Form 5: Submission on notified proposal for policy statement or plan, change or variation

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991

To: Kaipara District Council (the **Council**)

Name of submitter: Director-General of Conservation (the **Director-General**)

1. This is a submission on the following proposed plan:

   Proposed Kaipara District Plan

2. I could not gain an advantage in trade competition through this submission.

3. The **Director-General** represents relevant aspects of public interest and has interest in the Proposed District Plan (PDP) that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation to perform its functions[1]. The Conservation Act 1987 (the CA) sets out the Department's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage[2]. Section 2 of the CA defines 'conservation' to mean 'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'.

4. The specific provisions of the proposal that my submission relates to, and the detailed decisions sought to are set out in **Attachment 1** to this submission.

5. I **seek** the following decision from the Council:

   a. That the particular provisions of the PDP that I support, as identified in Attachment 1 are retained;

   b. That the amendments, additions and deletions to the PDP sought in Attachment 1 are made; and

[1] Refer section 53 Conservation Act 1987.
[2] Conservation Act 1987, section 6.

c. Further or alternative relief to like effect to that sought in 4 above.

6. The decisions sought in this submission are required to ensure that the Proposed Kaipara District Plan (the **Plan**):

    a. Gives effect to the Resource Management Act 1991 (the **Act**); recognising and providing for the matters of national importance listed in section 6 of the Act and has particular regard to the other matters in section 7 of the Act.

    b. Gives effect to the New Zealand Coastal Policy Statement 2010, the National Policy Statement for Freshwater Management 2020 (amended 2024, (NPSFM)), National Policy Statement for Indigenous Biodiversity 2023 (NPSIB), Northland Regional Policy Statement 2016 (NRPS) in accordance with section 75(3) of the Act.

    c. In regard to the NPSIB:

        i. It is acknowledged that the Resource Management Act (Freshwater and Other Matters) Amendment 2024 (the **Amendment Act**) has made the requirement to map SNAs in the NPSIB redundant. It also has removed the obligation for local authorities to "give effect as soon as reasonably practicable" to clause 3.8(5) of the NPSIB.

        ii. Despite this, the Amendment Act stipulates the NPSIB continues to apply in relation to the other provisions NPSIB 2023.

        iii. As such, and in accordance with section 75(3) of the Act, Council is required to give effect to the NPSIB 2023, except for those sections outlined in section 78 of the Act.

    d. Promotes sustainable management of natural and physical resources.

7. At present there is a lacuna in the Plan in relation to protecting indigenous biodiversity, meaning it is not compliant with national direction obligations above. This also means Council has not fulfilled its functions under the Act, in particular with sections 31 and 75.

8. The Director-General has proposed changes to address this, in the Table attached to this submission, including reference to a helpful study commissioned by Council to identify areas of significant indigenous vegetation and significant indigenous fauna.

9. The changes sought are necessary, appropriate and sound resource management practice.

10. I wish to be heard in support of my submission, and if others make a similar submission, I will consider presenting a joint case with them at the hearing.

Stephen Soole
Operations Manager
Kauri Coast
Department of Conservation
Acting pursuant to delegated authority on behalf of the Director-General of Conservation

Date: 30/06/2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Address for service:
Attn: Ronan Whitelock, Resource Management Planner
rwhitelock@doc.govt.nz and cc to: RMA@doc.govt.nz
Department of Conservation

ATTACHMENT 1:

Proposed Kaipara District Plan
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION

The Chapters that my submission relates to are set out in the table below. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from Proposed Plan Change is shown in *Italics*. The wording of relief sought shows new text as <u>underlined</u> and original text to be deleted as ~~*strikethrough.*~~

Unless specified in each submission point, my reasons for supporting are that the provisions are consistent with the purposes of the Act.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Considered documents	Oppose	The document titled – '*Significant Indigenous Vegetation and Habitats of Kaipara District, Northland – Volume 1'* (Attachment 2) - has been omitted from the list of 'documents considered.' Clearly, this document and its attachments have been considered in preparation of the district plan. The document records that Wildlands Consultants Ltd were contracted by the Kaipara District Council to prepare the report. The report outlines that District Councils are required under section 6(c) of the RMA to identify and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna and that to achieve this, the Council seeks to identify and map those areas. The report has identified those areas. It is understood KDC has decided not to implement this mapping following the implementation of the Resource Management Act (Freshwater and Other Matters) Amendment Bill, and changes to the NPS-IB removing the requirement of local authorities to map SNAs. In the absence of SNAs altogether, the Director-General considers this report as a useful guide for ecologists to identify and indicate sensitive areas of significant indigenous vegetation and habitat in accordance with section 6(c) of the RMA. The report should still be referenced in the district plan and the any reasons that it has been disregarded should have been addressed in the relevant s32 report. For effectiveness and efficiency, it should be made available to support the ecology assessments that will be required across different sections of the Plan for ecological assessment in relation to Appendix 5 of the NRPS.	Record that '*Significant Indigenous Vegetation and Habitats of Kaipara District, Northland – Volume 1'*(refer to Attachment 2 is considered in development of the proposed Kaipara district plan. The D-G's primary relief is that the areas identified through the report identified in Attachment 2 are used as a useful guide in the District Plan to establish and implement objectives, policies and rules which recognise and promote the protection of significant indigenous vegetation and significant habitats of indigenous fauna under section 6(c) of the RMA.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Kauri Dieback	Oppose	The rules in the National pest management plan Kauri Dieback should be adopted in the KDC plan for activities around kauri in subdivisions, roadworks and earthworks.	The rules are found in Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation
Part 1 – Introduction and General Provisions / Interpretation / Definitions			

Biodiversity compensation	New definition	Biodiversity compensation is a part of the effects management hierarchy that will be applied when activities are assessed against provisions in the PDP. The NPSIB effects management hierarchy and related provisions remain in force. They must be given effect. Using the NPSIB definition of biodiversity compensation as provided in clause 1.6 is the most clear and certain way of achieving this. For plan interpretation I seek that the principles for biodiversity compensation in Appendix 4 of the NPSIB be appended to or scheduled in the PDP.	Add a new definition as set out below: ***biodiversity compensation*** *means a conservation outcome that meets the requirements in Appendix x and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.* I also seek that an appendix or schedule setting out the principles in appendix 4 of the NPSIB be included in the PDP as set out below: ***Appendix 4: Principles for biodiversity compensation*** *These principles apply to the use of biodiversity compensation for adverse effects on indigenous biodiversity:* *(1) Adherence to effects management hierarchy: Biodiversity compensation is a commitment to redress more than minor residual adverse effects, and should be contemplated only after steps to avoid, minimise, remedy, and offset adverse effects are demonstrated to have been sequentially exhausted.* *(2) When biodiversity compensation is not appropriate: Biodiversity compensation is not appropriate where indigenous biodiversity values are not able to be compensated for.* *Examples of biodiversity compensation not being appropriate include where:* *(a) the indigenous biodiversity affected is irreplaceable or vulnerable;* *(b) (b) effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential effects are significantly adverse or irreversible;* *(c) (c) there are no technically feasible options by which to secure a proposed net gain within acceptable timeframes.*

			(3) Scale of biodiversity compensation: The indigenous biodiversity values lost through the activity to which the biodiversity compensation applies are addressed by positive effects to indigenous biodiversity (including when indigenous species depend on introduced species for their persistence), that outweigh the adverse effects. *(4) Additionality: Biodiversity compensation achieves gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the compensation, such as gains that are additional to any minimisation and remediation or offsetting undertaken in relation to the adverse effects of the activity.* *(5) Leakage: Biodiversity compensation design and implementation avoids displacing harm to other indigenous biodiversity in the same or any other location.* *(6) Long-term outcomes: Biodiversity compensation is managed to secure outcomes of the activity that last as least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management, and monitoring.* *(7) Landscape context: Biodiversity compensation is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ecological district. The action considers the landscape context of both the impact site and the compensation site, taking into account interactions between species, habitats and ecosystems, spatial connections, and ecosystem function.* *(8) Time lags: The delay between loss of, or effects on, indigenous biodiversity values at the impact site and the gain or maturity of indigenous biodiversity at the compensation site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).* *(9) Trading up: When trading up forms part of biodiversity compensation, the proposal demonstrates that the indigenous biodiversity gains are demonstrably greater or higher than those lost.*

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
			The proposal also shows the values lost are not to Threatened or At Risk (declining) species or to species considered vulnerable or irreplaceable. *(10) Financial contributions: A financial contribution is only considered if:* *(a) there is no effective option available for delivering biodiversity gains on the ground; and* *(b) (b) it directly funds an intended biodiversity gain or benefit that complies with the rest of these principles.* *(11) Science and mātauranga Māori: The design and implementation of biodiversity compensation is a documented process informed by science, and mātauranga Māori.* *(12) Tangata whenua and stakeholder participation: Opportunity for the effective and early participation of tangata whenua and stakeholders is demonstrated when planning for biodiversity compensation, including its evaluation, selection, design, implementation, and monitoring.* *(13) Transparency: The design and implementation of biodiversity compensation, and communication of its results to the public, is undertaken in a transparent and timely manner.* Any alternative or consequential relief.

Biodiversity offset	New definition		Add a new definition as set out below: ***biodiversity offset*** *means a measurable conservation outcome that meets the requirements in Appendix x and results from actions that are intended to:* *(a) redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and* *(b) achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost.* I also seek that an appendix or schedule setting out the principles in appendix 4 of the NPSIB be included in the PDP as set out below: ***Appendix 3: Principles for biodiversity offsetting*** *These principles apply to the use of biodiversity offsets for adverse effects on indigenous biodiversity.* *(1) Adherence to effects management hierarchy: A biodiversity offset is a commitment to redress more than minor residual adverse effects and should be contemplated only after steps to avoid, minimise, and remedy adverse effects are demonstrated to have been sequentially exhausted.* *(2) When biodiversity offsetting is not appropriate: Biodiversity offsets are not appropriate in situations where indigenous biodiversity values cannot be offset to achieve a net gain. Examples of an offset not being appropriate include where:* *(a) residual adverse effects cannot be offset because of the irreplaceability or vulnerability of the indigenous biodiversity affected:* *(b) (b) effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential effects are significantly adverse or irreversible:*

			(c) *(c) there are no technically feasible options by which to secure gains within an acceptable timeframe.* *(3) Net gain: This principle reflects a standard of acceptability for demonstrating, and then achieving, a net gain in indigenous biodiversity values. Net gain is demonstrated by a like-for-like quantitative loss/gain calculation of the following, and is achieved when the indigenous biodiversity values at the offset site are equivalent to or exceed those being lost at the impact site:* (a) *types of indigenous biodiversity, including when indigenous species depend on introduced species for their persistence; and* (b) *(b) amount; and* (c) *(c) condition (structure and quality).* *(4) Additionality: A biodiversity offset achieves gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the offset, such as gains that are additional to any minimisation and remediation undertaken in relation to the adverse effects of the activity.* *(5) Leakage: Biodiversity offset design and implementation avoids displacing harm to other indigenous biodiversity in the same or any other location.* *(6) Long-term outcomes: A biodiversity offset is managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management and monitoring.* *(7) Landscape context: Biodiversity offsetting is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ecological district. The action considers the landscape context of both the impact site and the offset site, taking into account interactions between species, habitats and ecosystems, spatial connections, and ecosystem function.*

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
			(8) Time lags: The delay between loss of, or effects on, indigenous biodiversity values at the impact site and the gain or maturity of indigenous biodiversity at the offset site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years). *(9) Science and mātauranga Māori: The design and implementation of a biodiversity offset is a documented process informed by science and mātauranga Māori.* *(10) Tangata whenua and stakeholder participation: Opportunity for the effective and early participation of tangata whenua and stakeholders is demonstrated when planning biodiversity offsets, including their evaluation, selection, design, implementation, and monitoring.* *(11) Transparency: The design and implementation of a biodiversity offset, and communication of its results to the public, is undertaken in a transparent and timely manner.* Any alternative or consequential relief.
Coastal Environment	Support	The coastal environment extent in the planning maps follows the extent provided in the NRPS and is therefore considered to be consistent with high level planning documents.	Retain as notified.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Coastal Marine Area	Oppose	The definition of Coastal Marine Area (CMA) has not been included in the PDP. The CMA is referred to in various chapters and provisions. The meaning of CMA, as set out in section 2 of the RMA should be included.	*Coastal Marine Area: has the same meaning as in Section 2 of the RMA (as set out in the box below):* means the foreshore, seabed, and **coastal water**, and air space above the **water** - (a) of which the seaward boundary is the outer limits of the territorial sea: (b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a **river**, the landward boundary at that point shall be whichever is the lesser of – (i) 1 kilometre upstream from the mouth of the **river**; or (ii) The point upstream that is calculated by multiplying the width of the **river** mouth by 5.
Coastal Water	Support	The PDP has adopted the definition of coastal water in Part 2 of the RMA this is appropriate and supported.	Retain as notified.
Community Scale Renewable Electricity Generation Activities	Oppose in part	The definition of Community Scale Renewable Electricity Generation Activities is insufficiently clear to assist plan users. The definition should be bounded by a quantitative threshold so that it's application under policies and rules is clear and certain. Arriving at the appropriate threshold (e.g. xKW or MW) can occur with the advice of suitably qualified experts as part of the first schedule process.	Amend the definition as set out below: Community Scale Renewable Electricity Generation Activities *Means:* *renewable electricity generation supplying electricity to ~~a~~ local ~~community~~ electricity users or the distribution network and where the installed capacity does not exceed X.* Any alternative or consequential relief.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Ecological district	Oppose	The definition of Ecological District has not been included in the PDP. The term is referenced across various chapters and provisions. It is noted the definition used in the NPS-IB references McEwan (1987)[3]. However, the Director-General contends the definition of "Ecological District" within the NPS-IB does not fit the context of the Kaipara District and a more localised definition is available. The Director-General proposes instead, the definition should be aligned with the Protected Natural Areas Programme reporting completed by M.C Smale *et al* (2009)[4], which references Brook who provided the rationale for redefining what McEwen (1987) provided.	*Ecological district means:* *(a) In relation to geothermal ecosystems in the Tāupo Volcanic Zone, the Tāupo Volcanic Zone; and* *(b) For all other areas, the ecological district as shown in M.C. Smale et al 2009, Natural Areas of Kaipara Ecological District. Whangarei: Department of Conservation*
Ecological Integrity	Oppose	The definition of Ecological Integrity has not been included in the PDP. The term is referenced in the Ecosystems and Indigenous Biodiversity chapter, with no meaning defined. The meaning of ecological integrity as set out in the NPS-IB should be included.	*Ecological integrity means the extent to which an ecosystem is able to support and maintain its:* *(a) Composition (being its natural diversity of indigenous species, habitats, and communities); and* *(b) Structure (being its biotic and abiotic physical features); and* (c) *Functions (being its ecological and physical processes).*
Ecological Site	Oppose	The definition of an ecological site has not been included in the PDP. It is recommended this definition is provided in line with the definition outlined Appendix 5 of the Northland Regional Policy Statement 2016.	*Ecological site:* *The area under assessment comprising one or more ecological units. Ecological sites are comparable with each other at relevant and recognised scales within the landscape. Current ecological classification systems include the ecological district framework, freshwater biogeographical units and LENZ, and are expected to evolve in terrestrial, freshwater and marine environments as new information and technology develops.*

[3] McEwen, W Mary (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation.

