

**BEFORE THE HEARINGS PANEL APPOINTED BY  
THE KAIPARA DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act  
1991 ("**the Act**")

**AND**

**IN THE MATTER** of the hearing of submissions on The  
Proposed Kaipara District Plan

Hearing Stream 17: Ecosystems and  
Indigenous Biodiversity

Hearing Stream 18: Natural Character

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**STATEMENT OF EVIDENCE BY VANCE ANDREW HODGSON**

**FOR HORTICULTURE NEW ZEALAND**

**15 MAY 2026**

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## **SUMMARY STATEMENT**

1. This planning evidence addresses the Horticulture New Zealand ("**HortNZ**") submission on the Kaipara District Council's ("**KDC**") s42A Report response to the submissions on the Proposed Kaipara District Plan ("**PDP**"), Hearing Stream 17: Ecosystems and Indigenous Biodiversity and Hearing Stream 18: Natural Character.
2. I have been asked to focus planning evidence on the provisions concerning earthworks and indigenous vegetation clearance where necessary as a response to a biosecurity incursion.
3. In regard to biosecurity, I understand that landholders are legally obliged to comply with any Notice of Direction under the Biosecurity Act 1993. Biosecurity incursions affecting Primary production activities must be able to be managed with a rapid response to quickly and efficiently contain spread and eliminate the incursion.
4. However, it is my understanding that only in particular circumstances does the Biosecurity Act 1993 override Part 3 of the Resource Management Act 1991. Similarly, not all biosecurity incursions would constitute a biosecurity emergency that would trigger provisions in the Resource Management Act 1991 (as emergency works). In particular this is the case for incursions of unwanted organisms as defined under the Biosecurity Act 1993.
5. Where possible I consider resource consent processes that might cause delays in responding to a biosecurity incursion of an unwanted organism should be avoided.
6. On review on the PDP and s42A analysis and recommendations I am comfortable that the right planning response has been proposed with some suggested amendments to assist plan interpretation.

## **QUALIFICATIONS AND EXPERIENCE**

7. My full name is Vance Andrew Hodgson. I am a director of HPC Ltd, a resource management consultancy based in Waiuku. I have been employed in resource management related positions in local government and the private sector since 1994 and have been in private practice for over 20

years. I hold a Bachelor of Resource and Environmental Planning (Hons) degree from Massey University.

8. I have worked in the public sector, where I was employed in student, assistant, and senior policy planning roles by the Franklin District Council. I have provided resource management consultancy services to various district and regional councils. The scope of work for the public sector has been broad, covering plan change processes, submissions to national standards/regulations/policy statements and regulatory matters, mediation, and appeals.
9. In private practice I regularly advise a range of private clients on statutory planning documents and prepare land use, subdivision, coastal permit, water permit and discharge permit resource consent applications. I have experience in resource consent applications, hearings and appeals on a range of activities, particularly for activities in the rural environment. I have provided independent resource management advice to HortNZ on policy matters across New Zealand since 2012.
10. I did not prepare the submissions for HortNZ but have a familiarity with the District and Region and have previously been involved in Northland Regional Plan, Whangarei District Plan and Far North District Plan, plan change processes as a witness for HortNZ.
11. While these are not proceedings in the Environment Court, I consider the Environment Court's Code of Conduct for Expert Witnesses relevant, and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

#### **SCOPE OF EVIDENCE**

12. This evidence provides a planning assessment of those provisions on which HortNZ submitted and addresses the Section 42A Report, prepared by the Kaipara District Council for Hearing Stream 17: Ecosystems and Indigenous Biodiversity and Hearing Stream 18: Natural Character.

13. The HortNZ submissions are focused on ensuring the provisions enable and support the ongoing primary production activities of horticulture and supporting activities in the district, recognising existing activities, making provision for growth and land use change, and responding to biosecurity threats.
14. The planning framework is well described in both the s32 Report and the s42A Report provided by the KDC. I agree with the analysis.
15. Given the general agreement I do not repeat the analysis of the applicability of those planning instruments or the compliance of the PDP with those instruments. Rather this evidence sets out where I depart from the views expressed in s42A Reports, or where I consider that an alternative planning provision would better give effect to, be not inconsistent with, or have regard to (as the case may be), the various relevant documents.
16. My evidence includes recommended amendments to the plan change provisions where appropriate. Appendix A includes a list of my suggested amendments to the plan change by provision order for ease of reference.
17. For the submissions of HortNZ, I rely on the evidence provided by Sarah Cameron the Senior Policy Advisor for HortNZ.

