

SUBMISSION

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Form 5

Submission on publicly notified proposal for policy statement or plan Clause 6 of First Schedule, Resource Management Act 1991

To: Far North District Council
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Via email: pdp@fndc.govt.nz

Submission on: **Proposed Far North District Plan 2022**

Date: 21 October 2022

Submission by: Northland Federated Farmers of New Zealand
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1. Northland Federated Farmers of New Zealand (Federated Farmers) could not gain an advantage in trade competition for this submission.
2. Please refer to the attached table for the specific provisions of the Proposed District Plan that our submission relates to.
3. Refer to the table attached for the details of Federated Farmers' submission and whether we support or oppose the specific provisions we have submitted on.
4. The decisions sought by Federated Farmers are outlined in the table attached to this submission.
5. We wish to be heard in support of this submission.
6. Federated Farmers seeks any consequential changes necessary to give effect to the relief sought in each of the individual submission points made.

1.0 Introduction

- 1.1 Northland Federated Farmers (**Federated Farmers**) welcomes the opportunity to submit on the Far North District Council's (**Council**) on its Proposed District Plan (**District Plan**).
- 1.2 Federated Farmers are a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses.
- 1.3 In Northland, Federated Farmers has a membership base of over 500 members who are involved in a wide range of land use activities in Northland including dairy, dry stock, arable, horticulture and lifestyle. We also represent rural communities and our rural contractors and rural butchers who are also a part of the Federated Farmers as members.
- 1.3 Federated Farmers aim to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
 - (a) our members may operate their business in a fair and flexible commercial environment;
 - (b) our members' families and their staff have access to services essential to the needs of the rural community; and
 - (c) our members adopt responsible management and environmental practices.
- 1.4 Federated Farmers acknowledges any submissions submitted by individual members.
- 1.5 Federated Farmers is actively involved in district plan reviews across New Zealand. Primary production activities from our members make a significant contribution to the economic, social, and cultural well-being of New Zealand.
- 1.6 Our members want district plans that balances environmental, cultural, social, and economic values while ensuring rules are equitable, cost-effective, pragmatic and effects based. They also want district plans that are written in plain English; are easy to use and understand; acknowledge and reward the positive effects farming has on conservation; and recognise the importance of collaborating with communities to achieve desired environmental outcomes.
- 1.7 A lot of regulation has come at a significant cost on financial and mental health within the primary sector. Many of the costs are unnecessary and place additional pressure on the primary industry. Areas of discussion around climate change, biodiversity, outstanding natural features, and general land use activities need to be carefully considered to ensure that decision making with the consideration of the impacts of Councils decisions economically, socially, and environmentally.
- 1.8 There is an expectation that Councils, when undertaking a plan review, will adopt a no-frills approach and only target what is necessary to manage and resolve any issues occurring in the district and to meet their responsibilities under the Resource Management Act 1991 (**RMA**).

2.0 Key Points of discussion

Mapping and layers

- 2.1 Federated Farmers position on mapping and identifying sites of significance in the district is to ensure that Council makes landowners involved, educated, and knowledgeable of the area

of significance to them. It is also important that any restrictions that are placed across the private property is accurate and able to be ground truthed.

Activity status use

- 2.2 Federated Farmers supports the Council's intention for having many activities able to occur without having an activity classification assigned to them. This recognises that there are activities which are able to occur without creating adverse effects on the environment and without the need to have controls specified in the District Plan. We also support the use of the permitted activity classification where some control is required.
- 2.3 Federated Farmers seeks that where a consent status is required, Council uses controlled status rather than restricted discretionary and or discretionary which allows Council the ability to decline. This would assist the Council in future proofing the plan for when the Natural and Built Environment Act comes into force which has indicated the removal of the restricted discretionary activity classification.
- 2.4 Controlled activities require resource consent but are always granted by the consent authority. The application for a resource consent will be assessed according to specified matters over which the Council will exercise its control. Controlled activity consents give certainty to users that the resource consent will be granted provided certain conditions are met. This is appropriate for activities that will have no more than minor effects on the environment and where the non-compliance with the permitted activities rules is minor. We would not support Council moving from permitted activity to restricted discretionary and discretionary activity status without the allowance for a controlled activity.
- 2.5 Federated Farmers seeks that the rules in the District Plan:
- (a) are written clearly and concisely;
 - (b) have conditions that are able to be complied with and are enforceable;
 - (c) are consistent with objectives and policies contained in the District Plan;
 - (d) avoid the reservation of the council's discretion where it is not required or appropriate;
 - (e) are consistent with the rules of other authorities such as the National Grid provider;
 - (f) are consistent with the national direction set through National Environmental Standards and National Policy Statements; and
 - (g) minimise the use of prohibited activity status which place unwarranted barriers for resource consent applicants.
- 2.7 It is important to remember that the resource consent process can be costly and result in significant time delays. The more restrictive activity classifications should only be imposed where there is evidence to support that there is a need for the Council to have reserved its discretion over several matters which need to be met.
- 2.8 In respect of our submissions, our suggested amendments are shown with ~~strikeout~~ for deletions and underlining for additional wording. In each of the individual submission points made, the decision sought includes any consequential amendments that may be required to any and all other related elements in the proposed plan.

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
General				
Whole of Plan	1	Support in part	Federated Farmers seeks that the District Plan contains a resource management policy framework that enables primary production in rural areas to occur as existing uses where it is already established and with as few barriers where it is sought to establish new primary production activities.	Federated Farmers seeks the following relief: (a) That the district plan includes a clear pathway for existing primary production activities to continue in the rural zones of the Far North district; and S421.001 (b) any consequential amendments required as a result of the relief sought.
Part One – Introduction and General Provisions				
Part 1 – Introduction and General Provisions – Description of the District - Significant Resource Management Issues - Issue 2 – Rural Sustainability	2	Oppose	<p>While supporting the inclusion of a significant resource management issue addressing the rural environment, Federated Farmers does not support the issue as it is currently drafted.</p> <p>While rural sustainability is a valid resource management issue, it needs to be approached from a holistic perspective and not only focus on the adverse effects that can result from some land use activities in the rural environment.</p> <p>Rural sustainability must include the protection of the existing land use activities such as primary production which have been present and operating in the rural environment for many years, if not decades. Primary production makes a substantial contribution to New Zealand’s economy across national, regional and district levels.</p> <p>The current wording of the issue is clumsy and is not easy to understand. The issue needs to be amended so that it is clear what the issue is and what is trying to be achieved.</p>	Federated Farmers seeks the following relief: (a) the amendment of Issue 2 – Rural Sustainability to read: <i>The Rural Environment contains a number of There are competing demands for a range of land use activities in the Rural Environment. A The previous permissive planning framework has resulted led, in some areas, to in incompatible land uses, land fragmentation and significant adverse effects on rural character, amenity and indigenous biodiversity. In some cases, Some highly productive land (which includes including versatile soils) have been used in <u>such</u> a way that compromises the future viability of primary production activities, such as horticulture and agriculture, <u>has been compromised</u>. These uses have also inappropriately useds existing infrastructure and services. The current Rural Production Zone has applieds a single set of provisions to the majority of the District, This approach which does <u>has</u> not addressed the specific issues faced by <u>in</u> the different rural areas and <u>their</u> communities. It is also important that the District Plan <u>clearly</u> reflects that rural settlements differ in their ability to access the infrastructure and services available in urban centres. S421.002 and (b) any consequential amendments required as a result of the relief sought.</i>
Part 1 – Introduction and General Provisions –	3	Support	Federated Farmers seeks the inclusion of a definition for ‘ancillary rural earthworks’ into the district plan.	Federated Farmers seeks the following relief:

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Definitions – Ancillary Rural Earthworks			<p>Off-stream farm water storage dams for stock and domestic water storage are commonplace on many farms. Farm quarries are also part of normal day to day farming operation. Activities such as these which support the main existing land use of farming and primary production should not have to apply for resource consent.</p> <p>Other district plans have made allowance for permitted farm quarries at a scale which is appropriate in the context of the wide-open spaces of the rural environment.</p> <p>The definition should encompass the activities listed below along with any related definitions that are required.</p> <ul style="list-style-type: none"> • The tilling or cultivation of soil for the establishment and maintenance of crops and pasture. • Harvesting of crops. • The planting and removal of trees. • Horticultural root ripping. • The digging of offal pits. • Burying dead stock and plant waste • Digging post holes and drilling bores. • Installing and maintaining services such as water pipes and troughs. • Farm quarries where excavated material is not removed from the farm site. 	<p>(a) the inclusion of a definition for ‘ancillary rural earthworks’ as outlined below or with similar wording:</p> <p><i><u>ANCILLARY RURAL EARTHWORKS means</u></i></p> <ul style="list-style-type: none"> • <i><u>any earthworks or disturbance of soil associated with cultivation, land preparation (including the establishment of sediment and erosion control measures), for planting and growing operations of crops and pasture;</u></i> • <i><u>the harvesting of agricultural and horticultural crops (farming) and forests (forestry); and planting trees, removing trees and horticultural root ripping;</u></i> • <i><u>the maintenance and construction of facilities typically associated with farming and forestry activities. This includes (but is not limited to): farm/forestry tracks, roads, vehicle manoeuvring areas and landings, stock marshalling yards, stock races, silage pits, offal pits, farm effluent ponds, feeding pads, digging post holes, fencing and sediment control measures, drilling bores, the installation and maintenance of services such as water pipes and troughs, off-stream farm water storage dams, hard stand areas for stock, fertiliser storage pads, airstrips and helipads; and</u></i> • <i><u>farm quarries where quarry winnings are only used within the farm site.</u></i> <p style="text-align: right;">S421.003</p> <p>and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 1 – Introduction and General Provisions - Definition – Farm Quarry	4	Support	Federated Farmers supports the inclusion of a definition for farm quarry.	Federated Farmers seeks the retention of the proposed definition for a farm quarry or amended wording that has the same intent. S421.004
Part 1 – Introduction and General Provisions - Definition – Farming	5	Support	Federated Farmers supports the inclusion of a definition for farming.	Federated Farmers seeks the retention of the proposed definition for a farming or amended wording that has the same intent. S421.005
Part 1 – Introduction and General Provisions -	6	Support	Federated Farmers supports the inclusion of a definition for highly productive land. The National Policy Statement	Federated Farmers seeks the following relief:

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Definition – Highly Productive Land			for Highly Productive Land was released in September 2022 and came into force on 12 October 2022. It is important that the definition in the District Plan captures all of the soils intended under the definition in the National Policy Statement.	(a) the inclusion of a definition for ‘highly productive land’ that is consistent with the National Policy Statement for Highly Productive Land 2022; and S421.006 (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions - Definition – Land-based Primary Production	7	Support	Federated Farmers supports the inclusion of a definition for land-based primary production. The National Policy Statement for Highly Productive Land came into force on 12 October 2022 and contains an appropriate definition for land-based primary production that can be used. The District Plan contains a definition for primary production which includes non-land-based activities as well as the initial processing of goods. The definition is not easy to understand or to work out what it is covered and what is not. Given that there is now national direction on how to address highly productive soils, it would be appropriate to use the definitions in the national policy statement to achieve consistency in the district plan.	Federated Farmers seeks the following relief: (a) the inclusion of the definition for ‘land-based primary production’ as defined in the National Policy Statement for Highly Productive Land 2022 into the District Plan; and S421.007 (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions - Definitions - National Grid Corridor and National Grid Yard	8	Support	Federated Farmers supports the proposed definitions for the national grid corridor and national grid yard which includes a 12-metre setback from support structures located within these areas. Federated Farmers would not and does not support any attempt to increase the width of the setbacks within the corridor and yard.	Federated Farmers seeks the following relief: (a) the retention of the proposed definition for the national grid corridor; and S421.008 (b) the retention of the proposed definition for the national grid yard; and S421.009 (c) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions - Definitions - Quarry and Quarrying Activities	9	Support in part	Federated Farmers supports the inclusion of definitions for quarry and quarrying activities in the proposed district plan. The definitions are clear, concise, and easy to understand.	Federated Farmers seeks the following relief: (a) the addition of the statement “ <i>This definition specifically excludes farm quarries and their activities</i> ” at the end of the definitions for quarry and quarrying activities; and S421.010 & S421.011 (b) any consequential amendments required as a result of the relief sought.