[4] M.C. Smale et al 2009, Natural Areas of Kaipara Ecological District. Whangarei: Department of Conservation

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Ecological Unit	Oppose	The definition 'Ecological unit' has not been provided in the PDP. Given the term is referenced in submission amendments below, it is recommended the definition set out in Appendix 5 of the PDP.	*Ecological unit:* *Any combination of indigenous vegetation types (or suite of interrelated types) plus the landform they occur on. The Ecological Unit may include exotic vegetation types where they support indigenous fauna.*
Ecosystem	Oppose	The definition of Ecosystem has not been included in the PDP. The term ecosystem or ecosystems is referenced across multiple chapters and provisions. The meaning of Ecosystem provided in the NPS-IB should be included.	*Ecosystem:* *Means the complexes or organisms and their associated physical environment within an area (and comprise: a biotic complex, an abiotic environment or complex, the interactions between the biotic and abiotic complexes, and a physical space in which these operate).*
Effects Management Hierarchy	Oppose	The definition of the effects management hierarchy has not been provided in the PDP. My suggested definition is provided in clause 1.6 of the NPSIB, which has not been disapplied. It must therefore be given effect. Including the definition unaltered is the most clear and certain way to achieve this outcome.	*Effects management hierarchy means an approach to managing the adverse effects of an activity that requires that:* *(a) Adverse effects are avoided where practicable then;* *(b) Where adverse effects cannot be avoided, they are minimised where practicable; then* *(c) Where adverse effects cannot be minimised, they are remedied where practicable, then* *(d) When more than minor residual adverse effects cannot be avoided, minimised or remedied, biodiversity offsetting is provided where possible; then* *(e) Where biodiversity offsetting are more than minor residual adverse effects is not possible, biodiversity compensation is provided; then* *(f) If biodiversity compensation is not appropriate, the activity itself is avoided.*
Environment	Support	I support this definition as notified because it aligns with the definition outlined in the RMA.	Retain as notified.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Exotic Continuous-Cover Forestry	Support in part	The definition supported as it is consistent with the National Environmental Standards for Commercial Forestry 2017 (NES-CF). NES-CF could be referred to in the definition to assist plan users.	Exotic Continuous-Cover Forestry exotic continuous-cover forest or exotic continuous-cover forestry— *has the same meaning as set out in the National Environmental Standards for Commercial Forestry 2017 (NES-CF)* ... Otherwise, retain as notified.
Functional Need	Support	The D-G supports the notified definition of 'functional need' as it is consistent with the terminology used in National Policy Statements and the Northland Regional Policy Statement (RPS) which must be given effect.	Retain as notified.
Hard Protection Structure	Oppose	The PDP does not include a definition of 'hard protection structure'. Hard protection structure is defined in the NZCPS and is distinguished from other natural hazard defences such as soft protection. To avoid inconsistency with the NZCPS and NRPS a NZCPS definition should be included.	*Hard Protection Structure:* *Includes a seawall, rock revetment, groyne, breakwater, stop bank, retaining wall or comparable structure or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting an activity from a coastal hazard, including erosion.*
Hazard Protection Structure	Oppose in part	As stated above, the PDP does not include a definition of 'hard protection structure', as drafted this definition could go beyond hard protection and capture other types of structures. The definition should be amended to distinguish hard protection and other structures or otherwise deleted with the NZCPS definition of hard protection structure in its place.	Hard protection structure: *Includes a seawall, rock revetment, groyne, breakwater, stop bank, retaining wall, or comparable structure or modification to the seabed, foreshore or coastal land that has primary purpose or effect of protecting an activity from a coastal hazard, including erosion.*
Indigenous Biodiversity	Support	The D-G supports the notified decision, which gives effect to the NPSIB.	Retain as notified.
Indigenous vegetation	Support	The D-G supports the notified decision, which gives effect to the NPSIB	Retain as notified.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Intrinsic Values	Oppose	The definition of Intrinsic Values has not been provided in the PDP. This term is referred to in various chapters, and without a clear definition the meaning of this cannot sufficiently be utilised.	*Intrinsic Values: has the same meaning as set out in Section 2 of the RMA:* *In relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including –* *(a) their biological and genetic diversity; and* (b) *the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience.*
Lake	Oppose	The definition of Lake has not been provided in the PDP. The term lake is used across the PDP. The definition of a Lake is set out in Section 2 of the RMA and is recommended to be included into the PDP,	*Lake has the same meaning as set out in Section 2 of the RMA:* *Means a body of fresh water which is entirely or nearly surrounded by land.*
Large-scale renewable electricity generation activities	Support	Subject to my relief for community scale renewable electricity generation activities being adopted I support the definition as notified.	Retain as notified.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Natural Inland Wetland	Oppose	The definition of Natural Inland Wetland has not been provided in the PDP. The term is used across the PDP. The definition of Natural Inland Wetland in Clause 3.21 of the NPS-FM and is recommended to be included into the PDP.	*Natural inland wetland means a wetland (as defined in the Act) that is not:* *(a) in the coastal marine area; or* *(b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or* *(c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or* *(d) a geothermal wetland; or* *(e) a wetland that:* *(i) is within an area of pasture used for grazing; and* *(ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Assessment Methodology (see clause 1.8)); unless* (iii) *the wetland is a location of habitat of a threatened species identified under clause 3.8 of the NPS-FM, in which case the exclusion in (e) does not apply.*

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Open Space Management Facilities	Support with amendments	The definition does not provide for DOC facilities on public conservation land. The D-G respectfully asks these are listed in the definition.	Amend the definition as set out below: *Means the day to day management of parks and reserves to maintain, protect and/or enhance the natural, historic and/or ecological values of a park or reserve. It may include activities which assist to enhance the public's appreciation and recreational enjoyment of the resources and includes:* *a. Repair and maintenance of facilities, structures and buildings,* *b. Planting, including plant and tree nurseries* *c. Removal and trimming and maintenance of turf trees (except Protected Trees) and other non-indigenous vegetation and associated earthworks.* *d. Animal and pest control operation* *e. Repair and maintenance of walkways, cycleways, vehicle tracks or carparks and associated earthworks.* *f. Undertaking any of the activities in (a)-(e) on public conservation land in association with management of Department of Conservation facilities.*
Operational Need	Support	The definition is consistent with the terminology used in National Policy Statements which must be given effect to.	Retain as notified.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Pest / Pest Organism	Support	The PDP does not provide a definition of Pest / Pest Organism. This term is referenced across the PDP, and thus a clear definition needs to be assigned. It is recommended that the definition outlined in the NRPS is included in the PDP.	Add a new definition as set out below: *Pest / Pest Organism:* *These include any unwanted living organism including micro-organisms, pest agents, plants, animals, and marine pests and any genetic structure that is capable of replicating itself (whether that structure comprises all or only part of an entity, and whether it comprises all or only part of the total genetic structure of an entity) that may affect plants, animals, or raw primary produce; and* *a) Includes any entity declared to be a pest in the northland Regional Pest Management Strategies or otherwise by Northland Regional Council for the purposes of the Biosecurity Act 1993;* *b) Does not include, any human beings; or living organism which affects only human beings; or any living organism declared not to be a pest for the purposes of the Biosecurity Act.*
Regionally Significant Infrastructure	Support with Amendments	The DG supports the definition as it is consistent with Appendix 3 of the NRPS, with the exception of clause i, which appears to go beyond the RPS.	Delete Clause i. and otherwise retain as notified: ~~*i. Flood management / protection schemes managed by regional and / or district councils.*~~
Area of significant indigenous vegetation and/or significant habitats of indigenous fauna	New Definition	The PDP does not provide a definition for areas of significant indigenous vegetation and significant habitats of indigenous fauna. Rules both notified in PDP and proposed for amendment in my submission (e.g. ECO-R2) refer to these areas as meeting Appendix 5 of NRPS. The NRPS, and by extension s6(c) of the RMA must be given. A definition outlining that these areas meet the NRPS criteria is therefore necessary and appropriate. I further request that the NRPS Appendix 5 criteria by included I the PDP as an appendix or policy to assist with plan interpretation.	Add a new definition as set out below: ***Area of significant indigenous vegetation and/or significant habitats of indigenous fauna*** *means:* *Any area in the Kaipara district that meets criteria in Appendix 5 of the Northland Regional Policy Statement 2016.* *Note: to assist with plan interpretation Appendix 5 of the Northland Regional Policy Statement has been included in Appendix x to the Kaipara district plan.*

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Threatened or At Risk	Oppose	The definition of Threatened or At Risk has not been provided in the PDP, noting various provisions within the Ecosystems and Indigenous Biodiversity chapter references this multiple times. It is recommended the meaning of Threatened or At Risk as set out in the NPS-IB is included.	*Threatened or At Risk, and Threatened or At Risk (declining) have, at any time, the meanings given in the New Zealand Threat Classification System Manual (Andrew J Townsend, Peter J de lange, Clinton A J Duffy, Colin Miskelly, Janice Molloy, and David A Norton, 2008. Science & Technical Publishing, Department of Conservation, Wellington), available at: https://www.doc.govt.nz/globalassets/documents/ or its current successor publication.*
Vegetation Clearance	Oppose in part	While the D-G supports inclusion of a definition for vegetation clearance the proposed definition needs widening to include exotic vegetation where it constitutes significant habitat for indigenous fauna. It also should include the range of activities that typically result in vegetation clearance.	Amend the definition: Vegetation Clearance means: ~~*In relation*~~ *The removal, trimming, felling and modification of* ~~*to*~~ *any indigenous vegetation*~~*, includes the pruning, trimming, clearance and removal of any indigenous vegetation.*~~ *and/or exotic vegetation that constitutes significant habitat for indigenous fauna* *It includes, but is not limited to:* 1. *cutting;* 2. *crushing;* 3. *cultivation;* 4. *soil disturbance including direct drilling;* 5. *application of chemicals including herbicide;* 6. *burning;* 7. *the deliberate application of water, fertiliser or oversowing* 8. *the drainage of wetlands or lakes;* 9. *mob-stocking; and* 10. *applying seed of exotic pasture* *And also includes any of the above activities where it may cause: the deliberate alteration or hydrological functions that support indigenous vegetation and/or exotic vegetation that constitutes significant habitat for indigenous fauna.*
Part 2 – District-wide-matters / Strategic Direction / Vision for Kaipara			

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Overall comment	Oppose in part	The vision for Kaipara objectives does not provide vision for biodiversity. In the natural environment chapter, there is provision for the maintenance indigenous biodiversity. However, as the matters in section 6 (c) are of national importance and s31 includes maintenance of indigenous biodiversity as a council function, there should be overarching an objective for indigenous biodiversity in this chapter.	Amend this chapter to include the protection, maintenance and enhancement of indigenous biodiversity.
Part 2 – District-wide-matters / Strategic Direction / Natural Environment			
SD-NE-01 Indigenous biodiversity is protected, maintained or enhanced.	Support	The objective gives effect to objective 2.1 of the NPS-IB in terms of maintaining indigenous biodiversity.	Retain as notified.
SD-NE-02 The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use and development.	Support	The proposed objective aligns with Policy 2 of the NZCPS, and Section 6(a) of the RMA.	Retain as notified.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
SD-NE-03 The characteristics, qualities and values of outstanding natural features and outstanding natural landscapes are identified and protected from inappropriate subdivision, use and development.	Support	The proposed objective recognises and provides for Section 6 (b) of the RMA.	Retain as notified.
Part 2 – District-wide-matters / Energy, Infrastructure, and Transport / Renewable Electricity Generation			
PLAN PROVISION	**SUPPORT/OPPOSE**	**REASON**	**RELIEF SOUGHT**
Overview	Oppose in part	The overview is ambiguous on whether the Provisions in Part 2 – District wide matters apply to renewable electricity generation activities.	Amend the overview as set out below: *The provisions in this chapter apply to all types of renewable electricity generation activities, from small-scale solar generation to large-scale wind farms, and apply across the Kaipara District. <u>While</u> ~~T~~<u>the</u> zone rules in Part 3 – Area-specific matters do not apply to renewable electricity generation activities* ~~*but*~~ *the*~~*re may be other*~~ *provisions in Part 2 – District wide matters* ~~*that*~~ *<u>do.</u>* ~~*apply to renewable electricity generation*~~ *activities.*~~-~~ Any alternative or consequential relief.
REG-O3	Oppose in part	The proposed objective sets out the management of adverse effects on the environment. However, this objective does not outline that adverse effects should be avoided, remedied, or mitigated.	Amend this objective as set out below: *Renewable electricity generation activities are developed in a way <u>that will avoid, remedy or mitigate</u>* ~~*appropriately manages*~~ *adverse effects on the environment.*

