

# MARINE FARMERS share resource consent concerns

BY JUSTINE INNS



In mid-November, Federated Farmers issued a booklet entitled *Let's Make It Work: why the Resource Management Act must change*. (See [www.fedfarm.org.nz](http://www.fedfarm.org.nz)) As well as summarising the results of research into farmers' experiences of the RMA, and setting out some examples, the booklet makes six concrete proposals for changing the act.

When launching the booklet, the federation's environmental spokesman, Bruce McNab, said that it was intended to encourage debate on the problems the RMA presents in relation to farming. I commend it to you as an interesting read, and have no doubt that some of the issues it covers will strike a chord with marine farmers, especially those who have had to navigate the resource consent process in recent years.

The "six pack" of changes to the RMA recommended by Federated Farmers comprises:

- compensating landowners for restrictions on the land use resulting from protection of nationally important landscape or environmental values
- mandating (requiring) consultation with landowners affected by proposed plan rules
- refining the advocacy role of the Department of Conservation
- streamlining resource consent and planning processes, including "clamping down on vexatious submitters"
- enabling long-term economic viability of farm land by facilitating some land-use changes, such as minor subdivisions, and allowing for transferable development rights and other "trade-offs", and
- acknowledging the changing nature of landscapes by de-emphasising the protection of "amenity values".

While some of these issues are specific to the situation of farmers who have the ability to utilise their private land restricted by local council rules, others, such as the role of DoC and the frustrations of the resource consent process, will be familiar to marine farmers. In fact, one of the real-life examples presented in the booklet is of the Aitken family on Banks Peninsula, and the difficulties they faced when they decided to take the logical step of extending their farming operations in the marine environment by putting in some mussel lines adjacent to their own land.

As those in the marine farming industry know, Edward Aitken's story of a six-figure cost for the initial resource consent process and tens of thousands of dollars for a subsequent extension is closer to being the norm, rather than being an extreme example.

Three of Federated Farmers' recommendations seem

particularly relevant to marine farmers. The first is the suggestion that DoC's advocacy role should be limited. DoC has a role in many resource consent processes as the "owner" of conservation land, such as coastal reserves or national parks and – since 2004 – of virtually all the foreshore and seabed.

But it gets also a "second bite at the cherry" through its statutory role as an advocate for conservation in other areas. In respect of marine farming, its responsibility for marine mammals is also a factor: Not only does DoC have seemingly limitless resources to throw at consent processes, the department often appears to work closely with environmental interest groups and non-government organisations.

The role of environmental groups is identified as part of the reason for another recommendation, that resource consent and planning processes be streamlined. As the booklet says: "If people are not directly affected by a policy to be implemented, then their submissions should not carry the same weight and there should be a dollar cost related to that submission... Someone in Auckland should not be able to control what a farmer does on his land at Lake Coleridge, without putting in any money". Is that a "hear, hear" I hear?

Finally, the booklet proposes a reconsideration of the RMA's treatment of landscape "amenity values". Any marine farmer who has had to sit through lengthy submissions about how his marine farm would negatively impact on the "amenity values" of a nearby walking track, for example (or, in the case of Kaipara Harbour, a non-existent but proposed walking track) will have had a painful lesson in what a potent concept it is.

We have to acknowledge that the jury is still out on the degree to which the 2004 aquaculture law reforms will address some of the problems faced by marine farmers in the resource consent process in the past. The fact that three years on, no resource consents have yet been able to be applied for under the new regime, because no aquaculture management areas have been established, can give little reason to hold out great hopes on that front, however.

Marine farmers face particular issues associated with the RMA, but they also face sufficient of the problems identified by Federated Farmers that its proposed solutions merit a good look. Let's hope the politicians have the booklet on the Christmas reading list.



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