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	Response Date	May 04 22
	Notes	
Q1	Select the chapter you want to provide feedback on	
Q2	In general, to what extent do you support the contents of this chapter?	
Q3	Objective/Policy/Rule/Standard reference:	
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Waitaki District Council Annual Plan 2022-2023

Getting back to the future

Federated Farmers of New Zealand

4 May 2022



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SUBMISSION ON WAITAKI DISTRICT COUNCIL ANNUAL PLAN 2022-2023

TO: Waitaki District Council

DATE: 4 May 2022

ADDRESS FOR SERVICE

Name	Position	Phone Number	Email Address
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OTHER CONTACTS

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We wish to speak at the upcoming hearing.

This submission is on behalf of the 272 North Otago members who live and work in the Waitaki district.

ABOUT FEDERATED FARMERS

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SUBMISSION ON WAITAKI DISTRICT COUNCIL ANNUAL PLAN 2022-2023

Overview

Waitaki is a small district with big aspirations which we support and encourage. However, with a small district it is generally the same people and/or organisations involved in Council business, economic development strategies, Tourism Waitaki, Geopark etc. Something which becomes more apparent when looking at who submits on discussion documents/consultations and participants of working groups.

As Council is involved in all these enterprises, a strategic approach is needed to prevent meeting or consultation fatigue which in turn would result in more meaningful stakeholder engagement. Most people are involved in these ventures due to the positions they hold in various organisations, generally they are unpaid and trying to juggle commitments with their own work and business along with family and personal responsibilities.

The Rural Reference Group appreciates the opportunity to work with Council regarding the draft District Plan. There is a strong interest that this collaboration continues beyond the district plan, from the bigger government issues affecting local government to the local issues - for example those listed above. Hopefully the Council is agreeable to this proposal.

The impact of Covid 19, as it drags on into 2022, is varied across local government. It appears, thus far at least, that the more major financial implications have been felt by city councils with provincial and rural councils relatively unscathed. A large part of the reason for this is that agriculture is almost singlehandedly holding the New Zealand economy together, and you do not find farms in CBDs.

The dire loss of revenue predictions for local government forecast in early 2020 did not fully materialise, although many councils severely trimmed their rate increases in the 2020 Annual Plans. Some postponed capital expenditure while others leant on debt. This resulted in some major rate increases in the 2021 LTPs as councils sought to recover their financial positions.

As the pandemic continues, financial effects will be felt more deeply in local government as councils attempt to navigate three competing tensions:

- Loss of revenue from non-rate sources due to lower investment returns and reduced economic activity leading to reduced fees and charges income.
- Pressure to contain or lower rates in the face of some households and businesses in their communities facing economic hardship; and
- The desire to maintain local employment and infrastructure investment as part of the whole of government response to the pandemic.

Council must bear in mind that the primary industries are facing their own substantial challenges arising from Covid 19, including labour shortages, supply chain problems and increases in farm input costs. Farmers are facing huge costs and mental stress arising from freshwater reforms and drinking water reforms. If councils are at all interested in maintaining the resilience of local economies and communities, lower rates on farms would be a worthwhile step in that direction.

The best thing council can do generally to reduce the pressure of rising costs on all ratepayers is to keep their spending under firm control, focusing on the basics and striving for value for money.

Perhaps the councils suffering most right now are the ones that spent a fortune, some of which was paid for by farmers through rates, on promotion of their cities and towns as international tourist destinations. It has been a source of frustration that council economic development strategies focus on the visitor industry, and often farm businesses making their own significant local economic contribution are rated to help fund those strategies. The net effect of this is to shrink local GDP, not expand it.

Roading

The condition of local roads is a perennial issue for farming communities, with the feeling in recent years that rural roads, which are so essential socially and economically, are being forgotten.

For many farmers the road at the front gate is the main benefit they receive from council, and when set against their substantial rate demands the value-for-money equation does not stack up.

The funding of local roads is shared between local council rates and the National Land Transport Fund, with each council receiving a set percentage of the cost of eligible projects. This percentage varies for each council and is known as the Financial Assistance Rate (FAR).

We always want more attention for rural roads and were alarmed last year that the funding available for local roads was short by \$420m. This became apparent just as councils were finalising their 2021 LTPs and had arisen from lower fuel excise revenue resulting from Covid 19 lockdowns.

Fortunately, Government moved to boost the Fund later in 2021; our press release at the time outlines our views clearly:

Boosting local road funding heads in the right direction, Feds says

News that the government has shifted funding for local road maintenance back up a gear is heartening for rural families dismayed by potholed access and dilapidated bridges, Federated Farmers says.

"What we need now is for district councils all over New Zealand to dedicate a significant portion of this increased funding to dealing with the backlog of repairs to rural roads and bridges," Federated Farmers Vice-President and transport spokesperson Karen Williams says.

Earlier this year, right when the nation's district and city councils were finalising Long-Term Plan budgets, Waka Kotahi NZ Transport Agency warned it was \$420 million short for the local road subsidies it had already indicatively approved. But today, in announcing final decisions on the 2021-24 National Land Transport Programme (NLTP), the government responded to the outcry this caused with an extra \$2 billion for local road maintenance.

This brings the total amount available for local road and state highway maintenance to \$7 billion over the next three years.

"Federated Farmers compliments the government for recognising that failing to do the necessary maintenance on local roads is false economy in the long run," Karen said. "This should mean that councils can re-dedicate themselves to those roading projects that were under threat from the reduced Waka Kotahi subsidies."

Therefore, the scenario put forward in the Council's discussion document regarding funding does not appear to be accurate.

Water Services Entities

Federated Farmers is opposed to the Government's reforms of water service delivery. While supporting efforts to ensure drinking water is safe, we do not believe this will be achieved by the Government taking water assets from elected councils and putting them into four mega entities very distant from their communities with much weakened accountability.

Nor are we convinced by claims the reforms will reduce costs for ratepayers. A global economic consultancy's review of the Government's model commissioned by the Whangārei District Council, concluded that the model was founded on unsound evidence and faulty analysis. Further, Castalia said that "the promised benefits of reform are unlikely to materialise. There are risks to the Whangārei community from losing control of water services, and accountability of those tasked with governance to local customers.

Federated Farmers notes that 31 councils are members of the group Communities4LocalDemocracy (www.communities4localdemocracy.co.nz) formed to push back on the Government's reforms and to promote a better approach.

Federated Farmers supports the work of Communities4LocalDemocracy, and we urge the Waitaki District Council to join this group.