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			It would be appropriate to add to both definitions that farm quarries are excluded from them so that there is an appropriate cross reference between the definitions.	
Part 2 – District Wide Matters				
Strategic Direction				
Part 2 – District-wide Matters – Strategic Direction - Directions Overview	10	Support in part	Federated Farmers supports the directions set in the strategic overview. However, we have concerns with direction 6 in relation to the management of urban growth. It is important that the district plan recognises and acknowledges the productive capacity of land regardless of where that land is located. There could be circumstances where land is needed for housing, but that land contains productive soils. The Council will need a framework in its district plan that provides for compromises to occur to protect the productive capacity of land.	Federated Farmers seeks the following relief: (a) the amendment of direction 6 so that it reads: <i>The management of urban growth integrating existing and future infrastructure, providing sufficient land, or opportunity to meet growth demands for housing and business while recognising the productive capabilities of the soils and location.</i> S421.012 and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District-wide Matters – Strategic Direction – Historic and Cultural wellbeing	11	Support in part	Federated Farmers acknowledges the role tangata whenua play and often lead for outcomes for the district. We suggest minor amendments to the objectives to recognise that involvement of iwi and hapu alongside communities will enable better outcomes for the district as a whole and its communities.	Federated Farmers seeks the following relief: (a) the amendment of objective SD-CP-O1 so that it read as follows: <i>Te Tiriti o Waitangi partnerships support iwi and hapū to deliver on the social, economic, environmental and cultural wellbeing outcomes for tangata whenua and the district as a whole.</i> S421.013 (b) any consequential amendments required as a result of the relief sought.
Part 2 – District-wide Matters – Strategic Direction - Economic and Social Wellbeing	12	Support in part	In respect of the objectives for economic prosperity, Federated Farmers believes that it is more appropriate for the Council to recognise and provide for a high-earning diverse local economy which would include enabling the Māori economy to make a significant contribution. As written, objective SD-EP-O1 is unclear and slightly confusing. Is the purpose of the objective to enable Māori enterprises so that these enterprises can make a significant contribution to the district's economy? If this is what is	Federated Farmers seeks the following relief: (a) the amendment of objective SD-EP-O1 so that it read as follows: <i>A high-earning diverse local economy which is sustainable and resilient to economic downturns, with the District's Māori economy making a significant contribution.</i> S421.014 and (b) the inclusion of a new objective which supports and enables initiatives and enterprises within the district's economy which are carried out by iwi and hapu. S421.015

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			<p>actually intended, then it is more appropriate for an objective to be included which specifically refers to enabling and supporting Māori initiatives within the district's economy.</p> <p>It is also felt that the objective as currently drafted places an unfair burden on Māori initiatives and enterprises to contribute to the district's economy. It is inappropriate to place such an emphasis on one aspect of the district economy's without having the appropriate information that the contribution sought is achievable.</p>	(c) any consequential amendments required as a result of the relief sought.
Part 2 – District-wide Matters – Strategic Direction - Infrastructure and electricity	13	Oppose	<p>Federated Farmers seeks that appropriate balance between the positive and negative effects from infrastructure and renewable electricity generation is achieved. We have concerns with how SD-IE-O2 is currently worded. At present, the objective seeks to protect infrastructure and renewable electricity generation from incompatible land use.</p> <p>The Resource Management Act 1991 does not prioritise types of land uses. Under the Act, all land uses are required to avoid, remedy, or mitigate their adverse effects. It is not appropriate for an objective in the district plan to seek to elevate certain land uses over others.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of objective SD-IE-O2 so that it reads: <i>Infrastructure and renewable electricity generation activities are protected from incompatible land use, subdivision and development that may compromise their effective operation, maintenance and upgrading.</i> <u><i>Land use, subdivision and development that have more than minor effects on the effective operation, maintenance and upgrading of infrastructure and renewable electricity generation are appropriately managed and mitigated.</i></u> S421.016 and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District-wide Matters – Strategic Direction - Rural environment	14	Support in part	<p>Federated Farmers supports proposed objectives SD-RE-O1 and SD-RE-O2 as they recognise the importance of the primary production sector and the need to protect highly protective soils from inappropriate development.</p> <p>We are living in a rapidly changing world where it has reached the point where we must adapt to meet the needs and constraints of the environment. Federated Farmers seeks the inclusion of an additional objective to recognise the importance of providing for and supporting land practice change to address biosecurity, climate, and environmental demands both from regulation and</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the addition of new objective SD-RE-O3 which reads: <u><i>Primary production activities are supported by Council to adapt to change required by regulatory and consumer demands.</i></u> S421.017 or wording with a similar intent; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

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			consumer demand. As regulation and markets are driving certain change and practices, the district plan needs to provide for this change to ensure economic viability for rural producers.	
Part 2 – District-wide Matters – Strategic Direction - Natural environment	15	Oppose	<p>It is important to recognise the recent release of the exposure draft for the National Policy Statement for indigenous biodiversity and the impact it will have for indigenous biodiversity in New Zealand. We also need to recognise that certain activities such as farming need to work in conjunction with biodiversity which need to be recognised in the plan. National policy instruments are creating an unfair playing field for less viable land which we do not support council exacerbating.</p> <p>Federated Farmers also has concerns with the use of the term ‘enabling carbon storage’ in objective SP-EP-O4. The wording of the objective implies the prioritisation of carbon farming over necessary primary activities such as dairy, dry stock, cropping and general food production. Council needs to continue to support landowners and businesses in their climate journey by enabling technology and certain practices to reduce emissions rather than any short-term carbon storage which is not reducing the carbon emissions the Far North produces.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of objective SD-EP-O4 to read: Land use practices reverse climate change by enabling carbon storage and reducing carbon emissions. Council supports landowners to adopt climate change mitigation measures through sequestration, new technologies, land use and science. or wording with a similar intent; and S421.018</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Energy, Infrastructure and Transport				
Infrastructure				
Part 2 – District wide matters - Energy, Infrastructure and Transport – Infrastructure - Overview	16	Support in part	Federated Farmers recognises the importance for essential infrastructure to be able to be delivered safely and efficiently. However, it is important that the overview to the infrastructure chapter tells the whole story. The provision of essential infrastructure can create conflict between the infrastructure provider and the landowner whose property the infrastructure is going on or over.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of the overview to the infrastructure chapter to include the following paragraph: <u>It is recognised that the provision of essential infrastructure can, at times, create conflict between the infrastructure provider and the landowner. Council is willing to provide support through facilitation as necessary where this occurs.</u></p>

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				<p>or wording with a similar intent; S421.019</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Energy, Infrastructure and Transport – Infrastructure - Objectives	17	Oppose in part	<p>Federated Farmers supports objectives I-O1, I-O2, I-O5 and I-O6 as they are currently worded. However, we have concerns over objective I-O3 as it is currently worded.</p> <p>Objective I-O3 through its absolute protection of infrastructure will cause significant complications to our members, rural landowners, primary producers along with their everyday activities.</p> <p>The Resource Management Act 1991 does not prioritise types of land uses or promote certain land uses as being more important than others. Under the Act, all land uses are required to avoid, remedy, or mitigate their adverse effects. Federated Farmers considers that is inappropriate for a district plan to be promoting one form of land use over another using blanket protection as has been proposed in the objective.</p> <p>Objective I-O4 needs to recognise land that contains highly productive soils and the economic values of these areas as well as the natural, cultural, and historic values currently specified.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of objectives I-O1, I-O2, I-O5 and I-O6 as proposed or with similar wording that achieves the same intent; and S421.020 to S421.024</p> <p>(b) the deletion of objective I-O3; and S421.024 S421.023</p> <p>(c) the amendment of objective I-O4 to read: <i>Adverse effects of infrastructure are managed through the design and location of infrastructure to minimise adverse effects on areas with historical and cultural values, natural values, <u>economic values (including highly productive soils)</u>, and coastal values.</i></p> <p>or wording with a similar intent; and S421.025</p> <p>(d) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Energy, Infrastructure and Transport – Policies I-P1 to I-P14	18	Oppose in part	<p>Federated Farmers has concerns over policies that seek to restrict certain activities and farm practices on private property. Care needs to be taken when developing policies for district plans that the rights of private landowners to carry out lawful activities are not unnecessarily restricted or prohibited through the Council seeking to protect other land uses such as regionally significant infrastructure.</p> <p>Policies in the proposed district plan should be consistent with the policies contained in national policy instruments and national environment standards. The Council also needs to recognise that for infrastructure that goes across</p>	<p>Federated Farmers seeks the following relief: S421.026 to S421.038</p> <p>(a) the retention of proposed policies I-P1 to I-P6, and I-P8 to IP14 as drafted or with similar wording that achieves the same intent; and</p> <p>(b) the amendment of policy I-P7 to read: S421.039 <i>Protect <u>local, regionally and nationally significant infrastructure from the effects of incompatible land use and subdivision, including reverse sensitivity effects, which may compromise the operation and capacity of infrastructure by:</u></i></p> <p>a. ...</p> <p>b. <u>where there is no evidence of an appropriate easement on the relevant Certificate/s of Title, managing landuse</u></p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>or is on private property, the infrastructure provider will have entered into discussions with the private landowner and the appropriate easements would normally have been registered on the relevant certificate/s of title. The easements provide the necessary level of protection needed for infrastructure to be operated and maintained on private property.</p> <p>Federated Farmers mostly supports proposed policies I-P1 to I-P14 with the exemption of proposed policy I-P7. As written, the proposed policy has the potential to create reverse sensitivity issues for private property where there is infrastructure located. The policy as drafted does not recognise the role that private property instruments such as easements play in ensuring that infrastructure is able to continue to be accessed and operated and be repaired, maintained, and upgraded.</p> <p>Proposed policy I-P7 also needs to recognise that every national gas network line has its own easement recorded on the appropriate Certificate/s of Title which legally defines the required setbacks and property specific restrictions.</p> <p>Policy I-P7 uses the term 'Critical Electricity Lines' in clause (e). The term is not included in the interpretation chapter of the proposed district plan. The term is used throughout the infrastructure chapter (e.g., Rule 1-R13 below). It would be useful to have a definition for what the term means and what is encompassed by the term (e.g., are the National Grid lines considered to be critical electricity lines?)</p>	<p><i>and subdivision activities in proximity to Critical Electricity Lines to:</i></p> <ul style="list-style-type: none"> <i>i. retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the line;</i> <i>ii. ensure that future buildings and building alterations, earthworks, planting tress construction activities do not compromise the effective operation of the electricity distribution network and maintain safe electrical clearance distances under all electricity distribution line operating conditions.</i> <p><i>c. where there is no evidence of an appropriate easement on the relevant Certificate/s of Title, managing land disturbance and activities sensitive to gas transmission to avoid, or mitigate potential adverse effects on, gas transmission pipelines; and</i></p> <p><i>d. <u>where required</u>, managing other activities, through the use of <u>setbacks</u> set-backs and <u>appropriate</u> design controls where necessary, to achieve the appropriate protection of local, regional and nationally significant infrastructure.</i></p> <p>or wording with a similar intent; and</p> <p>(c) the inclusion of a definition for the term 'Critical Electricity Lines' into the interpretation chapter of the proposed district plan; and S421.040</p> <p>(d) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Energy, Infrastructure and	19	Oppose in part	Federated Farmers has concerns that where any new buildings, structures, and extensions to existing buildings or structures, in the National Grid Yard do not comply with	Federated Farmers seeks the following relief: <ul style="list-style-type: none"> (a) the amendment of the activity status from non-complying to restricted discretionary; and S421.041

