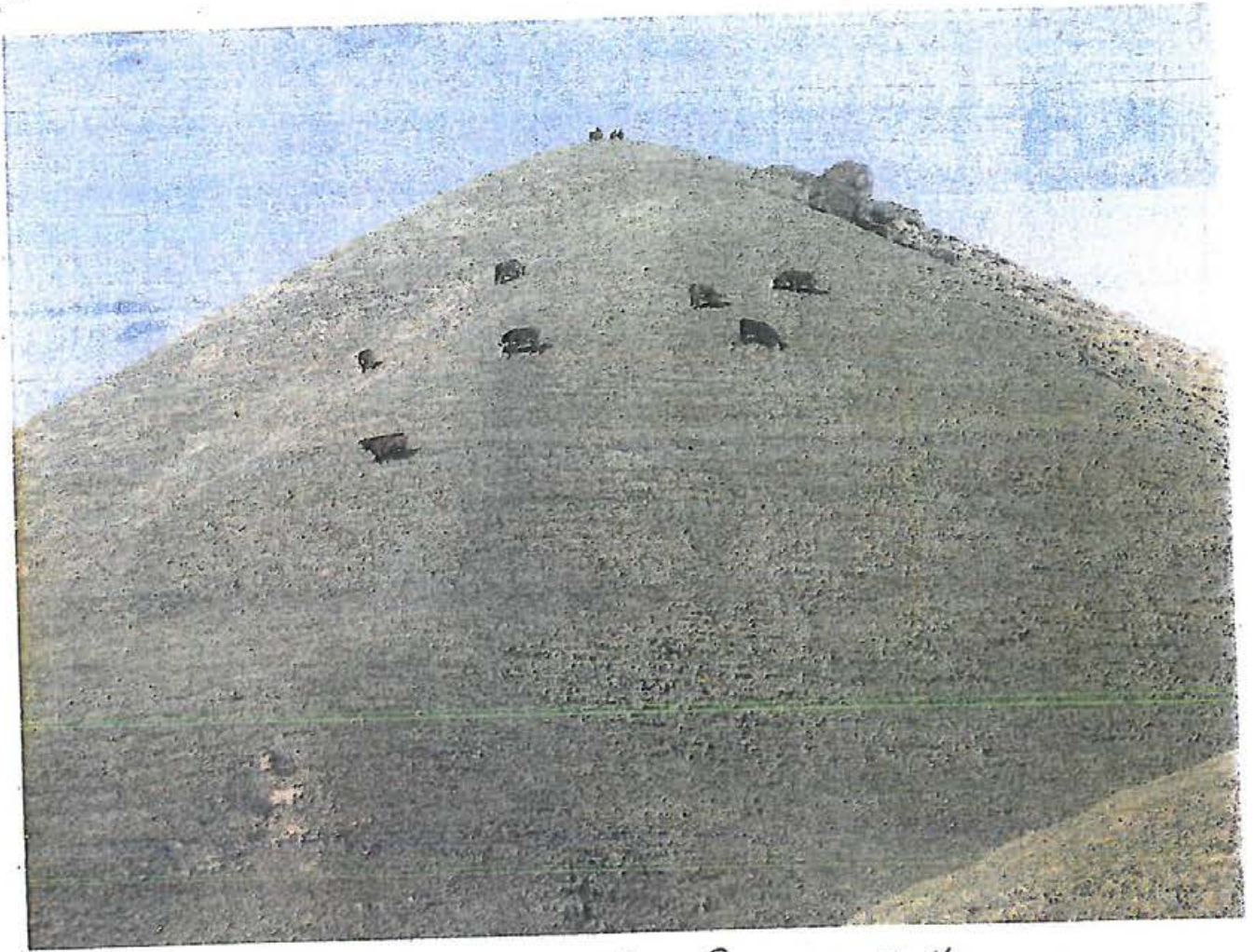


Proposed ONL on Miller farm, Nguroa. 9.16.  
Includes shelter pine trees.

Faint vertical text on the left edge, possibly bleed-through from the reverse side of the page.

Vertical text on the right edge, possibly bleed-through from the reverse side of the page.





Proposed ONL on Miller farm. 9.16

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100



Better together.

28 September 2016

Tasman District Council  
Attn: Tom Chi, Policy Planner – Urban and Rural Development  
Private Bag 4  
Richmond 7050

By email: [info@tasman.govt.nz](mailto:info@tasman.govt.nz)

Trustpower Limited  
Head Office  
108 Durham Street  
Tauranga  
Postal Address:  
Private Bag 12023  
Tauranga Mail Centre  
Tauranga 3143  
Freephone  
0800 87 87 87  
[trustpower.co.nz](http://trustpower.co.nz)

Dear Tom

### Draft Plan Change – Outstanding Natural Features and Landscapes

Trustpower Limited ('Trustpower') appreciates the opportunity to provide feedback on the Draft Plan Change for Outstanding Natural Features and Landscapes ('Draft Change') to the Tasman Resource Management Plan. The feedback below is provided on a without prejudice basis.

#### Trustpower's Interests in the Tasman District

Trustpower owns and operates the Cobb Hydro-Electric Power Scheme ('HEPS') in the Tasman District. The Cobb HEPS is located within the Kahurangi National Park, although Trustpower does own the individual property titles on which the assets are positioned. The scheme consists of a man-made dam forming a reservoir on the Cobb River, with an intake structure which takes water from the reservoir and diverts it for 4km through a tunnel system and two steel penstocks to the power station. The power station sits at the confluence of the Takaka and Cobb Rivers and discharges the water via a tailrace to the Takaka River. The Cobb HEPS was commissioned in 1944 and has a maximum generation capacity of 32 MW. Its average annual electricity output is 192 GWh and it is the only large-scale generation source in the Tasman District.

The web maps associated with the Draft Change show that the Parapara-Kahurangi Ranges Outstanding Natural Landscape ('ONL') will encompass the Cobb Reservoir, dam, intake, tunnels and penstocks. The power station, switchyard and transformers sit approximately 300m outside the boundary of the ONL.

The operation of the Cobb HEPS relies on the ability to control the water level in the Cobb Reservoir within a range of almost 15m, undertake maintenance and upgrade works to existing infrastructure, as well as a number of land use activities including track maintenance, weed control, vegetation trimming around lines and erosion protection/repair. As such, Trustpower has a particular interest in the potential implications of the Draft Change for the continued operation, maintenance and upgrade of the Cobb HEPS.

#### Trustpower's Feedback

Overall, Trustpower is somewhat surprised as to how much of the District has been mapped as outstanding and notes that any areas identified as such need to be considered exceptional at the district level. Of more particular concern, however, is the boundary of the Parapara-Kahurangi Ranges ONL in the vicinity of the Cobb HEPS. As outlined above, this ONL includes a large dam and man-made

infrastructure associated with the operation of the Cobb HEPS and Trustpower is seeking further advice as to the delineation of the ONL boundary in this location.

It is apparent that much of the areas have not been ground-truthed due to resourcing and accessibility issues, and the fact that the Small Working Group was unclear as to whether it had a mandate to do this.<sup>1</sup> Trustpower considers that the area specifically around the Cobb Dam and Reservoir is one of the more accessible parts of the Kahurangi National Park and could easily be visited to assess. Trustpower is willing to facilitate access to the site if the Small Working Group is so inclined.

Trustpower is concerned that the Parapara-Kahurangi Ranges ONL was identified on the basis that an evaluation of 'scenic quality' was undertaken as part of the Department of Conservation process for establishing the National Park. 'Scenic quality' may be an aspect of visual amenity characteristics of an ONL, however this is not the sole defining feature of an ONL.

The Environment Court has stated in a number of cases that the criteria of naturalness include relatively unmodified and legible landforms, the presence of water, the presence of (usually native) vegetation, and being uncluttered by structures and/or obvious human influence.<sup>2</sup> The Cobb Reservoir was created in the 1940s with the construction of the Cobb Dam and has a large operating range. In this regard, water levels are controlled by the Cobb HEPS and can fluctuate between a normal operating minimum of 794m RL and maximum of 808.6m RL. In the event of maintenance or unforeseen safety events, the lake may be drawn down below 794m RL. This is a fairly obvious human influence in that area of the ONL. As such, Trustpower currently questions the decision to encompass the dam and reservoir in the ONL.

It is also unclear whether the assessment of the Parapara-Kahurangi Ranges ONL took into account the full operating range of the lake. Trustpower considers that clarification of this is necessary and that if the Cobb Dam and Reservoir are to be retained within the ONL on the basis that the area is outstanding at all lake operating levels, then the Plan needs to acknowledge the modified, artificial nature of the lake and that the area is outstanding with these operational patterns and human modifications to the landscape.

Trustpower considers that a new schedule or appendix to the plan is required, to set out the particular values or characteristics that make each Outstanding Natural Feature or Landscape 'outstanding' and list the appropriate activities for that area as considered by the Small Working Group. These findings must be incorporated into the plan to give them legal standing.

Trustpower notes that while the management of outstanding natural features and landscapes is a matter of national importance under section 6 of the Resource Management Act 1991 ('RMA'), the plan change must also give effect to the National Policy Statement for Renewable Electricity Generation 2011 ('NPS-REG'). As such, renewable electricity generation activities, for example the Cobb HEPS, may need to be treated differently to other works within outstanding natural features or landscapes. In this regard, Policy E2 of the NPS-REG states that regional and district plans shall include objectives, policies and methods, including rules, to provide for the development, operation, maintenance and upgrading of new and existing hydro-electricity generation activities.

Trustpower's specific comments in relation to the provisions of the Draft Change are provided in Annexure A. We trust that these comments are of assistance.

<sup>1</sup> The Golden Bay/Mohua Landscape Project Final Report of the Small Group (July 2015) at page 6. Page 16 also specifically notes that "The Kahurangi National Park has many inaccessible areas that the Group has been unable to ground-truth."

<sup>2</sup> *High Country Rosehip Orchards Ltd v Mackenzie DC* [2011] NZEnvC 387.

If you have any questions or wish to discuss this further, please do not hesitate to contact the undersigned at [trudy.richards@trustpower.co.nz](mailto:trudy.richards@trustpower.co.nz) or on 027 404 9027.

Trustpower would welcome the opportunity to meet with you to discuss these comments in further detail.

Yours faithfully,

**Trustpower Limited**

A handwritten signature in black ink, appearing to be 'TR' followed by a stylized flourish.