## **BIOSECURITY**

18. The evidence of Sarah Cameron for HortNZ sets out the particular concerns related to biosecurity and the horticultural sector. Those concerns include the management and the risk of pests and diseases that are currently in New Zealand, and the required response to future incursions.
19. I understand from HortNZ, that the ability to respond in a timely manner to future incursions is of particular interest.
20. Biosecurity threats are a constant risk to food production systems that provision the domestic supply of meat, fruit and vegetables, maintains food security for New Zealanders and are export earners.
21. Changing climate is likely to increase biosecurity risks from plant, fungal and animal pests and diseases. The MPI Technical Paper No: 2015/25: *Effects of Climate Change on*



*(ii) any organism specified in [Schedule 2](#) of the Hazardous Substances and New Organisms Act 1996; but*

*(b) does not include any organism approved for importation under the [Hazardous Substances and New Organisms Act 1996](#), unless—*

*(i) the organism is an organism which has escaped from a containment facility; or*

*(ii) a chief technical officer, after consulting the Authority and taking into account any comments made by the Authority concerning the organism, believes that the organism is capable or potentially capable of causing unwanted harm to any natural and physical resources or human health*

24. The best management method for any biosecurity risk will depend on the nature and location of the incursion and may involve manual or chemical treatments and disposal of infected material by burning, burial or removal to a specific disposal facility.
25. As set out in the evidence of HortNZ, the transfer of infected material offsite may have unacceptable spread risks. Furthermore, suitable facilities may not be available to receive the infected material.
26. The most appropriate method of disposal can and will be determined by the appropriately qualified personnel dealing with the incursion. In some cases where on-site disposal is required, burning may not be the most appropriate option. In other cases where either burial or burning is appropriate, there may be fewer adverse effects on adjoining landholders and the community from burial.
27. As I understand the evidence of HortNZ, in the case of a response to an unwanted organism, a person who is subject to a Notice of Direction under the Biosecurity Act 1993 is required to comply with that notice. I also understand that the most appropriate method of compliance and the timing for compliance will depend on the circumstances in each case, including the nature of the biosecurity incursion.
28. It is also my understanding there may not be time to wait for an application for a resource consent for vegetation clearance or earthworks to be processed under a district plan. I assume this might put a landowner in the invidious

position of having consider breaching their legal obligations under one statute to comply with another.

29. It has been my recent experience that provisions for managing the removal of indigenous vegetation in district plans and rules for earthworks, often include an exemption where required to comply with a Notice of Direction to respond to an unwanted organism as declared by the Ministry for Primary Industries Chief Technical Officer and as directed by a person authorised under the Biosecurity Act 1993, or undertaking other pest management.
30. In my opinion, additional constraints on indigenous vegetation clearance and earthwork activity at a district plan level (e.g., volume, area, maximum depth) may inhibit a timely, efficient, and effective response. I also question whether it is likely a district council would decline a resource consent in these circumstances.
31. Linking the vegetation clearance and earthworks exemptions to unwanted organisms and the directions of an authorised person under the Biosecurity Act 1993 limits the circumstances when which these provisions can be relied upon on to bona fide biosecurity incursions where vegetation clearance and/or burial of infected material is an appropriate response.

## HEARING 17: ECOSYSTEMS AND INDIGENOUS BIODIVERSITY

### ECO-R1: Indigenous vegetation clearance and any associated land disturbance for specified activities

32. ECO-R1 provides for a limited range of permitted activities and purposes for indigenous vegetation clearance, which fall within a number of categories.
33. As noted in the s42A report, clearance for biosecurity purposes is permitted, with no specified limits on the amount of indigenous vegetation allowed to be cleared. This is prescribed as follows:

<b>ECO-R1</b>	<b>Indigenous vegetation clearance and any associated land disturbance for specified activities</b>
<b>All zones</b>	1. <b>Activity status:</b> Permitted  <b>Where:</b>

	The indigenous vegetation clearance is for the following purposes:  d. To remove pest species in accordance with any approved pest management plan or biosecurity operational plan;
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34. Responding to the submissions of HortNZ [140.47, 140.50] and the Department of Conservation [304.73]<sup>2</sup>, the s42 report writer agrees that the wording of this clause could be improved by linking this more specifically to works required under the Biosecurity Act 1993. More specifically, that the clause should include a reference to removing material infected by unwanted organisms under the Biosecurity Act 1993, which appropriately broadens the clause from “pest species”.