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Transport – Infrastructure – Rules – Rule I-R11			<p>the defined performance standards have been classified as non-complying activities.</p> <p>The rule requires compliance with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances as well as the planting requirements from the Electricity (Hazards from Trees) Regulations 2003. The compliance requirements with the Code of Practice and the Regulations should be enough to ensure that that any structures that do not meet the performance standards are safe and do not interfere with the operation of the National Grid. It is unrealistic and creating unwarranted barriers and unnecessary costs for an activity to go directly to being non-complying from permitted.</p> <p>The Resource Management Act 1991 requires that activities avoid, remedy, or mitigate any effects on the environment. The proposed activity status appears to have assumed that activities which do not meet the permitted activity standards produce such severe effects that can only be dealt with through a non-complying resource consent process. This is inappropriate and contrary to Part 2 of the Resource Management Act 1991.</p> <p>Federated Farmers seeks that the activity status be reclassified from non-complying to restricted discretionary. This would make the rule consistent with Rule I-R12.</p>	(b) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Energy, Infrastructure and Transport – Infrastructure – Rules – Rule I-R12	20	Support in part	<p>The rule deals with new buildings or structures, and extensions to existing buildings or structures, and earthworks within 10m of a Critical Electricity Lines Overlay. As previously highlighted in our submission, the district plan does not contain a definition for ‘critical electricity lines’. It is unclear what actually falls within the scope of being a critical electricity line.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the inclusion of a definition for ‘Critical Electricity Line/s’ in the district plan; and S421.042</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>Given that the term is used throughout the district plan, it is necessary that the term is defined. The definition should explain what is meant by the term means as well as what is encompassed by the term (e.g., are the National Grid lines considered to be critical electricity lines?).</p>	
<p>Part 2 – District wide matters - Energy, Infrastructure and Transport – Infrastructure – Rules – Rule I-R13</p>	<p>21</p>	<p>Support in part</p>	<p>Federated Farmers supports the proposed setbacks for plantation forestry from a critical electricity lines overlay. There is a concern with the inclusion of shelterbelt in the rule. Riparian planting and low-lying hedging can be carried out for sheltering purposes from prevailing winds. It would be more appropriate if the rule referred to a maximum tree height so that landowners maintain the trees to a specified height or changes the types of trees they are using.</p> <p>Federated Farmers does not support performance standard 2 as it is currently drafted. The requirement to notify the Council prior to works being done is onerous and opens up landowners to committing technical non-compliances if they are simply trimming the height of trees to meet the requirements of the rule.</p> <p>The performance standard needs to be amended to remove the requirement to notify the Council so that it highlights the need to comply with the relevant legislation.</p> <p>The rule deals with tree planting within 20m of a Critical Electricity Lines Overlay. The district plan does not currently contain a definition for the term ‘Critical Electricity Line/s’.</p> <p>As the term is used throughout the district plan, it is necessary that the term is defined. The definition should explain what is meant by the term means as well as what is encompassed by the term (e.g., are the National Grid lines considered to be critical electricity lines?).</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) amend Rule I-R13 to read as follows: <i>Tree planting within 20m of a Critical Electricity Lines Overlay</i> <i>Activity status: Permitted</i> <i>Where:</i> <i>PER-1 -The planting of trees <u>which exceed XXX metres</u> is not for the purpose of providing a shelterbelt, plantation forestry or commercial horticultural operations.</i> <i>PER-2: Activities that do not comply with PER-1 provided that: prior to works notification is provided to Council and the proposed activity is being carried out in accordance with the Electricity Act 1992 and associated regulations (NZECP 34:2001, the Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375), and the Electricity (Safety) Regulations 2010).</i> S421.043 or wording with a similar intent; and</p> <p>(b) the inclusion of a definition for ‘Critical Electricity Line/s’ in the district plan; and S421.042 & S412.043</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>
<p>Renewable electricity generation</p>				

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District wide matters - Energy, Infrastructure and Transport – Renewable electricity generation – Overview	22	Support	Federated Farmers supports the overview as it is currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the overview as currently drafted or wording with similar effect; and S421.044 (b) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Energy, Infrastructure and Transport – Renewable electricity generation - Objectives	23	Support in part	Federated Farmers supports objectives REG-O1, REG-O2 and REG-O4 as they are currently drafted in the proposed district plan. We have concerns over the proposed wording for objective REG-O3. The generation of renewable energy needs to occur where the energy source is located. The objective as currently drafted does not recognise this functional need as renewable energy needs to be located where the renewable source is located to ensure effective and efficient production. On farms, renewable energy generation occurs from the wind, the sun and in some instances, the capture of methane. The infrastructure to capture these renewable energy sources needs to be located where the resource is.	Federated Farmers seeks the following relief: (a) the retention of objectives REF-O1, REG-O2 and REG-O4 as currently drafted or wording with similar effect; and S421.045 to S421.047 (b) the amendment of objective REG-O3 so that it reads: S421.047 <i>Renewable electricity generation activities where practical are located and designed to avoid and minimise adverse effects on areas with historical, cultural, environmental, and coastal values.</i> or wording with a similar intent; and S421.048 (b) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Energy, Infrastructure and Transport – Renewable electricity generation - Policies	24	Support	Federated Farmers support policies REG-P1 to REG-P11 as they are currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of policies REG-P1 to REG-P11 as currently drafted or wording with similar effect; and S421.049 to S421.059 (b) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Energy, Infrastructure and Transport – Renewable electricity generation – Rules REG- R1, REG-R2 and REG-R5	25	Support	Federated Farmers supports Rules REG-R1 and REG-R2 as they are currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of Rules REG-R1, REG-R2 and Reg-R5 as currently drafted or wording with similar effect; and S421.060 to S431.062 (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District wide matters - Energy, Infrastructure and Transport – Renewable electricity generation - Rule REG-R3	26	Support in part	Federated Farmers supports the rule in part but would like performance standard PER-2 amended so that it is recognised that an activity is permitted where the appropriate approval or consent has been obtained. Doing this will reduce any unnecessary barriers for landowners wanting to pursue these types of activity.	Federated Farmers seeks the following relief: (a) the amendment of performance standard PER-2 in Rule REG-R3 to read: <i>New buildings or structures associated with in-stream hydro investigation and electricity generation, excluding in-stream structures (new and upgrading)</i> <i>All zones. Activity status: Permitted</i> <i>Where: ...</i> <i>PER-2</i> <i>Approval or consent has been received if not located on an esplanade reserve or strip, marginal strip or any consented or planned public access area...</i> or wording with a similar intent; and (b) any consequential amendments required as a result of the relief sought. <p style="text-align: right; color: red;">S421.063</p>
Hazards and Risk				
Natural hazards				
Part 2 – District Wide Matters – Hazards and risks – Natural hazards - Overview	27	Support	Federated Farmers supports the accurate mapping of the flood and coastal hazard areas and would expect engagement to occur to the relevant impacted landowners who are located within those areas. We support the use of the precautionary approach in respect of natural hazards. The approach taken by the Council is consistent with regional and national policy documents as well as what is being done internationally. Federated Farmers also supports the approach proposed by the Council that the focus will be placed on vulnerable activities (e.g., liveable dwellings) and it will be these activities that will have the more stringent plan controls placed on them. Federated Farmers supports enabling non-liveable farm ancillary buildings as permitted activities within the natural hazard areas as along this has been clearly communicated	Federated Farmers seeks the following relief: (a) the retention of the overview as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought. <p style="text-align: right; color: red;">S421.064</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			to the landowners along with the associated risks of doing so. This means the landowner is fully informed when they make the decision to locate ancillary buildings that have a functional need to be located in or around coastal and flood hazard areas.	
Part 2 – District Wide Matters – Hazards and risks – Natural hazards - Objectives	28	Support	Federated Farmers supports objectives NH-O1 to NH-O4 as currently drafted. In particular, we support objective NH-O3 which recognises that there may be a functional need for new infrastructure to be located within identified hazard areas.	Federated Farmers seeks the following relief: (a) the retention of objectives NH-O1 to NH-O4 as currently drafted or wording with similar effect; and S421.065 to S421.068 (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Hazards and risks – Natural hazards – Rules - Rules NH-R1 to NH-3, NH-5 to NH-9	29	Support	Federated Farmers supports the inclusion of rules NH-R1, NH-2, NH-3, NH-5, NH-6, NH-7, NH-8, and NH-9 as currently worded in the proposed district plan.	Federated Farmers seeks the following relief: S421.069 to S421.076 (a) the retention of rules NH-R1, NH-2, NH-3, NH-5, NH-6, NH-7, NH-8, and NH-9 as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Hazards and risks – Natural hazards – Rules - Rule R4	30	Support in part	Federated Farmers supports the new buildings or structures (excluding residential activities) ancillary to farming buildings being classified as permitted activities. It is noted that the footprint is limited to less than 100m ² which is small for an ancillary building. It would be more appropriate to increase the size of the footprint to 250m ² which is the average size required for ancillary buildings such as hay barns.	Federated Farmers seeks the following relief: (a) the amendment of the size of ancillary buildings in performance standard PER-1 from 100m ² to 250m ² ; and S421.077 (b) any consequential amendments required as a result of the relief sought.
Hazardous substances				
Part 2 – District Wide Matters – Hazards and risks – Hazardous substances - Overview	31	Support	Federated Farmers supports the overview for hazardous substances as it is currently proposed. The overview recognises the role the Hazardous Substances and New Organisms Act 1996 plays in the regulation of substances as well as the need to restrict duplication of rules between councils and other organisations involved with hazardous substances.	Federated Farmers seeks the following relief: (a) the retention of the overview to the Hazardous substances chapter as currently drafted or wording with similar effect; and S421.078 (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Part 2 - District Wide Matters – Hazards and risks – Hazardous substances – Objectives and Policies	32	Support	Federated Farmers supports the objectives and policies proposed for hazardous substances.	Federated Farmers seeks the following relief: (a) the retention of the objectives (HS-O1 and HS-O2) and policies (HS-P1 to HS-P3) for hazardous substances as currently drafted or wording with similar effect; and S421.079 to S421.083 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District Wide Matters – Hazards and risks – Hazardous substances - Rules HS-R1 and HS-R2	33	Support	Federated Farmers supports rules HS-R1 and HS-R2 as currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the Rules HS-R1 and HS-R2 as currently drafted or wording with similar effect; and S421.084 to S421.085 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District Wide Matters – Hazards and risks – Hazardous substances - Rules HS-R3 to HS-R11	34	Support in part	<p>Federated Farmers supports the intent of the additional measures of protection provided by these rules which propose to make certain activities related to significant hazardous facilities non-complying.</p> <p>The definition for ‘significant hazardous facilities’ captures activities that potentially occur on farms such as milk processing plants and the manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis, or paints).</p> <p>For rules HS-R6, HS-R7 and HS-R8 it is felt that the appropriate activity classification would be discretionary rather than non-complying. This would allow the Council to set the appropriate matters of discretion for controlling significant hazardous facilities within a significant natural area, and flood or coastal hazard areas.</p> <p>By changing the activity status for these rules, the default status for activities not complying with the rules could be non-complying which provides the Council with another opportunity to place appropriate controls on the activity.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) amend the activity classification for Rules HS-R6, HS-R7 and HS-R2 to discretionary activity status and the default status for activities not complying with the rules to non-complying; and S421.086 to S421.088 (b) any consequential amendments required as a result of the relief sought.</p>
Historical and cultural values				