We recognise that water reforms are controversial and in line with our opening paragraphs we seek to continue to work collaboratively with Council. We support your opposition to the government's mandated approach and the questions you have raised regarding the modelling.

Resource Management Act reforms

Implementing the RMA costs local authorities tremendously, a cost significantly ramped up with changes to freshwater regulations requiring revamps of councils' policies.

On the regional council side farmers experienced some major rate increases last year, with the need to increase policy and technical capacity to meet government's Action for Healthy Waterways regulations featuring among the main reasons. The South Island really stood out with Environment Canterbury proposing a 24% overall increase, later pared to 12.5% with the use of borrowing, and Otago Regional Council forging ahead with a massive 47.5% rates revenue increase.

This year councils and farmers are facing the Natural and Built Environments Bill, with government's determination to get this through signaled by their early branding of the Bill as an Act.

The key relevance of the Natural and Built Environments Bill to Annual Plans is its proposed removal of the district planning function of district councils, moving that role across to regional planning committees. This will make planning less local (same as Three Waters) and remove another activity from district councils, further downsizing their balance sheets.

Importantly, if a function is to be removed from district councils, we would want to see a consequent decrease in rates revenue.

Future for Local Government Review

Given the extensive and controversial changes to Three Waters and the makeover of the resource management system, it is unsurprising that government has commissioned a review of the future of local government.

The most recent system-wide review of local government was the Productivity Commission's in 2019, although the focus was on funding and financing. They came up with some useful findings, for example that rates should reflect the cost of benefits derived from council services, but their recommendations were ignored.

This latest review is much broader in scope. It will consider what local government does, how it does it, and how it pays for it.

The Review's chair is ex-CEO of Waimakariri District Council, Jim Palmer, and the panel members all have backgrounds in local government and/or the public sector. They are experienced but there is not a strong business or ratepayer perspective. Federated Farmers and other business groups met with the Panel in September 2021 to help provide that perspective.

Our view is that any future role, be that social, cultural, or economic, needs a more equitable and appropriate method of funding than property value rates. The limitations of this antiquated form of taxation in turn limits the role and function of local government.

Late last year the Review panel published its interim report to the Local Government Minister signaling the direction of the review and next steps. A draft report is scheduled for release on 30 September 2022 for public consultation.

Uniform Annual General Charge (UAGC)

The UAGC is a general revenue mechanism that sits alongside the general rate in a district. Under section 21 of the Local Government (Rating) Act 2002 the UAGC can be used to collect up to 30% of total rate revenue.

The level and proportion of the UAGC is frequently adjusted in Annual Plan years, as it is generally not fixed at a particular level by the Revenue and Financing Policy in the LTP – rather that policy establishes whether the UAGC will be used or not.

Use of the UAGC strongly influences the distribution of rates across properties in a district or region. Its effect is to reduce property value rates on higher value properties, while ensuring lower value properties pay a little more.

Federated Farmers strongly supports use of the full 30% allowed. The basis of our view is the fact that council services are in large part used by people, and a per property charge at least ensures that all people make some reasonable contribution (whether through rates or rent) toward their cost.

Owning a farm is not a good reason to pay hundreds of dollars towards for example the local library, when urban residents nearby are paying in the tens of dollars. That is not rational, let alone fair, and in no way complies with good taxation principles.

Waitaki is a poor performer regarding its UAGC use - 14.53% in 2020-21. This figure was ascertained from an information request to all councils on behalf of the Local Government Business Forum.

Reducing the UAGC is a very blunt way of addressing affordability concerns. It takes no account of the fact that many low-income households are rented, thus the lower general rates benefit the property owner, and council's knowledge of the true financial situations of their individual ratepayers is limited.

Instead of lowering the UAGC for affordability reasons, Council should consider central Government's rates rebate scheme for low-income ratepayers. This is means tested against income, which is the best measure of affordability.

Or Council can more effectively attend to affordability through a rates remission policy for financial hardship. Use of this policy is more appropriate, logical, and targeted.

Fees and Charges

Overall, Federated Farmers supports a high proportion of fees and charges funding council services to reduce the reliance on rates. In recent years, a few councils have advanced proposals for fees and charges to contribute more of the cost of running council facilities and we have supported them wholeheartedly in this.

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	Hi Attached is the feedback from Federated Farmers regarding WDC's draft district plan. Kind regards Angela ANGELA JOHNSTON SENIOR POLICY ADVISOR Federated Farmers of New Zealand M 021 518 271	



Federated Farmers of New Zealand

Feedback on the Waitaki District Council Draft District Plan

31 August 2022



WAITAKI DISTRICT COUNCIL - DRAFT DISTRICT PLAN

TO: Waitaki District Council

DATE: 31 August 2022

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Jared Ross	North Otago Provincial President	027 431 1823	office@waineuk.co.nz
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General feedback

North Otago Federated Farmers (Federated Farmers) welcomes the opportunity to provide feedback on Waitaki District Council's (WDC) draft District Plan.

The District Plan is a crucial document that impacts all Waitaki farmers and growers, resource users, and rural communities. It is important that the final District Plan provides a clear framework and guidelines.

The Waitaki District is traditionally a rural and farming district. Many of the provisions covered in the Plan impact upon the lives and well-being of the rural communities. The District is a variable region, with very different needs and values. Ongoing engagement and discussion with the rural community will help facilitate better understanding and clarity around what is required or being sought by some provisions detailed in the Plan.

Throughout the prior COVID-19 pandemic response, the primary sector's contribution to the region, and wider New Zealand, remained steady, reliable, and important - councils should encourage and enable that contribution.

Federated Farmers appreciates the pre notification consultation on potential District Plan provisions. Effective consultation means that issues can be identified and raised early, creating the opportunity to be resolved, before entrenched positions are established.

Our members strongly support a planning approach which recognises that landowners play a principal role as managers, and financiers, of the region's natural and physical resources. They also support plans that are truly effects-based and do not unnecessarily inhibit or pose constraints on farming activity. Landowners are proactive resource managers who rely on their properties natural and physical resources for their farming business. It is entirely in their best interest to manage their land sustainably

Farmers are the most efficient agents for achieving on-farm good practice, as farmers are where the 'rubber hits the road' for land management. To that end, Federated Farmers actively encourages non-regulatory methods to achieve and encourage good practices. There are substantial existing drivers for farmers to ensure that their on-farm practices meet environmental standards.

As a broad principle, Federated Farmers wants to see our members operate under a suite of rules that are clear, concise, well defined and easy to understand; regulations should only be restrictive where there is a compelling, evidence-based need for such restriction, otherwise there should be provision for farming businesses to thrive.