35. The recommended change is as follows:

<b>ECO-R1</b>	<b>Indigenous vegetation clearance and any associated land disturbance for specified activities</b>
<b>All zones</b>	1. <b>Activity status:</b> Permitted  <b>Where:</b> The indigenous vegetation clearance is for the following purposes:  d. To remove pest species in accordance with any approved pest management plan or biosecurity operational plan <u>or to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993;</u>

36. Referencing to 'diseased vegetation' as suggested in the HortNZ submission is less clear and on reviewing the s42A, HortNZ agree with the recommendation.

37. Linking the response to directions of an authorised person under the Biosecurity Act 1993 limits the circumstances when these provisions can be relied upon on to bona fide biosecurity incursions where indigenous vegetation clearance is an appropriate and managed response.

38. The recommendation aligns the rule with ECO-P4 which is a policy to:

*Promote and enable activities that restore and enhance indigenous biodiversity, including by:*

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<sup>2</sup> SECTION 42A REPORT: Hearing 17 Ecosystems and Biodiversity. Paragraph 170

1. *Recognising and providing for the role of landowners as stewards in the restoration of indigenous biodiversity;*
2. *Enabling the removal or management of pest plant and animal species; and*
3. *Enabling biosecurity works.*

39. Relevant to ECO-P4(2), the Northland Regional Pest and Marine Pathway Management Plan 2017-2027<sup>3</sup> glossary describes as follows:

*Pest plant: A plant that has been declared a pest in the Pest Plan.*

*Animal pest: An animal that has been declared a pest in this Plan.*

40. Being responsive to declarations under the Biosecurity Act, an 'unwanted organism' may not be a declared pest under the Pest Plan<sup>4</sup>. Furthermore, as set out in the evidence of HortNZ, the organism may not be a plant or animal but be an infection (a disease) of the host plant or animal.

41. The s42A recommended change to ECO-R1 links to ECO-P4(3) and enabling biosecurity works. The s42 report writer explains this through a response to a submission requesting a new definition:

*d. The term "biodiversity reasons" is not used in the ECO Chapter and I am not recommending using this term. The term "biosecurity works" is used in ECO-P4, however I disagree that this term needs additional clarification in order for its meaning to be understood. I note that I am recommending a direct reference to the Biosecurity Act 1993 in ECO-R1, which provides more specific context for what biosecurity works mean in terms of permitted activities. As such, I do not recommend definitions for either of these terms.*

42. I support the recommendations of the s42 report writer.

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<sup>3</sup> [Northland Regional Pest and Marine Pathway Management Plan 2017-2027](#)

<sup>4</sup> The Northland Regional Pest and Marine Pathway Management Plan (the Plan) is a combined plan containing the: Pest Plan, which is a plan for the eradication or effective management of specified pest species or groups of pests

## HEARING 18: NATURAL CHARACTER

### NATC-P2 Indigenous vegetation clearance and earthworks

43. The submission of HortNZ (\$140.52) supported NATC-P2 which is as notified:

*Enable indigenous vegetation clearance and earthworks within wetland, lake and river margins where it is for:*

...

4. *Biosecurity reasons.*

44. The recommendation of the s42A report writer<sup>5</sup> is to accept in part the submission but to *replace “biosecurity reasons” with “The removal or management of pest plant and animal species”*. The changed is tagged to the submission of Fish and Game [267.9] who I understand sought “conservation activities’ be referenced in the policy but do not appear to have sought the deletion of “biosecurity reasons”.
45. The reason provided is that the wording *more clearly articulates the activities being enabled and is consistent with the wording used in policy ECO-P4*. The s32AA evaluation on this matter stating<sup>6</sup> that the key amendments to NATC-P2 Replaces vague “biosecurity reasons” with “removal or management of pest plant and animal species”.
46. I also note that policy ECO-P4 as per the s42 recommendations for Hearing 17 retains the policy arm of promoting and enabling activities that restore and enhance indigenous biodiversity, including by enabling biosecurity works.
47. I am not convinced that the recommendation improves the plan to more clearly articulate the activities being enabled. I agree a permitted pathway should exist for the “removal or management of pest plant and animal species” but a pathway for indigenous vegetation clearance and earthworks should exist for other “biosecurity reasons”. As I have previously noted in above evidence, I understand that in a biosecurity incursion, the organism may not be a plant or

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<sup>5</sup> SECTION 42A REPORT: Natural character. Paragraph 103

<sup>6</sup> SECTION 32AA EVALUATION: Natural character. Page 4

animal identified as a pest in a Pest Plan and/or be an infection of the host plant or animal.