Inferred to be HS-R8

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Heritage area overlays				
Part 2 – District wide matters - Historical and cultural values – Heritage area overlays- Overview	35	Support in part	<p>Federated Farmers is concerned with the potential impacts of heritage area overlays and the restrictions the overlays will place over working farms in the Far North district. The farms in the district have been operating for many generations with the farmers proactively retaining the historic and cultural values that exist on the land.</p> <p>Federated Farmers supports the protection historical heritage as provided for by section 6 of the Resource Management Act 1991. Section 6 requires that the protection of historic heritage from inappropriate subdivision, use, and development is recognised and provided for.</p> <p>We have concerns that the heritage area overlays proposed go beyond what is provided for in the Act. The overlays for the areas of Pouerua and Te Waimate Heritage areas do not acknowledge and provide for the existing rural activities that are legally occurring in those areas. We would not consider these activities as being an inappropriate use or development given the substantial contribution they make to the economy at all levels.</p>	<p>Federated Farmers seeks the following relief: S421.089 to S421.097</p> <p>(a) the amendment of the overview to the heritage area overlays so that it acknowledges and provides for existing, legally established rural activities as part of the existing environment; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Historical and cultural values – Heritage area overlays – Objective HA-O1	36	Oppose in part	<p>Objective HA-O1 as currently worded is inconsistent with section 6(f) of the Resource Management Act 1991 which provides for the protection of historic heritage from inappropriate subdivision, use and development. The absolute protection proposed by the objective is inconsistent with the Act and does not promote the purpose of the Act. The current wording implies that the Council has picked one aspect as an outright winner to the detriment of other, lawfully established, and existing activities.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of objective HA-O1 to read: <i>The heritage values of Heritage Area Overlays, as derived from the sites, buildings and objects of historic significance, archaeological sites, and landform, are identified, and protected from inappropriate subdivision, use, and development.</i> S421.098</p> <p>and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Historical and	37	Support in part	<p>Policy HA-P1 applies to all heritage area overlays. The policy as currently worded is inconsistent with section 6(f)</p>	<p>Federated Farmers seeks the following relief: S421.099</p> <p>(a) the amendment of objective HA-P1 to read:</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
cultural values – Heritage area overlays – Policy HA-P1			<p>of the Resource Management Act 1991 which provides for the protection of historic heritage from inappropriate subdivision, use and development. Again, the Council appears to have elevated on aspect of the environment (heritage) over another which is inappropriate.</p> <p>Federated Farmers supports clause (e) of the policy as it recognises and provides for the removal of non-heritage buildings and structures which is important for viable farming operations.</p>	<p><i>To protect the unique heritage values of each Heritage Area overlay by:</i></p> <p><i>a. identifying and protecting the heritage buildings, objects and sites, and archaeological sites within the Heritage area overlay <u>from inappropriate subdivision, use, and development</u>;...</i></p> <p><i>and</i></p> <p>(b) the retention of clause (e) of Policy HA-P1 or wording to similar effect; and</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters - Historical and cultural values – Heritage area overlays – Policies HA-P12 and HA-P13	38	Support in part	<p>Federated Farmers supports Policies HA-P12 and HA-P13 for the Pouerua Heritage area overlay. Both policies recognise the importance of the rural farming landscape alongside the other heritage features scattered throughout the overlay.</p> <p>In respect of Policy HA-P13, we recommend that it is amended to achieve consistency with s6(f) of the Resource Management Act 1991 by referring to protection from inappropriate subdivision, use and development. The amendment would provide additional clarity to landowners who have properties within the overlay.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of policy HA-P13 to read: <i>To enable farming, subdivision and land use which recognises and protects the cultural and heritage values of Pouerua, and the strong connection and context of Pouerua scoria cone, Ohaewai volcanic field and Ngahuha scoria cone <u>from inappropriate subdivision, use, and development.</u></i> S421.100</p> <p><i>and</i></p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters - Historical and cultural values – Heritage area overlays - Rules HA-R1, HA-2, HA-3, and HA-4	39	Support in part	<p>Federated Farmers supports these rules which provides for the maintenance, repair, additions, alterations to existing buildings or structures, the strengthening or fire protection of scheduled Heritage Resource and new buildings and structures outside of a site containing a scheduled heritage resource as permitted activities.</p> <p>However, it is important to ensure that the rules and associated performance standards imposed are relevant to those areas which need protection from inappropriate subdivision, use and development. For example, performance standard PER-6 is not relevant to the protection of a heritage area overlay it is focused on an</p>	<p>Federated Farmers seeks the following relief: S421.101</p> <p>(a) the deletion of performance standard PER-6 from Rule HA-R2; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			addition or alteration to a scheduled heritage resource not being visible from a public area. This has the potential to impede the restoration of a heritage resource which is visible from a public space.	
Part 2 - District wide matters - Historical and cultural values – Heritage area overlays - Rule HA-R5	40		<p>This rule deals with the issue of earthworks within heritage area overlays. Federated Farmers seeks the inclusion of ancillary rural earthworks as a permitted activity in this rule. It is important that the existing and legal operations of landowners are provided for moving forward. The inclusion of ancillary rural earthworks will ensure that necessary works can be undertaken by landowners which have occurred within the areas as permitted activities for generations. Such activities include but are not limited to:</p> <ul style="list-style-type: none"> • tilling or cultivation of soil for the establishment and maintenance of crops and pasture; • the harvesting of crops; • the planting and removal of trees; • horticultural root ripping; • digging of pits, burying dead stock and plant waste; • the digging of post holes and the drilling of bores; • installing and maintaining services such as water pipes and troughs. 	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of rule HA-R5 to read: S421.102 Activity status: Permitted Where: PER-1 <i>The earthworks:</i> 1. <i>comply with the relevant permitted activity rules within the Earthworks chapter</i> 2. <i>are not within 20m of a scheduled Heritage Resource.</i> 3. <u><i>Are ancillary rural earthworks.</i></u> Or wording with a similar intent; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters - Historical and cultural values – Heritage area overlays - Rule HA-R8	41	Oppose in part	<p>Federated Farmer has concerns over performance standard RDIS-1 in rule HA-8 and its potential impacts on farm buildings. While supporting the restricted discretionary activity classification for new buildings or structures, we do not support the standard that requires the building or structure not to be visible from a public place. This requirement is particularly concerning as the term ‘public place’ has not been defined in the proposed district plan.</p> <p>Farm buildings need to be located where they are needed and where it is practical to do so. Council needs to include a definition for the term ‘public place’ into the proposed</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the inclusion of a definition for the term ‘public place’; and S421.103 (b) the amendment of Rule HA-R* so that it provides for the location of farm buildings where they are needed and where it is practical to locate them; and S421.104 (c) the amendment of performance standard RDIS-1 so that it specifically lists the public places such as footpaths that are captured under the standard; and S421.104 (d) any consequential amendments required as a result of the relief sought</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			district plan. Once this is done, the Council needs to refine performance standard RDIS-1 so that it specifically states what types of public places are relevant for the standard. The standard should relate to public places such as reserves, footpaths and community hubs and specifically excludes public places such as roadsides which are currently captured under the rule.	
Part 2 - District wide matters - Historical and cultural values – Heritage area overlays - Rules HA-R9 and HA-11	42	Support in part	Federated Farmers seeks the amendment of the activity status for both rules from discretionary to restricted discretionary. It is felt that a restricted discretionary activity classification is more appropriate. It would still provide the Council with the ability to control the matters that it reserves its discretion over as well as providing certainty for landowners who have property/ties located within the overlays that they can continue to operate as existing and lawfully established activities.	Federated Farmers seeks the following relief: (a) the amendment of the activity classification for rules HA-9 and HA-11 from discretionary to restricted discretionary; and S421.105 & S421.106 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters - Historical and cultural values – Heritage area overlays - Standard HA-S1	43	Oppose in part	The part of the standard that is not supported by Federated Farmers is the setback requirement of a minimum of 75m for any construction of buildings or structures or additions to building structures from a scheduled heritage resource or the road boundaries of State Highway 1 and other specified roads. It is unclear why a 75m setback is proposed for this standard. It is more appropriate that a consistent approach to setbacks is used rather than a number of different distances. Federated Farmers seeks the amendment of the setback in the Te Waimate Heritage Overlay so that the required setback is 20m which is consistent with the other setbacks required in heritage overlays.	Federated Farmers seeks the following relief: (a) the deletion of the second standard in HA-S1 that requires a minimum setback of 75m from a scheduled Heritage Resource; and the road boundaries of State Highway 1, Te Ahu Ahu, Showgrounds and/or Waikaramu Roads; and S421.107 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters - Historical and cultural values – Heritage	44	Support	Federated Farmers supports the use of the accidental discovery as set out in this standard.	Federated Farmers seeks the following relief: (a) the retention of standard HA-S3 as proposed or with wording to similar effect; and S421.108