Federated Farmers believe that when undertaking a district plan review, it is essential that councils consider and balance the economic, social, cultural and environmental considerations of any particular policy or provision. We consider that the emphasis in the District Plan often sways disproportionately towards environmental considerations in a way that subtly prejudices against the ability of landowners to manage farming operations in ways that are within their capability. This is a concern, lest farmers further lose what capability they have to manage environmental outcomes on their farms, whereupon no-one can get anything done, and everybody becomes frustrated.

In the Waitaki District, there are farmers whose families have been farming the land for over 140 years. They value their land and have developed an inter-generational culture which must be preserved alongside other cultural and historical aspects identified in the District Plan as of importance, such as the history of the Oamaru township.

It is also important that WDC recognise and consider the way economic, social, cultural and environmental factors interact. Economically viable primary production in the district enables farmers to better contribute to positive environmental, social and cultural outcomes. On the other hand, a reduction in the economic viability of primary production not only reduces the economic well-being of the district, but in doing so reduces the potential to achieve positive environmental, social, and cultural well-being.

Subsequently, we are concerned that some of the changes proposed within the draft plan, especially those with adverse implications for farming, have the potential to result in high economic and social costs in the rural area.

In recent years, central government has placed a significant onus on councils, with a raft of national regulations recently released or due for imminent release. Each of these, whether relating to freshwater, biodiversity, urban development, climate change or highly productive soils, will require significant regulatory and resourcing responses from WDC as it gives effect to its responsibilities and obligations. There is also a need for WDC to adhere to the first tranche of National Planning Standards and the direction these set.

We in no way underestimate the level of work and resources this national regulation will require of WDC, and we are both prepared and willing to assist, discuss or provide feedback as these workstreams continue.

Within this feedback, we have drawn attention to the Objectives, Policies and Rules we consider can be given a more appropriate and balanced position, while still remaining consistent with the underlying purpose and intent of the Resource Management Act 1991 (RMA). However, these comments are not exhaustive. There will be additional matters that we identify at a future date once notified, or we may refine our thinking on certain matters.

We understand that there will be an opportunity to provide more detailed feedback by way of submissions and further submissions once the Plan is notified. However, some chapters are important for the primary sector as they impinge upon our members and rural communities' well-being. We ask that there is further and ongoing discussion between ourselves, landowners and WDC, so practical and manageable on-farm solutions and options can be worked through.

We would like our members to have every opportunity to engage and comment on the changes they will face as part of this plan review. This is particularly so when their properties are subject to a designation, zone or overlay that restricts or impacts their properties.

We expect that before the plan is formally notified that the Rural Reference Group will be informed of the outcome and subsequent decision making following the landscape architect peer review. Also, during the RRG meetings, we were informed that all affected landowners could expect to be consulted with directly. Our expectation of this consultation has not changed. An informed negotiation is our expected foundation.

When the plan is notified, we expect a strong, robust, and comprehensive section 32 report that clearly sets out the benefits and risks of any rule, particularly where it will adversely impact on existing farming practices, or where it represents a significant departure from current rules. The greatest indication of the practicability, or otherwise, of a proposed plan is the robustness of the section 32 report undertaken.

We look forward to continuing a proactive and on-going partnership with WDC during the District Plan review process to ensure that the resources of the district are managed on an equitable basis for people of the Waitaki District.

We would welcome the opportunity to discuss our feedback with councillors and WDC staff following the closure of the feedback period.

Definitions

Agricultural Intensification – oppose. We support the NES-Freshwater approach which focusses on four key land-use changes: forestry to pasture, pasture to dairy, dairy to irrigated dairy, and any land-use change to dairy support. The definition should also include the same provision for it not being intensification if under 10 ha.

Intensification should be viewed as the type of system, not changes within a system.

Electricity Distribution Corridor – oppose. These distances are excessive and inappropriate. The distances quoted are used for transmission lines carrying double (or more) the voltage that distribution lines carry.

Electricity Distribution Yard – oppose. As above. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) should always be referenced for buffers and setbacks.

Farm Building – replace “factory farming” with intensive indoor primary production. We also seek that “necessary” is replaced with “used” - “a building ~~necessary~~ used for the exercise of farming activities...”. The word, necessary, may result in a specified threshold needing to be attained.

Farming Activity– replace “factory farming” with intensive indoor primary production

Farm Pit – delete and replace with “Farm Quarry”, with the definition “An open pit or excavation from which domestic quantities of soil, stone, gravel or mineral is extracted for farming activities on the same site. It does not include earthworks or the use of land and accessory buildings for offices, workshops, and car parking areas associated with the operation of the farm quarry.” This definition is from the notified Selwyn District Plan.

Farm pit is an unusual term and not widely used in other district plans.

Flood tolerant activities and land use – we seek that farming/primary production is included in this definition. It is unclear where this list of activities has come from, if horticulture and viticulture are included why has farming/primary production being omitted?

Highly productive land – we seek an amendment; however, we acknowledge that Parliament is currently making the final decisions on the NPS. As taken from our submission on the draft NPS Highly Productive Land, “the focus should be on highly productive land more broadly. Councils should be empowered to identify what is highly productive land in their own context. LUC is a very blunt tool, and some LUC 3 land is not particularly productive (eg it is erosion prone or wet), and might be better suited for urban development rather than retained for primary production.”

Indigenous vegetation – delete and replace with the definition from the draft NPS indigenous Biodiversity “means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district in which that area is located.” Using definitions provided in national planning documents prevents confusion.

Occupied Buildings – we seek that 4-7 are deleted.

“means, in relation Hydroelectricity Inundation Hazard Areas, a building that is not associated with hydro-generation activities for the Waitaki Power Scheme, in which people reside, occupy or work on a permanent or regular basis and includes:

1. residential activity;
2. visitor accommodation;
3. home business;
4. ~~factory farming,~~
5. ~~wintering barns,~~
6. ~~herd homes and~~
7. ~~dairy sheds.”~~

The risk to people who work in 4-7 would be considerably less than those in 1-3, and the design of these buildings is very different than those listed in 1-3.

Quarrying Activities – having three variants for this definition is confusing, and as above, we seek that farm pit is replaced with farm quarry to clearly distinguish the different effects compared with commercial quarrying.

Riparian Margin – oppose. As the Otago Regional Land and Water Plan is being developed, we suggest using the definition or, as a minimum, the distances used in the Canterbury Land and Water Regional Plan to ensure consistency between planning documents:

means the land within the following distances of the bed of any lake, river or wetland boundary:

1. In Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps – within 10 m; and
2. In all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country – within 5 m.

