



## STAFF REPORT

**TO:** Environment & Planning Committee

**FROM:** Shelagh Noble, Policy Planner

**REFERENCE:** L336/1

**SUBJECT:** **GOLDEN BAY OUTSTANDING NATURAL FEATURES AND LANDSCAPES INFORMATION REPORT - REP11-01-06 - Report prepared for meeting of 27 January 2011**

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### 1. PURPOSE

The purpose of this report is to inform the Committee about progress with the Golden Bay Outstanding Natural Features and Landscapes (ONFL) Project.

### 2. INTRODUCTION

The ONFL Project is part of a broader strategic planning exercise in Golden Bay, starting with the Takaka / Eastern Golden Bay Growth Strategy which introduced policies into the Tasman Resource Management Plan (TRMP) in 2007 (Plan Change 8), and continuing with the Western Golden Bay Strategic Planning Project which commenced in 2007 / 2008. In addition, there is ongoing settlement review work resulting from flood modelling work around Takaka, and a programmed further review of access and land suitability from Pohara to Tata.

The ONFL Project quite specifically seeks to meet the requirements of section 6(b) of the Resource Management Act (RMA) - to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development. It consists of two stages, the first stage focusing on Golden Bay and the northwest coast; and the second stage, focusing on defined parts of coastal Tasman Bay.

The Project will be consistent with other relevant matters in the RMA namely, sections 6(a) and 7(c) and (f) relating to preservation and protection of the natural character of the coast, wetlands, lakes and rivers; and more general maintenance and enhancement of "amenity values" and the "quality of the environment".

The Project will also be consistent with Policies 13 - 15 in the recently released New Zealand Coastal Policy Statement 2010, though it is not in the project brief to fully implement these policies. (Note Policy 15 "Protection of natural features and natural landscapes including seascapes" is most relevant.)

These additional matters and policies will inform the current ONFL project, and will be more fully addressed in the subsequent strategic settlement review work.

### **3. BACKGROUND**

In 2005 the Council commissioned a report on the character of the Tasman District coastal landscapes. The report was prepared by Frank Boffa - a landscape architect with the environmental management consultancy Boffa Miskell - and released in August 2005. The report caused some concern at the time because, as well as describing the coastal character, it recommended a number of areas be considered as outstanding landscapes and features, yet the implications for land owners were not explicit. The report, entitled "Tasman District Coast Landscape Character Assessment" can be viewed on Council's website (see Policy / Reports). The report was released by Council for consultation but the recommendations were not formally adopted.

Characterisation of a landscape is an important step in identifying outstanding landscapes. The two processes are quite separate however. The characterisation exercise should provide a full account of the qualities, attributes and features that comprise a particular landscape area. It is a descriptive process that collects information to assist in the next step - which is deciding how important or special a landscape is.

Because of Frank Boffa's earlier coastal characterisation work, and the public meetings held throughout the District in 2005/ 2006 to explain this work, Mr Boffa has been retained to complete the characterisation of the Golden Bay landscape (the Aorere and Takaka Valleys were not included in the earlier report), and review his earlier recommendations about areas with outstanding landscape values.

### **4. PROGRESS**

#### **4.1 Identifying what areas can be considered outstanding and why**

In accordance the project brief Council staff have documented the outcomes of consultation in 2007 / 2008 about what the community values in the landscape. In addition, staff have conducted extensive data collection and analysis of the qualities and attributes of all aspects of the Golden Bay landscape areas. Some guidance about how to evaluate a landscape is provided by the Environment Court through the "Pigeon Bay criteria", which list the following "value sets" as necessary considerations:

- Natural science values
- Legibility values
- Aesthetic values
- Transient values
- Tangata whenua values
- Historic values and
- Shared and recognised values

Being mindful of the last "dot point", early consultation with community representatives, in particular with the farming community as potentially affected landowners, was undertaken on 9 December 2010, with the assistance of Frank

Boffa who presented four options for displaying ONFL in map form for discussion and feedback. A number of “business interests” were also represented at the meeting. A final report is anticipated from Frank Boffa by the end of January - following feedback on the four options presented.

#### **4.2 Protecting these ONFL areas from inappropriate subdivision, use and development**

Certain land use activities have been identified as “potentially” inappropriate in some locations because of the scale of that activity or the sensitivity of a proposed location (eg subdivision, buildings, earthworks, vegetation removal, forestry). The Tasman Resource Management Plan **already** requires a resource consent for all subdivision, and other specified land use activities that fail to meet permitted activity conditions. Chapter 9 Landscape **already** has excellent objectives and policies that seek to protect the landscape. More information in the TRMP about those aspects of the environment that need special consideration when proposing a subdivision, or building a house or other activity would assist anyone needing a resource consent, and also make the assessment process clearer for planning staff doing an assessment and for Councillors making decisions on consent applications. The extent of change required to provide landscape protection is likely to involve putting more specific information in the TRMP, and adjusting objectives and policies. Additional changes to the rules may not be necessary, and if required, are unlikely to be extensive.

The meeting on 9 December 2010 was an invitation meeting held at the Kahurangi Function Centre in Golden Bay, and was attended by about 70 people. A morning round table discussion was held with Federated Farmers executive members, and this group was joined in the afternoon by a wider group of land owners and representatives of key interest groups, including business interests. A feedback document was distributed at the meeting with a timeframe for return extended from 24 December to 15 January 2011, the day of the Golden Bay A & P Show, at which Council staff were present to continue the discussions.

Preliminary consultation is continuing with the Board of Manawhenua ki Mohua, and with a more widely representative business group (to be arranged).

A key outcome of the day’s conversation on 9 December 2010 was to convene a working group in January or February to discuss options for defining outstanding landscapes, including the four options presented by Frank Boffa, and to consider what policy changes might be appropriate. It is expected that the Ward Councillors for Golden Bay, Councillors Riley and Bouillir, would be present at this meeting(s), together with representatives of the Community Board, Manawhenua ki Mohua, business interests, Federated Farmers, Friends of Nelson Haven and Tasman Bay (and Golden Bay), Forest & Bird Protection Society, and the Department of Conservation.

Staff have received good support from many people and there is broadscale involvement as the issues and solutions are further explored.

## 5. NEXT STEPS

The working group will provide a sounding board for Council staff preparing a Policy Paper for the March or April 2011 Environment & Planning Committee. The purpose of the Policy Paper is to present to Council options for establishing Outstanding Natural Features & Landscapes and developing appropriate methods for protecting these areas from inappropriate subdivision use and development.

Ideally, the Council's position would:

- Be acceptable to landowners and interest groups
- Respect the intent of the Resource Management Act. and
- Have adequate documentation and analysis to withstand any legal challenge.

Once the Policy Paper is adopted by Council, further community consultation will occur in April / May on the extent of the ONFLs and any suggested changes to objectives, policies and rules for appropriate protection. A subsequent Proposed Plan Change is anticipated for the June or July 2011 Committee meeting. The formal statutory public notification process would then follow.

## 6. RECOMMENDATION

It is recommended that the Committee receive and note Report REP11-01-06.

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