**Trudy Richards**

Environmental Advisor – Policy and Planning

Annexure A: Feedback on Draft Plan Change – Outstanding Natural Features/Landscapes

PROVISION	COMMENTS	RECOMMENDATION
<b>Section 2.2: Defined Words</b>		
New definition "landscape characteristic"	Trustpower considers that the inclusion of this definition provides certainty for plan users and supports its insertion into section 2.2.	Retain definition as drafted.
<b>Chapter 9: Landscape</b>		
Objective 9.1.2	<p>As the policies of the draft plan change allude to, there is a realisation that some development within outstanding natural feature or landscape ('ONFL') areas will be appropriate and acceptable, particularly where existing activities are taking place.</p> <p>Objective 9.1.2 needs to be amended to better reflect this and align with section 6(b) of the RMA.</p>	<p>Amend Objective 9.1.2 as follows:</p> <p><i>The landscape characteristics of the District's outstanding natural features and landscapes are protected <u>from inappropriate subdivision, use and development</u> or enhanced.</i></p>
Policy 9.1.3.4A	<p>Trustpower supports this new policy, however considers that the scope of the policy needs to be extended to provide for the continued operation and upgrading, in addition to maintenance, of existing activities in ONFL areas.</p> <p>This plan change must give effect to the NPS-REG, which requires regional and district plans to provide for the development, operation, maintenance and upgrading of new and existing hydroelectricity generation activities (see Policy E2 of the NPS-REG).</p>	<p>Amend Policy 9.1.3.4A as follows:</p> <p><i>Enable the <u>operation, maintenance and upgrading</u> of existing activities, <u>particularly existing renewable electricity generation activities</u>, within outstanding natural features and landscapes.</i></p>
Policy 9.1.3.4C	<p>Trustpower considers that a new schedule to the Draft Change is required to articulate the particular values or characteristics that make each Outstanding Natural Feature or Landscape 'outstanding'. It is important that the Draft Change recognises what existing activities are within each ONFL, and which do not adversely impact upon the area being classified as outstanding.</p> <p>Without a schedule it could be considered that existing activities in ONFL areas, such as the Cobb HEPS, contribute to the degradation of the landscape characteristics of the area when these activities are re-consented. In reality, the Final Report of the</p>	<p>Insert new schedule or appendix to the plan identifying the particular values or characteristics that make each Outstanding Natural Feature or Landscape 'outstanding' and list the appropriate activities for that area as considered by the Small Working Group.</p>

	Small Working Group considered the existing use as an appropriate activity.	
Method 9.1.20.1	Trustpower considers that parts (c) and (d) to Method 9.1.20.1 are two different ways of essentially saying the same thing and only one is required.	Delete part (d) from Method 9.1.20.1: <del>(d) Produce landscape-relevant rules, matters and criteria where ONFs and ONLs are affected.</del>
Method 9.1.20.2 (a)	Trustpower supports the inclusion of part (a) to Method 9.1.20.2 as the detailed web maps show the exact boundaries of the ONFL areas which provides certainty for resource users and landowners.	Retain Method 9.1.20.2 (a) as drafted, and the associated web maps.
Section 9.1.30 Principal reasons and explanation	<p>The Principal Reasons and Explanation at section 9.1.30 of the Draft Change and the associated Discussion Document talk about recognising existing activities as important parts of working landscapes and enabling the maintenance of those activities within outstanding natural features and landscapes. Trustpower supports this approach, however considers that the description of a 'working landscape' may be too narrow. It is not clear to Trustpower from the Draft Change whether the Cobb HEPS would be considered a working landscape, and whether it would be considered an appropriate activity.</p> <p>For the reasons already discussed, it is important that the Draft Change recognise and provide for existing renewable electricity generation infrastructure in ONLs.</p>	Provide a definition of the term 'working landscape' or further explanation as to the meaning.

**Chapter 18: Special Area Rules**

Rule 18.15.2.2.1	<p>Trustpower supports the general direction of this rule but seeks clarification around the use of 'and' and 'or'. It is not clear whether the provision is to be read:</p> <ul style="list-style-type: none"> <li>• (a or b) and c; or</li> <li>• a or (b and c).</li> </ul> <p>The structure and format of this rule is critical to providing clarity around the meaning and application of the rule.</p> <p>Trustpower also considers that the caveat of the works being to the same or similar scale and external design is not appropriate for maintenance or removal of existing buildings, structures or tracks. Maintenance does not always mean returning something to its previous state, for example erosion</p>	<p>Amend Rule 18.15.2.2.1 as follows:</p> <p><i>Earthworks is a permitted activity that may be undertaken without a resource consent, if <del>they comply</del> <u>it complies</u> with the following conditions:</i></p> <p><i>(a) The purpose is for maintenance, repair, removal or replacement of an existing building, structure or track <del>to the same or similar scale and external design;</del> or</i></p> <p><i>(b) The proposed activity:</i></p> <ol style="list-style-type: none"> <li><i>i. is a permitted activity under another rule applicable to the site; and</i></li> <li><i>ii. does not occur within a Golden Bay ONFA.</i></li> </ol>
------------------	--	---

	<p>protection works for the purpose of maintaining a structure. Maintenance is defined by the Tasman Resource Management Plan to mean <i>protective care of a place to maintain or enhance values associated with it.</i></p> <p>Maintenance, therefore, can involve adding something new, while removal is taking something away, both of which would not necessarily meet the test of same or similar scale and design.</p>	
14 Rule 18.15.2.2.2	Trustpower supports this rule as it appropriately provides for earthworks in ONFL areas that do not meet the permitted activity criteria.	Retain rule as drafted.
15 Rule 18.15.2.2.3	Trustpower supports this rule as it appropriately provides for earthworks in ONFL areas that do not meet the permitted or controlled activity criteria.	Retain rule as drafted.
16 Rule 18.15.2.3.1	<p>Trustpower supports the general direction of this rule but seeks clarification around the use of 'and' and 'or'. It is not clear whether the provision is to be read:</p> <ul style="list-style-type: none"> <li>• (a or b or c) and d; or</li> <li>• a or b or (c and d).</li> </ul> <p>The structure and format of this rule is critical to providing clarity around the meaning and application of the rule.</p> <p>Trustpower also considers that the caveat of the works being to the same or similar scale and external design is not appropriate for maintenance or removal of existing buildings, structures or tracks. Maintenance does not always mean returning something to its previous state, for example erosion protection works for the purpose of maintaining a structure. Maintenance is defined by the Tasman Resource Management Plan to mean <i>protective care of a place to maintain or enhance values associated with it.</i></p> <p>Maintenance, therefore, can involve adding something new, while removal is taking something away, both of which would not necessarily meet the test of same or similar scale and design.</p>	<p>Amend Rule 18.15.2.3.1 as follows:</p> <p><i>The construction, alteration or removal of a building, structure or track is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:</i></p> <p>(a) <i>The purpose is for maintenance, repair, removal or replacement of an existing building, structure or track <del>to the same or similar scale and external design;</del> or</i></p> <p>(b) <i>The proposed building or structure is temporary and will be removed no later than 30 days after construction or occupation commences; or</i></p> <p>(c) <i>The proposed activity:</i></p> <ol style="list-style-type: none"> <li>i. <i>is a permitted activity under another rule applicable to the site; and</i></li> <li>ii. <i>does not occur within a Golden Bay ONFA.</i></li> </ol>



Rule 18.15.2.3.2	Trustpower supports this rule as it appropriately provides for the construction, alteration or removal of buildings, structures and tracks in ONFL areas that do not meet the permitted activity criteria.	Retain rule as drafted.	17
Rule 18.15.2.3.3	Trustpower supports this rule as it appropriately provides for the construction, alteration or removal of buildings, structures and tracks in ONFL areas that do not meet the permitted or controlled activity criteria.	Retain rule as drafted.	18
Rule 18.15.2.4.1	<p>In relation to clause (a), Trustpower considers that the caveat of the works being to the same or similar scale and external design is not appropriate for maintenance or removal of existing buildings, structures or tracks. Maintenance does not always mean returning something to its previous state, for example erosion protection works for the purpose of maintaining a structure. Maintenance is defined by the Tasman Resource Management Plan to mean <i>protective care of a place to maintain or enhance values associated with it.</i></p> <p>Maintenance, therefore, can involve adding something new, while removal is taking something away, both of which would not necessarily meet the test of same or similar scale and design.</p>	<p>Amend Rule 18.15.2.4.1 as follows:</p> <p><i>The destruction or removal of vegetation is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:</i></p> <p><i>(a) The purpose is for maintenance, repair, removal or replacement of an existing building, structure or track <del>to the same or similar scale and external design;</del> or</i></p> <p>...</p>	19
Rule 18.15.2.4.2	Trustpower supports this rule as it appropriately provides for vegetation removal that does not meet the permitted activity criteria.	Retain rule as drafted.	20
Rule 18.15.2.4.3	Trustpower supports this rule as it appropriately provides for vegetation removal in ONFL areas that does not meet the permitted activity criteria.	Retain rule as drafted.	21

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in the context of public administration and financial management. The text highlights how detailed records can help identify inefficiencies, prevent fraud, and ensure that resources are used effectively. It also notes that clear documentation is crucial for audits and for providing a clear audit trail to stakeholders. The document further explains that maintaining records is not just a legal requirement but also a best practice for any organization that aims to operate with integrity and efficiency. It concludes this section by stating that robust record-keeping systems are a cornerstone of good governance and sound financial management.

2. The second part of the document focuses on the implementation of internal controls and risk management frameworks. It outlines the key components of an effective internal control system, including the establishment of clear policies and procedures, the assignment of responsibilities, and the implementation of monitoring mechanisms. The text discusses how these controls can help mitigate risks and ensure that the organization's objectives are achieved. It also addresses the importance of a strong risk management culture, where employees are encouraged to identify and report potential risks. The document provides practical guidance on how to design and implement these controls, taking into account the organization's size, complexity, and the nature of its operations. It concludes by emphasizing that a well-implemented internal control system is essential for the long-term success and sustainability of any organization.

**Partners:**

Brian Fletcher LLB  
Paul Gibson LLM, BCA  
Quentin Davies LLM (Hons), BSc (Hons)  
Alison Weaver LLB (Hons), BA

**Senior Associate:**

Scott Wight LLB, BSc

**Associates:**

Laurie Murdoch LLB, BA (Hons)  
Rob Andersen LLB, BA

29 September 2016

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: [info@tasman.govt.nz](mailto:info@tasman.govt.nz)

**Golden Bay's Outstanding Natural Features and Landscapes: Draft Plan Change**

1. The Marine Farm Association (the Association) wishes to thank you for this opportunity to comment on the draft plan change. The Association is in general support of the proposal. The Association compliments the Tasman District Council on the process it adopted in getting to this point.