Sensitive environment – oppose. It is unclear why this definition is needed, there is no easily found reference to sensitive environment in either the Otago or Canterbury RPSs nor the Canterbury Land and Water Plan.

“Sensitive environment” was not defined in the recently notified Selwyn District Plan, Timaru did in their draft plan and what they listed varies from what Waitaki is proposing.

Timaru draft district plan:

Sensitive Environment means:

- a) *The coastal environment; and*
- b) *High Natural Character Area*
- c) *Sites and areas of Significance to Maori*
- d) *Significant Natural Areas*
- e) *Flood Hazard Areas*
- f) *Coastal Inundation Areas*
- g) *Heritage Sites*
- h) *The area within 100m from the edge of a Riparian Margin*
- i) *The area within 100m from the edge of a Wetland Area*
- j) *In relation to hazardous substance, also means the area within 250m of a sensitive activity*

In our feedback we sought that parts h and i be deleted, as they are a buffer on a buffer which is inappropriate and unnecessary.

Waitaki's definition is:

area of land contained within any of the following areas:

- Coastal Protection Area
- Outstanding Natural Landscape
- Outstanding Natural Feature
- Significant Natural Area
- Wāhi Tūpuna
- Significant Natural Feature
- Heritage Item
- Notable Trees
- Above 900 metres in altitude

As a minimum, we seek the deletion of notable trees, above 900 metres in altitude, and amending heritage item to heritage site.

Vegetation Clearance – oppose. Clearance should only refer to the *removal* of vegetation, and only apply to indigenous species. The methods of removal in the definition should only include those within the landowner's control.

We suggest:

Indigenous Vegetation Clearance: the removal of indigenous vegetation by cutting, crushing, application of chemicals, drainage, burning, cultivation, over-planting, application of seed of exotic pasture species, or mobstocking.

Alternatively, we suggest using the definition from the Canterbury Land and Water Regional Plan, with the appropriate variations to encompass only indigenous vegetation clearance and its implementation wider than Canterbury:

Vegetation clearance: means removal of vegetation by physical, mechanical, chemical or other means but excludes:

(a) cultivation for the establishment of, or harvesting of, crops or pasture;

(b) clearance for the establishment or maintenance of utilities or structures;

(c) removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy;

(d) clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings;

(e) domestic gardening and the maintenance of amenity planting;

(f) clearance by, or on behalf of, the Canterbury Regional Council for the purposes of maintaining the flood-carrying capacity of a river; or

(g) exotic vegetation clearance by the Department of Conservation or Land Information New Zealand for the purposes of pest management and maintenance of public access.

Strategic Direction

We seek that the subjective wording is removed from the objectives.

SD-CHI-02 refers to the "outstanding contribution" that historic heritage has to Waitaki's economy, whereas in SD-RA-02 the primary production and rural industry has "significant contribution". Arguably, on a per dollar basis primary production and rural industry would outperform historic heritage.

SD-RA-01 we seek the inclusion of cultural wellbeing.

“A range of primarily rural productive opportunities are enabled in the rural environment to recognise and sustain the significant contribution of primary production and rural industry activities to the social, cultural and economic well-being of the district.”

Farming has taken place in the Waitaki district for many generations, and this cultural heritage and associated well-being is no less important than any other cultural aspects in the district.

Infrastructure

Appropriate safety distances are covered in the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001 (Code). This document was prepared by the Ministry of Consumer Affairs in consultation with a number of key industry representatives – including the Building Industry Authority, the Electricity Engineers’ Association of NZ (Inc), the Institution of Professional Engineers NZ and Transpower New Zealand Ltd.

The Code sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. The minimum safe distances have been set specifically to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards.

Hazards and Risks

Over recent years, New Zealand has been subject to a wide range of significant natural hazards, including flooding, earthquakes, liquefaction, landslides, droughts, and wildfires. These have produced devastating effects on property and livelihoods, and also impact both the environment and our wellbeing.

Farmers within the District know the devastation that can come through these events. Weather and natural disasters are typically beyond our control at the time they occur, but there are ways in which we can reduce their impact by improving our resilience, our preparation, and our agility to respond and recover.

Contaminated land

The main concern for identifying and managing contaminated land is to ensure no adverse health effects occur as a result of the contaminated land.

Federated Farmers’ view is that the best approach to dealing with contaminated land is through the provision of information to landowners and land occupiers. As such, SL-P2 should include: 5. Educating landowners and land occupiers on the management of contaminated land.

Hazardous substances (HAZS)

‘Hazardous facilities’ are referred to in the HAZS chapter yet there is no definition provided.

Federated Farmers recommend a definition is included which exempts farm-scale use and storage from the definition of Hazardous Facility. Agrichemicals, animal health products and pest and weed control products that are stored and used on farms will be in quantities that will be used on site, this is different to large quantities that are intended to be sold on a commercial/wholesale scale.

Natural hazards

The planting of shelterbelts should not be unreasonably restricted as this could lead to the loss of highly productive land and raise animal welfare issues because landowners may be compelled to place their shelterbelts in unsuitable locations.

Federated Farmers does not agree with NH-R14. There is a need to protect land use activities and property from wildfires, but this requirement is impractical and will lead to unintended consequences. Shelterbelts are a very important part of rural land production and are necessary for stock, soil, and property protection, not just for amenity value.

Historic and Cultural Values

Federated Farmers believes that heritage resources help to teach us about the past and the cultures of those who came before us, but we note that this seldomly appropriately reflects rural or pastoral heritage as 'valued'. There is an opportunity as part of this process to also celebrate the District's rural heritage and the history of our early pioneering farmers.

Our overriding principle is that our heritage is protected in most part, by appropriate partnerships with landowners of those properties. Support, incentives, and education is critical as to what is on that property, why it is important and how to manage and protect where necessary, its values.

As a general position, it is our view that Council must consider private property rights and not over-regulate the management of these sites and buildings.

A point of concern for Federated Farmers is the need for Council to ensure that landowners are included in consultation for identification and mapping of buildings, features, places, and archaeological sites. Most of these sites would be on private land and it is essential that landowners are part of the process.

From our experience accidental discovery of unrecorded heritage or cultural sites can be worrying for resource users. The unknown costs of having to get an archaeologist, heritage or cultural expert in to assess the site, costs and time delays of having to obtain a resource consent in order to complete the works started before the discovery, and unknown outcome of a resource consent application, can all contribute to a view that heritage or cultural sites are a liability and a burden.