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
REG-P4	Support with amendments	This policy should align with Objective 3 as amended above. In particular, the Act requires activities apply an effects management hierarchy which has avoidance as a starting point. Most activities can be avoided by 'not allowing' them or preventing their occurrence so it is fallacy for the policy recognise "unavoidable" adverse effects. The policy should also provide stronger guidance to discourage the location of largescale renewable energy generation in sensitive Overlay areas, that considered inappropriate for use and development. Note: reference to 'Overlay' in my relief is to the defined term, as amended in my submission above.	Amend REG-P4 as set out below: *Manage the adverse effects of renewable electricity generation activities by:* 1. *Recognising that there will be ~~unavoidable~~ adverse effects on the environment from renewable electricity generation activities;* 2. *Implementing effective ~~mitigation~~ measures to avoid, remedy or mitigate adverse effects which ~~may~~ include:* a. *Appropriate location and design* b. *Locating large-scale renewable electricity generation activities outside of sensitive Overlay areas*; c. *Screening and setbacks from sensitive activities;* d. *Adaptive management measures;* e. *Rehabilitation of the site at the end of its operational life; and* 3. *Having regard to any proposed offsetting or compensation measures for adverse effects that cannot practicably be avoided, remedied or mitigated, when those measures are in accordance with Appendix X.* Any alternative or consequential relief.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
REG-P5	Support with amendments	While the benefits of small and community scale electricity generation are acknowledged its adverse effects, which may be cumulative, on sensitive values should be addressed by the policy. Guidance to direct minimisation of effect on sensitive values in Overlay areas is appropriate.	Amend REG-P5 as set out below: *When considering proposed small-scale and community-scale renewable electricity generation activities, have particular regard to:* 1. *The comparatively lower level of environmental effects that result from small scale and community scale renewable electricity generation activities; ~~and~~* 2. *Avoiding or minimising adverse effects on sensitive values in Overlay areas; and* 3. *The benefits of small and community-scale renewable electricity generation activities, including:* a. *Local security of supply; and* b. *Energy and community resilience.* Any alternative or consequential relief.
REG-P6	Support with amendments	The policy is about considering large scale renewable energy generation proposals, and having particular regard to their national and regional benefits in doing so. Including the term 'enabling' in the policy header is a misnomer.	Amend REG-P5 as set out below: *~~Enabling~~ Considering large scale renewable electricity generation activities* *When considering proposed large scale renewable electricity generation activities, have particular regard to the national and regional significance of renewable electricity generation activities that connect to the National Grid or local distribution network.* Any alternative or consequential relief.
REG-R1, R3, R4, R5, R6, R7 and R9	Oppose in part	These rules all default to a restricted discretionary status when compliance with their permitted activity standards cannot be achieved. There is no clear matter of discretion reserved for the council to assess the adverse effects on ecology/indigenous biodiversity or sensitive values in Overlay areas. Matters of discretion addressing effects on ecosystems and indigenous biodiversity and sensitive values in Overlay areas should be included in all of these rules.	Add the following matters of discretion to the subject rules: *Matters over which discretion is restricted:* *x. Any adverse effects on ecosystems and indigenous biodiversity.* *x. Any adverse effects on sensitive values in Overlay areas.* Any alternative or consequential relief.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
REG-R8	Oppose	The rule as proposed does not provide restrictions on where large scale renewable generation activities can occur. Noting large scale renewable generation activities require large land areas, these should be limited to land zoned General Rural, and be located outside any overlay.	Amend REG-R8 as set out below: *Large scale renewable generation activities* *1. **Activity status:** Discretionary* *Where:* *a. Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation;* *b. Any large scale renewable energy generation activities are:* *i. Located within the General Rural Zone;* *ii. Located outside any Overlay.* And any consequential or alternative relief.
REG-R9	Oppose	The rule as proposed does not provide restrictions on where existing renewable electricity generation activities can occur. Noting existing renewable generation activities typically require large land areas, these should be limited to land zoned General Rural and be located outside any overlay.	Amend REG-R9 as set out below: ***1. Activity status:** Permitted* *Where:* *a. The upgrade or repowering is located:* *i. Within the same site as the existing renewable electricity activity;* *ii. Within the General Rural Zone;* *iii. Outside any Overlay.* *b. Any replacement structure or building does not exceed the:* *i. Height of existing structures and buildings by more than 10%;* *ii. Footprint of existing structures and buildings by more than 25%; and* *c. For wind farms, compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise.* And any consequential or alternative relief.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
REG-R10	Oppose		Amend REG-R10 as set out below: Any other renewable electricity generation activity not provided for as a permitted, restricted discretionary, discretionary or non-complying activity 1. Activity status: ~~*Discretionary*~~ *Non-Complying*

Part 2 – District-wide-matters / Energy, Infrastructure, and Transport / Transport			
PLAN PROVISION	**SUPPORT/OPPOSE**	**REASON**	**RELIEF SOUGHT**
Request for new objective	Support	The chapter does not provide for the protection of natural values including significant indigenous vegetation and indigenous fauna, wetland, lakes and river margins, and the coastal environment. A new objective requiring this protection should be included to provide and recognise for section 6 of the RMA.	Include a new objective, as set out below. *The transport network is designed and located to avoid, remedy or mitigate adverse effects on historical, cultural and natural values.*
TRAN-P2	Support with amendments	The policy refers to the design of corridors, carriageways and intersections to ensure the design is appropriate. The Director-General is of the view that an appropriate road design is one that provides and recognises for s6(c) of the RMA, most notably the protection of Kauri Trees from Kauri Dieback.	Amend this policy to require assessment and management of Kauri Dieback during the establishment of new roads. See rules in Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation
TRAN-P5	Support with amendments	The location and design of the roading network needs to avoid and mitigate adverse effects on natural values including the protection of significant indigenous vegetation and fauna, as well as Kauri Dieback.	Amend this policy to avoid and mitigate adverse effects on natural values and implement rules in Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation
Part 2 – District-wide-matters / Hazards and Risks / Natural Hazards			

NH-P11	Oppose	The emphasis of this policy is to protect natural systems that mitigate natural hazards to people, and to not protect natural systems to protect biodiversity from other natural hazards. This rule seeks to recognise and provide for s 6(h) of the RMA, however, does recognise and provide for s6(a), (b), and (c) of the RMA which are vulnerable to natural hazards.	Amend this policy to give recognise and provide for s6(a), (b), and (c) of the RMA.
NH-R13	Support with amendments	The assessment criteria listed in rule this does not provide for the assessment of impact on wildlife and natural areas.	Amend the assessment criteria to include consideration of effects on wildlife and natural areas.
Part 2 – District-wide-matters / Hazards and Risks / Contaminated Land			
PLAN PROVISION	**SUPPORT/OPPOSE**	**REASON**	**RELIEF SOUGHT**
CL-P2 Earthworks and contaminated land	Support with amendments	This policy generally discourages the disturbance of contaminated land that could adversely affect the environment; however, does not specifically discuss adverse effects on kauri dieback.	Amend this policy to ensure earthworks do not have the potential to create adverse effect associated with kauri dieback.
CL-P3 contaminated land management and remediation	Support with amendments	The management of contaminated land and remediation mostly covers adverse effects on natural areas, however, does not provide assessment on Kauri Die Back.	Amend this policy to ensure effects of kauri dieback are avoided, remedied, or mitigated using the rules in Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation
Part 2 - District-wide-matters / Historical and Cultural Values / Notable Trees			
PLAN PROVISION	**SUPPORT/OPPOSE**	**REASON**	**RELIEF SOUGHT**
TREE-P1	Support with amendments	Point 1 of this policy requires a tree to meet all three criteria to identify as a notable tree. It is the D-G's view to be a notable only one of the criteria shall be met.	Amend as follows: *The tree is valued for its heritage, amenity ~~and~~ or ecological values*
TREE-P2	Support with amendments	The policy generally provides protection of the root protection zone of a notable tree, however, does not outline the requirement to avoid adverse effects on the trees value.	Amend as follows: *Manage activities to not generate adverse effects within the root protection zone of a notable tree to:* 1. *Ensure the continuing health, structural integrity and amenity value of the tree;* 2. *Ensure the safety of people and property; and* 3. *Enable maintenance of existing infrastructure.*

TREE-R2	Support with amendments	The proposed rule does not provide allowance for the use of fungicides or pesticides to ensure evasive pest plants do not adversely affect a notable tree.	Provide the allowance of the use of fungicides or pesticides to mitigate adverse effects of pest plant invasion on notable trees.
Part 2 – District-wide matters / Natural Environment Values / Ecosystems and Indigenous Biodiversity			
Ecosystems and indigenous biodiversity	Oppose	The overview description confirms that the district plan does not include mapped areas of significant indigenous vegetation and significant habitats of indigenous fauna at this point of time, and this will occur through a future plan change in accordance with national policy statements. It is noted this aligns with the Resource Management (Freshwater and Other Matters) Amendment Act, which removed the requirement for the mapping of NPSIB SNAs. However, this does not alter the Council's statutory obligations under s6(c) of the Act, which mandates the protection of areas with significant indigenous vegetation and significant habitats of indigenous fauna. Thus, the Director-General is of the view that the information gathered as described in by Wildlands in Attachment 2, and associated volumes, should be used as a useful guide throughout the plan to aid identification and protection of areas with significant indigenous vegetation and significant habitats of indigenous fauna.	The D-G's primary relief is that the areas identified in Attachment 2 are used as a useful guide in the District Plan to establish and implement objectives, policies and rules which recognise and promote the protection of significant indigenous vegetation and significant habitats of indigenous fauna under section 6(c) of the RMA as well as the NPSIB and the Northland Regional Policy Statement.
ECO-O1 – protection of significant indigenous vegetation and significant habitats of indigenous fauna.	Support	The objective as notified recognises and provides for section 6(c) of the RMA.	Retain as notified.
ECO-O2 Maintenance of indigenous biodiversity	Oppose	The proposed objective does not give effect to the objective the NPSIB, and it is therefore recommended this objective is aligned with the NPS-IB such that indigenous biodiversity is maintained at the district level.	Amend the proposed objective as set out below: ~~*Adverse effects on indigenous biodiversity are managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities.*~~ *Biodiversity in the Kaipara District is maintained, and where practicable enhanced so that there is at least no overall loss in indigenous biodiversity.*

New objective requested	Support	A new objective is sought to give effect to the RMA, the objective of the NPSIB, and objective 3.12 of the NRPS. Also, the new objective would link to proposed Policy ECO-P4	Add new objective as set out below: *Recognise and provide for the relationship of tangata whenua and their culture and traditions with indigenous vegetation and fauna.*

ECO-P1 indigenous biodiversity in the Coastal Environment	Support with amendments	The policy mostly aligns with Policy 11 of the NZCPS, however, it is noted some clauses of Policy 11 have not been included in this policy and it is recommended they are included to give full effect to the NZCPS. +-	Amend the policy to be consistent as set out in the NZCPS: *To protect indigenous biological diversity in the ~~within~~ coastal environment:* 1. *avoid adverse effects of activities: ~~subdivision, land use and development on:~~* (a) *~~Threatened or At-Risk Indigenous Species~~ indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System Lists;* (b) *~~areas of significant indigenous vegetation and significant habitat of indigenous fauna;~~ taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;* (c) *~~Areas of indigenous biodiversity protected under other legislation; and~~ indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;* (d) *habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;* (e) *areas containing nationally significant examples of indigenous community types; and* (f) *areas set aside for full or partial protection of indigenous biological diversity under other legislation; and* 2. *avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:* (a) *areas of predominantly indigenous vegetation in the coastal environment;*

			(b) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species; *(c) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;* *(d) habitats of indigenous fauna in the coastal environment that are important for recreational, commercial, traditional, or cultural purposes;* *(e) habitats, including areas and routes, important to migratory species; and* *(f) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.*