*The Marine Farm Association*

2. The Association is a subscription based organisation, representing marine farmers at the top of the South Island of New Zealand. The Association has 124 ordinary members who own, lease or sublease Greenshell mussel, oyster and King salmon farms in the upper South Island. Marine farmers in the Association's area grow 80% of the marine products farmed in New Zealand. Sales from those farms exceed \$270 million per year. The industry accounts for over 900 FTEs in farming and processing in the Top of the South.
3. Marine farms in Golden and Tasman Bays contribute around 5% of New Zealand's total production of Greenshell Mussels. In addition, approximately 50% of the mussels farmed in the top of the South Island grow from spat caught at Wainui Bay, Golden Bay. Mussels grown from that source account for around 530 jobs in the combined Golden/Tasman Bays, Nelson and Marlborough region, and in the order of 1300 FTEs in total directly and indirectly in New Zealand. Wainui Bay spat goes on to grow mussels which account for an estimated \$126 million in annual revenue from domestic and export sales.
4. The Association was set up with the objective to promote, foster, advance, encourage, aid and develop the rights and interests of its members and the marine farming industry in general. The Association works alongside other industry bodies to see the New Zealand aquaculture sector recognised within New Zealand and around the world as producing healthy, high quality, environmentally sustainable aquaculture products.
5. The Association and its members are committed to the environment. Since the 1990s the Association has operated an active Environmental Programme. The Environmental Programme is guided by the 'Top of the South Environmental Strategy' and managed by the Association's Environment Committee. The Guiding Principles are:
  - a. To minimise the impact of marine farming activities on the wider environment and community in which marine farms operate; and

- b. To minimise generic concerns that, from time to time, may be expressed by other stakeholders and users of the Marlborough Sounds, Golden Bay and Tasman Bay in respect of marine farming.
6. Industry volunteers regularly undertake Beach Clean Ups, coordinated by the Association. Various Codes of Practice and Operating Standards have been developed by the Association, to minimise the impact from debris, noise, vessel emissions and waste associated with marine farming activities. Industry Programmes and Codes of Practice include:
    - a. Marine Farming Operating Standards, Marlborough Sounds, Golden Bay and Tasman Bay;
    - b. Industry Code of Practice: Reducing Pollution and Emissions;
    - c. Industry Code of Practice: Reducing Landfill Waste; and
    - d. Marine Farming Association Oyster Standard Operating Procedures.
  7. The Association's Environment Committee has recently implemented a Certification Programme, designed to recognise and record active participation in, and agreement to the objectives of the Association's Environmental Programme, including adherence to the Standard Operating Procedures and Codes of Practice. A certified vessel/company is recognised by the industry as being committed to sustainable environmental performance.
  8. The Association's members are currently facing significant challenges and costs associated with consent renewals. For example, over half of currently consented marine farms in Marlborough are due to come up for renewal in 2024.<sup>1</sup> Renewal costs for existing space between now and 2024 are conservatively estimated at \$23 million.<sup>2</sup> Against this backdrop, the Association is broadly supportive of policies that recognise the importance of existing aquaculture, as this reduces uncertainty, encourages investment in the sector and enables the industry to flourish.

#### Submission

9. As noted above, the Association is in general support of the draft Plan Change. There are some wider issues which it wishes to highlight, as they ought to be clarified.
10. Policy 9.1.3.4A ought to be worded "enable the *continuance and* maintenance of existing activities within outstanding natural features and landscapes".
11. The word "maintenance" can mean two things:
  - a. Upkeep ("with proper maintenance, the car will last for many years"); or
  - b. To preserve ("the Captain ordered the ship to maintain its present course").
12. The insertion of the proposed words into the policy makes it clear that maintenance in both senses is intended.

<sup>1</sup> Drew, A. and Destremau, K. *NZIER overview of the impacts of re-consenting uncertainty and delay on aquaculture investment in New Zealand* (2016, New Zealand Institute of Economic Research, Auckland).

<sup>2</sup> The threat to the Marlborough economy from a contraction in marine farming is outlined in a recent report: Clough, P. and Corong, E. *The economic contribution of marine farming in the Marlborough region: A Computable General Equilibrium (CGE) analysis* (2015, New Zealand Institute of Economic Research, Wellington). A copy is available here: [http://nzier.org.nz/static/media/filer\\_public/b3/a4/b3a4a784-fadf-4e79-adc4-d1b8ceb949f0/economic\\_contribution\\_of\\_marlborough\\_aquaculture.pdf](http://nzier.org.nz/static/media/filer_public/b3/a4/b3a4a784-fadf-4e79-adc4-d1b8ceb949f0/economic_contribution_of_marlborough_aquaculture.pdf).

13. In respect of Schedule 25J, the Association supports the reference, within the Golden Bay-Mohua landscape area, to aquaculture being an integral part of Golden Bay's landscape. The Association suggests that a similar annotation be made to the description of Wainui Bay Inlet. While the farm is not within the Wainui Bay Inlet Outstanding Natural Feature, it is in the vicinity of it. There is reference in the commentary to the pastoral farming that is in the vicinity. There should be a similar reference to aquaculture. .3

*Reservation of position*

14. The Association reserves its position should the law in this area change or be further clarified. Specifically, if there is any suggestion that existing aquaculture in Golden Bay is at risk as a result of these classifications, the Association may alter its position at that stage.
15. Certainly the Environment Court in *Golden Bay Marine Farm v Tasman District Council W42/2001* found that aquaculture was appropriate within the outstanding natural landscapes of Golden Bay<sup>3</sup>. The Association anticipates that strong policy support for existing and consented activities, coupled with specific references in the relevant site descriptions to aquaculture, adequately protects aquaculture. .4

*Contact Details*

16. Please contact Quentin Davies or Amanda Hills at Gascoigne Wicks in respect of these comments:

79 High Street, Blenheim 7201  
PO Box 2  
Blenheim 7240

Telephone: 03 578 4229  
Fax: 03 578 4080

Yours faithfully  
**GASCOIGNE WICKS**



**Quentin Davies | Amanda Hills**

Partner | Staff Solicitor

Email | [qdavies@gwlaw.co.nz](mailto:qdavies@gwlaw.co.nz) | [ahills@gwlaw.co.nz](mailto:ahills@gwlaw.co.nz)

Cc: Tania Bray; Debbie Stone

<sup>3</sup> We note in respect of that decision that the Wainui Bay site was not before the Court [707].

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

The main body of the document contains a series of paragraphs, each beginning with a heading or a sub-section title. These paragraphs appear to be organized into sections, possibly corresponding to the entries in the list above. The text is dense and covers a wide range of topics, likely related to the field of study indicated by the list.

At the bottom of the page, there is a vertical column of small, rectangular marks or symbols. These marks are evenly spaced and appear to be a form of decorative element or a specific type of annotation used in the document's layout.

# James Beard Environmental Trust

---

Peter Miller  
Ph 021 148 9270  
7A/186 The Terrace  
WELLINGTON  
20 September 2016

Tom Chi  
Policy Planner  
Tasman District Council  
Box 74  
TAKAKA

## **Submission on the draft plan change for *Golden Bay Outstanding Natural Features and Landscapes***

### **Comment on Lots 4 & 5, DP 11827 of the ONLA Abel Tasman Point**

Our request is for the TDC to exclude a small part of the proposed Abel Tasman Point ONLA so that these sections may be developed ( a single house per lot) or sold so that our main work of reforestation can continue on the main property, DP8662.

The area in question is shown on the contour map attached. It is outlined in blue.

First, we want to congratulate the Tasman District Council on the ONLA/ONFA initiative. We believe it is great news for Tasman Bay in general and the James Beard Environment Trust (owner of Abel Tasman Point) in particular. We are strongly in favour with one proviso – see below.

We have not made an earlier submission because we have just become the new owners of Tata Lands Ltd which owns the two blocks, Lot 8662 and Lot 11827. James Beard has recently gifted Tata Lands Ltd to the James Beard Environmental Trust (the Trust) and the paperwork is being done now. James is the settlor and a trustee of the Trust. He acknowledges that now is the time to gift the land to the Trust. After all he is 92.

**The reason for our request is purely economic.** James Beard has been implementing his dream of creating a climax forest on Lot 1, DP8862 (the main part of Abel Tasman Point) for about forty years. The Trust's mission is to carry on the process and for that it will need some money. The original plan was to sell off parts of DP lot 11827 and it was subdivided with that intension. Two sections, Lot 2 and Lot 3 were sold some years ago and Lot 3 has a house on it.

**Considering Lot 5:** The part we are requesting to be excluded from the ONLA is, in our opinion, is not an ONLA. It is a flood-prone little valley next to a residential suburb. It can hardly be seen from any public vantage point. We presume that it has been included on the ONLA just because that is where the ownership boundaries lie. (It may be simpler to exclude all of Lot 5 because no one is ever going to want to develop any of the steeper slopes covering almost all of the rest of Lot 5. That is fine by the Trust. We will continue to plant the steeper slopes and control the pests in the whole of both DP11827 and DP8662.)

**Considering Lots 1 & 4 of DP11827:** We prefer that these two blocks be excluded from the ONLA as well. Especially Lot 4, which is largely part of the valley occupied by Lot 5 and largely out of site from most vantage points.

It must be noted that both DP11827 and DP8662 are covered by a QEII covenant.

The Trust does not have any comment to make about the draft policy changes. They all seem most sensible.

We understand that the Draft Plan Change Policy will make the development – say of a house and access – discretionary. I heard you say that you thought that consent for building a single dwelling and access to it would be granted by TDC. We wish to retain the right to do these things because that will enable the property to retain its value – which is quite likely to be the enabler for many more years of care and forest development at Abel Tasman Point.

I have looked at the *Kete of Principles* in the *Golden Bay/Mohua Landscape Project* Final Report and will comment on some that are relevant.

1. The first point is that 'the criteria need to be robust. It needs to be included or excluded for landscape reasons alone.' To the JBET trustees this small piece of land has no outstanding natural feature or historical significance. Nor is it an integral part of the outstanding natural landscape that Abel Tasman Point certainly is.
2. 'We looked at the landscape without regard to ownership.' The corollary is that ONFA/ONLA boundaries do not need to follow ownership or even DP lot number boundaries.
3. 'Rigour was applied ..... We have ground truthed many areas; further truthing may be required.' The Trust believes this is one area that needs to be retruthed.

And lastly 'We are keen to address fears ..... the outcomes should enhance meaningful and respectful dialogue with the landowners.' This gives us confidence to believe our request will be met.

Peter Miller  
Secretary and Trustee

David Kaye  
Trustee

James Beard  
Settlor and Trustee

Dr Andrew McGlone  
Trustee.

Attached  
Contour map of the area.