Federated Farmers requests Council focus on education and identification of these sites of interest as a priority. It is our position that for effective management of Notable Trees, Sites and Areas of Significance to Māori, and historic sites, landowners need to be involved and recognised as having an interest greater than the general public.

Historic heritage

Federated Farmers considers that objectives and policies about heritage need to be consistent with the enabling provisions of s 6(f) of the RMA. Section 6(f) states that the protection of historic heritage from inappropriate subdivision, use, and development needs to be considered as a matter of national importance. Federated Farmers submits that policy should focus only on inappropriate land use, development, and subdivision as a risk to heritage.

The Council should provide for s 6(f) into its objectives. As an alternative objective, we suggest including: 'To protect historic heritage items from inappropriate subdivision, use, and development'.

Under HH-P7(3) there is a requirement to 'use materials and designs that reflect the values of the Historic Heritage Item or its setting' when carrying out earthquake and flood protection works.

Federated Farmers agrees it is important to preserve heritage character, however given global supply shortages it may not be possible to always obtain materials which reflect the heritage character and doing so could cause important earthquake and flooding work to be delayed. We request the following amendment 'use, as far as possible, materials and designs that reflect the values of the Historic Heritage item or its setting'.

Notable trees

It is the view of Federated Farmers that objectives related to notable trees should consider the provisions of s 6(f) of the RMA. As s 6(f) only applies to trees which are of a heritage value, it would be appropriate to include an additional objective as follows: To recognise and where appropriate protect notable trees from inappropriate subdivision, use and development.

Council should also consider s7(c) of the RMA which is to have particular regard to the maintenance and enhancement of amenity values.

TREE-R2 details conditions where trimming or pruning of a notable tree is permitted. Where a notable tree is restricting the operation of infrastructure, farmers and utility operators should have the ability to trim or prune this tree. We therefore recommend including the following: The works are necessary to ensure the operation of infrastructure.

Sites and Areas of Significance to Māori (SASM)

Federated Farmers generally supports the objectives, policies and rules of the SASM chapter. However, we oppose the intention to extend the boundaries of mapped SASM to include possible other cultural sites, as stated in the informative video supporting the information page for the SASM (<https://www.waitaki.govt.nz/News/SASM-mapping> *Mapping for Sites and Areas of Significance to Māori (SASM) clarified*).

Mapping of other possible cultural sites that have not been confirmed as containing identified wāhi tupuna is opposed for the following reasons:

- (a) It is unreasonable to apply a blanket control to areas that may possibly contain SASM. This precautionary approach to possible SASM areas would not be able to be adequately justified by evaluation under section 32 of the RMA. The section 32 evaluation of costs, benefits, efficiencies and effectiveness of District Plan methods would need to be based on actual evidence of the investigations carried out to justify the SASM mapping, and not be based on a speculative mapping exercise;
- (b) If the SASM mapping is not supported by adequate investigations, then the proposed approach of mapping SASM areas that potentially do not contain identified wāhi tupuna would place an unjustified burden on landowners of mapped SASM areas and would add to transaction costs at the time of future development. In particular, the approach would create uncertainty and would impose additional and unnecessary effort and costs on landowners who would be required to investigate whether any SASM actually exist in the SASM areas;
- (c) If no SASMs actually exist, the activity rules and development standards of the SASM would apply unnecessarily, and an owner would either need to meet the standards or be

required to prepare and lodge resource consents under the SASM chapter's rules, for no reason;

- (d) This method would be very inefficient;
- (e) This method would be contrary to the SASM policies, including Policies SASM-P1 (Identification of wāhi tupuna) and SASM-P3 (Management of wāhi tupuna) which address identified wāhi tupuna. There is no policy/rules framework for mapped areas not containing identified wāhi tupuna;
- (f) The provisions would therefore not achieve the sustainable management purpose of the Act.
- (g) There are other reasonably practicable options. A better approach would be for WDC to undertake a full survey of the mapped SASM areas and ensure that the mapped areas contain identified wāhi tupuna and hence where application of the SASM provisions is warranted.

Federated Farmers therefore seeks that the SASM areas are investigated thoroughly before their inclusion in the mapped SASM, and that the mapped SASM only applies to sites containing identified wāhi tupuna.

The RMA requires identification and recording of cultural sites and areas of significance to Māori. We note the Council has identified many sites detailed in SCHED5. Of importance to our members is ensuring that affected landowners are treated as having a greater interest than the general public. Many sites will be located on private land and therefore the identification of wāhi tūpuna must involve mana whenua *and* landowners.

SASM-O5 provides for access to wāhi tūpuna for customary purposes. We would like to understand from an implementation point of view, how this outcome is going to be achieved when the sites and areas are located on private land.

There are many generational farmers in the Waitaki district who have been farming for over 140 years. As such, we request the Council respect the importance they place on the land in terms of culture they have developed generationally. We therefore request an amendment to SASM-P1 to ensure that landowners are involved in the identification of wāhi tūpuna, as follows: 'Working with mana whenua and affected landowners, identify on District Plan maps and in SCHED5 – Sites and Areas of Significance to Māori, wāhi tūpuna that are of significance to mana whenua because of their cultural, spiritual, historic and contemporary relationship to the area'.

SASM-P2 provides for mana whenua involvement in resource management processes. From a landowner perspective, there needs to be an understanding how this would work at a practical level in terms of mana whenua involvement.

The requirement under SASM-R4 that 'the width, length and materials used are the same as that which existed prior to the repair and maintenance being required' is overly restrictive. Small scale earthworks associated with activities on rural land may require different materials to be used, for example there may be more modern materials available for pipes or fencing. Global supply issues may also exist which determine 'like-for-like' replacement is not possible. We request deletion of this requirement.

SASM-R14 identifies mining activities or quarrying activities within a wāhi tūpuna as non-compliant. We seek that a farm quarry is recognised as permitted activity given it has very different effects from commercial quarrying.

Ecosystems and indigenous biodiversity

Federated Farmers acknowledges the importance of biodiversity on private land and the responsibilities of landowners and Council to protect Significant Natural Areas.

Federated Farmers was actively involved in the development of the draft National Policy Statement on Indigenous Biodiversity. National alignment on biodiversity protection is essential to ensure that habitats are identified, prioritised, protected and monitored in an effective and consistent way. We encourage Council to consider this future national framework for biodiversity when developing biodiversity protection within its own district.

Significant natural areas, rural character, and productive potential land all inter-connect: their outlook and aims may be looked at through different lenses, yet their bases are rooted in rural land. Our members want to see this tension acknowledged and properly balanced in the rules, to ensure there is sufficient protection while permitting rural activities to evolve and contribute to the wider community and economy.