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
area overlays - Standard HA-S3				(b) any consequential amendments required as a result of the relief sought.
Historic Heritage				
Part 2 - District wide matters - Historical and cultural values – Historic heritage - Overview	45	Oppose	<p>Federated Farmers is concerned that the Council is using regulatory methods as a means to manage historic heritage without the non-regulatory methods supporting in the background. Council needs to utilise more non-regulatory methods for managing historical heritage. Landowner engagement and education should be the first approach to the effective management of historic heritage rather than the Council relying on regulatory methods which will only work where there is damage and change to the historic heritage feature.</p> <p>As well, the overview needs to be consistent with the requirements of s6(f) of the Resource Management Act 1991. Section 6(f) requires the recognition and provision of the protection of historic heritage from inappropriate subdivision, use and development. Only inappropriate activities that could cause more than minor effects on heritage and cultural values should be managed. Existing use rights of lawfully established activities also need to be recognised and protected.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of the overview section to the historic heritage chapter so that it promoted the use of non-regulatory methods as well as ensuring that historic heritage will be protected from inappropriate subdivision, use and development; and S421.109</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters - Historical and cultural values – Historic heritage – Objectives HH-O1, HH-O2 and HH-O3	46	Support in part	<p>Federated Farmers supports objectives HH-O1 and HH-O3 as they are currently drafted in the proposed district plan.</p> <p>In respect of objective HH-O2, Federated Farmers requests that the objective is amended to be consistent with s6(f) of the Resource Management Act 1991. This will ensure that recognition is made in the objectives to only capture what is considered to be inappropriate subdivision, use and development for that specific heritage area.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of objectives HH-O1 and HH-O3 as currently drafted or with wording to similar effect; and S421.110 & S421.111</p> <p>(b) amend objective HH-O2 so that it reads: Land use and subdivision does not result in the loss or degradation of Heritage Resources. <u>Historic heritage is protected from inappropriate subdivision, use, and development in the district.</u> S421.112 or wording with similar effect; and</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Part 2 - Historical and cultural values – Historic heritage – Policies HH-P1, to HH-P15	47	Support in part	<p>Federated Farmers supports policies HH-P1, HH-P3, HH-P4, HH-P5, HH-P7, HH-P9, HH-P10, HH-P11, HH-P12, HH-P13 and HH-P14 as currently drafted in the proposed district plan.</p> <p>Federated Farmers has concerns over the proposed wording of Policy HH-P2 as it inconsistent with s6(f) of the Resource Management Act 1991. Section 6(f) requires the recognition and provision for the protection of the protection of historic heritage from inappropriate subdivision, use, and development. The policy as written does not reflect this.</p> <p>In respect of policy HH-P6, the policy should be amended so that it recognises that positive benefits can result in some circumstances from relocating certain historic heritage sites. For example, relocating a site out of an extreme flood hazard area to enable its on-going protection.</p> <p>Policy HH-P8 needs to be amended to so that the requirement to demonstrate the protection of the heritage resource is removed. The need to demonstrate is not necessary as the policy requires the heritage resource to be protected after regard is had to the matters listed.</p> <p>Federated Farmers does not support policy HH-P11 as it is currently written. The policy, through the use of the term ‘reasonable cause’ introduces significant uncertainty for applicants as it is not clear what the term is intended to mean and how it is to be determined and by whom. It also has the potential to increase the time, costs and resources required by an applicant.</p> <p>It is preferable that the policy refers to the use of the accidental discovery protocol which is more practical and reasonable to use.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of policies HH-P1, HH-P3, HH-P4, HH-P5, HH-P7, HH-P9, HH-P10, HH-P11, HH-P12, HH-P13 and HH-P14 as currently drafted or with wording to similar effect; and S421.113 to S421.123</p> <p>(b) amend policy HH-P2 so that it reads: S421.124 <i>Protect scheduled Heritage Resources by:</i> <i>a. <u>Avoiding inappropriate subdivision, use, and development</u> significant adverse effects and avoiding, remedying or mitigating any other adverse effects on the recognised heritage values of scheduled Heritage Resources; ...</i> or wording with similar effect; and</p> <p>(c) amend policy HH-P6 to include a clause that recognises that in some circumstances there may be positive benefits from the relocation of certain historic heritage sites; and S421.125</p> <p>(d) amend policy HH-P9 as below: <i>Allow earthworks in proximity to scheduled Heritage Resources only where it can be demonstrated that its heritage values will be protected, having regard to the:</i> <i>a. extent of the earthworks;</i> <i>b. manner in which the earthworks will be undertaken;</i> <i>c. monitoring of earthworks;</i> <i>d. avoidance of archaeological sites; and</i> <i>e. need for small-scale earthworks for burials within an existing cemetery or for landscaping within historic heritage sites and places.</i> S421.126 or wording with similar effect; and</p> <p>(e) delete policy HH-P11 or if that relief is not accepted, amend the policy to read: <i>Protect archaeological sites where there is a reasonable cause to suspect they are present, by ensuring land and subdivision activities have regard to: ...</i> S421.127 or wording with similar effect; and</p> <p>(f) amend policy HH-P15 to read: <i>Manage land use, <u>development</u> and subdivision involving a scheduled heritage resource to address the effects of the activity</i></p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			In respect of policy HH-P15, Federated Farmers is concerned over the intent of the policy which appears to be inconsistent with section 6 of the Resource Management Act 1991. We seek the amendment of the policy to be consistent with the requirements of the Act.	<p><i>requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</i></p> <p>a. <u><i>the subdivision, land use or development is not inappropriate for the environment is it located in ...</i></u> S421.128</p> <p>or wording with similar effect; and</p> <p>(g) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters - Historical and cultural values – Historic heritage – Rule HH-R5	48	Support	Federated Farmers supports this rule as currently drafted as the setback for earthworks from a scheduled Heritage Resource of 20m is consistent with other setbacks for heritage area overlays.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of standard Rule HH-R5 as proposed or with wording to similar effect; and S421.129</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Notable trees				
Part 2 - District wide matters - Historical and cultural values – Notable Trees – Overview and Schedule 1 Notable Trees	49		Federated Farmers supports the recognition and identification of notable trees which are of importance to the district and its communities. However, it is considered that it will be important if the notable tree/s is/are located on private land that engagement between the Council and landowners needs to occur to ensure that the tree is best managed for future generations. This can be achieved through a mixture of regulatory and non-regulatory methods.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the inclusion of a sentence in the overview that discusses the need for engagement to occur between the Council and landowners over how best to achieve the protection of a notable tree or trees, or with wording to similar effect; and S421.130</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters - Historical and cultural values – Notable Trees - Rule NT-R1	50	Oppose	<p>Federated Farmers opposes Rule NT-R1 as it is currently drafted in the proposed district plan. The rule does not provide for mechanical cultivation within the rootzone of a notable tree or trees as a permitted activity.</p> <p>A rootzone area can be 3 times the area of the trees canopy and can vary significantly between tree species. Federated Farmers recommends that the rule is amended to provide for mechanical cultivation within the rootzone area.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of rule NT-R1 as follows: <i>NT-R1 Gardening, mowing and cultivation within the rootzone area Tree Protection Area of a notable tree or trees</i> <i>Activity status: Permitted</i> <i>Where:</i> <i>PER-1</i> <i>It does not:</i> <i>a. involve mechanical cultivation; ...</i> S421.131</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>As well, it is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m height multiplied by 12; and (c) tall narrow trees = ½ x Height.</p> <p>The tree protection zone will ensure that areas critical to the tree's health are protected and that resource users are able to understand the setbacks required.</p>	<p>or wording to similar effect; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Sites and areas of Significance to Māori				
Part 2 - District wide matters - Historical and cultural values – Sites and areas of significance to Māori - Overview	51	Support in part	<p>Federated Farmers fully supports the identification and protection of wāhi tapu, wāhi taonga and sites and areas of significance to Māori. What the overview does not highlight is that the identification and protection occurs as a result of effective engagement and a sound partnership between the Council, tangata whenua and the landowner where the wāhi tapu, wāhi taonga and sites and areas of significance are located. It is disappointing that the Council appears to only be prepared to use regulatory methods via consent processes to create opportunities for good faith and understanding to develop.</p> <p>Landowners appreciate being treated as a partner as well as being recognised as a directly affected party. Landowners should have more of a say in matters such as these as they are not someone with no greater rights than those of the general public. Council needs to be prepared to provide sufficient information to landowners on the location and extent of sites or areas of Significance to Māori on their property needs to be provided so that they are aware of any restrictions that apply and any obligations that they may have. Council should be working to facilitate</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the inclusion of appropriate wording in the overview that recognises the role that landowners of private property have to play in the identification and protection of sites and areas of significance to Māori; and S421.132</p> <p>(b) the inclusion of appropriate wording which essentially states that the Council will play a major role in facilitating a partnership and promoting effective engagement between tangata whenua, landowners and the Council in the identification and protection of sites and areas of significance to Māori; and S421.132</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			better outcomes so that the best possible outcomes are achieved.	
Natural Environment Values				
Ecosystems and indigenous biodiversity				
Part 2 – District wide matters - Natural environment values – Ecosystems and indigenous biodiversity - Overview	52		<p>Federated Farmers has a significant interest in this chapter of the proposed district plan. The preservation of indigenous ecosystems and biodiversity has and will continue to create tensions between private landowners, Iwi and Councils.</p> <p>The approach taken to indigenous ecosystems and biodiversity is that landowners should it as a valuable asset rather than a hindrance. As part of this, it is important that activities such as lambing, calving, shelter, water supply and takes, fencing, access and works for access and fire breaks are permitted throughout the plan.</p> <p>Federated Farmers supports the Council removing the previous mapping that was included in the draft plan and the movement toward assessments being made where the permitted activity threshold has not been complied with.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of objectives IB-01, IB-02, IB-03 and IB-04 as proposed, or with wording to similar effect; and S421.133 to S421.136</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Ecosystems and indigenous biodiversity - Objectives	53	Support	Federated Farmers supports objectives IB-01, IB-02, IB-03 and IB-04 for Ecosystems and indigenous biodiversity.	<p>Federated Farmers seeks the following relief: Repeat, as per S421.133 to S421.136 above</p> <p>(a) the retention of objectives IB-01, IB-02, IB-03 and IB-04 as proposed, or with wording to similar effect; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Ecosystems and indigenous biodiversity - Policies	54	Support in part	Federated Farmers supports the priority that has been given to Significant Natural Areas in Rules IB-P1, IB-P2, IB-P3 and IB-P5, IB-P6. We are also supportive of many of the suggested non-regulatory tools in which Council has suggested improves biodiversity outcomes for the district. Policy related to active management of pest plants and animal is also supported as with increased native corridors	<p>Federated Farmers seeks the following relief:</p> <p>(a) the addition of new policy IB-P11 that reads: <i><u>Provide recognition for grazing and farming existing activities that have not increased in their scale or intensity of effects from commencement date of the plan.</u></i> S421.137 or with wording to similar effect; and</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>risks creating pathways for pest species to move around rural areas.</p> <p>There are concerns that the policies do not provide for existing activities to continue. There needs to be an additional policy that recognises and provides for existing activities such as grazing and other farming activities to continue as long as the scale and intensity of effects do not / have not increased following the commencement date of the plan.</p>	(b) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Natural environment values – Ecosystems and indigenous biodiversity - Policies – Rule IB-R1	55	Support	Federated Farmers supports Rule IB-R1, and the associated performance stand PER-1 has it is currently drafted in the proposed district plan.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of Rule IB-R1 as proposed, or with wording to similar effect; and S421.138</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Ecosystems and indigenous biodiversity - Policies - Schedule 4: Schedule of Significant Natural Areas	56	Support	Federated Farmers supports the inclusion of proposed Schedule 4 in the proposed district plan. The schedule is an appropriate way to recognise the relationship between private landowners and Council and the need to work in partnership to manage Significant Natural Areas.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention and further development of Schedule 4 as proposed; and S421.139</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Natural Character				
Part 2 – District wide matters - Natural environment values – Natural Character - Overview	57	Support in part	<p>Natural character is a matter that Federated Farmers and its members are heavily invested in. This is a significant proportion of natural character located in the Far North and which has been preserved on farmland throughout the district.</p> <p>Our members are constantly improving riparian margins and natural character on their land through planting, fencing, and retiring land with natural character from use.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the addition of a sentence in the overview for natural character that recognises that some activities will have a functional need to be located within an area of natural character; and S421.0140</p> <p>(b) the deletion of Schedules 7 and 8 which deal with high natural character and outstanding natural character respectively and the merging of the two schedules into one schedule that deals with natural character as a whole; and S421.141 & S421.142</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>All this is done largely at their expense. Federated Farmers supports the use non-regulatory measures to assist landowners to continue on this journey.</p> <p>It is important that the Council recognises and provides for in the district plan for activities that have a functional need to be located within an area of natural character. These activities are required to be located next to the resources that they utilise and cannot be located anywhere else. These activities need to provided for as they form part of a working landscape.</p> <p>Federated Farmers does not support the separation of natural character into high natural character (Schedule 7) and outstanding natural character (Schedule 8). Section 6(a) of the Resource Management Act 1991 does not separate natural character out into separate categories. The section simply requires the preservation of natural character of the coastal environment, wetlands, lakes, and rivers etc and their protection from inappropriate subdivision, use and development.</p> <p>Council is required to be consistent with the provisions of the Act. This includes Part 2 of the Act as well as its functions under the Act. The separation of natural character into two separate categories does not achieve this. The additional layers are unnecessary and add additional layers of complexity and unwarranted barriers.</p> <p>Where an area of natural character is located within a rural zone, the zone provisions along with the provisions for natural character will assist in its preservation and protection from inappropriate subdivision, use and development. Rural zone provisions will manage the scale and density of buildings, earthworks, forestry, and subdivision, which are part of existing farming land uses that must be provided for as a right in the district plan.</p>	<p>(c) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			The Council appears to have taken the approach that all existing activities will adversely impact on areas of natural character without considering that these areas may be located on private property and have existing activities occurring in them.	
Part 2 – District wide matters - Natural environment values – Natural Character - Objectives	58	Oppose in part	Federated Farmers does not support objectives NATC-O1 and NATC-O2 as currently drafted. The objectives are inconsistent with section 6(a) of the Resource Management Act 1991 which requires the protection of natural character from inappropriate subdivision, use, development. The objectives need to be amended to be consistent with section 6(a) of the Act.	Federated Farmers seeks the following relief: (a) the amendment of objective NATC-O1 so that it reads: and <i>The natural character of wetland, lake and river margins are managed to ensure their long-term preservation and protection for future generations <u>and protection against inappropriate use and development.</u></i> S421.143 or wording with similar intent; and (b) the amendment of objective NATC-O2 to read: <i>Land use, <u>development</u> and subdivision is consistent with and does not <u>inappropriately</u> compromise the characteristics and qualities of the natural character of wetland, lake, and river margins.</i> S421.144 or wording with similar effect; and (c) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Natural environment values – Natural Character - Policy NATC-O2	59	Oppose	Federated Farmers does not support policy NATC-O2 as it is currently drafted in the proposed district plan. The policy is inconsistent with section 6(a) of the Resource Management Act 1991 as it links to an assessment guide which breaks natural character into outstanding and high. As previously discussed in this submission, Federated Farmers does not support the use of high natural character in the proposed district plan.	Federated Farmers seeks the following relief: (a) the deletion of the concept of high natural character from policy NATC-O2 and associated appendices; and S421.145 & S421.146 (b) any consequential amendments required as a result of the relief sought
Part 2 – District wide matters - Natural environment values – Natural Character - Rules	60	Support in part	Federated Farmers generally supports rules NATC-R1, NATC-R2 and NATC-R3 as set out in the district plan. It is considered that there is a need for the rules to provide for activities with a functional need to be located within a natural character area so long as the subdivision, use or development is not inappropriate for the area.	Federated Farmers seeks the following relief: (a) the amendment of rules NATC-R1, NATC-R2 and NATC-R3 to provide for activities that need to be located within a natural character area as long as the subdivision, use and development is not inappropriate for the area; and S421.147 to S421.149