# FEEDBACK FORM

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



Your name: David & Marilyn Ferguson

Your contact phone number: 03 524 8145

Your address: 342 Limestone Road, R.D.1., Collingwood

Comment on the locations identified: In general - too much private land has been identified. In particular farmers on the N.W. Coast are potentially hardest hit. In our own case about 98% of the farm is classed as O.N.L. Attractive as it is we feel this is unfair and unnecessary. We have enclosed a map of the farm showing the part we can accept as O.N.L.

Another option would be to call the whole of Golden Bay O.N.L. and everybody would be treated the same by any new rules.

Comment on the draft rule changes: We do not feel any new rules are necessary as the whole area is well protected by existing rules. If, because of new rules a resource consent is required for a particular activity, the costs of the consent process should be met by Central Government, T.D.C., or some other means as the legislation requiring O.N.L.'s to be identified is for the public interest, not the landowners. Another option would be rates relief, proportional to the property area being designated O.N.L., and free advice.

It is disappointing, as affected landowners, we were not consulted personally during this whole process and nor were site visits offered until the public information sessions in late July 2016. The SWL maps were already out there for public to see.

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

Feel free to contact us:



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

Richmond  
100 Tapanui Street  
Collingwood 7100  
Phone 03 524 8100  
Fax 03 524 8100

Nelson  
50 Gairdner Street  
Richmond 7017  
Phone 03 524 8111  
Fax 03 524 8111

Marlborough  
3 Richmond Place  
PO Box 101  
Richmond 7017  
Phone 03 524 8100  
Fax 03 524 8100

Takaka  
14 Junction Street  
PO Box 10  
Takaka 7100  
Phone 03 524 8100  
Fax 03 524 8100

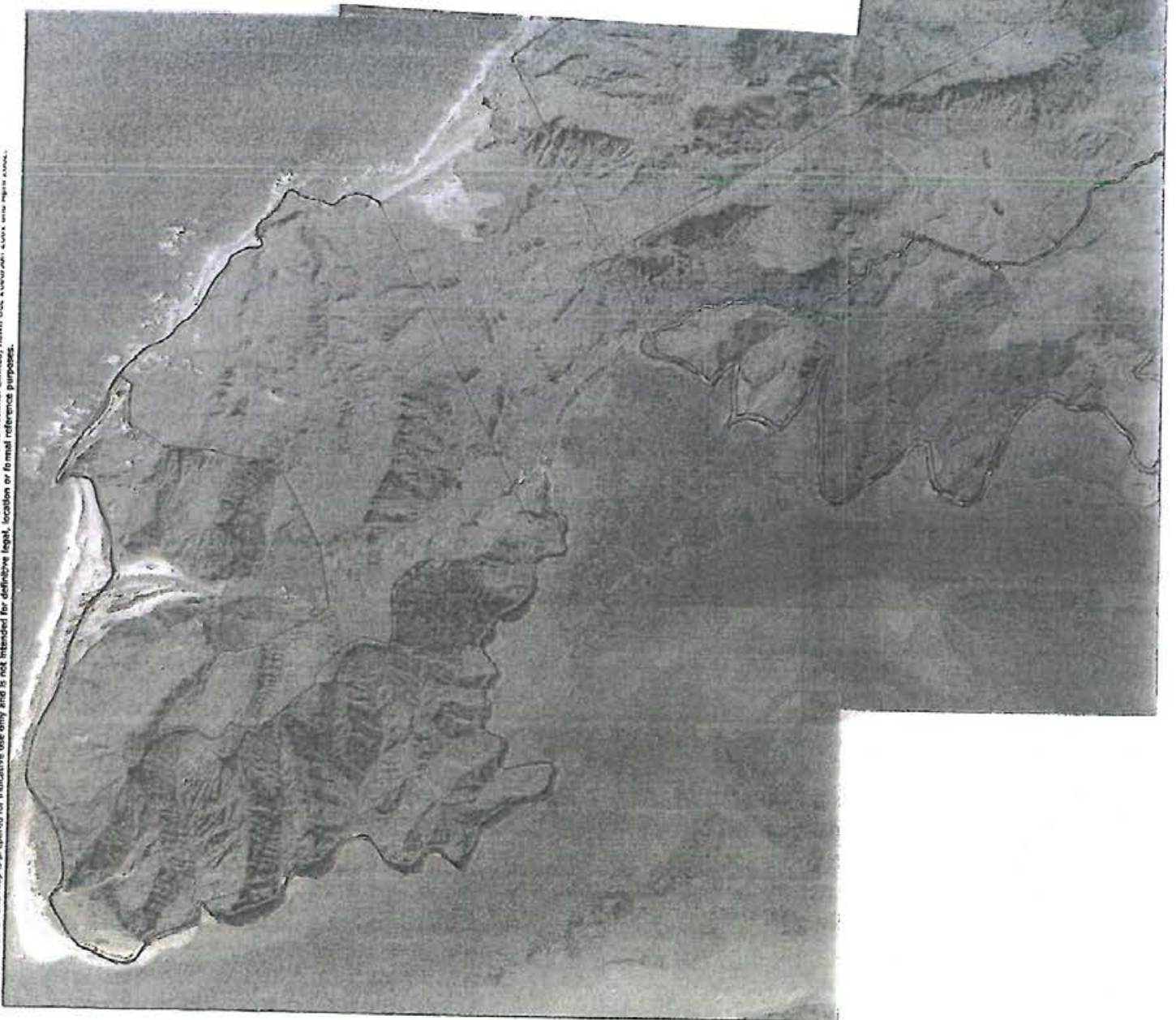


# Map (Ferguson Property)

We feel we have identified the area most spectacular as a backdrop to the Whanganui Inlet and most easily seen by the general public.

The rest of the farm is less spectacular and some is very similar to land at the Turimawiri area which has been excluded from ONL's.

The information on this map is prepared for indicative use only and is not intended for definitive legal, location or formal reference purposes.



1:16,000



## Ferguson Property

Suggested boundary of ONL

1911

Blank page with faint bleed-through text from the reverse side.

Vertical text on the right edge, possibly from the next page.

## Consultation: Golden Bay Natural Features and Landscapes

### Submission in respect of:

Paturau farm Valuation 1860021200

Puna Paua farm Valuation 1860021800

### Submission by

Ann Poindexter Director, Verity Farms NZ  
Email: [Poindexter@clear.net.nz](mailto:Poindexter@clear.net.nz)  
Phone: 021 531 227  
210 Patons Rock Road, RD2, Takaka 7182

Graeme Hughson Advisor, Verity Farms NZ  
Email: [gihughson@gmail.com](mailto:gihughson@gmail.com)  
Phone: 021 534 891  
210 Patons Rock Road, RD2, Takaka 7182

### 1. Comment on the locations identified

Patarua farm is included in its entirety in the designated Northern WC Coast ONL area. The majority of the Puna Paua farm is included in the Northern SW ONL area, including (as far as we can determine from TDC maps) part of the coastal strip and the entire hinterland along and beyond Sandhill Creek to the north of Lake Otuhie.

The entire coastal strip of both farms is included in the Northwest Coastal Marine ONL.

We agree that these areas have outstanding landscape features; whether they can be considered natural given the clearance of native bush and farm development is debatable. We treasure the beauty of the landscape and believe we have been very careful in our farming to respect these features. We note that, to our knowledge, Paturau farm has not been inspected by any TDC consultant, Working Group member or TDC officer.

We note that virtually all of Paturau farm is only visible by the public from the air of sea.

We consider the entire Northern SW coast to be outstanding and are mystified that very little of this area (Patarau River to Cape Kahurangi) is designated as ONL. Verity Farms leases another farm in this area which we consider to be stunning. We note that, as far as we can ascertain, the photo on page 2 of the TDC Discussion Document shows landscape not included in the ONL area (although it will be in the Coastal Marine ONL area).

Given the extent of our properties included in the ONL areas, we consider the impact of the proposed RMP changes place unacceptable restrictions and additional costs on the operation and development of our farms.

We request that the small area of Paturau farm covering the farmhouse, cattle yards, wool shed, workshop and hay barn be excluded from the ONL by a boundary adjustment. The area is by no means outstanding, and excluding it would give us the ability to develop farming infrastructure under the existing District Plan ordinances.

2  
3

## 2. Comment on the draft rule changes

4  
5  
1.1.1 (b) Landscape characteristics: As the knowledge-based characteristics of our farms are unknown to us, it's not possible to comment on their impact on any future resource consent application (which seems to be necessary for all future developments under the proposed changes). If these characteristics are yet to be documented by TDC, there seems to be the potential for a moving feast of new restraints on our business and the enjoyment of our properties. This is unfair.

6  
18.15.2.1.2 Permitted activities (earthworks): The restrictions on the maintenance of tracks for access to all parts of the farm are unreasonable. For safety and stock management purposes we must have the ability to maintain and upgrade tracks (within less restrictive limits) without requiring resource consent. This may involve track realignment, regrading or widening which is not permitted under this clause. Additionally, we have an airstrip which, from time to time, requires urgent earthworks. We would not want to have to obtain a resource consent to carry out these repairs.

7  
18.15.2.3.1 Permitted activities (buildings and structures): Clause (a) is too restrictive in that it does not cover additions within the existing scale of a building or structure. For example, we've budgeted to add a toilet/ smoko-room to the Paturau shearing shed. This would not be allowed under the proposed rule. The comment re tracks above applies here.

8  
18.15.2.4 Destruction or removal of vegetation: We are supportive of this provision.

9  
18.15.2.5 Plantation forestry: Amend the wording to make it clear that the planting of shelter belts for stock protection does not require a resource consent.

A  
B  
Chapters 19 & 26 Information required with land use or subdivision consent: These additional information requirements add significant cost to resource consent applications. Given that the proposed rule changes require resource consent approvals for a significantly wider range of maintenance and development activities than present, we are concerned that the financial burden on property owners within the ONL areas is excessive and inequitable. The rule changes are to protect ONL features for all to enjoy, and the community should contribute to the costs through rates.

1  
25.6.2.1.1 Controlled activities (disturbance): The extent of the Northwest coast marine area on the foreshore is unclear. There are large dune lands on Paturau farms in areas where we also have farm tracks and minor structures, and it would be untenable to require resource consent for maintenance work. The boundary of the coastal marine area must be clearly defined and exclude areas that are actively farmed.

## General Commentary

As an owner of two sheep and beef farms that are affected by the ONL legislation being proposed by the TDC, I am deeply concerned about the ramifications of these new regulations, both for my business operations, as well as for my land values.

It should be noted up front that I am sympathetic to the underlying motivation for the legislation: New Zealand has some of the most stunning scenery in the world, and every effort should be made to preserve and enhance the special landscapes that grace this country wherever the public have access, where visiting tourists generate income, and where the land is visible to neighbours or even casual passers-by.