Our primary caution in this area is for Council to not get ahead of the pending National Policy Statement for Indigenous Biodiversity

We want Council to stick to facts, science, actual data, and to respond to the situation within the District. Too often we see councils get swept up in rhetoric, or ideology, rather than the reality of their district, and this does not lead to appropriate final plan provisions.

As part of the National Policy Statement for Indigenous Biodiversity requirements, landowners will be likely subject to Significant Natural Area assessments on their properties. This must be undertaken in partnership with landowners, in a spirit of engagement, co-operation, openness and a genuine desire to share information, and to provide education, advice and support to those impacted. Where assessments have already been carried out in the District, serious consideration should be given to the need for any further reassessment. It is our understanding that a very thorough assessment of Significant Natural Areas, and that these were the basis of the approach adopted within the proposed NPS Indigenous Biodiversity. On that basis, there should not be a need to redo what has only recently been completed for the District.

The best outcomes for biodiversity within the District will come from non-regulatory support, incentives, and advice. Landowners want to do the right thing, and often it is a lack of understanding and information as to what it is that they have on their properties, or advice on how to best manage resulting biodiversity.

As over 70% of New Zealand's land is held or managed in private ownership, working with landholders in this co-operative way is vital to maintain and improve indigenous biodiversity.

As per the non-regulatory method in Historic Heritage HH-M4 "Develop a heritage incentives policy that could include the waiver of any fees or remission of rates, annual funding of the Waitaki Heritage Fund and the set-up of an annual heritage awards scheme." We seek that a similar policy is included for SNAs and any other areas where the actual and potential use of the land is restricted due to a "public good". If there is an onus on a private landowner which they have no control over, then they should be compensated. This could include a remission of rates, waiver of consent fee if applicable for activities that protect the area and if fencing is required, then the provision of fencing materials.

If a landowner has an area on their land that is deemed to be a SNA, it is reasonable to assume that the landowner is already providing protection and enhancing these areas, at their own cost. Therefore, they should not be penalised and/or disadvantaged further.

ECO-P5 – 4, we seek the deletion of part of this sentence, as currently written the amenity values of the landowner could be considered secondary to those of someone who may view it from elsewhere. Deleting the latter part of the sentence does not reduce the importance of amenity values but removes an implied hierarchy.

4. the contribution of indigenous biodiversity to amenity values, ~~in particular in relation to views from public spaces, walkways, roads and trails;~~ and

ECO-P7 – we seek this policy is deleted. These national priorities are taken from the 2007 Statement of National Priorities for Biodiversity which only applies to private land¹. Also, Priorities 2 and 4 do not match what is in the original document.

We suggest that WDC refers to more recent documents such as the current Biodiversity Strategy 2020 - 'Te Mana o te Taiao', which has a much wider focus than just private land.

ECO-R1 – we seek the inclusion of maintenance of improved pasture. As the draft NPS Indigenous Biodiversity includes this activity, provision should be included in R1.

As written in the draft NPSIB:

3.17 Maintenance of improved pasture

(1) This clause applies to the maintenance of improved pasture where it may affect an SNA.

(2) Local authorities must allow the maintenance of improved pasture to continue if:

(a) there is adequate evidence to demonstrate that the maintenance of improved pasture is part of a regular cycle of periodic maintenance of that pasture; and

(b) any adverse effects of the maintenance of improved pasture on an SNA are no greater in intensity, scale, or character than the effects of activities previously undertaken as part of the regular cycle of periodic maintenance of that pasture; and

(c) the improved pasture has not itself become an SNA; and

(d) the land is not a depositional landform that has not been cultivated; and

(e) the maintenance of improved pasture will not adversely affect a Threatened or At Risk (Declining) species.

(3) In this clause:

¹ [Protecting our places: Introducing the national priorities for protecting rare and threatened biodiversity on private land \(doc.govt.nz\)](https://www.doc.govt.nz)

maintenance of improved pasture includes the removal of indigenous vegetation for the purpose of maintaining the improved pasture, whether the removal is by way of cutting, crushing, applying chemicals, draining, burning, cultivating, over-planting, applying seed of exotic pasture species, mob stocking, or making changes to soils, hydrology, or landforms

depositional landform means a landform that is alluvial (matter deposited by water, eg, fans, river flats, and terraces), colluvial (matter deposited by gravity at the base of hillslopes, eg, talus), or glacial (matter deposited by glaciers, eg, moraines and outwash)

improved pasture means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed for livestock grazing.

ECO-R2 and R3 – an activity is either permitted or is treated as non-complying. We consider this should be discretionary at best. This requirement is particularly problematic with R3-PER 2 where the same materials are expected to be used eg the use of modern pipes for repair of irrigation infrastructure are likely to result in longer useful life and less environmental impact. Also if a like-for-like replacement is not possible, treating the activity as non-complying is overly restrictive and unnecessary.

ECO-R4 clarification needed.

Under GRUZ-R15 CON 4 the setback for carbon forestry is 10m from a SNA or boundary and is a controlled activity, yet 100m is required for plantation forestry from a SNA and is a Restricted Discretionary activity. Arguably, the risk to a SNA would be higher from a carbon forest than a well maintained and managed plantation forest.

Natural Features and Landscape

Federated Farmers supports the need for provisions within the District Plan to protect ONLs from inappropriate subdivision, use and development.

However policies must not seek to freeze landscapes in time. To discharge the duty under section 6(b) of the Act, the policies in the plan should seek to ensure any subdivision, use and development in ONLs maintains the core values which make the landscape or feature outstanding, rather than preventing or limiting any subdivision, use or development per se. As an example, if a working landscape is declared 'outstanding' by proxy, that recognises that the existing farming activities are compatible with that designation. Therefore, farming should be appropriate to continue within that landscape.

Amenity landscapes

The term 'landscape' refers to the broader physical environment and how people perceive and appreciate that environment. Each landscape has its own individual character which is made up of many factors including the landform, landcover, the presence of wildlife and human-made structure and the interaction of people with the landscape over time.

Landscapes play an important role in our overall well-being. They contribute to our quality of life and sense of place.

Amenity landscapes are a matter that fall within section 7(c) of the RMA. These are matters that councils shall have particular regard to, but not a matter deemed to be of national significance, as applies to outstanding natural landscapes and features.

Any planning restrictions for these secondary landscapes need to be carefully managed, as these should not be provided with similar levels of protection as that provided for outstanding natural landscapes.