ECO-P2 Indigenous biodiversity outside of the coastal environment	Oppose in part	ECO-P2 requires amendments to align with the s6(c) of the Act policy 3.16 of the NRPS, which requires protection of areas of significant vegetation and significant habitats of indigenous be prioritised. The drafting I have suggested for ECO-P2(1) first requires avoidance of adverse effects on these values. It then requires adverse effects are demonstrated to be unavoidable as a 'gateway' to access the effects management hierarchy, which I have suggested be a defined term, identical to the NPSIB definition. The effects management hierarchy includes within it biodiversity offsetting and compensation as available measures provided they are in accordance with applicable principles which I have also suggested by included in the plan as an appendix.	Amend ECO-P2 as set out below: *Outside the coastal environment:* 1. *Avoid, in the first instance ~~remedy or mitigate~~ adverse effects of subdivision, land use and development on ~~to ensure adverse effects are no more than minor on;~~* a. *Threatened and At-Risk indigenous species;* b. *Areas of significant indigenous vegetation and significant habitats of indigenous fauna;* c. *Areas of indigenous biodiversity protected under other legislation; ~~and~~* *Where adverse effects have been demonstrated to be unavoidable apply the effects management hierarchy to ensure adverse effects on a. – c. are less than minor.* 2. *~~Avoid, remedy, or mitigate offset or compensate~~ Apply the effects management hierarchy to ensure there are no significant adverse effects, and avoid, remedy or mitigate other effects from subdivision, land use and development ~~to ensure there are no effects~~ on:* a. *Areas of predominantly indigenous vegetation; and* b. *Indigenous species, habitat~~s~~ and ecosystems. ~~that are important for recreational, commercial, traditional or cultural purposes or are particularly vulnerable to modification.~~*

ECO-P3 – protection and maintenance of indigenous biodiversity	Oppose	I am concerned the policy header, which is about protection appears unrelated to the wording of clauses 1 – 4 which are enabling. The intent appears to be that ECO-P3 will provide the policy basis for permitted vegetation clearance enabled in the ECO rules, however, this is not clear from the notified provision. I agree certain permitted activities should find policy support. I therefore propose drafting to the effect that ECO-P3 specifically provides for the activities in Rule ECO-R1.	Amend ECO-P3 as set out below: ***Protection and maintenance of indigenous biodiversity*** *Manage subdivision, land use and development to protect significant indigenous vegetation and significant habitat of indigenous fauna and maintain indigenous biodiversity ~~in a way that:~~ <u>while providing for the activities in ECO-R1.</u>* ~~*1. Does not unreasonably restrict existing primary production activities, particularly on highly productive land;*~~ ~~*2. Recognises the operational need or functional need of regionally significant infrastructure to traverse or locate within areas of significant indigenous vegetation and significant habitat of indigenous fauna where there are no practicable alternative locations;*~~ ~~*3. Allows for operation, use and maintenance of existing structures, including infrastructure; and*~~ ~~*4. Enables land to be used and developed to support the social, economic and cultural well-being of people and communities.*~~ Any alternative or consequential relief.
ECO-P4	Oppose	This policy should only be included as part of a package of objectives and policies that give effect to the NPSIB provisions that that are still in force, as reflected in my submission. If the policy is retained it should be amended to give effect to NPSIB policy 10, clause 3.5. In particular, the policy should provide for the exercise of kaitiakitanga by tangata whenua in protecting, maintaining, and restoring indigenous biodiversity within their rohe.	Delete ECO-P3, or in the alternative, amend the policy to give effect to NPSIB Policy 10, clause 3.5, including by providing for the exercise of kaitiakitanga by tangata whenua in protecting, maintaining, and restoring indigenous biodiversity within their rohe. Any alternative or consequential relief.

New policy requested	Support	A new policy should be included outlining the specific assessment criteria of Appendix 5 of the NRPS. This would ensure consistency in assessing applications that do not comply with Rule ECO-R2, and support the implementation of objective ECO-R1.	Include a new policy as set out below: ***ECO-Px Areas of Significant Indigenous Biodiversity*** *Require activities not provided for in ECO-R1 to obtain from a suitably qualified and experienced ecologist confirming that the indigenous vegetation proposed to be cleared does not meet the criteria in Appendix 5 of the Northland Regional Policy Statement 2016 (Areas of significant indigenous vegetation and significant habitats of indigenous fauna to undertake clearance large scale clearance of indigenous vegetation.*
Rules Notes	Amend	The plan appears not to have acknowledged that rules in a proposed plan that protect areas of significant indigenous vegetation or areas of significant habitats of indigenous fauna have immediate legal effect. If my suggested permitted activity pathway in ECO-R2(b) is adopted only ECO-R2(a) could have immediate legal effect.	Add a note as set out below: *Pursuant to Section 86B(3) of the RMA, the following rules that protect areas of significant indigenous vegetation or areas of significant habitats of indigenous fauna have immediate legal effect: ECO-R1 to ECO-R2.* Any alternative or consequential relief.

ECO-R1	Oppose	The Director-General is concerned with multiple aspects of this rule, particularly that it fails to provide and recognise s6(c) of the RMA, the NPSIB and policy 3.15 of the NRPS, these concerns are outlined below: • (c)The construction of a new fence should not need to cut across the body or portion of indigenous vegetation, except where it occurs on a boundary. This rule permits up to 7m of clearance which goes against protecting indigenous vegetation clearance. • (e)The creation of new setbacks of buildings to indigenous vegetation should be separated the maintenance of existing setbacks because the effects of new setbacks could have the potential to adversely affect indigenous vegetation by reducing their areas and exposing them to weeds and pests. • (f)The D-G is concerned that the Proposed plan permits a high amount of indigenous vegetation clearance in all zones for the purposes of establishing, constructing and completing a residential development such as a singular dwelling, its associated onsite infrastructure and internal access. This leaves large areas of indigenous vegetation unprotected including in rural zones, open space and natural open space zones. It is recommended the threshold is reduced to a permitted maximum of 150m^2 of with a discretionary activity trigger require assessment of ecological significance with Appendix 5 NRPS. clearance of this scale should include assessment of ecological significance in accordance with appendix 5 of the NRPS. • The rule does not provide for the management of kauri die back disease. It is recommended that rules within the NPMP be included in this rule.	Amend this rule to restrict and require the following: • Make the clearance of indigenous vegetation for the construction of a new fence to be more restrictive, as typically a fence does not require 3.5m clearance either side. • Permit a maximum of 150m^2 vegetation clearance, and anything exceeding this triggers Discretionary Activity with an assessment requirement against Appendix 5 of the NRPS by a suitably qualified and experienced ecologist. Using the Wildlands report as an input to this assessment. • Adopt rules provided in the Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation in relation to manging Kauri Dieback, i.e as an assessment criteria. Amend ECO-R1 as set out below: ***Indigenous vegetation clearance and any associated land disturbance for specified activities*** ***1. Activity status:*** *Permitted* ***Where:*** *The* indigenous vegetation clearance *is for the following purposes:* a. *To remove, dead, diseased or damaged indigenous vegetation presenting an imminent threat to human life; ~~address an immediate risk to the public safety or damage to property;~~* b. The formation of walking tracks less than 1.5m wide; c. *In the general rural, natural open space, open space and rural lifestyle zones to maintain, relocate or construct (outside of natural wetland SNAs) perimeter fences to exclude stock and/pests from the area of indigenous vegetation where any trimming, pruning or removal is within 1 m of the fence ~~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 either side of the fence line;~~ d. *For pest species management and any other activities identified in the Northland Regional Pest Management Plan and for the removal of material infected by unwanted organisms under the Biosecurity Act 1993* ~~*To remove pest species in accordance with any approved pest management plan or biosecurity operational plan;*~~ e. To ~~*create or*~~ maintain a 20m setback from an area of indigenous vegetation to a*n existing* residential unit (excluding accessory buildings); ~~*f. To allow for the construction of a single residential unit on an existing Record of Title, including essential associated on-site infrastructure and access, where the total clearance does not exceed 1,000m²;*~~ ~~*g. Clearance provided for in a covenant or order under the Queen Elizabeth II National Trust Act 1977, a Ngā Whenua Rahui Kawenata, or the Reserves Act 1977;*~~ 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; ~~*i. The removal or clearance of indigenous vegetation from land that was previously cleared and where the indigenous vegetation to be cleared is less than 10 years old;*~~ ~~*j. Creation and maintenance of firebreaks to manage fire risk;*~~ 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 ~~*l. Clearance for the operation, repair or maintenance of the following activities where they have been lawfully established:*~~

			~~i. Fences;~~ ~~ii. Infrastructure;~~ ~~iii. Buildings;~~ ~~iv. Driveways and access;~~ ~~v. Walking tracks;~~ ~~vi. Cycling tracks;~~ ~~vii. Farming tracks; and~~ viii. ~~Farm drains~~.

ECO-R2	Oppose	It is not clear how allowing indiscriminate clearance of 500m^2 and 1,000m^2 per annum of indigenous vegetation from anywhere in the Kaipara District can give effect to higher order documents, including S6(c) RMA, Policy 11(a) of the NZCPS, NPSIB, and policy 4.4 of the NRPS. Without understanding what species are present in the vegetation, or how rare the ecosystem is, there is no way to ensure the adverse effects have been avoided. Many at risk or threatened plants occur on private land; often with very small population sizes or over very small area, and this rule would allow them to be cleared as long as the area threshold is not exceeded. This could result in the loss of a species from the district, or the total extinction if that species occurs in a very small area and is confined in the Kaipara District. It is therefore recommended the permitted 500/1000m^2 is reduced to a permitted maximum of 150m^2, and any activity which exceeds the permitted threshold triggers a Discretionary Activity status, with the requirements of assessment of Appendix 5 NRPS by a suitably qualified and experienced ecologist. Kauri Dieback has not been provided as a consideration in the restricted-discretionary assessment criteria. It is recommended this is included to ensure that the sites with dieback are managed so the pathogen is not spread.	Amend ECO-R2 as set out below: My primary relief is that this activity be permitted to a maximum of 150m^2 in all zones, and if this threshold is exceeded the activity triggers a Discretionary activity requiring assessment against Appendix 5 NRPS by a suitably qualified and experienced ecologist. Within the permitted activity standard include the assessment and management of sites with kauri dieback in accordance with Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation. If the above is not adopted, my secondary relief is set out below: ***Indigenous vegetation clearance and any associated land disturbance not provided for under ECO-R1*** ***1. Activity status:*** *Permitted* ***Where:*** *a. A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation proposed to be cleared does not meet the criteria in Appendix 5 of the Northland Regional Policy Statement 2016 (Areas of significant indigenous vegetation and significant habitats of indigenous fauna); and* *i. It does not exceed 1,000m^2 per site in any calendar year in the Māori purpose zone, General rural zone, and Rural lifestyle zone; or* *ii. It does not exceed 500m^2 per site in any calendar year in all other zones; and*

			b. *A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria in Appendix 5 of the Northland Regional Policy Statement 2016 (Areas of significant indigenous vegetation and significant habitats of indigenous fauna); and* *i. It does not exceed 100m^2 per site in any calendar year.* ***Activity status where compliance not achieved with 1. and 2:*** *Discretionary.*
Part 2 – District-wide-matters / Natural Environment Values / Natural Character			
PLAN PROVISION	**SUPPORT/OPPOSE**	**REASON**	**RELIEF SOUGHT**
Overview	Oppose in part.	The overview does not acknowledge Northland Regional Councils regional mapping project of identifying natural character areas as required by the NZCPS. It is noted the NZCPS is not concerned with natural character outside the coastal environment. However, policy 13.2 of the NZCPS outlines values which may contribute to natural character.	Amend the overview to include reference to Northland Regional Councils Natural Character Maps.
NATC-O1 Preservation and protection of natural character	Support	The policy as notified recognises and provides for s6(a) of the RMA.	Retain as notified.
Request a new objective is created	Support	This chapter fails to provide for the identification of natural character areas which is required under s6(a) of the RMA and further reinforced by Policy 13(2) of the NZCPS. Policy 3.14 of the NRPS outlines the provision of the identification of natural character areas. As such, an objective is required to give effect to these higher-level documents.	Include an objective as follows: *Identify and protect from inappropriate subdivision, use and development:* a) *The qualities and characteristics that make up the natural character of freshwater bodies and their margins.*

Request a new objective is created	Support	An objective is needed to ensure land use and subdivision is consistent with and does not compromise the characteristics and qualities of the natural character of wetlands, lakes, rivers and their margins.	Include an objective as follows: *<u>Land use and subdivision is consistent with and does not compromise the characteristics and qualities of the natural character of wetland, lake and river margins.</u>*
NATC-P1	Support	The policy as notified gives effect to s6(a) of the RMA, and objective 3.14 of the NRPS.	Retain as notified.
NATC-P4 restoration and enhancement	Oppose	Wetland, lakes and river margins across the Kaipara District accommodate significant indigenous vegetation and fauna. Currently this policy only encourages for the restoration and enhancement of wetland, lake and river margins to improve natural character values. However, Policy 13 of the NPSIB specifies that restoration of indigenous biodiversity is promoted and provided for.	Amend as set out below: *<u>Promote and provide</u> ~~encourage~~ the restoration and enhancement of wetland, lake and river margins where it will achieve improvement in natural character values.*
NATC-P5 Assessment of resource consents	Support with amendments	The policy covers some appropriate level of assessment for resource consent applications. However, the policy does not provide for assessment of ecological value, specifically identifying significant indigenous vegetation and fauna.	Amend as set out below: *14. <u>Ecological Assessment of Appendix 5 for identifying Areas of significant indigenous vegetation and significant habitats of the Regional Policy Statement 2016.</u>* 15. *<u>The likelihood of the activity exacerbating biosecurity risk.</u>*

NATC-R1	Oppose	The rule needs to consider the potential damaging effect of altering buildings and structures in wetlands. As currently, this rule does not recognise and provide for s6(a) and (c) of the RMA. Kaipara district has some of the most important wetlands and lakes in northland, some to note include Lakes Waikare and Taharoa which are internationally significant. Also, there are small wetlands on private land which are of importance for managing biodiversity where there may be placed of significant indigenous fauna including nationally threatened native bird species including the Australasian Bittern (Threatened – Nationally Critical). These wetlands also often contain threatened or at-risk flora, e.g., Trithuria inconspicua (Threatened–Nationally Critical), Machaerina complanata (Threatened–Nationally Vulnerable), Thelypteris confluens (At Risk–Declining), Cyclosorus interruptus (At Risk–Declining) and Myriophyllum robustum (At Risk–Naturally Uncommon) and are all wetland plants found in the Kaipara District	Amend this rule to provide more consideration to wetlands, and indigenous biodiversity and fauna.
NATC-R2	Oppose	The proposed rule does not recognise and provide for s6(c) of the RMA, as it does not include consideration of Kuari Dieback. Wetland lakes and river margins also typically contain significant indigenous vegetation and fauna. Hence, more consideration needs to be given to s6(c) of the RMA.	Amend the rule to include consideration for Kauri Dieback, and more restrictive thresholds on activities in order to protect areas of significant indigenous vegetation and fauna. This can be achieved through the identification of significant indigenous vegetation and fauna, with a useful guide provided in Attachment 2.
NATC-R3	Oppose	This rule is inappropriate as it provides for the earthworks of activities that can result in adverse effects on the natural character of wetland, lakes and river margins. Wetland, lakes, and river margins within the Kaipara District contain areas of significant indigenous vegetation and fauna, therefore, this rule should be amended to recognise and provide for section 6(c) of the Act.	Amend this rule to exclude the provision for activities such as swimming pools, effluent disposal systems, and driveways.