Private farmland is different. Firstly, it has already been dramatically altered from its natural state, primarily through extensive deforestation and grazing over the last 150 years. Secondly, landowners purchased their property with the understanding that ownership would convey, within reason, all rights and privileges as to the land's use. Definitionally, owning something means being able to determine how it is cared for and utilised.

Having said this, there must be legislation around alterations or developments that either give rise to environmental concerns or offend the sensibilities of neighbours or passers-by. There must also be rules regarding subdivision, whenever it potentially diminishes the financial viability of a farm that has the capacity to provide a living for current or future owners or residents. This is why existing legislation makes it very difficult for landowners to develop land in such a way that the environment might be compromised, or to subdivide into lifestyle blocks farmland that would otherwise be economically viable.

Financially speaking, Paturau and Puna Paua have struggled to break even and have generally produced losses since I have owned them. Any gains I have realised have been in land values only. At times I have considered aquaculture (raising eels in an inland pond, for instance) or hospitality (such as a few simple cottages for hire). The prospects for moving into a cash-positive position through such ventures are drastically diminished, if not eradicated entirely, by the proposed ONL legislation.

With regard to protecting the scenic value of the seafront, there are already plenty of rules. I know this because I have built two coastal houses in Golden bay - a bach in 2000 and my full-time residence in 2011. In both of these projects I was severely restricted in terms of precisely where and how I could build. I did not object to the restrictions, because I felt it was important to retain the aesthetic value of New Zealand's beautiful coastline. I see no benefit, however, to imposing more stringent constraints today.

In short, current laws are sufficiently restrictive to prevent further degradation of our shared landscape, and the areas of privately owned land that are not seen or shared by anyone but owners and their guests should be managed as the owners see fit, provided they abide by existing rules.

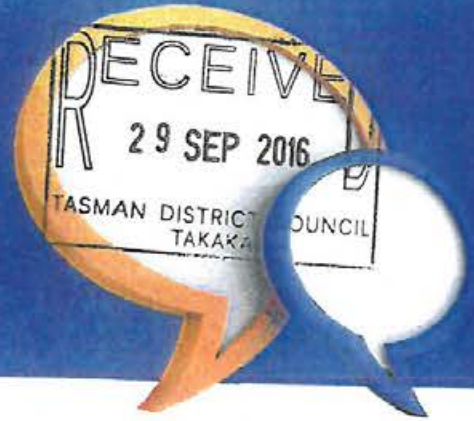
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50



# FEEDBACK FORM

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



Your name: Mrs. L. M. Henderson Your contact phone number: 03 524 8606.

Your address: 1176 Collingwood-Pyponga Rd. R. D 1 Collingwood.

Comment on the locations identified: I agree that Whanganui Inlet is ONF. I don't agree that the land surrounding the Inlet is all ONL. There are parts, such as Lunar Clift & some bluffs, that I classify as ONF and need protection from buildings. Much of what the survey designates as ONL is typical N.Z farmland spaces tended and nurtured by men & women dedicated to keeping it that way without the incursion of noxious weeds as far as possible. To do this, recognition of their efforts needs to be taken into consideration and not hampered by rules and regulations which increase costs.

Comment on the draft rule changes: without benefit to the farmers, where regulations restrict and hamper normal farm operations, such as limiting how land can be used, owners of the land MUST be compensated - either by rates reduction or help with costs of fencing, maintenance etc.

Comments on the draft rule changes: Some of the draft rules give too much power to the discretion of the District Council, - words such as "there may be notification to the public" opens the way for objections by small groups of people - often without any practical knowledge of farming - yet

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

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

*continued on page 2*

Feel free to contact us:



**tasman**  
district council

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

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

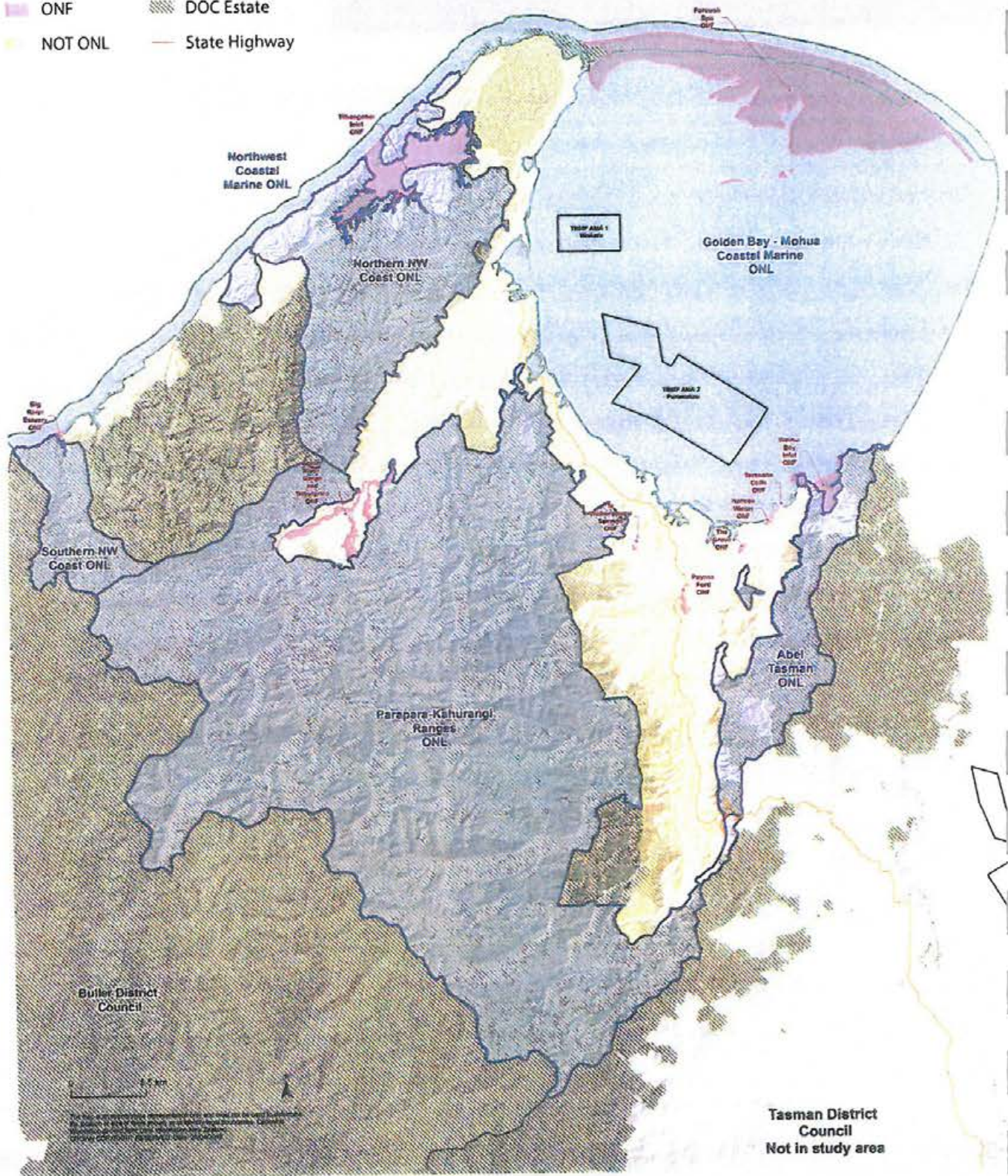
Murchison  
92 Fairfax Street  
Murchison 7007  
New Zealand  
Phone 03 525 1013  
Fax 03 523 1012

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

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

# Map of Recommended Outstanding Natural Features and Landscapes

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



want the benefit of the high rates paid by those farmers.

Requiring new earthworks to have a resource consent is impractical. Tracks & roads are essential on farms.

When they are damaged by slips, trees, or weather they cannot always be repaired so the logical thing to do is

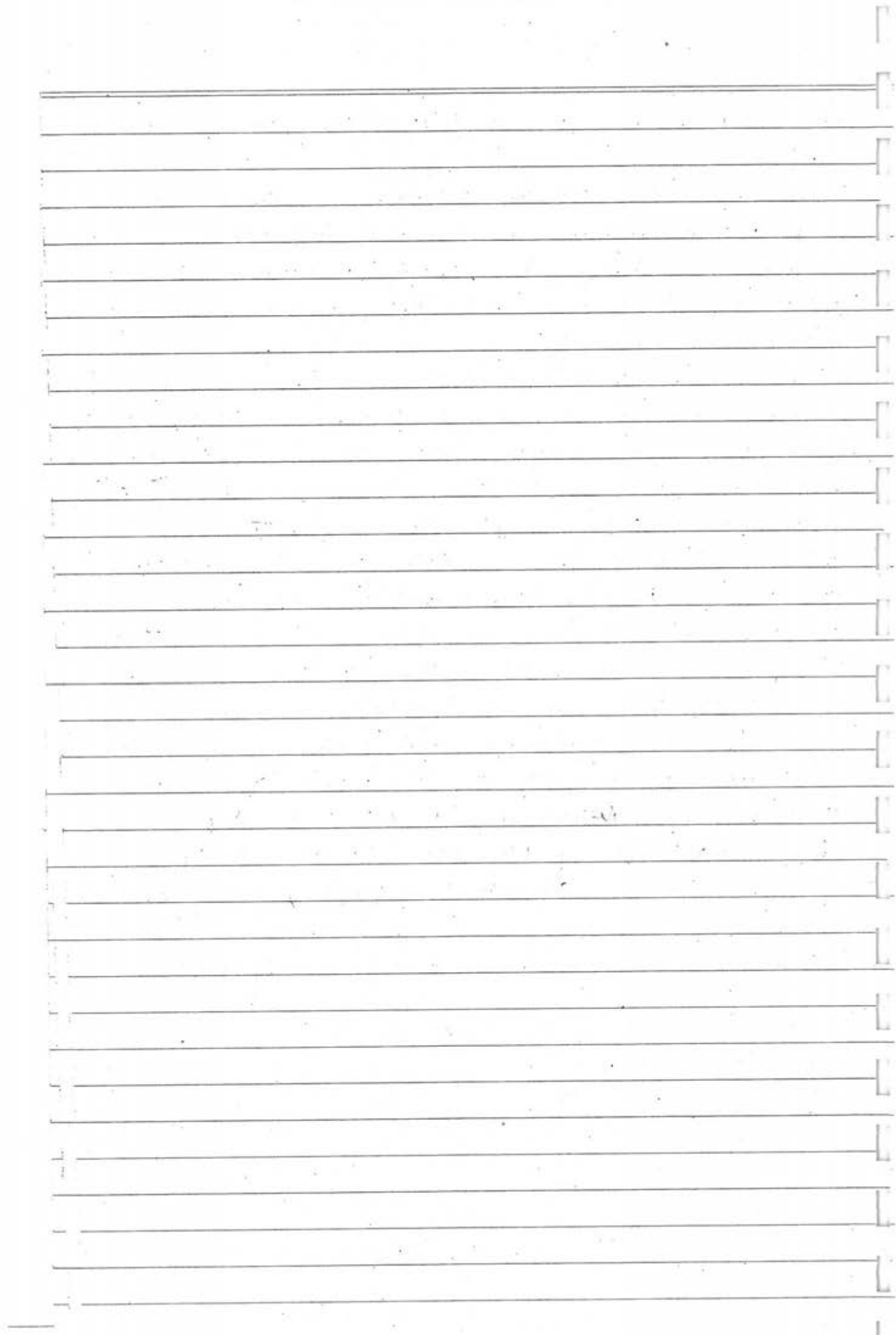
make a new track nearby <sup>ie</sup> new earthworks. New earthworks are needed if paddocks need subdividing or old fences need to be replaced - sometimes in different places.