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
				(b) any consequential amendments required as a result of the relief sought.
Natural Features and Landscapes				
Part 2 – District wide matters - Natural environment values – Natural features and landscapes - Overview	61	Oppose	<p>While Federated Farmers supports the protection of outstanding natural features and landscapes, it considers that this must be done through the appropriate identification of the features and landscapes as well as with consultation with the impacted landowners who are the ones with the role of protecting such areas.</p> <p>Rural landowners are generally the ones who have preserved the landscapes and features on their properties around their working rural environment which is why such areas still exist today. If it was not for the landowners and the ability to graze around such areas the land would not be economically viable resulting in inappropriate subdivision, use and development to fund such land ownership.</p> <p>Federated Farmers strongly opposes restricting farming activities within outstanding natural landscapes and features. Farming activities are appropriate land use activities that still preserves the character and amenity value of such areas of significance.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of the overview to recognise and acknowledge the role that landowners have played and still play in the preservation of outstanding natural landscapes and features; and S421.150</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Natural features and landscapes – Objective NFL-O1 and NFL-O2	62	Oppose in part	<p>Objective NFL-O1 needs to be more aligned with section 6(b) of the Resource Management Act 1991. The section requires the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development. It would be better for the objective to be consistent with the section so that it recognises that certain activities may be undertaken in the landscape or feature but are still considered appropriate for that specified area.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of the objective NFL-O1 to read: S421.151 <i>ONL and ONF are identified and managed to ensure their long term protection for current and future generations.</i> <i>Outstanding natural features and landscapes that are important to the identity of the District are retained and protected from inappropriate subdivision, use and development.</i> or wording to similar effect; and</p> <p>(b) delete objective NFL-O2 in its entirety; and S421.152</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			If objective NFL-O1 is amended, there is no need to retain objective NFL-O2.	(c) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Natural environment values – Natural features and landscapes – Policies NFL-P2, NFL-P3 and NFL-P7	63	Support in part	Policies NFL-P2, NFL-P3 and NFL-P7 need to be amended so that they are consistent with the relief sought by Federated Farmers for objectives NFL-O1 and NFL-O2 above. The policies need to focus on avoiding inappropriate subdivision, use and development within the two layers while recognising certain activities can occur as long as they are appropriate for the areas.	Federated Farmers seeks the following relief: (a) the amendment of policies NFL-P2 and NFL-P3 to achieve consistency with section 6 of the Resource Management Act 1991 and to recognise the need to allow appropriate subdivision, use and development; and S421.153 & S421.154 (b) amend policy NFL-P7 to read: <i>Prohibit <u>inappropriate</u> land use that would result in any loss of and/or destruction of the characteristics and qualities of ONL and ONF.</i> S421.155 Or wording to similar effect; and (c) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Natural environment values – Natural features and landscapes – Rule NFL-R1	64	Oppose in part	Federated Farmers supports the recognition in rule NFL-R1 of the functional need for ancillary to farming structures to be in place. The workability of the 25m ² maximum area in performance standard PER-1 means that almost every ancillary farming structure / building will require a consent under discretionary which is not appropriate. The 25m ² maximum area restriction means that even a small kitset residential garage would be required to apply for a consent. For a farm building/structure this means that the rule does not provide for the necessary buildings (such as barns and machinery storage sheds) that a farmer relies upon to effectively operate within the landscape. Farmers and the Council will find themselves going through the resource consent process for everyday buildings and structures that form part of normal farming operations, and which have no more than minor impacts on the values of outstanding natural landscapes and features.	Federated Farmers seeks the following relief: (a) the amendment of rule NFL-R1 so that the maximum area of structures is 250m ² ; and S421.156 (b) any consequential amendments required as a result of the relief sought.
Part 2 – District wide matters - Natural	65	Support in part	Federated Farmers seeks that additional activities be included under the permitted threshold in rule NFL-R2.	Federated Farmers seeks the following relief:

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
environment values – Natural features and landscapes – Rule NFL-R2			<p>There are activities that are important for the continued viability and operational level for both landowners and emergency services to carry out their duties. These activities may include works that are located within an outstanding natural landscape and/or feature.</p> <p>Examples of such activities included (but are not limited to) activities ancillary to farming activities, emergency related activities for fire, flooding etc and biosecurity related works.</p> <p>Providing for emergency works is necessary to ensure that landowners undertaking necessary work to manage a sudden emergency event can be done without breaching district plan rules. Biosecurity related works are also relevant to ensure clearance can be done due to the increased risk of biosecurity breaches being spread around to flora and fauna.</p>	<p>(a) the amendment of rule NFL-R2 to include in performance standard PER-1 the additional permitted activities - farming activities, emergency services work, and biosecurity works; and S421.157</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Natural features and landscapes – Rule NFL-R3	66	Support in part	<p>Federated Farmers seeks that additional activities be included under the permitted threshold in rule NFL-R3. There are activities that are important for the continued viability and operational level for both landowners and emergency services to carry out their duties. These activities may include works that are located within an outstanding natural landscape and/or feature.</p> <p>Examples of such activities included (but are not limited to) activities ancillary to farming activities, emergency related activities for fire, flooding etc and works required for access.</p>	<p>Federated Farmers seeks the following relief: S421.158</p> <p>(a) the amendment of rule NFL-R3 to include in performance standard PER-1 the additional permitted activities - farming activities, emergency services works, and works required for access; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Natural features and landscapes – Rule NFL-R6	67	Oppose	<p>Federated Farmers does not support the rule and the activity classification that it has. It is illogical for the Council to require farmers to gain a resource consent if they are farming within an outstanding natural landscape or feature that is located outside of the coastal environment.</p>	<p>Federated Farmers seeks the following relief: S421.159</p> <p>(a) the deletion of rule NFL-R6 in its entirety; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>Many farmers have existing operations which have occurred over decades with no more than minor effects on the surrounding environment. For many landowners the resource consent process will be too costly to make their operation economically viable. This has the potential to result in farmers not expanding their operations across their land or, alternatively, being required to remove certain areas from their operations.</p> <p>The rule as proposed is inconsistent with the purpose and principles of the Resource Management Act 1991. It is inappropriate as many outstanding natural landscapes and features are located in rural areas where the rural landscape adds to their value. Farming operations assist in the maintenance and protection of outstanding natural landscapes and features. For example, grazing in these landscapes allow the landscapes to be preserved and viewed without the need for subdivision or other land uses which may inappropriately impact the outstanding natural landscape or feature or coastal environment.</p> <p>It is felt that the Council is overreaching its functions under the Act through stating farming is inappropriate land use within the defined areas. It is not appropriate to try and retrofit a consenting framework through a proposed district plan for an activity which has been operating legally within the specified environments. Federated Farmers does not support the proposed requirement that farming as an activity will require resource consent moving forward. We also do not support relying on existing use rights as this does not provide any clarity for landowners and Council. A reliance on existing use rights typically results in expensive discussions to establish what is included under an existing use right if one exists.</p> <p>Federated Farmers holds the view that existing use rights are for the same scale and character which is very hard to</p>	

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			define for farming activities. Does changing from beef to sheep, ryegrass to plantain, Jersey to Friesian impact existing use rights and does a change in best practice for water quality or climate mitigation measures go beyond scope of existing use rights. How are the boundaries going to be defined and monitored? Is the Council prepared for the high number of applications it may get for existing use rights certification along with all of the new resource consents it appears to want and has encouraged under this rule.	
Public Access				
Part 2 – District wide matters - Natural environment values – Public access - Overview	68	Oppose in part	<p>The District Plan needs to be clear that access is not available across private land unless it is with permission from the landowner. The landowner should not be compelled by the District Plan to always provide access across what is essentially their business and home.</p> <p>Many rural landowners, particularly coastal or riparian margin landowners, have encounters with unwelcome trespassers, some with dogs, that are disruptive to their farming operations, create security issues for themselves and their stock, have put themselves into dangerous situations, or created nuisance effects like littering or human waste.</p> <p>It is appropriate and legal to limit access across private property when this access will be unsafe or will disrupt farming activities, such as when tree felling or earthmoving is occurring, or during harvest or lambing activities.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of the overview so that it addresses the issue of public access across private property and the need to ensure that this access is provided with the agreement of the landowner where it is practicable to provide that access; and S421.160</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Public access - Objectives	69	Support in part	<p>Federated Farmers supports objectives PA-O1 and PA-O2 as they are currently drafted in the proposed district plan. However, there is a need for an additional objective to be included that provides recognition for private property rights as well as the additional impacts public access may</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of objectives PA-O1 and PA-O2 as currently drafted with wording to similar effect; and S421.161 & S421.162</p> <p>(b) the addition of a new objective PA-O3 that reads as follows S421.163 <u><i>Practical and safe public access to and along the margins of lakes and rivers and the coastal environment is provided in a way that</i></u></p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>also have on the amenity value of selected landscapes and areas.</p> <p>The landowner's private property rights are a key area of focus which needs to be considered within this chapter.</p>	<p><u>respects private property and does not result in adverse effects on natural character, landscape, indigenous biodiversity, historical heritage, or cultural values.</u></p> <p>or wording to similar effect; and</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>
Part 2 – District wide matters - Natural environment values – Public access - Policies	70	Support in part	<p>Federated Farmers supports policies PA-P1 to PA-5 as they are currently drafted in the proposed district plan.</p> <p>The policy section needs to include private property as a consideration when providing public access to ensure that it does not cause damage or create security risks. As a group, farmers provide more public access across their private property than other landowners (such as residential or industrial). Farmers are familiar with the adverse effects that result from public access such as rubbish, weed incursions and nuisance effects on their homes and places of work. The provision of public access also provides for weed incursions which are of particular concern with Chilean Needle Grass and Yellow Bristle Grass now in the region, which can create significant damage to livestock welfare and pasture quality.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of policies PA-P1 to PA-P5 as currently drafted with wording to similar effect; and S421.164 to S421.168</p> <p>(b) the addition of a new policy PA-P6 that reads as follows: <u>To provide information and education to the public regarding where public access is available, and that access over private land is only by the permission of the landowner.</u> S421.169 or wording to similar effect; and</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>
Subdivision				