48. It is my opinion that the reference to “*biosecurity reasons*” should remain in NATC-P2 and that the rules of NATC-R3 and NATC-R4 are amended to identify what those biosecurity reasons are.

### **NATC-R3 Earthworks in wetland, lake and river margins**

49. The submission of HortNZ (S140.54) sought the inclusion of “erosion and sediment controls” in the listed permitted earthworks activities in NATC-R3.1.
50. I concur with the s42 report writer<sup>7</sup> that this is an appropriate addition. As noted in the reasons, erosion and sediment control measures often have an operational need to be located adjacent to freshwater bodies, provide a clear environmental benefit by managing effects on water quality.
51. As described in the evidence of HortNZ, the sector promotes erosion and sediment control guidelines and a code of practice to vegetable growers. Controls such as grassed swales, decanting earth bunds and sediment retention traps/ponds are typically positioned at the edge of fields, adjacent to freshwater bodies to be effective.
52. I agree with the s42 report writer that this activity is unlikely to result in significant adverse effects on natural character and achieves broader positive outcomes.
53. I do not agree that this activity should be subject to the limitations proposed for cut height or fill depth of 2m nor the 100m<sup>3</sup> maximum within any 12-month period per site.
54. It has been my experience that these control guidelines and a code of practice to growers have been adopted and/or referenced in regional planning documents to achieve freshwater quality outcomes. For example, the Auckland Unitary Plan<sup>8</sup> as a standard for ancillary farming earthworks.
55. Erosion and sediment controls can be temporary or permanent and require regular maintenance. I note for

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<sup>7</sup> SECTION 42A REPORT: Hearing 17 Ecosystems and Biodiversity, Paragraph 223

<sup>8</sup> [E11 Land disturbance - Regional.pdf](#)

example sediment retention ponds that require regular excavation of sediment traps/ponds and the paddock structure can determine the depth and length of the controls. The standards proposed could unreasonably limit the establishment of necessary erosion and sediment controls.

I am aware that the government have paused the rollout of freshwater farms plans under the RMA, but it is anticipated that these will form part of the response to provide practical actions on-farm to manage and reduce the impact of agriculture and horticulture on waterways. The limitations proposed in the s42 recommendations may constrain the scope of a reasonable and necessary freshwater farms plan response.

56. I note that in responding to the submission of Fish and Game [267.13], that sought that earthworks for conservation and biosecurity activities be included in this rule, the report writer recommendation<sup>9</sup> is to amend the wording to provide for the removal or management of pest plant and animal species.
57. I support the change but suggest that in addition to referencing to pest plant and animal species, the rule should refer to earthworks associated with the removal or management of material infected by unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993.
58. I reiterate that linking the response to directions of an authorised person under the Biosecurity Act 1993 limits the circumstances when these provisions can be relied upon on to bona fide biosecurity incursions where vegetation clearance and/or burial of infected material is an appropriate response.

#### **NATC-R4 Indigenous vegetation clearance in wetland, lake and river margins**

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<sup>9</sup> SECTION 42A REPORT: Hearing 17 Ecosystems and Biodiversity. Paragraph 223

59. The submission of HortNZ [140.55] sought the enablement of indigenous vegetation clearance in wetland, lake and river margins as a permitted activity.
60. The submission suggested including the term “biosecurity clearance” with the s42 report writer suggesting HortNZ provide clarification and more specific wording.
61. It is my suggestion that a permitted activity pathway is established where this is required to respond to an incursion by an unwanted organism. I recommend adopting the rule framework proposed by the s42 report writer in Hearing 17 Ecosystems and Biodiversity to read as follows:

<b>NATC-R4</b>	<b>Indigenous vegetation clearance in wetland, lake and river margins</b>
<b>All zones</b>	<p>1. <b>Activity status:</b> Permitted</p> <p><b>Where:</b>  <a href="#">d. The indigenous vegetation clearance is to remove pest species in accordance with any approved pest management plan or biosecurity operational plan or to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993;</a></p>

## CONCLUSION

62. In my opinion it is appropriate to include provisions in the Proposed Kaipara District Plan that enable earthworks or indigenous vegetation clearance of biosecurity material that may be required under the Biosecurity Act 1993, either as pests specified in the current Northland Pest Management Plan or specifically as a response to an incursion by an unwanted organism.
63. The plan should provide a consistent response across the plan chapters addressing Ecosystems and Biodiversity, and Natural Character.
64. Linking these permitted activities to directions of an authorised person under the Biosecurity Act 1993 limits the circumstances when which these provisions can be relied upon on to bona fide biosecurity incursions where the most appropriate response can be applied. I would expect that response to be measured and considerate of the

environment and values within which the incursion has occurred.

## APPENDIX A – TRACKED CHANGES

The provisions in the Proposed Kaipara District Plan are shown in black text with amendments as recommended in the S42A Report are shown in ~~strikeout~~ and underlined in red. Amendments recommended in this evidence are shown with deleted text is shown as ~~strikeout~~ and new text as underlined in green.

<b>ECO-P4</b>	<b>Restoring and enhancing indigenous biodiversity</b>
<p>Promote and enable activities that restore and enhance indigenous biodiversity, including by:</p> <ol style="list-style-type: none"> <li>1. Recognising and providing for the role of landowners as stewards <u>and tangata whenua as kaitiaki</u> in the restoration of indigenous biodiversity;</li> <li>2. Enabling the removal or management of pest plant and animal species; and</li> <li>3. Enabling biosecurity works.</li> </ol>	

<b>ECO-R1</b>	<b>Indigenous vegetation clearance and any associated land disturbance for specified activities</b>
<b>All zones</b>	<p>1. <b>Activity status:</b> Permitted</p> <p><b>Where:</b>  The indigenous vegetation clearance is for the following purposes:</p> <ol style="list-style-type: none"> <li>a. To address an immediate risk to the public safety or damage to property;</li> <li>b. The formation of walking tracks less than 1.5m wide;</li> <li>c. The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation, provided that the clearance does not exceed 3.5m in width <del>either side of the fence line;</del></li> <li>d. To remove pest species in accordance with any approved pest management plan or biosecurity operational plan <u>or to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993;</u></li> <li>e. To create or maintain a 20m setback from an area of indigenous vegetation to a residential unit (excluding accessory buildings);</li> <li>f. To allow for the construction of a single residential unit on an existing Record of Title <u>dated prior to 28 April 2025</u>, including essential associated on-site infrastructure, <u>a garage</u> and access, where the total clearance does not exceed 1,000m<sup>2</sup>;</li> <li>g. Clearance provided for in a covenant or order under the Queen Elizabeth II National Trust Act 1977, a Ngā Whenua Rāhui Kawenata, or the Reserves Act 1977;</li> <li>h. Clearance on land held or managed under the Conservation Act 1987 and in accordance with any applicable conservation management strategy, conservation management plan, or management plan established under that Act;</li> <li>i. The removal or clearance of indigenous vegetation from land that was previously cleared and where the indigenous vegetation to be</li> </ol>

	<p>cleared is less than <del>5</del> 10 years old;</p> <p>j. Creation and maintenance of firebreaks to manage fire risk;</p> <p>k. The harvesting of indigenous timber carried out in accordance with a forest management plan or permit under Part IIIA of the Forests Act 1949; or</p> <p>l. Clearance for the operation, repair or maintenance of the following activities where they have been lawfully established:</p> <ul style="list-style-type: none"> <li>i. Fences;</li> <li>ii. Infrastructure <u>and associated access tracks</u></li> <li>iii. Buildings;</li> <li>iv. Driveways and access;</li> <li>v. Walking tracks;</li> <li>vi. Cycling tracks;</li> <li>vii. Farming tracks; and</li> <li>viii. Farm drains.</li> </ul>
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<b>NATC-P2</b>	<b>Indigenous vegetation clearance and earthworks</b>
<p>Enable indigenous vegetation clearance and earthworks within wetland, lake and river margins where it is for:</p> <ol style="list-style-type: none"> <li>1. The <u>operation</u>, repair or maintenance of lawfully established activities;</li> <li>2. Safe clearance for existing overhead powerlines;</li> <li>3. Health and safety of the public;</li> <li>4. <u>The removal or management of pest plant and animal species</u> <del>Biosecurity reasons; and</del> <u>and biosecurity reasons;</u></li> <li>5. The sustainable non-commercial harvest for customary activities.;</li> <li>6. <u>Restoration planting;</u></li> <li>7. <u>The upgrade, operation, maintenance, repair or removal of existing infrastructure;</u></li> <li>8. <u>The development of buildings or structures with an operational or functional need to be in that location;</u></li> <li>9. <u>Erosion and sediment control; and</u></li> <li>10. <u>Access necessary for any of the above.</u></li> </ol>	