Because of the changing nature of farming, farmers need to be able to make decisions about what they grow and how they manage their farm.

Resource consents cause delay and cost money (not to mention frustration) and it is the farmer who bears the cost - At the present and that MUST change. If the public want OWN to be protected they MUST be prepared to shoulder some of the costs and PARTNER with farmers.

Remember the story of the Golden Goose and remember that Farming in NZ. has long been known as the BACKBONE of our country.

Rural areas still contribute a high percentage of overseas income which provides the necessities and luxuries which most people take for granted!!!



## Consultation: Golden Bay Natural Features and Landscapes

### Submission in respect of:

385 East Takaka Rd Valuation 18700-23102

### Submission by

Paula Miles

Land Owner

Email: paula.m.miles@icloud.com

Phone: 03 525 8344

385 East Takaka Road, RD1, Takaka 7183

Johnny Ritchie

Partner, Johnny Ritchie and Paula Miles Partnership

Email: johnnyritchie@icloud.com

Phone: 03 525 8344

385 East Takaka Road, RD1, Takaka 7183



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

As an affected landowner we feel let down by council in their lack of communication with the real stakeholders in this process. The Small Working Group recommended that council talk to affected landowners before the Discussion Document went public. That did not happen, there was not even a letter sent out to people affected with an explanation of the process and mapping. We have been treated no differently from any member of the public on whom there is no impact of changes in policies. This is a very disappointing "oversight" and does not make us feel respected or valued in what I consider is basically a 'land grab'

We would appreciate that the following comments are given serious consideration since they come from someone who is potentially affected by changes in land use policies. This is our private property, our business, it contributes to our livelihood, our future land use and possibly QV of the property which we are talking about.

- We acknowledge our place is beautiful and we value it. We enjoy it, have cared for it for generations and will continue to do so.  
We are concerned an elevated part of our property which has been included in the ONL area has had a farm track constructed around the boundary by a neighbour with debris spilled onto our land in the designated ONL zone.  
We are concerned that restrictive regulations will "freeze" our operation as it is now and potential change in land use and other options for us will become impossible under the ONL proposal. Income from our small holding farming at current prices is simply not sustainable and we have closed most of the property with regenerating native plantings and natural regeneration. We don't know what opportunities will

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

arise in the next 10 or 20 years.

- We note that, to our knowledge, our land has not been inspected by any TDC consultant, Working Group member or TDC officer in regards to this proposal

We do not want to take all the regulations, responsibilities, and restrictions with no recognition, relief and reimbursements, which is what I see this proposal doing to affected landowners.

- If the council and community value the landscape then they need to put some value in to "preserving and protecting it for future generations". Therefore there must be some financial compensation to affected landowners

The shared cost/value of ONFLs management needs to be considered.

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

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

These extra "assessments" will cost and this must be shared if these new rules are to be implemented

- The boundaries need to be defined specifically so on the map we can see where the lines go and what land is within the proposed designated ONL and therefore impacted by draft policies ( which are, as yet, not clear) . This is a practical issue so as farmers we have clarity about areas and activities affected.
- TDC is required to identify all the outstanding landscapes in their area but have focused solely on Golden Bay and in my opinion TDC has unreasonably targeted a small part of a big region.

We have concerns about what new restrictions will be put in place as draft regulations are not clear .We don't know what it really means to have this proposed change in land status. It seems that this line has been quite randomly drawn rather than due to any outstanding natural character of the green hills.

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

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

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

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100



WE don't need "uncertainty" in being able to manage our land.  
The assurance we have been given is that "existing man made modification" is part of the landscape so maintenance /alteration is OK and I would like to reinforce that statement

.2

At the drop in sessions I attended and these comments below are what the TDC staff said they need feedback on.

# There are activities which need to be done on a farm to keep it functioning and these must be allowed to continue without any consent process..."normal" things farmers need to do such as:

Weed control, manuka removal. new vegetation clearance, constructing new buildings, maintaining existing buildings, pasture establishment.

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

.3

# There may be new things as yet considered we want to do differently on our land in the future- wind farms, hop farming, construct dwellings.

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

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

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

.4

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

.5

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

Basically we want to be able to continue living in our rural area and still retain options to move into other activities on our land ( tourism, trees, bees, wind ...who knows...) without increased financial pressure and challenges from costly consent processes.

We already function with layers of regulations and we don't think more restrictions are required.

.6

We are deeply concerned about the ramifications of these new regulations, both for any business operations on our land, as well as for our land values.

It should be noted up front that we are sympathetic to the underlying motivation for the legislation: New Zealand has some of the most stunning scenery in the world, and every

1880

1880

effort should be made to preserve and enhance the special landscapes that grace this country wherever the public have access, where visiting tourists generate income, and where the land is visible to neighbours or even casual passers-by.

Private farmland is different. Firstly, it has already been dramatically altered from its natural state, primarily through extensive deforestation and grazing over the last 150 years. Secondly, landowners purchased their property with the understanding that ownership would convey, within reason, all rights and privileges as to the land's use. Definitionally, owning something means being able to determine how it is cared for and utilised.

We see no benefit to imposing more stringent constraints today.

In short, current laws are sufficiently restrictive to prevent further degradation of our shared landscape, and the areas of privately owned land that are not seen or shared by anyone but owners and their guests should be managed as the owners see fit, provided they abide by existing rules. 07

As a final comment, it is by no means a coincidence that two members of the committee tasked with determining which land in Golden Bay should be designated as containing outstanding natural landscapes both declined to have their own land included, despite the fact that their land is well within the general area being targeted, and virtually identical to other parcels included in the ONL designation.

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

Paula Miles



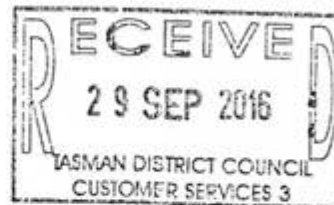
Johnny Ritchie



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

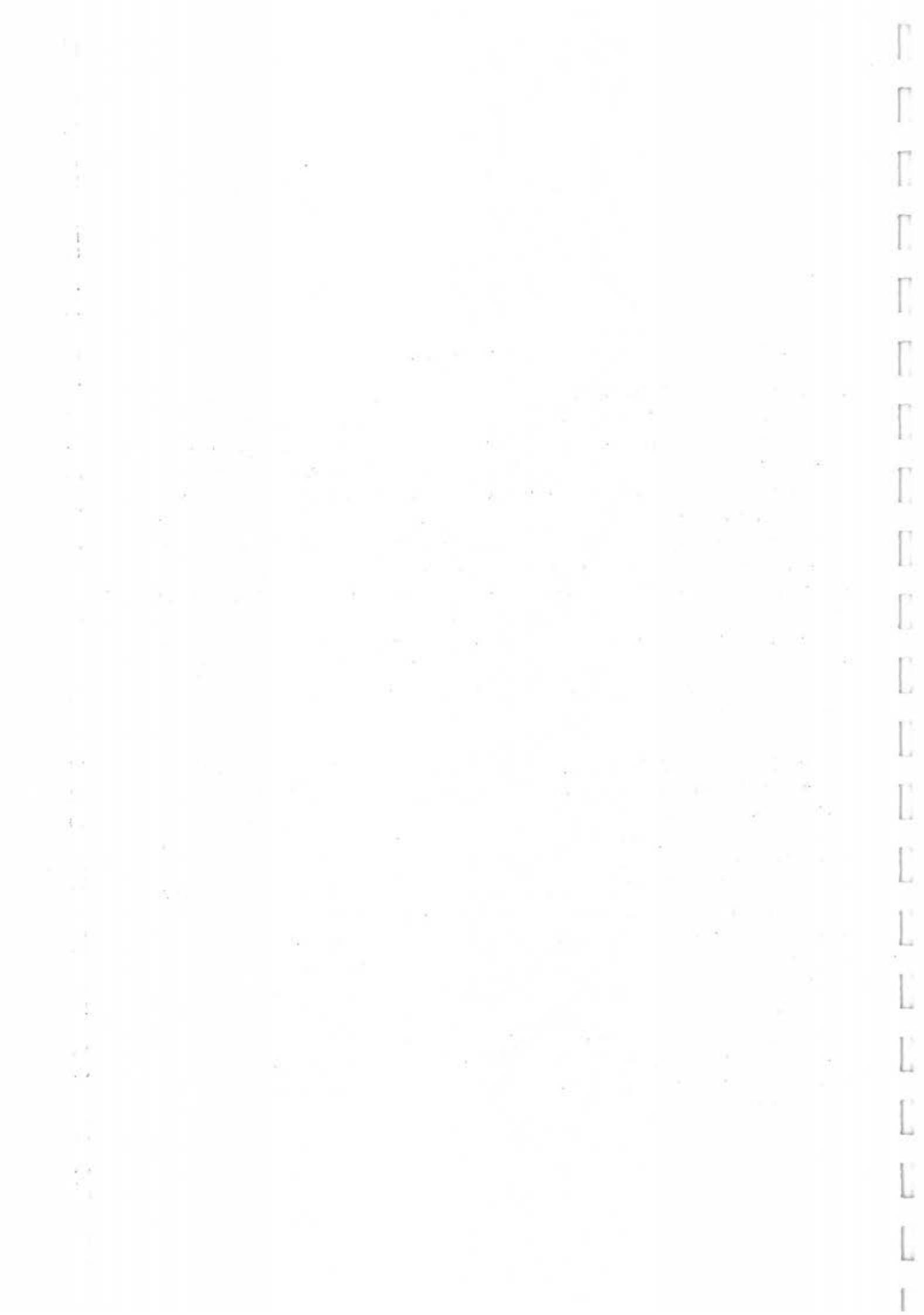
Jeanette Thorneycroft  
200 Speargrass Rd  
RD2 Nelson 7072  
Ph 5211 846



## Submission regarding ONLFs and Coastal Marine Areas

Comment on the locations identified: From a look at the TDC map, it appears that along the Northern West Coastline of Golden Bay there has been an area marked as a Coastal Environment Area at Nguroa, from the base of Lunar and going northward. Coastal Environment Areas are supposed to only extend 200m inland from the mean high water springs, yet the marking appears to take in a far greater area than this. I would like to question the justification for the inclusion of this area, as nowhere else on the coast has this happened, and it looks more like that it was included just to arbitrarily make it a continuation of the line drawn over Lunar (which has been marked as an ONL). The area of Coastal Environment should ideally end at, or close to, the high tide zone. The remaining area is grassy paddocks of insignificant environmental importance. They do not connect ecologically with the cliffs and tidal areas; they are not sand dunes, barrier islands or wetlands. Therefore their inclusion as a Coastal Environment is highly questionable, and as such should remain as part of the normal farming practices of that area.