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Part 2 - District wide matters – Subdivision - Overview	71		<p>Federated Farmers believes that council subdivision and development policies and planning should provide for managed growth in rural communities. While acknowledging that the loss of productive land can impact on the region’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. There should also needs to be acknowledgement that 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.</p> <p>One major concern with subdivision in rural areas is the issue of reverse sensitivity. Rural residential activities are often incompatible with rural production activities. Federated Farmers advocates for reverse sensitivity protection for rural land use so that the introduction of residential activities in rural areas will not negatively impact on the current use of rural land for production purposes. Federated Farmers wants to ensure that any objectives, policies, and relevant rules consider and mitigate the potential for reverse sensitivity issues to arise, where practical.</p>	<p>Federated Farmers seeks the following relief:</p> <ul style="list-style-type: none"> (a) the amendment of the overview to the subdivision chapter to acknowledge the need to provide a framework for the managed growth of rural communities; and S421.170 (b) the expansion of the issue of reverse sensitivity in the rural environment so that it is addressed in detail and clearly sets out why the issue needs to be acknowledged and addressed; and S421.170 (c) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – Subdivision - Objectives	72	Support	<p>Federated Farmers supports the objectives SUB-O1 to SUB-O4 as they are drafted in the proposed district plan. In particular we support the recognition of highly productive land and the reverse sensitivity issues that arise from subdivision in rural areas.</p>	<p>Federated Farmers seeks the following relief:</p> <ul style="list-style-type: none"> (a) the retention of objectives SUB-O1, SUB-O2, SUB-O3 and SUB-O4 as currently drafted in the subdivision chapter or with wording with similar effect; and S421.171 to S421.174 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – Subdivision – Policies SUB-P8 and SUB-P9	73	Oppose	<p>Federated Farmers opposes policies SUB-O8 and SUB-O9 as they are currently drafted in the proposed district plan. The policies only provide for subdivision in the rural environment in certain circumstances. There is no balance</p>	<p>Federated Farmers seeks the following relief:</p> <ul style="list-style-type: none"> (a) the deletion of policies SUB-P8 and SUB-P9 as currently drafted; and S421.175 & S421.176

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>provided by the two policies between enabling the managed growth of the rural area and the protection of highly productive land.</p> <p>Council also needs to consider the Benefit lots for environmental gains. For many rural landowners there is significant gain and drive if council was to promote biodiversity gains through the subdivision process.</p> <p>It is also recommended that the policies contained more recognition for the protection of highly productive soils. There is a significant amount of rural land in Kaipara that is highly productive, and which are significantly important to the economic, sustainable and growth prospects for the district.</p>	<p>(b) the inclusion of new policies SUB-P8 and SUB-P9 that address the issues of managed growth of rural areas, protection of highly production land and the use of benefit lots; and S421.175 & S421.176</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters – Subdivision – Rule SUB-R3	74	Support in part	<p>Federated Farmers supports rule SUB-R3 in general but does support the proposed 40ha rural production-controlled standard in SUB-S1. The 40ha requirement is overtly limiting and would require farmers to sacrifice more productive land for subdivision. This will leave less productive farmland on the working farm and more productive land on a smaller lifestyle property.</p> <p>We seek that the 40ha requirement in SUB-S1 is amended to the existing 20ha. This will ensure that landowners have suitable options available to react to economic, environmental and farm succession changes as required.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of the minimum allotment size for rural production land in SUB-S1 from 40ha to 20ha; and S421.177</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters – Subdivision – Rule SUB-R6	75	Support in part	<p>Federated Farmers supports the provision for benefit subdivision within the rural zones. However, it is essential that the rule allows for the creation of benefit lots under 4ha. There are positive benefits to be had from Council considering smaller areas for wetlands and biodiversity improvements for more significant or critical catchments. There are some areas around the district that may be more significant than others to protect. A blanket size approach</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of rule SUB-R6 to allow for case-by-case approval for areas less than listed in tables 1 and 2 of RDIS-1; and S421.178</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			does not target specific catchments or locations that will have more significant gains.	
Part 2 - District wide matters – Subdivision – Rule SUB-R9	76	Support in part	<p>Federated Farmers seeks recognition in rule SUB-R9 that subdivision within the rural production zone is different to that of other zones in respect of the effects on the national grid corridor.</p> <p>Many farmers in the rural production zone have areas of national grid running through and when subdividing their property into 40ha or 20ha allotments there is still substantial land available for both development and the national grid corridor.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of rule SUB-R9 to provide for subdivision in the rural production zone as a controlled activity; and S421.179</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
General District-Wide matters				
Coastal Environment				
Part 2 - District wide matters – General district-wide matters – Coastal environment - Overview	77	Oppose	<p>Federated Farmers has identified that both coastal environment and coastal hazard layers have captured areas of rural farmland. It is important that the Council provides for everyday agricultural activities to occur in the coastal environment, many of which already do. The amount of land captured is small and would allow the Council to engage individually with each landowner to provide necessary education and information on the particular challenges and restrictions placed on their land.</p> <p>Federated Farmers seeks that the areas of high natural character are deleted from this section as the coastal environment, outstanding natural character and indigenous biodiversity rules are consistent with section 6(a) of the Resource Management Act 1991 in protecting these areas from inappropriate subdivision and development.</p> <p>Without the high natural character layer, the District Plan still meets the Council’s obligations under the New Zealand</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the deletion of all references in the coastal environment chapter to high character areas; and S421.180</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			Coastal Policy Statement as well as the Northland Regional Policy Statement.	
Part 2 - District wide matters – General district-wide matters – Coastal environment – Objective CE-O1	78	Support in part	Objective CE-O1 as currently worded is not consistent with section 6 of the Resource Management Act 1991. Federated Farmers seeks the amendment of the objective to be consistent with section 6 and to reflect protection of natural character from only inappropriate activities rather than all.	Federated Farmers seeks the following relief: (a) the amendment of objective CE-O1 to read: <i>The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection from <u>inappropriate use, development, and subdivision</u> for current and future generations.</i> S421.181 or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – General district-wide matters – Coastal environment – Policy CE-P1	79	Oppose	Federated Farmers does not support Policy CE-P1 as it uses the identification and mapping of high character areas. Throughout this submission we have consistently sought the deletion of the use and references to high character areas.	Federated Farmers seeks the following relief: (a) the amendment of policy CE-P1 so that the use of and all references to high character areas are removed; and S421.182 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – General district-wide matters – Coastal environment – Policy CE-P2	80	Support in part	Objective CE-P2 as currently worded is not consistent with section 6 of the Resource Management Act 1991. Federated Farmers seeks the amendment of the policy to be consistent with section 6 and to reflect protection of natural character from only inappropriate activities rather than all.	Federated Farmers seeks the following relief: (a) the amendment of objective CE-P2 to read: <i>Avoid adverse effects of <u>inappropriate development, land use and subdivision on the characteristics and qualities of the coastal environment identified as: ...</u></i> S421.183 or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – General district-wide matters – Coastal environment – Policy CE-P6	81	Oppose	Federated Farmers does not support policy CE-P6 as it is currently drafted. The policy has been written in such a way that it is implied that only existing farming activities can occur within the coastal environment. The scope of the policy needs to be broader to allow for new farming activities to occur within the coastal environments as well. Farmers needs to have the ability to diversify and change	Federated Farmers seeks the following relief: (a) the amendment of policy CE-P6 so that it specifically provides for new and existing farming activities to occur in the coastal environment as a right; and S421.184 (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			their farming operations into new areas that still fall under the concept of farming.	
Part 2 - District wide matters – General district-wide matters – Coastal environment – Policy CE-P9	82	Oppose	<p>Federated Farmers does not support policy CE-P9. The policy is inconsistent with section 6 of the Resource Management Act 1991 in that it appears to prohibit all land use and subdivision from all outstanding natural character areas located in the coastal environment.</p> <p>The policy as proposed is overly restrictive and does not provide for appropriate subdivision and land use to occur. It is not possible to undertake the sustainable management of the coastal environment if there is no framework that allows for appropriate activities with no more than minor effects to occur.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the deletion of policy CE-P9 in its entirety; and S421.185 (b) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters – General district-wide matters – Coastal environment – Rule CE-R1	83	Support in part	<p>As per our previous submission points, Federated Farmers does not support the use of the high natural character layer and seeks its removal in its entirety.</p> <p>Federated Farmers supports new buildings ancillary to farming activities being permitted under rule CE-R1. We seek that the 25m² size for these buildings be increased to a reasonable size. The proposed size is too restrictive and is not fit for purpose as ancillary farm buildings are typically greater in size as they need to be able to accommodate farm machinery, hay bales etc.</p> <p>The requirement for the new buildings to be located outside of outstanding natural character areas is not supported as it does not recognise the functional need for farm buildings to be located where they are needed and where they are of the most use.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of rule CE-R1 so that all references to the use and application of high character areas/layers is removed; and S421.185 (b) the amendment in PER-2 of the size of a new building ancillary to farming activities from 25m² to 250m²; and S421.186 (c) the deletion in PER-2 of the requirement that new building ancillary to farming activities to be located outside of outstanding natural character areas; and S421.186 (d) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters – General district-wide matters – Coastal environment – Rule CE-R2	84	Support	Federated Farmers supports rule CE-R2 as it is drafted in the proposed district plan.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of rule CE-R2 as drafted or with wording with similar intent; and S421.187</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
				(b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – General district-wide matters – Coastal environment – Rule CE-R3	85	Oppose	Federated Farmers seeks the deletion of rule CE-R3. The rule contains unnecessary duplication from the zoning, earthworks and indigenous biodiversity chapters which already include provisions to appropriately manage earthworks and vegetation clearance.	Federated Farmers seeks the following relief: (a) the deletion of rule CE-R3 in its entirety; and S421.188 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – General district-wide matters – Coastal environment – Rule CE-R4	86	Oppose	Federated Farmers supports the right of existing farm activities to occur as permitted activities within the coastal environment. We recognise that the majority of the high and outstanding natural character layers capture biodiversity and non-farming land as well as farmland. Federated Farmers wishes to ensure that any existing farming activities and farmland located in these overlays within the coastal environment are permitted to continue. It is not appropriate for the district plan not to provide for existing, lawfully established farming activities to continue in the coastal environment. It is important to ensure that existing farmland is preserved and allowed to continue for future generations with a balance needing to achieve with the maintenance of the existing values formed by the coastal area.	Federated Farmers seeks the following relief: (a) the amendment of rule CE-R4 to provide for existing farming activities and farmland as permitted activities within the coastal environment; and S421.189 (b) any consequential amendments required as a result of the relief sought.
Earthworks				
Part 2 - District wide matters – General district-wide matters – Earthworks - Objectives	87	Support	Federated Farmers supports objectives EW-01, EW-2 and EW-03 as currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of objectives EW-01, EW-02 and EW-03 as currently drafted or with wording to similar effect; and S421.190 to S421.192 (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – General district-wide matters – Earthworks – Policy EW-01	88	Support	Federated Farmers supports the recognition of earthworks being necessary for rural land uses and development for the District’s social, economic, and cultural well-being and health and safety.	Federated Farmers seeks the following relief: (a) the retention of policy EW-01 as currently drafted or with wording to similar effect; and S421.193

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
				(b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters – General district-wide matters – Earthworks – Rules EW-R4 and EW-R5	89	Support in part	<p>Federated Farmers supports these rules as they are currently drafted in the proposed district plan. Both rules provide for earthworks for farming activities as a permitted activity and then as a restricted discretionary activity if compliance is unable to be achieved with performance standard PER-1.</p> <p>We do query the fact that the rules are based on the size of sites rather than the potential effects of any earthworks undertaken. It is not clear why it is considered that sites of more than 8ha will have potentially less effects as implied through rule EW-04 having less performance standards to be met under PER-1.</p> <p>Federated Farmers also seeks that the rules be amended to include reference to ancillary rural earthworks. We have made a submission point earlier in our submission that seeks the inclusion of a definition for ancillary rural earthworks.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the merging of rules EW-R4 and EW-R5 into one rule that deals with earthworks for farming activities or with wording to similar effect; S421.194 & S421.195</p> <p>(b) the removal of site sizes from the rule or rules; and S421.194 & S421.195</p> <p>(c) reference in the rule or rules to ancillary rural earthworks with the definition provided earlier in this submission; and S421.194 & S421.195</p> <p>(d) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters – General district-wide matters – Earthworks – Standard EW-S1	90	Support	Federated Farmers supports the proposed maximum earthwork thresholds for the rural production zone of 5000m ³ in volume and 2500m ² in area for all earthworks undertaken on a site in a single calendar year.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of the proposed maximum volume of 5000m³ and maximum area of 2500m² for the rural production zone as set out in standard EW-S1; and S421.196</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 2 - District wide matters – General district-wide matters – Earthworks – Standard EW-S3	91	Support	Federated Farmers supports the inclusion of standard EW-S3 which deals with an accidental discovery protocol.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of the standard EW-S3 as currently drafted or with wording with a similar effect; and S421.197</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Noise				