NATC-R4	Oppose	This rule is inappropriate as it provides for the clearance of unidentified indigenous vegetation that can result in adverse effects on the natural character of wetland, lakes and river margins. Wetland, lakes, and river margins within the Kaipara District contain areas of significant indigenous vegetation and fauna, therefore, this rule should be amended to recognise and provide for section 6(c) of the act. My primary relief is that a maximum of $25m^2$ is permitted and if exceeded triggers a Discretionary activity Requiring assessment against Appendix 5 NRPS by a suitably qualified and experienced ecologist.	My primary relief is that the scale of earthworks is reduced as submitted below NATC-S2. Along with the requirement to identify the ecological value of vegetation by a suitably qualified and experienced ecologist in accordance with Appendix 5 NRPS.
NATC-S2	Oppose	This standard permits up to a total earthworks volume of $500m^3$ across to a depth of 2m on a single site within a 10-year period. As noted in NATC-R3 this rule does not provide and recognise for s6(c) of the RMA, and wetland, lake, and river margins within the Kaipara District include areas of significant indigenous vegetation and fauna.	Reduce the scale of these earthworks within wetland, lake and rover margins.
NATC-S3	Oppose	My primary relief for this standard is for the threshold to be reduced to $25m^2$, with any further clearance requiring ecological assessment in accordance with Appendix of the NRPS.	Reduce the scale of permitted vegetation clearance to $25m^2$, with clearance exceeding more, require ecological assessment carried in accordance with Appendix 5 NRPS by a suitably qualified and experienced ecologist.
Part 2 – District-wide matters / Natural Environmental Values / Natural Features and Landscapes			
NFL-O1	Support with amendments	The objective mostly follows the wording outlined in Objective 3.14 of the NRPS, however does not include the process of identifying outstanding natural features and outstanding natural landscapes.	Amend as set out below: *The characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes are <u>identified</u> and protected from inappropriate subdivision, use and development.*

NFL-P3	Support with amendments	The policy needs to include avoiding adverse effects of subdivision.	Amend as set out below. *Within the coastal environment, avoid adverse effects ~~from~~ <u>of subdivision,</u> land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes as set out in Schedule 4 and Schedule 5.*
NFL-P4	Support	Policy 4 as notified gives effect to higher level documents	Retain as notified.
NFL-P6 Assessment of resource consents	Support with amendments	This policy should include the requirement for ecological assessment of vegetation in accordance with NRPS Appendix 5.	Amend to require ecological assessment against Appendix 5 of the NRPS.
NFL-R3	Oppose	Indigenous vegetation clearance is permitted up to a total area or 150m^2 in outstanding natural landscapes in any 12-month period, which permits a total area clearance of 1,500m^2 across a 10-year period. This threshold does not provide and recognise for s6(c) of the RMA. It is recommended that if this area threshold is exceeded, it should trigger a discretionary activity, and an assessment of ecological significance should be required to confirm the value of the vegetation in accordance with Appendix 5 of the NRPS.	Amend as suggested below: • If the area threshold is exceeded, trigger a discretionary activity with assessment required against ecological assessment against Appendix 5 NRPS Criteria.
NFL-S4	Oppose	The proposed earthworks controls do not set a maximum permitted threshold for areas within ONL and ONFs. Having earthwork limits within these areas will enable avoidance of adverse effects as required by Policy 15 NZCPS.	Provide earthwork thresholds for areas within ONL and ONF.
NFL-S5	Oppose	As noted above in NFL-R3, this standard permits a high amount of vegetation clearance without first knowing the value of the vegetation. In order to provide and recognise for s6(c) of the RMA, the Director-General considers it essential this permitted area of clearance is reduced. And there is an assessment mechanism triggered by proposed clearance refencing Appendix 5 NRPS.	Amend the standard to permit the clearance of 50m^2 of indigenous vegetation to a maximum depth of 1m.
Part 2 – District-wide-matters / Natural Environmental Values / Public Access			

PA-P2	Oppose	The proposed policy does not give effect to Policies 13 and 15 of the NZCPS in terms of avoiding adverse effects on activities within the coastal environment with outstanding natural character, outstanding natural features, as well as on the natural character in all other areas of the coastal environment. Additionally, the policy does not recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna in section 6(c) of the RMA.	Amend this policy to give effect Policies 13 and 15 of the NZCPS, and to recognise and provide for the matters of section 6(c) of the RMA.
Part 2 – District-wide-matters / Subdivision / Subdivision			
Request for a new objective	Support	An objective needs to be provided to ensure that subdivision provides the protection and enhancement of the District's: • Outstanding Natural Features • Outstanding Natural Landscapes • Coastal Environment • Areas of high Natural Character • Outstanding Natural Character • Significant Indigenous vegetation and significant habitats of Indigenous Fauna	Include a new objective as set out below: ***Protection and Enhancement of Kaipara's Valued Features and Environments*** *Subdivision provides for the protection and enhancement of the District's:* *1. Outstanding Natural Features.* *2. Outstanding Natural Landscapes* *3. Coastal Environment* *4. Areas of High Natural Character* *5. Outstanding Natural Character* 6. *Significant Indigenous vegetation and significant habitats of indigenous fauna.*
Request for a new objective	Support	An objective is required manage adverse effects associated with subdivision within the district.	Include a new objective as set out below: ***Managing Adverse Effects:*** *Subdivision is designed and occurs in a manner to avoid, remedy or mitigate adverse effects on the environment.*

SUB-P5	Oppose	The exception criteria within rule provides immeasurable actions to deciding where the creation of esplanade reserves are required, and when they are not. It is considered this policy does not align with sections 229 – 237 of the RMA. Primary relief sought is for the removal of exception criteria.	Remove the exception criteria from this policy.
SUB-P8	Oppose in part	The policy does not outline the provision for the management of Kauri Dieback.	Amend this policy as set out below: *8. The management of Kauri Dieback disease*
SUB-R6	Oppose in part	The proposed rule does not provide for Kauri Dieback provisions. The Director-General considers this rule needs to be amended to provide the rules in Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation. SUB-R6(1)(b) needs to relate to an existing conservation covenant, rather than once which has not yet been applied for. SUB-R6(2) does not provide to limit cats and dogs in areas where Kiwi are present. Also, for the weed and pest management.	Amend this rule to provide rules in Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation. Amend SUB-R6(1)(b) as set out below: *(b) The significant indigenous vegetation or habitat, natural wetland or duneland to be protected must not be subject to an existing conservation covenant pursuant to the Reserves Act 1977; or the Queen Elizabeth II National Trust Act 1977; or consent notices;* Amend SUB-R6(2) to provide management of cats and dogs in areas where Kiwi and present, and for weed and pest management.
SUB-R7	Oppose in part	The assessment criteria does not provide the management of cats and dogs in areas where Kiwi or other significant avifauna species are present. Additionally, for weed and pest management.	Include cats, dogs, weed and pest management into the assessment criteria.
SUB-S8	Support with amendments	The proposed standard mostly follows the requirements as set out in s230 of the RMA. However, some amendments are required in order to ensure consistency between the PDP and RMA.	Amend as set out below: 1. Where the allotment less than 4ha are created to: a. ~~The coast~~ along the mark of mean high-water springs of the sea

SUB-S14	Support with amendments	This standard should be amended to ensure building platforms are located outside areas of significant indigenous vegetation, habitat, natural wetlands, or mobile duneland. (Note that a stable dune with indigenous vegetation would be captured under significant indigenous vegetation, so only the mobile part needs to be specified e.g. Mangawhai).	Amend as set out below: *f.* *<u>significant indigenous vegetation or habitat, natural wetland or mobile duneland.</u>*
SUB-S16	Oppose	The creation of 5 allotments for 0.5ha or 5,000m^2 of significant indigenous vegetation is inappropriate when compared with and does not adequately reflect the loss of indigenous biodiversity. It is noted that in their proposed subdivision chapter Whangarei District Council uses classification system of different types of environmental protection areas which are assigned with different allotment requirements. The Director-General considers this the preferred approach.	Change this standard to a similar approach used in the Proposed Whangarei District Plan.
SUB-PREC2 S7	Oppose in part	The intent of this standard is good. However, there is no reference or detail on what information is included in an Ecological Enhancement and Management Plan. It is recommended this Enhancement and Management Plan references Appendix 5 of the NRPS.	Provide more detail regarding what an Ecological Enhancement and Management Plan includes, and in terms of criteria reference/make consistent with Appendix 5 NRPS.
Part 2 – District-wide matters / General District-Wide matters / Coastal Environment			

CE – Coastal Environment Overview	Support with amendments	The Director-General is generally supportive towards the overview set out in this chapter, specifically in regard to the identification of ONCA and HNCA through the scheduling of the coastal environment area, and Outstanding Natural Character Areas, and Natural Character Areas. However, the opening of the Coastal Environment Chapter fails to provide reference to indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification Lists as required under NZCPS Policy 11 (a)(i). The D-G considers it prudent the following threatened plants which are a feature to the Kaipara District coastline be listed in this section: • Leptinella rotundata *(Threatened – Nationally Critical) is found at several locations on the Kaipara District coastline (near Kaiiwi Stream Mouth and Maunganui Bluff); also in the Far North at Scott Point, Mitimiti; and on the Auckland coast, near Muriwai. This is a small plant and is easily overlooked, so there could be more populations. Leptinella rotundata has male and female flowers on separate plants, and some populations are entirely only one sex.* • *Roimata a Tohe* Pimelea eremitica *(Threatened – Nationally Critical) is endemic to Maunganui Bluff, where it is found on the steep cliffs and clifftops.* • Veronica speciosa *(Threatened – Nationally Vulnerable) is found naturally at only three locations: Maunganui Bluff (Kaipara); Arai Te Uru (Far North); Muriwai (Auckland).* • *Pingao* Ficinia spiralis *(At Risk – Declining) is a common feature on dunes throughout the District (Mangawhai, Bayly's Beach, Pouto).* • *sand coprosma* Coprosma acerosa *(At Risk – Declining) is also common on dunes throughout the District (Mangawhai, Bayly's Beach, Pouto).* • *sand daphne* Pimelea villosa *(At Risk – Declining) is present on dunes throughout the District (Mangawhai, Pouto).*	Amend this overview section to include threatened or at-risk indigenous taxa located along or within the Kaipara District coastline, including the following: *Much of the coastline in the Kaipara District is relatively undeveloped in the sense that there is limited built development and supporting infrastructure. The past few decades have seen increased pressure for development in coastal areas, particularly at Mangawhai where there is a continued pattern of settlement which has placed additional pressure on coastal resources and natural character. <u>The Kaipara District comprises of various threatened or at-risk indigenous taxa including the following:</u>* • *<u>Tara iti (Sternulua nereis davisae Threatened nationally critical) principal breeding grounds are at Mangawhai sandspit and principal overwintering areas include the coastal margins of the kaipara Harbour</u>* • *<u>Leptinella rotundata (Threatened – Nationally Critical) is found at several locations on the Kaipara District coastline (near Kaiiwi Stream Mouth and Maunganui Bluff); also in the Far North at Scott Point, Mitimiti; and on the Auckland coast, near Muriwai. This is a small plant and is easily overlooked, so there could be more populations. Leptinella rotundata has male and female flowers on separate plants, and some populations are entirely only one sex.</u>* • *<u>Roimata a Tohe Pimelea eremitica (Threatened – Nationally Critical) is endemic to Maunganui Bluff, where it is found on the steep cliffs and clifftops.</u>* • *<u>Veronica speciosa (Threatened – Nationally Vulnerable) is found naturally at only three locations: Maunganui Bluff (Kaipara); Arai Te Uru (Far North); Muriwai (Auckland).</u>* • *<u>Pingao Ficinia spiralis (At Risk – Declining) is a common feature on dunes throughout the District (Mangawhai, Bayly's Beach, Pouto).</u>*