Comment on the draft rule changes: The Resource Management Act does not define what an "Outstanding Natural Landscape" specifically is, but the RMA Quality Planning Resources suggests that "put simply, landscape can be explained as a reflection of the relationship between people and place". This is an extremely subjective definition, and as a result, makes it a difficult process to decide which ONLFs should be included in the proposed restrictions. On the other hand, the negative effects on private land owners whose properties are included in these proposed definitive areas are very much more objective, and deserve to have weighted consideration in the definition process. It does not appear that the private land owners are being included within the consideration of the use of "public interest" as a justification for private land restrictions. The land owners might be a minority, but the negative impacts imposed on them are potentially far greater than the benefit to the community in general. Not only that, but their combined contribution in rates to the TDC makes them highly significant participants in the representation of the general public.



The Department of Conservation Estate comprises 76% of the land area of Golden Bay. ONLFs are represented in its NW coastlines, mountains, unique geological formations, lakes and rivers. The DoC estate provides protection for the fauna, flora, ecology, and significant places of historical or natural interest, which are unique to NZ, and is for the public benefit.

Some of the currently proposed ONLFs/coastal marine areas have been designated to private land, and potentially restrict their activities in a way that could in future cause their farms to become unviable, and potentially become considered "no longer capable of reasonable use", and "placing an unfair and unreasonable burden on any person having an interest in land" (see section 85 of the RMA) . If this happened, could the TDC find itself again having to go to court to counter disputes? Often people do not realise the difficulties many farmers contend with as they attempt to make a livelihood out of the land. Places of rugged beauty have been farmed for generations, and have generated a love and passion in the owners for these places. These land owners have cared for their land not just to make a livelihood, but also because of a deep underlying passion for the beauty of the place they live in. Please do not rob them of the right to continue doing so.

I realise that the RMA enables constraints to be placed on the rights of private land owners in order to "advance the greater good of the community and the environment", but the question still remains as to whether in all the circumstances the regulations should be imposed.

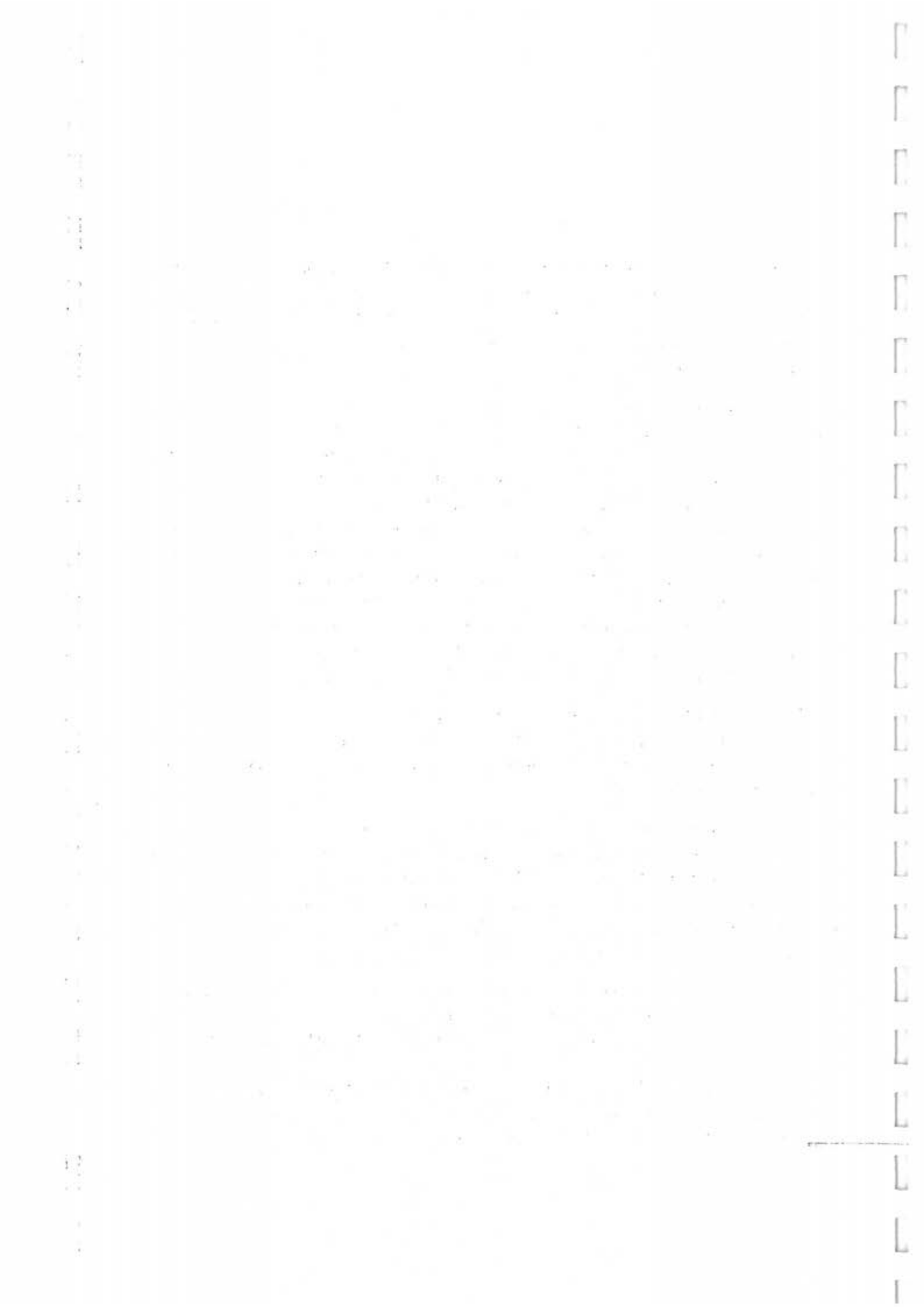
I would suggest that had the RMA aligned itself with the Universal Declaration of Human Rights, (which states in article 17 that arbitrary deprivation of private property is prohibited), the general public would have been satisfied that the "greater good of the community and the environment" was satisfactorily advanced with ONLFs having been identified only from within the DoC estate, considering the large mass of land within this estate in Golden Bay.

3

The land owners' views need to be considered as part of the "public interest", especially in the area of assessing the "associative meanings" of particular landscapes or features. This assessment is supposed to include coming to an understanding of the sense of attachment and belonging to a landscape, and how and why it is valued. Some of the tracts of land included in the ONLFs/coastal marine areas are only frequented by the land owners. Surely their sense of attachment and belonging to that landscape is significant.

4

5





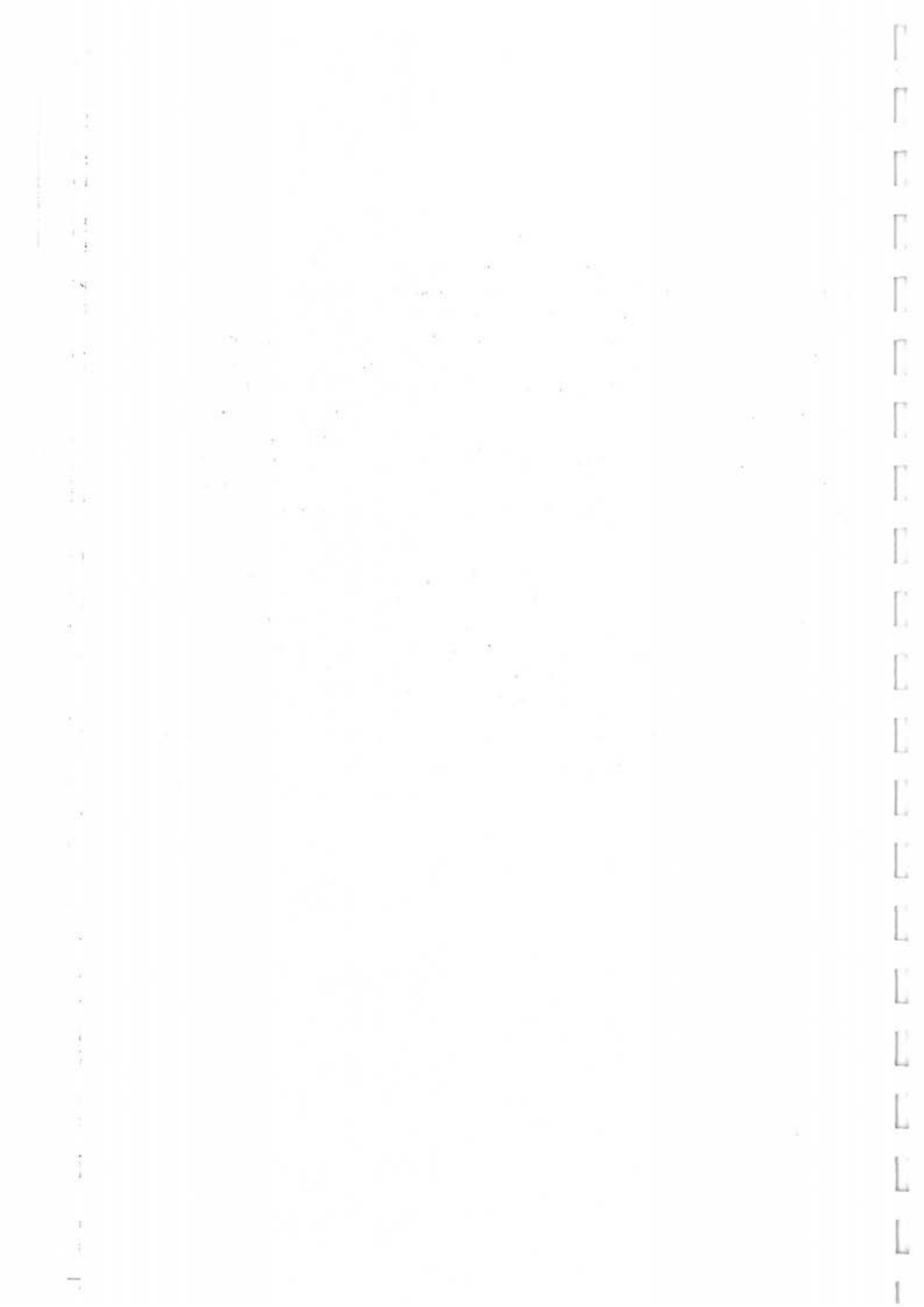
When land ownership is the basis of a business, a land owner needs to be able to change their land use without being shackled by costs such as seeking resource consent. As yet, it has not been made clear to the landowners what the implications of the proposed restrictions will be. Within the process of defining ONLFs etc, there needs to also be a process of clearly defining what options the land owners still retain for the future, and they should not be financially impeded in their day to day running of their business; often the current land use becomes no longer financially viable, and land owners need to retain the right to alter their land use, for example planting manuka for bees to produce high UMF honey. Alongside that, land owners need to be able to implement new technologies into their farming systems as the opportunities present themselves, without having to apply for resource consent to do so.

