

28 April 2026

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Tēnā koe Meagan,

WITHDRAWAL OF RIGHT TO BE HEARD IN RESPECT OF KAIPARA DISTRICT PLAN – HEARING 12 – PART 2 – DISTRICT-WIDE MATTERS / NATURAL ENVIRONMENTAL VALUES / PUBLIC ACCESS & HEARING 13 – PART 3 – AREA SPECIFIC MATTERS / ZONES / OPEN SPACE AND RECREATION ZONES / NATURAL OPEN SPACE ZONE

The submission by the Director-General of Conservation (DG, submission no: 304), dated 30 June 2025, included a submission point on the Public Access chapter, and the Natural Open Space Zone (NOSZ) of the Proposed Kaipara District Plan (PDP).

This letter provides the DG's position in response to the s42a Reports that were released on 15 April 2026. For clarity, each hearing topic is separated with its own heading below.

Hearing 12 – Part 2 – District-wide matters / Natural Environmental Values / Public Access:

The Director-General (DG) provided a submission in relation to Policy PA-P2 – *Activities within public access corridors* to ensure the policy gives effect to Policies 13 and 15 of the New Zealand Coastal Policy Statement 2010 (as amended in 2025, NZCPS), particularly in relation to the avoidance of adverse effects of activities on natural character within the coastal environment, and to recognise and provide for section 6(c) of the Resource Management Act 1991 (RMA) regarding the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

In response, the section 42A reporting officer agrees that Policy PA-P2 must give effect to Policies 13 and 15 of the NZCPS. The officer also acknowledges that there is a conflict with policies in the Coastal Environment and Natural Features and Landscapes chapters. As such, the section 42A officer recommends that Policy PA-P2 be amended to better align Policies 13 and 15 of the NZCPS with the policies in the Coastal Environment and Natural Features and Landscapes chapters in Part 2 – District-Wide Matters¹.

¹ Section 42A Report – Public Access, dated 13 April 2026, para [102].

In relation to the DG's request to amend Policy PA-P2 to recognise and provide for section 6(c) of the RMA, it is considered that proposed Policy PA-P4- *Restriction of public access* will help ensure that access is restricted where necessary to protect threatened indigenous species².

With respect to proposed Policy PA-P4, the DG supports its inclusion, as it ensures protections are provided for threatened indigenous species, as well as other sensitive values and/or areas, in accordance with Policy 19(3) of the NZCPS.

Hearing 13 – Part 3 – Area Specific Matters / Zones / Open Space and Recreation Zones / Natural Open Space Zone:

Within the Natural Open Space Zone chapter, the DG provided a submission point in support of Rules NOSZ-R1 *Open space facilities, buildings and structures* and NOSZ-R2 – *Open space management activity*. No change is proposed to these rules in the s42a Report.

The DG also provided a submission on the definition of *Open Space Management Facilities*, seeking clarification that it references day-to-day activities associated with the management of facilities on public conservation land.

In response, the s42A officer confirms that the definition is appropriately drafted to capture the day-to-day activities involved in the management of parks and reserves across a range of land types, including public conservation land³.

While the s42A officer does not accept the DG's sought relief, it is agreed that the definition does capture activities associated with the management of DOC facilities.

For completeness the DG's submission on this chapter stands for the panel's consideration, however it is considered there is nothing additional DOC would add by speaking at the hearings. As such, the DG does not wish to be heard at either hearing, but requests this letter be made available to the Panel. Additionally, if it would please the Panel Chair, DOC will be available to any questions the panel may have in relation to the DG's submission points.

Thank you for considering these comments. Please contact Ronan Whitelock (Resource Management Planner, rwhitelock@doc.govt.nz) or Lisa Sutherland (Legal Counsel, lsutherland@doc.govt.nz) if you wish to discuss any of the matters raised in this letter.

Nāku noa, nā



² Section 42A Report - Public Access, dated 13 April 2026, para [103].

³ Section 42A Report – Open Space and Recreation Zones, dated 13 April 2026, para [166]

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Te Papa Atawhai