			• *sand coprosma Coprosma acerosa (At Risk – Declining) is also common on dunes throughout the District (Mangawhai, Bayly's Beach, Pouto).* • *sand daphne Pimelea villosa (At Risk – Declining) is present on dunes throughout the District (Mangawhai, Pouto).*
CE-O1	Support with amendments	The proposed objective generally aligns with Policy 13 of the NZCPS. However, it does not outline the requirement of avoiding adverse effects on Outstanding Natural Character Areas and High Character Areas. For completeness and consistency, it is recommended that this policy includes reference to ONCA and HCA.	Amend the objective as set out below. *The Characteristics, qualified of the natural character, including Outstanding Natural Character Areas, Natural Character Areas, and all other areas of the coastal environment are preserved and are protected from inappropriate subdivision, use and development.*
CE-P1	Support with amendments	The proposed wording of this policy does not align with Policy 13(1)(a) of the NZCPS, as it currently addresses only the effects associated with land use and development, excluding subdivision. It is recommended that this policy be amended to ensure that the adverse effects of subdivision are also avoided, remedied, or otherwise mitigated in accordance with Policy 13.	Amend the policy as set out below: *To ~~P~~preserve the natural character of the coastal environment and protect it from inappropriate subdivision, land use, and development:* *(1) avoid~~ing~~ adverse effects of subdivision, land use and development on natural character ~~the characteristics, qualities and values that make an area of Outstanding Natural Character Area~~ in areas of the coastal environment with outstanding natural character as set out in Schedule 6 – Natural Character Areas,* (2) *avoid~~ing~~ significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, land use and development on natural character ~~other characteristics, qualities and values of natural character~~ in all other areas of the coastal environment.*

CE-P3	Support with amendments	The policy includes provisions for the removal of pest plant and animal species; however, it does not contain wording consistent with Policy 14(ii) of the NZCPS. Moreover, the NRPS, specifically Policy 4.4.2, outlines the requirement for district plans to implement controls for the reduction or management of species with recognised pest potential. It is therefore recommended that this policy be reworded to include the wording used in the NZCPS and align with the requirements outlined in the NRPS.	Amend the policy to include pet and pest control management, as set out below: *3. <u>effective weed and animal pest management</u> ~~the removal of pest plant and animal species.~~*
CE-P6	Oppose	The policy does not provide for the consideration of actual and potential adverse effects on the environment which is a requirement under section 104(1)(a) of the Act.	Amend the policy to provide to have regard to the actual and potential adverse effects as set out below. *1. <u>Any actual and potential</u> adverse and positive effects on natural character and identified characteristics, qualities and values identified in Schedule 6 – Natural Character.*
CE-R3	Oppose	Allowing any indigenous vegetation clearance in the Coastal Environment without first gaining ecological assessment is risking contravention of Policy 11 of the NZCPS. For example, Leptinella rotundata is found at several very small locations along the coastline, and the clearance of any one site of it would have significant adverse effects on its survival because populations are already small and fragmented. The Director-General therefore considers it prudent this rule should first require ecological assessment prior to the clearance of any indigenous vegetation.	Amend this rule to include the requirement of ecological assessment to confirm whether the indigenous taxa classified as threatened or at-risk under the New Zealand Threat Classification System List.
Part 2 – District-wide-matters / General District-Wide-Matters / Earthworks			
PLAN PROVISION	**SUPPORT/OPPOSE**	**REASON**	**RELIEF SOUGHT**

Overview	Oppose	This chapter does not mention the Kauri Dieback Disease, including the lack of objectives, policies and provisions for managing adverse effects associated with earthworks and kauri dieback. Currently, this chapter fails to recognise and provide for section 6(c) of the RMA.	Provide objectives, policies and rules relating to Kauri Dieback Disease. These can be found in Biosecurity (National PA Pest Management Plan) Order 2022 (SL 2022/208) (as at 23 December 2023) Contents – New Zealand Legislation.
EW-P3	Oppose in part	The policy does not include the use of applying the effects management hierarchy.	Amend as set out below: 1. Adverse environmental effects generated by the quarrying activity or mining activity as far as practicable using the effects management hierarchy
EW-R1	Oppose in part	The restricted assessment criteria does not provide clear assessment of ecological values, this should be more specific for assessment purposes.	Amend as set out below: ***3.Matters over which discretion is restricted:*** *a. The location, scale and volume of earthworks;* *b. the extent and exposed surfaces;* *c. The depth and height of cut and fill;* *d. The nature of filling material when it is compacted;* *e. The stability of land or structures in or on the site or adjacent sites;* *f. Any adverse effects on visual amenity values and character on the surrounding area;* *g. Any adverse effects on cultural values ~~or ecological values~~* *h. Any adverse effects on indigenous vegetation and fauna;* *i. The ability to contain dust, silt and sediment on site;* *j. Traffic movements and noise effects;* *k. The potential for land contamination;* *l. The risks of natural hazards, particularly flood events;* *m. Stormwater controls; and* *n. Proposed measure to mitigate any adverse effects.*

Part 2 – District Wide Matters / General-District-Wide Matters / Light			
PLAN PROVISION	**SUPPORT/OPPOSE**	**REASON**	**RELIEF SOUGHT**
Request new objective	Support	Intrusive lighting can result in adverse effects on the environment, including ecosystem and their constituent parts, people and communities, all natural and physical resources, and amenity values. As it currently stands the chapter does not provide for the protection of intrusive lighting effects that are outlined in policy LIGHT-P1. I suggest a new objective is created ensuring Policy LIGHT-P1 has a clear objective.	Provide a new objective as set out below: <u>An environment free from adverse effects of intrusive lighting.</u>
LIGHT-R1	Oppose	The proposed chapter does not provide the management for controlling adverse lighting effect on the environment, including ecosystems and wildlife. Development projects such as solar farms within the northland region have indicated that another source of light and glare is the reflection from the solar panels.	Provide an RD assessment criteria for the assessment of ecological effects.
Part 3 – District-wide matters / General District-wide Matters / Temporary Activities			
TEMP-O2	Oppose in part	The policy does not provide for managing adverse effects on ecological values including indigenous vegetation or fauna.	Amend as set out below: 3. <u>Ecological values including indigenous vegetation or fauna.</u>
Part 3 – Area-specific-matters / All Zones			

Request for the provision of conservation activities	Support	Conservation activities are only specifically provided for in the General Rural Zone, Rural Lifestyle Zone, Natural Open Space Zone, Māori Purpose Zone. While those activities will generally be the main focus for conservation activities, some activities (e.g. catchment restoration) will also occur in other zones. The rules structure would mean that conservation activities in those other zones could fall to being restricted discretionary, discretionary or non-complying activities. This would be inconsistent with Part 2 of the RMA and the NPSIB. Relief is sought for the provision of conservation activities as permitted activities in all zones across the district.	Amend to include a District-wide permitted activity for conservation activities.
Part 3 – Area-specific-matters /Zones / Open Space and Recreation Zones / Natural Open Space Zone			
NOSCZ-R1	Support	The rule as notified provides the provision of conservation activities within the Natural Open Space Zone which comprises of Public Conservation Land.	Retain as notified.
NOSZ-R2	Support	I support the provision of activities authorised by a conservation management strategy; conservation management plan a reserve management plan.	Retain as notified.
Part 3 – Area-specific-matters / Zones / Special Purpose Zones / Estuary Estates (Mangawhai Central)			

EESPZ-TEMP-R2	Support with amendments.	The breeding season for Tara iti occurs from August – February.	Amend EESPZ-TEMP-R2 (1)(a)(i) as set out below: *a. Are not located in the coastal buffer overlay as illustrated on Appendix 2 - Estuary Estates Structure Plan, and the Coastal Environment overlay where it overlays the Business Sub-Zone 1 as illustrated on Appendix 2 - Estuary Estates Structure Plan:* *i. Such activities do not occur during the Tara Iti / Fairy Tern breeding season ~~September~~ August - February;* ii. *No dogs (with the exception of service dogs) are brought to the event; an*
Part 4 – Schedules / Schedules / SCHED 5 – Outstanding Natural Landscapes			
SCHED-5	Support with amendments	Waipoua Forest description should also give note to the Waipoua River as part of the significance of the landscape and site.	Amend the description of the Waipoua forest to include the Waipoua as part of the significance of the landscape and site.
Part 4 – Schedules / Schedules / SCHED 6 – Natural Character Areas			
SCHED-6	Oppose	The assessment criteria in schedule is reliant on a diagram provided from the stages of when the NRPS was proposed, dated 2014. The current version of the NRPS outlines more descriptive mapping methods, and for consistency reasons it is recommended this is included in Schedule 6.	Amend schedule 6 of the PDP with the mapping methods used in Appendix 1 of the NRPS.
Part 4 – Schedules / Schedules / SCHED 7 – Coastal Environment Assessment Criteria			
SCHED-7	Oppose	c. Veronica (Hebe) elliptica does not occur in Northland and so cannot be used as an indicator of the coastal environment. (Veronica speciosa might be a somewhat useful indicator in Kaipara District however it is only found in Northland at Maunganui Bluff and Arai Te Uru).	Use a more useful indicator for the coastal environment in the Kaipara District.

ATTACHMENT 2:

Significant Indigenous Vegetation and Habitats of Kaipara District Northland – Volume 1, Wildlands Consultants Ltd, April 2020.

As published in Kaipara District Council Briefing Agenda 6 May 2020 Pages 48 - 133

Significant Natural Area Mapping-- Progress

Meeting: **Council Briefing**
Date of meeting: **6 May 2020**
Reporting officer: **Paul Waanders, District Planner**

Purpose/Ngā whāinga

To inform Council on the progress being made by Wildland consultants to identify Significant Natural Areas (SNA's) in Kaipara prior to engagement with affected parties.

Context/Horopaki

Section 6(c) of the Resource Management Act 1991 (RMA) deems the "*protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna*" as a matter of national importance. Section 31 RMA requires Kaipara district Council (KDC) to control any actual or potential effects of land use and/or development for the purpose of protecting and maintaining indigenous biological diversity.

The Proposed National Policy Statement on Indigenous Biodiversity (NPSIB), presently under consideration by central government will require all local authorities to identify and preserve Significant Natural Areas. A decision is imminent on how the NPSIB is to be implemented.

In the Regional Policy Statement 2016 (RPS) Policy 4.4.1: Monitoring and Protecting Significant Ecological Areas and Habitats; KDC is instructed to avoid adverse effects in the coastal environment and avoid, remedy or mitigate adverse effects of subdivision, use and development outside the coastal environment on areas of indigenous biodiversity. Appendix 5 of the RPS outlines the significance criteria to be applied. In Method 4.4.3, KDC is instructed to amend the District Plan to give effect to the provisions of the RPS which includes the mapping of these SNA's.

The Operative Kaipara District Plan contains a chapter on Ecological Areas https://www.kaipara.govt.nz/uploads/districtplan_operative/Operative%20Kaipara%20District%20Plan%20-%20Chapter%206%20-%20Ecological%20Areas.pdf but only areas under control of the Department of Conservation and a few Kaipara District Council forests are identified. This covers about 35,000ha of conservation land. This does not include the Council Covenants or QEII covenants that were created mainly through the benefit lot subdivisions.

Policy 6.6.1 of the District Plan promotes the progressive improvement of the level and accuracy of information on Significant Ecological Areas, so that it can be effectively used for information, education, non-regulatory and regulatory methods and monitoring. Additionally, the policy encourages KDC to work with other agencies and landowners to identify those areas in the District of significance which warrant monitoring, investigation and protection.

This project aims to achieve all the above requirements and is not limited to public land but includes privately owned land as well.

Discussion/Ngā kōrerorero

The three Northland territorial authorities entered into a Memorandum of Understanding to work together on the SNA project. Wildland consultants were appointed to map each district's SNAs as Stage One of the projects. The project outline was reported and discussed at a briefing of Council on 4 July 2019.
https://www.kaipara.govt.nz/uploads/meetings/briefings/2019/CB%20agenda%2004%20July%202019.pdf

Stage 1 deals with the identification of the SNA's according to the set criteria and has now been completed (**Attachment A** with the Map as **Attachment B).**

Stage 2 Task A involving the ground truthing has also started by using oblique photography. This will be followed by a further contract of site visits both project-initiated, and on request of affected

landowners, once notified. After consultation with the landowners the SNA maps and descriptions will be updated and submitted to Council for approval.

Staff will also be developing Stage 3 of the project dealing with the Objectives, Policies and performance standards that will be applicable in these SNA's.

Summary of Analysis

The following information summarises details regarding the SNA's in the Kaipara District. From the initial Stage 1 analysis there were:

- **501** SNA's.
- **44** that straddle district boundaries with Whangarei and the Far North.
- **92** potential new sites which require further assessment and possible site visits.
- **637** total potential SNA sites.

Wildland consultants used oblique photography in Stage 2 to assess these new sites and reported that:

- **27** site visits required to assess significance
- **30** new sites confirmed as significant
- **13** deleted sites
- **22** sites merged with existing SNAs
- **92** total new sites

Conclusion reached there are **545** potential SNA sites in the Kaipara District. The information below provides a statistical overview on what this means in terms of property and parcel[1] details.