<b>NATC-R3</b>	<b>Earthworks in wetland, lake and river margins</b>
<b>All zones</b>	<p><b>1. Activity status:</b> Permitted</p> <p><b>Where:</b></p>

a. The earthworks:

i. Does not exceed a cut height or fill depth of 2m ~~Complies with NATC-S2 – Earthworks~~; and

ii. Does not exceed 50m<sup>3</sup> within in any 12-month period per site; or and

b. The earthworks is for the maintenance of lawfully established:

i. roads,

ii. fences,

iii. network utility connections,

iv. driveways,

v. parking areas,

vi. effluent disposal systems,

vii. swimming pools,

viii. walking or cycling tracks, or

ix. farm and forestry tracks; or

c. The earthworks:

i. Does not exceed a cut height or fill depth of 2m;

ii. Does not exceed 100m<sup>3</sup> within any 12-month period per site; and

iii. Is for the following purpose (including any associated access):

(a) Erosion and sediment control;

(b) The removal or management of pest plant and animal species;

(c) Restoration planting;

(d) The upgrade, operation, maintenance, repair or removal of existing

(e) Establishing infrastructure in a road;

(f) Natural hazard mitigation undertaken by, or on behalf of a local authority; or

(g) A track no greater than 1.5m wide. or

d. The earthworks is for:

i. Erosion and sediment control;

ii. the removal or management of pest species in accordance with any approved pest management plan or biosecurity operational plan or to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993;

NATC-R4	Indigenous vegetation clearance in wetland, lake and river margins
All zones	<p data-bbox="353 209 680 236"><b>1. Activity status:</b> Permitted</p> <p data-bbox="353 280 450 308"><b>Where:</b></p> <p data-bbox="353 319 1568 379"><u>a. The maximum area of indigenous vegetation clearance is 25m<sup>2</sup> within any 12-month period per site; The activity complies with NATC-S3— Indigenous vegetation clearance; or</u></p> <p data-bbox="353 424 1364 451">b. The indigenous vegetation clearance is for the maintenance of lawfully established:</p> <ul style="list-style-type: none"> <li data-bbox="353 462 450 489">i. roads,</li> <li data-bbox="353 501 450 528">ii. fences,</li> <li data-bbox="353 539 719 566">iii. <u>network</u> utility connections,</li> <li data-bbox="353 577 517 604">iv. driveways,</li> <li data-bbox="353 616 546 643">v. parking areas,</li> <li data-bbox="353 654 692 681">vi. effluent disposal systems,</li> <li data-bbox="353 692 595 719">vii. swimming pools,</li> <li data-bbox="353 730 725 758">viii. walking or cycling tracks, or</li> <li data-bbox="353 769 712 796">ix. farm and forestry tracks; or</li> </ul> <p data-bbox="353 823 1711 850"><u>c. The maximum area of indigenous vegetation clearance is 50m<sup>2</sup> within any 12-month period per site, and it is for:</u></p> <ul style="list-style-type: none"> <li data-bbox="353 861 1344 888"><u>i. The upgrade, operation, maintenance, repair or removal of existing infrastructure,</u></li> <li data-bbox="353 900 842 927"><u>ii. Establishing infrastructure in a road, or</u></li> <li data-bbox="353 938 833 965"><u>iii. A track no greater than 1.5m wide. or</u></li> </ul> <p data-bbox="353 1003 2029 1064"><u>d. The indigenous vegetation clearance is to remove pest species in accordance with any approved pest management plan or biosecurity operational plan or to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993;</u></p>