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Part 2 - District wide matters – General district-wide matters – Noise – Rule Noise -R7	92	Support in part	<p>Federated Farmers supports the intent of rule Noise – R7. However, we seek clarification on the exceptions listed in performance standard PER-2. PER-2 states that the rule does not apply to cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12-month period.</p> <p>The exception is broad in its application in that it does not say what state what scale is applicable. Is the exception to be applied on a site-by-site basis so that it is intended to cover the land of a farm owned by one person. Alternatively, is it meant to apply on a larger scale so that if a person owned land in more than one title, the 30 days apply to all of that land regardless of it being in different certificates of title.</p> <p>The district plan needs to provide for the continuance of existing, lawfully established activities such as farming. The rule as currently drafted is confusing, particularly when regard is had to the text under the heading ‘Rules’ and before the rules themselves. The text states that the noise rules and standards do not apply for agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis, forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture Processing zones.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) clarification from the Far North District Council on the application of the third exception under PER-2 and how the Council intends to apply and enforce this exception; and S421.198</p> <p>(b) the amendment of the definition for farming to include aircraft and helicopter movements where these are being used for operations as a part of farming on rural airstrips and landing areas; and S421.199</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>
Genetically modified organisms				
Part 2 - District wide matters – General district-wide matters – Genetically	93	Support	<p>Federated Farmers supports the use of the precautionary approach and the use of adaptive responses which has been adopted by the Council in terms of the use of genetically modified organisms.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of the precautionary approach and the use of adaptive response throughout this chapter of the proposed district plan; and S421.200 to S421.202</p>

Proposed provision	District Plan	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
modified organisms - Overview				<p>Federated Farmers is not supportive of Councils dealing with genetically modified organisms through a restrictive process. The Environmental Protection Authority (EPA) has been tasked with the control and management of genetically modified organisms. For Councils to then seek to restrict these organisms results in the doubling the consenting process and paperwork for a farmer as well as unnecessary duplication.</p> <p>The EPA controls the consent process which is strictly monitored and restricted to ensure that the trials are successful and do not cause damage to the environment and local communities.</p>	<p>(b) the deletion of the restrictions in the proposed district plan on the control and management of genetically modified organisms and replace with reference to the processes and controls imposed by the EPA; and S421.203</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>
Part 3 – Area Specific Matters					
Rural Zone					
Part 3 – Area specific matters – Rural zones – Rural production - Overview		94	Support in part	<p>Federated Farmers supports the recognition in the overview of the fact it is important to differentiate the rural production zone from the rural lifestyle and rural residential zones. We also support the strong recognition that has been given to rural land as an important resource.</p> <p>The concern Federated Farmers has is that the overview is focused on the absolute protection of highly productive from any activities other than primary production. The approach taken by the Council to prevent the fragmentation of rural production land is support but acknowledgement is also needed that all highly productive may not be profitable for the landowner. It would be unequitable for the Council to prohibit a rural landowner who has cared for the land for many years from achieving the real potential value of that land.</p> <p>The proposed district plan has strayed into private property rights through dictating what can and cannot be done on rural production land.</p>	<p>Federated Farmers seeks the following relief:</p> <p>(a) the amendment of the overview, objectives, policies, rules, and standards in the rural production chapter to recognise and provided for private property rights and allow landowners to subdivide land in the rural production zone for specific purposes such as creating lifestyle lots and lots for family members (amongst other matters); and S421.204 to S421.208</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>Returns from farming are variable due to a variety of factors including weather conditions, economic conditions, individual property circumstances and market demands. Like any business, diversification, flexibility, responsiveness, and cash flow are critically important to retaining their viability.</p> <p>Farmers undertake low impact subdivision for a variety of reasons. These vary from diversifying their business into tourism operations (luxury lodges and or associated tourism development and infrastructure), providing for disposing of a surplus dwelling on the property where a neighbouring farm is purchased, providing for a family member or staff member to live on the farm or to implement a succession plan for multiple siblings through small lot subdivision. The proposed chapter has taken away any flexibility for farmers to subdivide their land for specific purposes without undermining the primary production or life-style value of the remaining land.</p> <p>The chapter as drafted, adds another layer complexity on top of the regulations and provisions that exist in regional council planning documents and in National Policy Statements. The Council seems intent of duplicating provisions which may have already been dealt with at regional and national levels.</p>	
Part 3 – Area specific matters – Rural zones – Rural production – Objectives RPZOZ-O1 and RPZOZ-O3	95	Oppose	<p>Federated Farmers opposes objectives RPZOZ-O1 and RPZOZ-O3 as they are drafted in the proposed district plan. The objectives promote the absolute protection of the rural production zone and highly productive land.</p> <p>The National Policy Statement for Highly Productive Land sets out the requirements for the management of highly productive land. Policy 8 requires the protection of highly productive land from inappropriate use and development. Clause 3.8 provides for the subdivision of highly productive land provided certain matters are met. Clause 3.11 states</p>	<p>Federated Farmers seeks the following relief:</p> <ul style="list-style-type: none"> (a) the amendment of objectives RPZOZ-O1 and RPZOZ-O3 to achieve consistency with the requirements of the National Policy Statement for Highly Productive Land; and S421.209 & S421.210 (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>that territorial authorities must include objectives, policies, and rules in their district plans to enable the maintenance, operation, or upgrade of any existing activities on highly productive land; and ensure that any loss of highly productive land from those activities is minimised.</p> <p>The proposed district plan needs to be consistent with the requirements of the National Policy Statement. In our opinion, Objectives RPZOZ-O1 and RPZOZ-O3 do not meet the requirements of the National Policy Statement for Highly Productive Land as they do not provide for the ongoing operation of existing activities.</p>	
Part 3 – Area specific matters – Rural zones – Rural production – Objectives RPZOZ-O2 and RPZOZ-O4	96	Support	Federated Farmers supports objectives RPZOZ-O2 and RPZOZ-O4 as they are currently drafted in the proposed district plan.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of objectives RPZOZ-O2 and RPZOZ-O4 as currently drafted in the proposed district plan or with wording to similar effect; and S421.211 & S241.012</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 3 – Area specific matters – Rural zones – Rural production – Policies RPZOZ-P2 to RPROZ-P6	97	Oppose	<p>Federated Farmers opposes policies RPZOZ-P2 RPZOZ-P3, RPROZ-4, RPRPZ-P5 and RPROZ-P6 as they are drafted in the proposed district plan. The policies have no regard for the private property rights of landowners and are promoting the absolute protection of the rural production zone and highly productive land through removing the ability of landowners to control the use of their land.</p> <p>The National Policy Statement for Highly Productive Land sets out the requirements for the management of highly productive land. Policy 8 requires the protection of highly productive land from inappropriate use and development. Clause 3.8 provides for the subdivision of highly productive land provided certain matters are met. Clause 3.11 states that territorial authorities must include objectives, policies, and rules in their district plans to enable the maintenance, operation, or upgrade of any existing activities on highly</p>	<p>Federated Farmers seeks the following relief: S421.213 to S421.217</p> <p>(a) the amendment of policies RPZOZ-P2 RPZOZ-P3, RPROZ-4, RPRPZ-P5 and RPROZ-P6 to achieve consistency with the requirements of the National Policy Statement for Highly Productive Land and to recognise and provide for the rights of private landowners; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
			<p>productive land; and ensure that any loss of highly productive land from those activities is minimised.</p> <p>The proposed district plan needs to be consistent with the requirements of the National Policy Statement as well as acknowledging the rights of landowners.</p>	
Part 3 – Area specific matters – Rural zones – Rural production – Policies RPZOZ-P1 and RPROZ-P7	98	Support	Federated Farmers supports policies RPZOZ-P1 and RPROZ-P7 as they are currently drafted in the proposed district plan.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of objectives RPZOZ-P1 and RPROZ-P7 as currently drafted in the proposed district plan or with wording to similar effect; and S421.218 and S421.219</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 3 – Area specific matters – Rural zones – Rural production – Rule RPROZ-R3	99	Oppose in part	<p>Federated Farmers does not support performance standard PR-1 in the rule. PER-1 requires that the site area per residential unit is a minimum of 40 hectares. It is inappropriate to imply that the impact of a residential activity on the environment will be greater simply because the site is less than 40 hectares in size.</p> <p>We do support the permitted activity classifications status for residential activities in the rural production zone.</p>	<p>Federated Farmers seeks the following relief: S421.220</p> <p>(a) the removal of the site area requirements from rule RPROZ-R3; and</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 3 – Area specific matters – Rural zones – Rural production – Rule RPROZ-R7	100	Support	Federated Farmers supports farming activity being classified as a permitted activity in the rural production zone.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the retention of the permitted activity classification status for farming activities in rule RPROZ-R7; and S421.221</p> <p>(b) any consequential amendments required as a result of the relief sought.</p>
Part 3 – Area specific matters – Rural zones – Rural production – Rule RPROZ-R10	101	Support in part	While Federated Farmers supports the permitted activity classification for rural produce retail, we question the requirement in performance standard PER-1 for this to be set back a minimum of 30m from any internal boundaries. Stands and stalls for farm produce need to be located where they are visible from the road. A 30m setback is onerous and unrealistic.	<p>Federated Farmers seeks the following relief:</p> <p>(a) the deletion of the 30m setback requirement from PER-1 of rule RPROZ-R10; or S421.222</p> <p>(b) if the Council is not inclined to accept the relief outlined in S421.222 above, we seek the reduction of the setback from 30m to 5m; and</p> <p>(c) any consequential amendments required as a result of the relief sought.</p>

Proposed District Plan provision	Submission Point	Support / Oppose	Federated Farmers Submission	Relief Sought
Part 3 – Area specific matters – Rural zones – Rural production – Rule RPROZ-R11	102	Support in part	Federated Farmer supports the intent of rule RPZOZ-R11 but does not the proposed building gross floor area of 100m ² . The size is unrealistic for rural production activities and should be increased to a minimum of 250m ² .	Federated Farmers seeks the following relief: (a) the amendment of the gross floor area for rural produce manufacturing in rule RPR-OZ-R11 from 100m ² to 250m ² ; and S421.223 (b) any consequential amendments required as a result of the relief sought.
Part 3 – Area specific matters – Rural zones – Rural production – Rule RPROZ-R12	103	Support	Federated Farmers supports farm quarries being classified as a permitted activity in the rural production zone.	Federated Farmers seeks the following relief: (a) the retention of the permitted activity classification status for farming activities in rule RPROZ-R12; and S421.224 (b) any consequential amendments required as a result of the relief sought.
Rural lifestyle				
Part 3 – Area specific matters – Rural zones – Rural lifestyle	104	Support in part	Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the rural lifestyle chapter as currently written or with wording of similar intent; and S421.225 (b) any consequential amendments required as a result of the relief sought.
Rural residential				
Part 3 – Area specific matters – Rural zones – Rural residential	105	Support in part	Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the rural residential chapter as currently written or with wording of similar intent; and S421.226 (b) any consequential amendments required as a result of the relief sought.
Settlement				
Part 3 – Area specific matters – Rural zones - Settlement	106	Support in part	Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the rural lifestyle chapter as currently written or with wording of similar intent; and S421.227 (b) any consequential amendments required as a result of the relief sought.