[1] A primary parcel is any parcel that is or is intended to be:
- owned by the Crown, with the exception of a movable marginal strip
- held in fee simple
- Māori freehold land or Māori customary land
- part of the common marine and coastal area
- the bed of a lake or river
- road or railway
- vested in a local authority

https://www.linz.govt.nz/kb/741

	Number	% of District
Number of parcels affected by the SNA layer * includes 904 hydro, railway and road parcels	6217	22%
Number of rateable properties affected by the SNA layer	3579	23%

	% of District
% of the district (land area) (311,638ha) covered by 59,209 ha SNA	19%

	% of SNA
% of SNA's on public vs private land (land area)	46% Public 54% Private

	Number	% of SNA
Number of public vs private parcels affected by the SNA layer	1323 Public 4894 Private	21.3% 78.7%

	% of SNA
% of SNA's on Maori Land (Maori Purpose: Maori Land and Maori Purpose: Treaty Settlement Land)	8.3%
% of SNA's on Maori Purpose: Maori Land	6.0%
% of SNA's on Maori Purpose: Treaty Settlement Land	2.3%

	% of SNA
% of SNA's within an Outstanding Natural Landscape	53.9%

	Number
Number of parcels with 100% SNA coverage	219
Number of parcels with 90% - 100% SNA coverage	493
Number of parcels with 80% - 90% SNA coverage	207
Number of parcels with 50% - 80% SNA coverage	679
Number of parcels with <50% SNA coverage	4619
Average SNA parcel coverage = 32%	

Important for KDC to consider, is that 19% of the district is covered by SNA's of which 46% is public land and 54% private. Of the total parcels (6217), 219 are fully covered by a SNA whilst 4619 parcels are covered by at least 50% SNA. The total area of SNA's is 60,000ha whilst about 35,000ha (58%) is already under protection as DOC land or covenanted land. An additional 25,000ha is being investigated as potential SNA's. 54% of the proposed SNA's are already covered by the Outstanding Natural Landscapes in the District Plan.

Stage 2 of the SNA Project

Stage 2 deals with the ground truthing (partially undertaken) followed by consultation with affected parties and site visits to be undertaken or discussions with the affected parties through engagement processes appropriate to Covid 19 alert levels and best practice engagement.

Council will receive a presentation on the report and maps of the proposed SNA's for consideration. Discussion will be aimed at providing guidance on how staff and the Wildland consultants should best socialise the report and maps with Mana Whenua, the public and affected parties.

The three Territorial Authorities intend to develop a combined press release on the project explaining the statutory requirements as well as the necessity to preserve Northland's biodiversity. This will require KDC's support for such a release.

Staff from the three Territorial Authorities also prefer that the Objectives, Policies and Performance criteria be developed collaboratively so the whole of Northland administers the Significant Natural Areas in the same way. After the SNA's have been refined and validated further briefings and peer reviews will take place before the SNA's are confirmed.

Covid-19 and the lockdown requires careful consideration of consultation process. FNDC are now considering not undertaking pre-consultation due to Covid 19 restraints. As a result, FNDC will probably notify a Draft District Plan as part of their consolidated district plan development process which will include the SNA mapping and provisions for submission. WDC are still finalising their SNA plan provisions and as part of their rolling review will after lockdown consult with the affected parties. The associated Plan Change Chapter will then be notified.

Kaipara District Council will need to consider our preferred option. As with other parts of the District Plan review, pre-consultation and early buy-in to any proposed changes, is considered to be best practice. Currently, the preferred strategy is still to complete the mapping and ground truthing whilst staff work on developing new plan provisions (Objective, Policies and Rules). Whilst this is contemplated to be Stage 3 of the project, staff can as soon as allowable undertake the affected party consultation before the Chapter of the District Plan is finalised.

Next steps/E whaiake nei

After Council consider the report and associated maps and what this means for the Kaipara District, staff will prepare a press release to make the proposed SNA's known. Staff will also notify affected parties by sending them maps pertaining to their property for their consideration and discussion. Site visits may be required where boundary disputes arise and conducted by the ecologist at extra cost to Council.

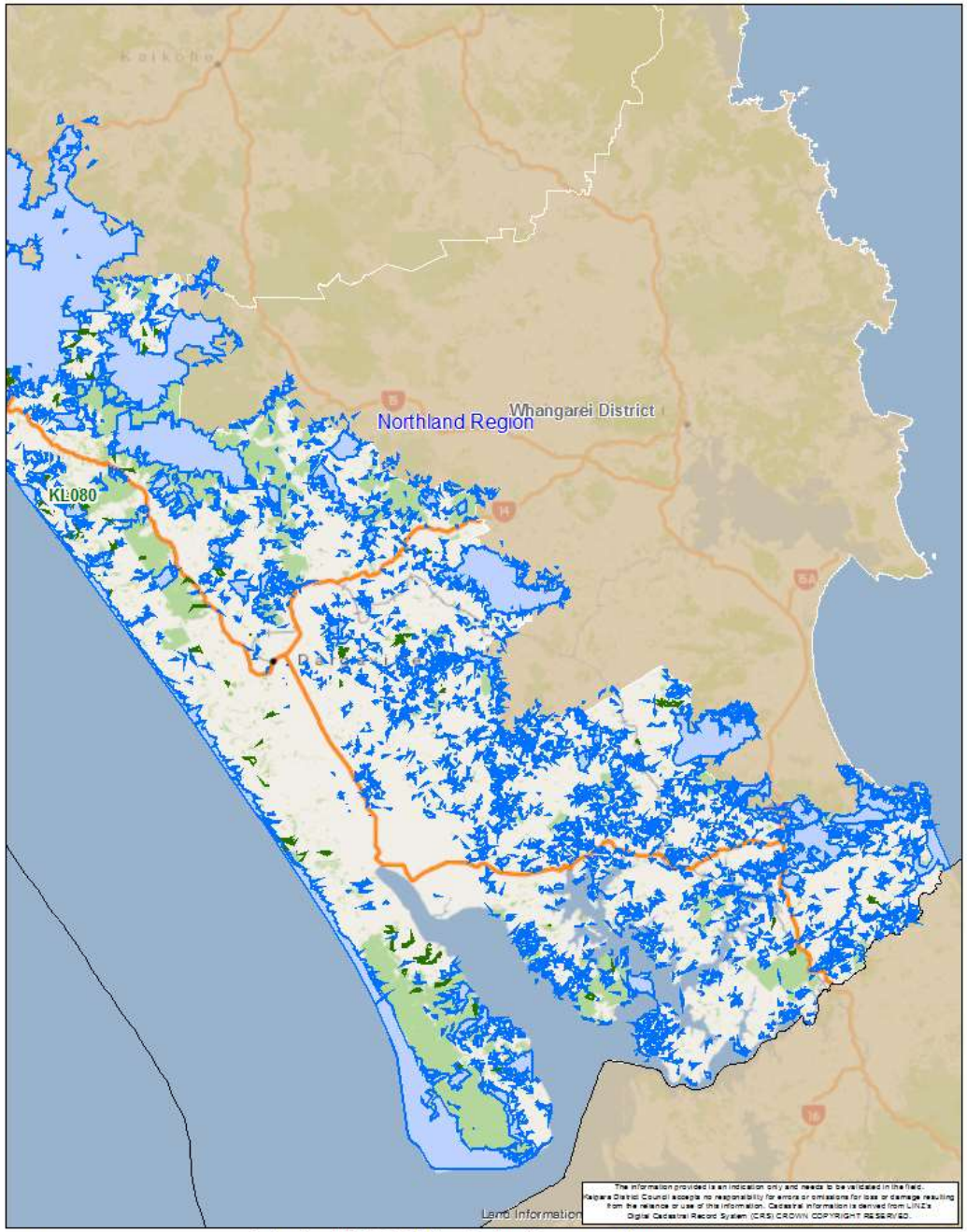
Attachments/Ngā tapiritanga

	Title
A	Map of SNA's in the Kaipara District
B	Examples of Attribute tables for SNA's
C	Report on Significant Natural Areas in the Kaipara District

Print Date: 4/19/2020
Print Time: 8:48:24 AM

Draft Significant Natural Areas

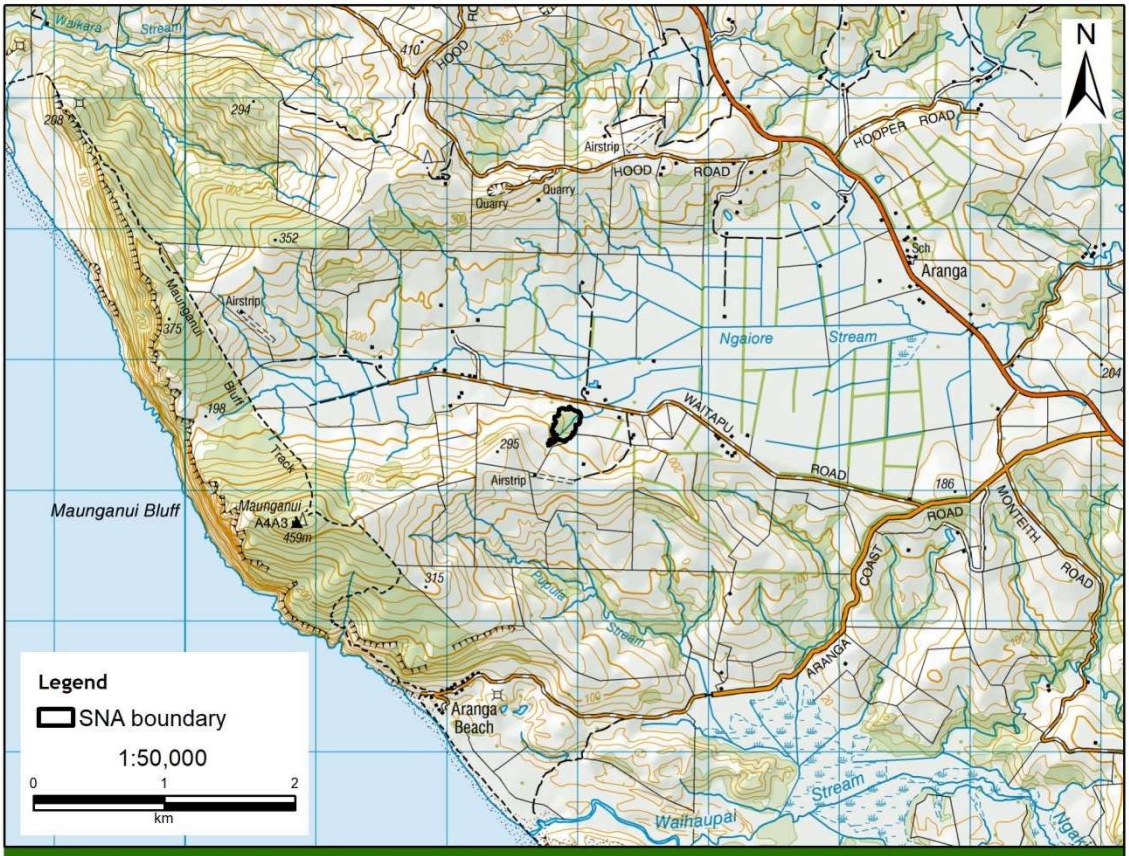
KAIPARA DISTRICT

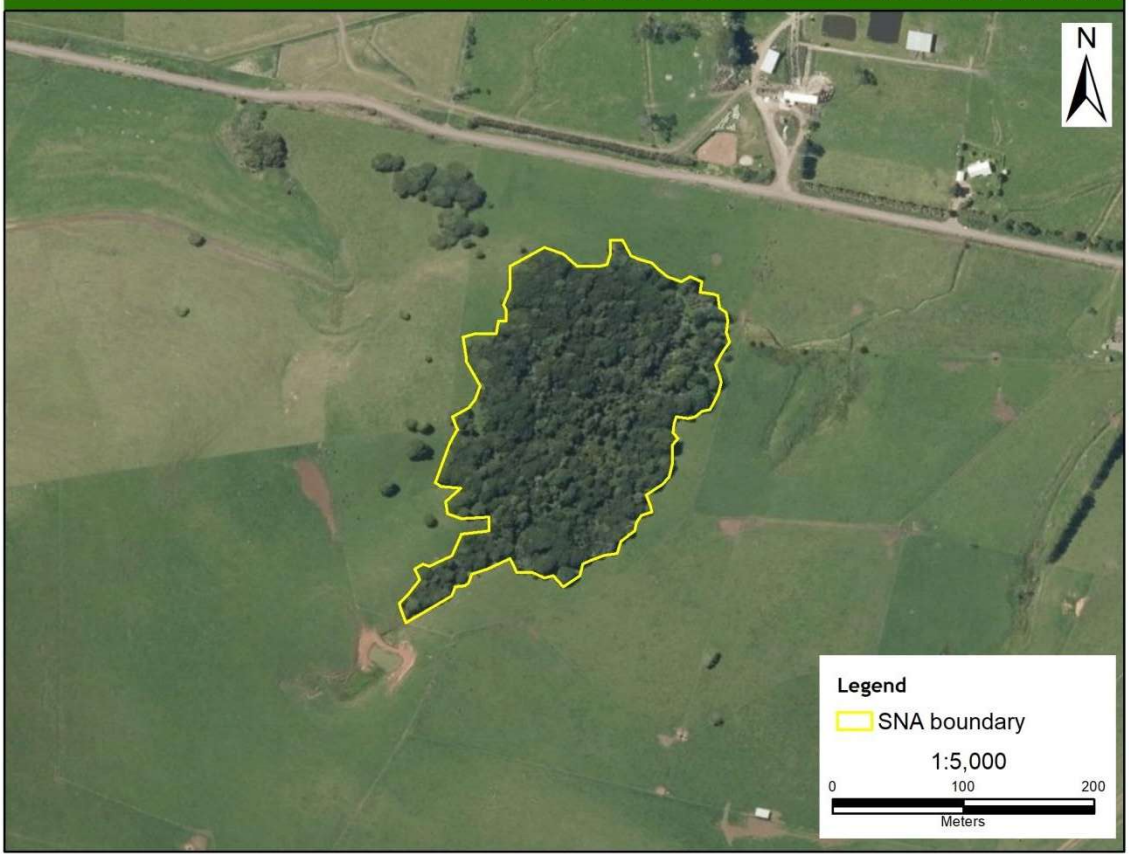


Scale: 1:477,076
Original Sheet Size: A4

Projection: NZGD 2000 New Zealand Transverse Mercator
Bounds: 1,651,738.4795 6,087,525.2200
1,746,673.2686 5,965,988.5179

K001 Access Road Bush





ACCESS ROAD BUSH

SNA ID:	K001
Protection Status:	Unprotected
Area (ha):	3.97
Altitude Range (m):	165-210
Ecological District:	Tutamoe
Grid Reference:	E1652901, N6043504
Property ID:	xxxx

VEGETATION TYPE	LANDFORM
Taraire-tōtara forest Miller and Holland (2008)	Hillslope

Flora[1]	Kauri (*Agathis australis*; Threatened-Nationally Vulnerable)
Fauna:	Not surveyed.
Notes/Comments:	Geology: gently sloping stream valley in deeply weathered Waipoua Subgroup basaltic lava flows.
Significant:	Yes
Significance Justification:	

Criteria Met	Justification
1a(i)	Contains representative vegetation type, dominated by indigenous species.
1a(ii)	Contains vegetation types that would have existed circa 1840 relative to the Ecological District, e.g. taraire-tōtara forest.
2a(ii)	Taraire forest has been reduced to less than 20% of its original extent in the Northland Region.
4a	A small remnant providing corridor linkage between large forest habitats.