•6

Any areas which land owners are to be further regulated in under the ONLFs etc, should have reduced rates for those areas. Already rural land owners are subsidising the services and amenities of the urban rate payers. The general public who want the increased protection of ONLFs on private property should also contribute fairly, rather than there being an expectation on private land owners to take restrictions at a cost to their livelihoods.

• A

Thank you for the opportunity to make a submission. I appreciate your time, and the work that has been put into this process thus far.



Submission re: Golden Bay's Outstanding  
Natural Features and Landscapes.

Ian Thorneycroft  
200 Speargrass Rd  
RD 2 Nelson 7072  
Ph (03) 5211 800



The only constant in life is change.

Land in private ownership is bought as an investment. In the case of the farmed land it has been purchased to provide an income and historically this has been a modest income. But through very hard work and great personal sacrifice the land owners have achieved this to date. With commodity prices falling in real value historically, these land owners must have the freedom to best utilise the land. Be it planting manuka for honey or planting plantation forestry to pay for carbon credit liabilities, or anything else which may be needed to keep these families, who have invested so much, on the land which is so dear to them. The current owners have far more attachment and love for their properties than any other group will ever have.

ONL on the Coastal Area: The justification to restrict the choices in land use along the west coastline because of the "public benefit" seems very unfair, considering that the only people who will probably view this landscape are a few fishermen on trawlers. In my opinion the ONL (coastal) can go to the high tide mark. The cliffs will take care of themselves. A grassed paddock is not an outstanding landscape; the country is covered in them so please leave these areas alone.

Farming is a rewarding and challenging industry to be in. It is challenging because the main drivers of the profitability/viability are outside of our control, be it weather, exchange rate, markets etc. We knew this when we took on this career, but as you may be aware, suicide in this country is killing more NZ'ers than the road toll, and farmers are over-represented in this statistic. We went farming because our skills and desires suited this career. We cannot fathom how fellow citizens can do such a wholesale land grab. This action is very stressful for all farmers because of the uncertainty about their future livelihoods. At least 76% of Golden Bay is owned by the government. There are already plenty of restrictions; TDC is in the process of taking the wetlands and making the landowners maintain them. When will the greed of government be satisfied? It must stop now.

If I could paint an analogy of the proposed plan: Let us wind back time to the early 1970's and suppose that the industry being affected is a taxi company instead of some farms. This taxi company can maintain his/her fleet of vehicles but can not change them as this would be deemed as changing the 'landscape'. Come forward 45 years to the present day: this taxi business is destroyed. He/she can't get enough clients who want to travel in a HQ Holden from the early 1970's. The car is far too inefficient to run and be competitive. It is obvious the owner should be allowed to carry on with the best technology and probably should be running a fleet of hybrids or electric cars, but instead what we end up with is a broke business and some rusty worthless cars. Is this really what we want?

The only constant in life is change. The current land owners/guardians have proven that they are responsible, love this land and share it with the public as much as practical. That is why it looks so good today and is enjoyed by so many. It would be terrible to put this in jeopardy.

Thank you for reading this.



# FEEDBACK FORM

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



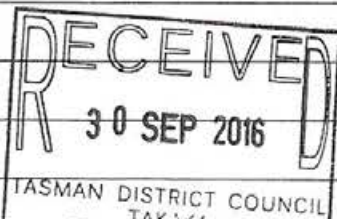
Your name: Dennis Reed Your contact phone number: 5259652

Your address: Wainui Bay 1836 Able Tasman Drive

Comment on the locations identified: the arbitrary nature of areas designated why not all the west coast beach front the inlets Anaweka Collingwood, the Maramahiri river sand dunes - Remeka creek area - all cave system a few examples of hundreds  
why was the mussel farm at Wainui left out is it insignificant! or is it "motes with the corporate's"

Comment on the draft rule changes: was anyone in Wainui Bay consulted - there was <sup>one</sup> NO ~~any~~ the working group as far as I know

in light of our property rights being restricted we should be compensated by a significant reduction in our rates



*D Reed*

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

Feel free to contact us:



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

Richmond  
188 Queen Street  
Private Bag 4  
Richmond 7650  
New Zealand  
Phone 03 543 8400  
Fax 03 543 9524

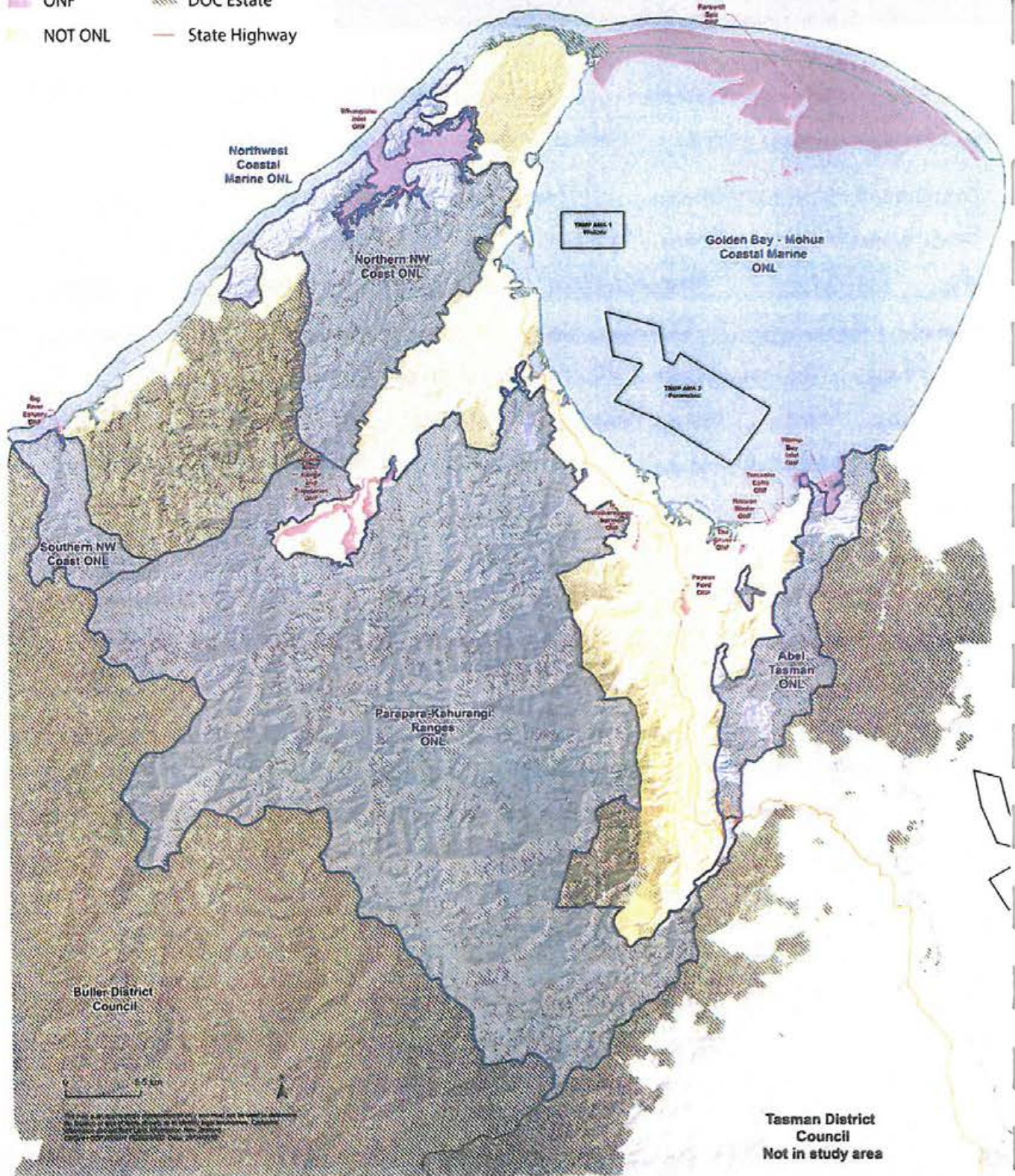
Murchison  
92 Fairfax Street  
Murchison 7107  
New Zealand  
Phone 03 525 1013  
Fax 03 523 7012

Motueka  
7 Hickmott Place  
PO Box 123  
Motueka 7143  
New Zealand  
Phone 03 525 2022  
Fax 03 528 9751

Takaka  
14 Junction Street  
PO Box 74  
Takaka 7162  
New Zealand  
Phone 03 525 0920  
Fax 03 525 9972

# Map of Recommended Outstanding Natural Features and Landscapes

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



30 September



Department of  
Conservation  
*Te Papa Atawhai*

DOCDM-2884108

28 September 2016

Manager Policy  
Tasman District Council  
Private Bag 4  
RICHMOND 7050

Email to: [info@tasman.govt.nz](mailto:info@tasman.govt.nz)

Attention: Steve Markham and Tom Chi

Dear Planners,

**Tasman Resource Management Plan Draft Plan Change Outstanding Landscapes and  
Natural Features**

Please find enclosed the submission by the Minister of Conservation in respect of the draft plan change on outstanding natural features and landscapes. This submission raises a number of matters which require clarification in particular about identification and management of natural features and outstanding landscapes including natural features on land managed by the Department of Conservation.

Please contact Ken Murray in the first instance if you wish to discuss any of the matters raised in this submission ([03 371 3759 and email [kmurray@doc.govt.nz](mailto:kmurray@doc.govt.nz)]).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Lamason', written in a cursive style.

Andrew Lamason,  
Operations Manager Golden Bay  
Under delegated authority from  
Minister of Conservation

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100