More often than not, amenity landscapes encompass rural working land, and therefore the impact of any proposed resulting restrictions need to carefully consider the effect on normal farming practices. Anything which restricts earthworks, vegetation clearance, forestry or land use change is likely to impact on the farming operation that existed at the time the landscape was deemed to be of amenity value.

It must also be noted that the reason that such amenity landscapes look the way that they do is due to of decades of human-modification and extensive management regimes such as livestock grazing and fencing patterns. Consequently, it is both appropriate and reasonable to expect these farming practices to be able to continue within such landscapes.

When considering the rules relating to outstanding natural features, landscapes and rural amenity, Federated Farmers seeks that the following apply:

- Any classification of working rural land as an ONL must be absolutely necessary, appropriate, and consistent with section 6 of the RMA.
- If productive land is identified as an ONL, that primary production is acknowledged as a value, and normal farming and production activities should be able to continue as permitted without undue hindrance by regulation.
- Certainty for landowners: as to where the protected landscapes are; why they have been classified; and how the regulations are applied on the ground.
- Consultation that engages landowners with council and enables negotiation around appropriate landscape boundaries and controls.

NFL-P7 delete clause 2. The functional and/or operational need for locating a building should outweigh the subjective visual prominence from a public place.

WDC should only be managing the effects of buildings on landscape values, not confining them to one location.

The Queenstown Lakes District Plan acknowledges farming and enables activities, especially within ONLs, of which comprises most of the district.

21.2.1 Objective – A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystems services, nature conservation and rural amenity values.

21.2.1.2 Policy – Allow Farm Buildings associated with landholdings of 100 hectares or more in area while managing effects of the location, scales and colour of the buildings on landscape values.

NFL-R1 matters of discretion 3, we seek the last part of this sentence is deleted. As currently written, this is very subjective. All views could be deemed important and similar to our comment for ECO-P5, this could imply a hierarchy of whose views hold greater dominance.

the extent to which the proposal will detract from the naturalness, dry grassland vegetation, visual coherence and openness of the landscape, or block important views from public roads (including paper roads), public walkways, or trails

NFL-R2 matters of discretion 3 – as per NFL-R1

NFL-R3 matters of discretion 3 – as per NFL-R1

NFL-R4 – any existing and lawfully fences, farm tracks etc above 900m that require repair or maintenance involving earthworks will need a non-complying resource consent if in an ONFL or restricted discretionary in SNF or scenic landscape. This is inappropriate and unnecessary, all fundamental day to day farming practices should be a permitted activity.

NFL-R4 PER 2 – requiring all earthworks to be the same width and length that existed prior to the repair and maintenance. As per ECO-R3 we seek this be extended up to 2m to allow changes in modern machinery to safely operate on farm tracks and through gateways.

NFL-R5 – as per our earlier comment seeking amendment to the definition of agricultural intensification, intensification should be viewed as the type of system, not changes within a system, which the proposed definition captures.

With the proposed resource consents required for Rural Scenic/SNF and ONFLs being discretionary and non-complying respectively. What are the actual effects on the landscapes that WDC is trying to avoid?

The current proposed definition is:

agricultural intensification: means change in pastoral activities, including agricultural conversion arising from direct drilling, cultivation, top dressing, oversowing and irrigation but does not include dryland farming.

It does not include changes to stocking rates, animal species or breed, or changes as a result of changes to feed types where it does not involve the above activities.

Subdivision

Federated Farmers' general position with regards to subdivision is on the protection of productive land to ensure primary production enables the long-term viability of the agricultural sector. However, this general position is balanced against the fact that land needs people, its farmers and growers, to make the land productive. Farming is often a multi-generational enterprise, with the land asset providing a place for both home and business. This means farmers value flexible policy settings which enable farm succession planning to occur, provide for practical boundary relocation options, and incentivises win-win opportunities to create public good environmental outcomes, while at the same time understanding the issues created by fragmentation of productive land.

As an organisation Federated Farmers believes that council subdivision and development policies and planning should provide for managed growth in rural communities. While it is acknowledged that the loss of productive land can impact on a district's economy, there is also a need to recognise that farmers undertake small lot subdivision to provide for farm succession, dispose of surplus dwellings and for providing on-farm accommodation for employees.

An area of importance to our members is the minimum lot size of 20ha proposed for the General Rural Zone. A minimum lot size of 20 ha is potentially reducing flexibility of landowners to deal with their property – a smaller lot size (5ha) is preferred. It is important to ensure that rural land continues to be available for farming, but also recognise that housing is needed to support rural communities and farming.

In general, the purpose of rural zones should be for rural activities, and reverse sensitivity needs to be managed where new activities are established that are sensitive to the effects from an existing activity. The establishment of a preferred allotment size in a rural area requires considering actual extent of current and forecast future development in the area. In addition to potential development, the potential threat to versatile soils and/or the likelihood of reverse sensitivity issues emerging should be considered.

Considered, well managed growth in rural communities provides for diversity and vibrancy in rural areas, sustains essential community infrastructure, and provides employment flexibility and opportunities. A growing community ensures a growing rating base.

Activities on the Surface of Water

Farmers have interests with surface water activities that need to be provided for such as surface water takes involving pumps and pontoons which have been used to supply water to farms. We therefore highlight the importance of existing use rights to the Council.

Coastal Environment

The coastal environment is a place highly valued for recreation, enjoyment, income, food gathering, recreation and cultural activities. A lot of coastal land is also held in private ownership and used for farming purposes.

The coastal environment is ever changing, and it is diverse and adaptive. There are very different expectations from the different users of the marine environment. Iwi have customary rights to the sea and have strong beliefs on how coastal zones should be managed with respect to Taonga. At the same time land owners want to farm or develop their coastal land.

With these issues in mind coastal land is rising in value and population densities are rising in coastal areas. This gives rise to increasing reverse sensitivity issues.

The RMA has ambitiously sought to integrate the management of air, land, fresh water, and marine areas into one piece of legislation. The goal was to deal with coastal management in a more comprehensive and integrated manner. Responsibility of coastal management under the RMA is now shared primarily between the Minister of Conservation and regional councils, although territorial authorities have a role in some situations. There is a hierarchy of planning instruments governing the management of the coastal environment: the NZ Coastal Policy Statement, Regional Policy Statement, Regional Coastal Plan, Regional Land & Water Plan, and District Plan are all relevant.

The sustainable management ethos of the RMA requires a balance between the coast as a resource of natural and cultural interest which should be protected and preserved, with its potential economic and commercial development. These potentially conflicting factors were explicitly recognised in the Whangamata Marina Society Inc v Attorney-General decision (at para 144).

