

# **Petition - Protection for the South side of the Brynderwyn Ranges**

**Meeting:** Kaipara District Council  
**Date of meeting:** 24 November 2021  
**Reporting officer:** Paul Waanders, District Planner

## **Purpose | Ngā whāinga**

To provide a response regarding the petition for protection for the South side of the Brynderwyn Ranges.

## **Executive summary | Whakarāpopototanga**

A petition for the Protection for the South side of the Brynderwyn Ranges was submitted to Council for consideration at the 29 September 2021 Council Meeting.

Staff have now considered the material presented by the petitioners and it appears that this has stemmed from a misunderstanding about how land currently identified as 'Outstanding Natural Landscape' in the Operative District Plan will be treated in the District Plan review.

Staff recommend that correspondence is sent to the petition organisers and that this notes the District Plan review is underway and this is the opportunity for landowners to formally express their desires to retain land currently classified as Outstanding Natural Landscapes.

## **Recommendation | Ngā tūtohunga**

That Kaipara District Council:

- a) Notes that the District Plan review is underway and that this process encompasses a review of land currently identified as Outstanding Natural Landscapes in the Operative Kaipara District Plan.
- b) Notes that the District Plan review will provide an opportunity for landowners and community members to express their support for the preservation of land currently identified as Outstanding Natural Landscapes.
- c) Agrees that staff write to the petition organisers advising that the District Plan review is currently underway and this is the most appropriate vehicle for landowners to express their desire to see land currently identified as Outstanding Natural Landscape retained.

## **Context | Horopaki**

A petition on the Protection for the South side of the Brynderwyn Ranges was submitted to Council for consideration at the 29 September 2021 Council Meeting.

As part of the presentation, the petitioners illustrated their fears of losing the Outstanding Landscape notation of the Brynderwyn Ranges by referring to two applications in the Brynderwyn Ranges regarding landscape values and vegetation clearance.

## **Discussion | Ngā kōrerorero**

The petition had its origin from the Discussion Documents on the District Plan Review and more specifically the Outstanding Natural Landscapes, 'Matters to Think About', on page 64 of that document, where the question was raised about the inclusion of the Southern side of the Brynderwyn Ranges as an Outstanding Natural Landscape where the land was intensively farmed.

Unfortunately, the Discussion documents did not contain the maps that related to this remark and it was assumed by the petitioners that the remark referred to the whole of the Brynderwyn Ranges. The remark actually refers to the farming activities outlined in red on the map provided at

#### **Attachment A.**

The land is adjacent to an Outstanding Natural Landscape on the Northern slopes of the Brynderwyn Range in the Whangarei District. From the aerial photo, it is clear this area is used for farming/grazing and is therefore excluded from the Outstanding Natural Landscape overlay, notwithstanding that it adjoins the Outstanding Natural Landscape in Whangarei.

At the presentation of the petition, the petitioners alluded to the reason for their opposition of reducing the Outstanding Natural Landscape notation and referred to two subdivisions and access to the developments that they considered were contrary to the outcomes expected in an Outstanding Natural Landscape, especially regarding vegetation clearing.

The two sub-divisions mentioned complied with all legislative requirements at the time. The vegetation clearance works and earthworks that were undertaken were permitted activities under the District Plan of the day, before the Outstanding Landscape provisions were included in the Kaipara District Plan.

It is understood that the petitioners do not want a repeat of these examples to occur, hence the strong insistence that the Outstanding Natural Landscape on the Brynderwyn Range should remain. The petitioners expressed their concern that if the Brynderwyn ranges are not kept as Outstanding Natural Landscapes then subdivision and vegetation clearance may still be permitted activities, hence their strong views to retain the ONL14 Brynderwyn Outstanding Natural Landscape.

The Outstanding Natural Landscapes matter is being dealt with through the District Plan review process. The petition is noted and it is intended that staff write to the petitioners and advise of the situation and advise that the District Plan review is currently underway and that review is the most appropriate vehicle for landowners to express their desire to see land currently identified as Outstanding Natural Landscape retained.

### **Options**

**Option 1:** Approve correspondence to the petitioners

#### Advantages

- This will be an expectation from the petitioners from Council.
- This will help inform them about the District Plan review process and how they can influence the process.

#### Disadvantages

- None identified

**Option 2:** Do not approve correspondence to the petitioners

#### Advantages

- None identified

#### Disadvantages

- The petitioners may not be as informed about the District Plan review process and how to get involved in this review.

The recommended option is **Option 1**.

### **Policy and planning implications**

The District Plan review is the opportunity for all stakeholders to express their views on the preservation and protection of land identifies as an Outstanding Natural Landscape.

### **Financial implications**

There are no financial implications outside of the normal processing of the District Plan Review.

## Impacts on Māori

This does not impact relationship agreements with Iwi/Mana Whenua.

## Significance and engagement | Hirahira me ngā whakapāpā

The decisions or matters of this report with regards to the petition are considered to have a low degree of significance in accordance with Council's Significance and Engagement Policy. No feedback is required, and the public will be informed of Council's decision via the agenda and minutes publication of this meeting, on the website and through other channels if appropriate.

## Next steps | E whaiake nei

The information in the report be conveyed to the petitioners, noting that the Draft District Plan is scheduled for public engagement in May 2022. This will provide an opportunity for all stakeholders to provide input into the District Plan review.

## Attachments | Ngā tapiritanga

	Title
A	Area of Interest South of the Brynderwyn Range