As with ONLs and SNAs, Federated Farmers acknowledges the importance of the coastal environment. However, the consideration of any change that may impact private landowners must involve individual engagement with potentially impacted farmers. The importance of early and open consultation with landowners cannot be underestimated.

There are a number of activities within the coastal environment to which we have strong interest, including:

- Stock access to beach
- Crossing of waterways by stock or vehicles

- Cropping and farming within the wider coastal marine area
- Fertiliser application
- Subdivision
- Plantation Forestry
- Earthworks, fencing, tracking, vegetation clearance (all issues if coastal area deemed ONLs)
- Natural Character or 'visual amenity' landscapes
- Unblocking debris from streams mouths to prevent upstream flooding of farm
- Public access
- Wind erosion
- Retiring or fencing off dunes
- Salinity issues – water table intrusion
- Ongoing dune management
- Iwi coastal zone expectations
- Setbacks and reserves
- Land use impacts on marine environment – runoff & leaching
- Pressure on utilities
- Zoning of outstanding natural landscapes or high amenity areas
- Tensions between public and private interests
- Roles of central and local government
- Coastal hazards

Agricultural land uses shape the land and contribute to its amenity. Fencing, tracking and shelter belts, cultivation, grazed pasture, seasonal cropping and permanent crops, sheds and houses are all evident when we look over a landscape that is used for primary production. Federated Farmers seeks to ensure that the interests of those who own land on or near the coast are safeguarded. Land in the 'coastal environment' is often in productive pasture, and in some cases may be used as arable land.

Federated Farmers do not agree with plantation forestry being a non-compliant activity. The National Environmental Standards for Plantation Forestry (NES-PF) permit core forestry activities provided there are no significant adverse environmental effects. We suggest this activity is restricted discretionary.

Earthworks

Earthworks rules for rural areas need to recognise that earthworks for farming is not an activity that is going to destroy amenity but is something that is consistent with the act of farming and working the land.

EW-P1, the enabling of earthworks, is an important policy and must be retained. However, it is recommended that reference is made to ancillary rural earthworks to support and enable essential

primary production operations. Federated Farmers suggests the following amendment: 'Enable earthworks, including ancillary rural earthworks, where the scale, extent and effects are commensurate to the level of development anticipated within the zone and/or overlay area'.

In regard to EW-S1, a limitation of earthworks for no more than 500m³ in a 12 month period/site is a limitation on farm practices. Many farms have more than one site. For a farm property 500m³ over a year is potentially a small volume.

EW-R3 only permits farm tracks to be 3 metres before consent is required. We do not agree with this requirement as there would be very few farm tracks which are currently 3 metres wide. There are many examples of machinery which exceed this width including tractors with dual wheels, potato harvesters and other farm implements such as rollers and drills. It is Federated Farmers' view that 4 metres would be more appropriate.

Light

Farmers have existing use rights which must be considered for any new development, particularly in the rural lifestyle zone.

The District Plan should not restrict any primary sector activities from utilising light where required. For instance, night light is required for dairy sheds where lights will likely be on before 7am, security (particularly around fuel storage), shearing sheds (when sheep are stored in sheds lights are left on overnight), stock in wintering barns, and harvest and spraying (where machinery may be operating at any hour). Federated Farmers requests WDC incorporate an exemption for primary sector activities.

PER-3 provides an exemption for vehicle lights which is particularly important for farmers who may be operating machinery outside of daylight hours.

'Artificial outdoor lighting' is defined as 'any exterior or interior lighting that emits directly into the outdoor environment'. This definition seems to be aimed at lighting that may have an impact on the outdoor environment, but the wording is not appropriate. It may be that the Council reviews and amends its rules around non-residential interior lighting, to control how it emits lights on the outdoors, but it is not appropriate to consider any impacts of interior lighting as outdoor lighting.

We seek the following amendment: 'Any electrically-powered exterior ~~or interior~~ lighting that emits directly into the outdoor environment'.

Noise

Noise from farming activities should be anticipated in rural areas and unrestrained by secondary activities such as residential dwellings. It is important that levels of noise that are anticipated for that zone and associated with permitted activities, are permitted in the District Plan. Farmers view the rural area as a working landscape and accept affects such as noise as incidental to getting the job done.

Federated Farmers notes that under NOISE-E1, exemptions to noise standards are provided for 'use of vehicles, machinery or equipment used on a seasonal or intermittent basis' for agricultural use. However, this excludes bird scaring devices, frost control fans and irrigation pumps. We consider these, alongside noise from dairy sheds, stockyards and shearing sheds or seasonal activities like docking lambs' tails, to be necessary in the enabling of rural operations. We submit

that 'normal farm noise' is exempted from the limits and that a clear definition is provided to exempt mobile mechanical sources as well as general livestock noise. We also submit that the operation of audible devices (including gas guns, audible avian distress alarms and firearms) for the purpose of bird scaring should be a permitted.

The reference in NOISE-E1 to 'bird scaring devices' requires a corresponding definition. We suggest 'audible bird scaring devices' is defined as: 'Gas guns and avian distress alarms used for the purposes of disturbing or scaring birds. It excludes firearms and vehicles used for that purpose'.

Under NOISE-R1, the 'rural lifestyle zone' has noise restrictions which are the same as the residential zone. With the demand to live in the countryside there are many people new to rural life living next to farms. Properties in this zone likely border farms with existing use rights to carry out their farming operations. It is important the Council ensure the notional boundary of any noise sensitive activity accommodates for this. A solution could be to include a statement that new rural units within the rural lifestyle zone that border the rural zone may be exposed to noise levels higher than otherwise anticipated under the noise rules.

Signs

In rural areas, signage is often used to identify farms (i.e. dairy farm signage is useful for milk tankers). Signs may also be used to identify security systems operating on farms, health and safety, access/who to contact.

It is proposed that for rural areas signage must not exceed 3m² and we support this area for signage and request it is maintained in the Plan.

Rural Zone

General Rural Zone

The Rural Reference Group has had a lot of input over the past 18 months regarding this chapter, and we are generally content with what is proposed.

GRUZ-R1 – we seek the deletion of goats from PER-1. The farming of goats is not uncommon and is a growth area particularly for food production. The breeds used for milk, meat and fibre production are distinct, purpose bred and very different from feral goats.

GRUZ-R13, PER-5 – we seek this is deleted. District Plan rules do not apply to aircraft in flight, it is for the Civil Aviation Authority to determine appropriate aircraft operation.