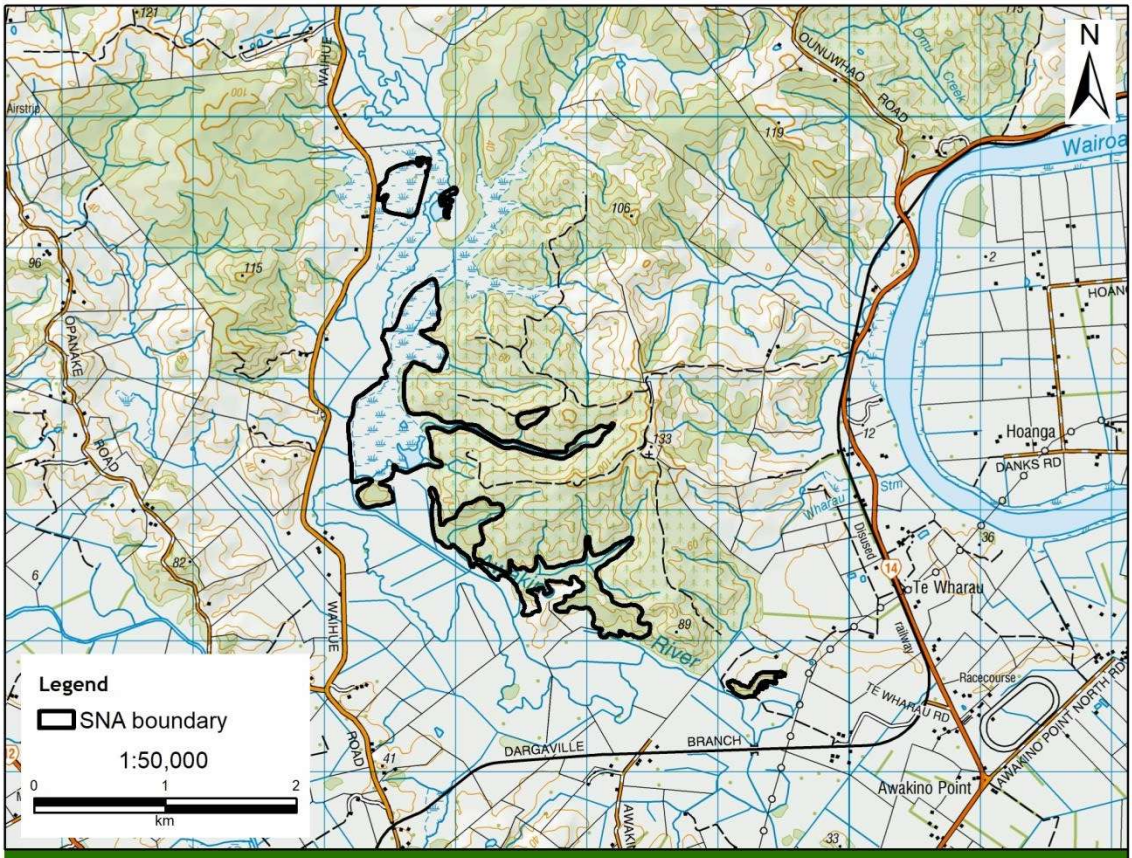
Assessment against Appendix 2 of the NPSIB:

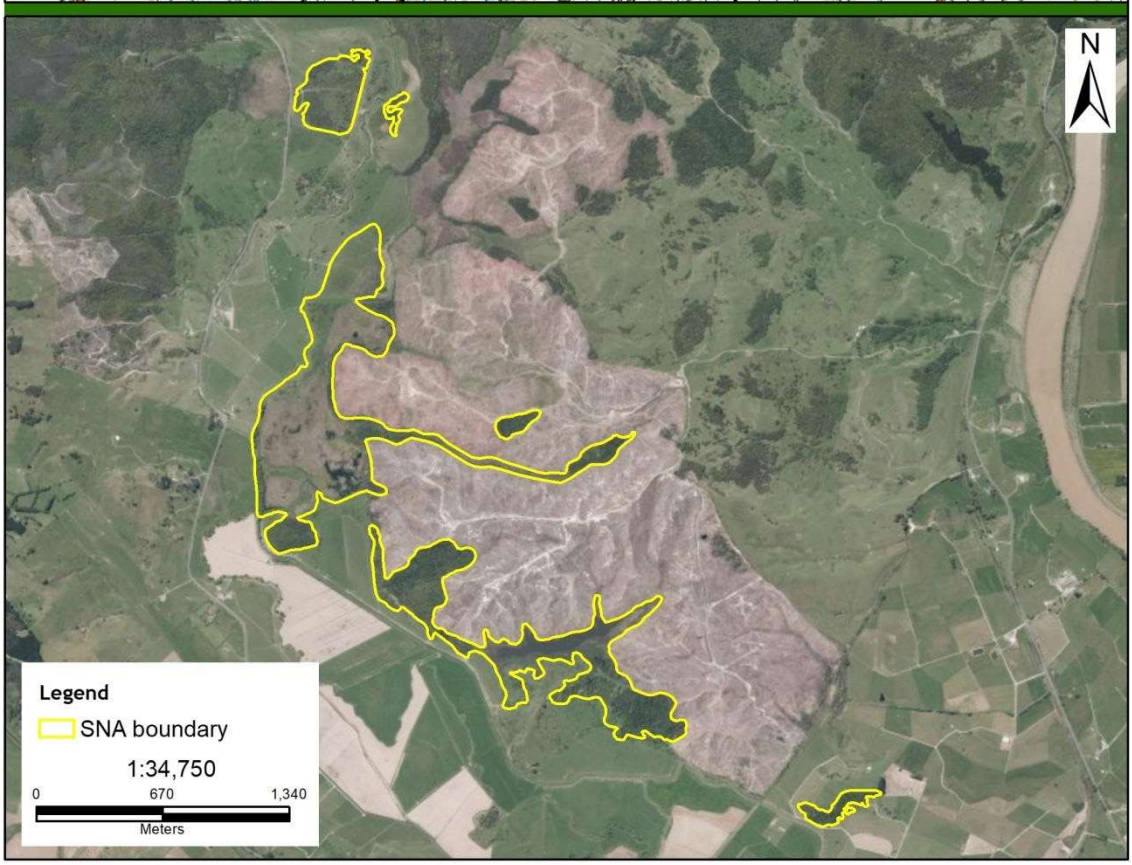
Attributes	Rating
1. Representativeness	
1.1 The ecological unit (taraire-tōtara forest) present is typical of the indigenous character of the Tutamoe Ecological District and retains a moderate level of ecological integrity in the context of what remains in the ecological district.	Medium
3. Rarity and distinctiveness	
3.3 Taraire-dominant forests have been reduced to less than 20% of their former extent in the Northland Region.	High
4. Ecological context	
4.8 Site provides a partial link between other Significant Natural Areas, e.g. Maunganui Bluff Scenic Reserve (K210) to the west and Waitapu Road Bush (K479) to the southeast.	Medium

Overall significance: The site is small and comprises cutover secondary taraire and tōtara remnant with frequent kahikatea and pūriri. This small

[1] Three indigenous plant species (mānuka, kānuka, northern rātā) in the Myrtaceae family were recorded at the site. All of the Myrtaceae species are at risk of infection by myrtle rust (*Austropuccinia psidii*), a potentially devastating rust which has no known treatment. Along with other species in the Myrtaceae family, the threat status of the species present has been elevated as a precautionary measure based on the potential threat posed by myrtle rust (see de Lange *et al.* 2018). However, the Myrtaceae species found at the site were not assessed against the ecological significance criteria because these species are common and widespread in the Mangitaniwha Ecological District.

	remnant provides a partial linkage between large forest habitats and contains a representative forest type that has been much reduced in Northland. **Rating: High**
Threats/Modifications/ Vulnerability (Desktop Assessment):	The site is small, relatively isolated, and surrounded by pasture. It appears to unfenced. Grazing within the site is likely and may be adversely impacting the condition of the site.
References:	Miller and Holland (2008).
Assessment for Significance Based On:	Northland 0.1 metre Urban Aerial Photos (2017) and existing information as cited above.
Boundary Changes Since 1999:	Artefactual Change (Decrease and Increase): Boundaries adjusted to follow the extent of indigenous vegetation based on 2017 aerial photograph.
Field Work required?	No.
Assessment Date:	19/6/2019


N
Legend
SNA boundary
1:50,000
0 1 2
km
OUNUWHAO ROAD
Omu Creek
Wairoa
Hoanga
DANKS RD
Wharau Stm
Te Wharau
Racecourse
TE WHARAU RD
AWAKINO POINT NORTH RD
Awakino Point
DARGAVILLE BRANCH
WAIHUE ROAD
OPANAKE ROAD
Airstrip
Drained
Railway


N
Legend
SNA boundary
1:34,750
0 670 1,340
Meters

AWAKINO AND FLAXMILL SWAMPS

SNA ID:	K018
Protection Status:	Includes QEII Covenants and Public Conservation Land (Marlborough School Conservation Area, Kaihu Forest (Pt Northland Conservation Park)
Area (ha):	134.15
Altitude Range (m):	11-85
Ecological District:	Tangihua/Kaipara
Grid Reference:	E1676680, N6027521
Property ID:	xxxx

VEGETATION TYPE	LANDFORM
Raupō reedland	Alluvium
raupō-harakeke-tī kōuka reedland	Alluvium
Bolboschoenus fluviatilis sedgeland	Alluvium
Raupō-tī kōuka reedland	Alluvium
Raupō-*Machaerina articulata*-alligator weed reedland	Alluvium
Raupō-harakeke reedland	Alluvium
Tī kōuka-*Coprosma propinqua* shrubland	Alluvium
Tī kōuka-kahikatea forest	Alluvium
Eleocharis sphacelata-Machaerina rubiginosa reedland	Alluvium
Lepidosperma laterale-Gleichenia sp. sedgeland	Alluvium
Kahikatea forest	Alluvium
Mānuka-harakeke shrubland	Alluvium
Alligator weed herbfield	Open water
Open water	
Goldwater *et al.* (2009)	

Flora	*Machaerina complanata* ('Threatened-Nationally Vulnerable') and *Coprosma rigida* (regionally significant) were recorded in 1999 and 2006 (SSBI P07/H040). *Carex secta* (regionally significant), *Coprosma rigida* (regionally significant), and *Potamogeton suboblongus* (regionally significant) were recorded in 2006 (SSBI P07/H040). *Coprosma tenuicaulis* (regionally significant) was recorded in 2009 during a survey by Wildland Consultants.
Fauna:	Australasian bittern (*Botaurus poiciloptilus*; 'Threatened-Nationally Critical'), grey duck (*Anas superciliosa*; 'Threatened-Nationally Critical'), spotless crake (*Porzana tabuensis tabuensis*; 'At Risk-Declining'), North Island fernbird (*Bowdleria punctata vealeae*; 'At Risk–Declining'), black mudfish (*Neochanna diversus*; 'At Risk–Declining'), *Peripatus* sp. (regionally significant) and inanga (*Galaxias maculatus*; 'At Risk-Declining') were recorded in 2006 (SSBI P07/H040). Black shag (*Phalacrocorax carbo novaehollandiae*; 'At Risk-Naturally Uncommon') and North Island fernbird were recorded by Wildland Consultants in 2009. Banded rail (*Gallirallus philippensis assimilis*; 'At Risk–Declining') (SSBI P07/H040). Grey teal (*Anas gracilis*; regionally significant) also utilise the site (R. Hoetjes, NZ Fish & Game, pers. comm. 2009).
Notes/Comments:	The site comprises two ecologically significant, large and

adjoining semi-fertile freshwater wetlands (Goldwater *et al.* 2009).

Geology: Valley floor wetland on Holocene alluvium.

Significant: Yes

Significance Justification:

Criteria Met	Justification
1a(i)	The site is representative for at least ten ecosystem types.
1a(ii)	Contains many wetland vegetation type(s) that would have existed circa 1840, e.g. raupō reedland.
1a(iii)	Contains a representative assemblage of fauna taxa including land freshwater fish and wetland birds.
1b(i)	The site comprises two nationally significant, large and adjoining semi-fertile freshwater wetlands.
1b(ii)	Not substantially degraded by anthropogenic activities.
2a(i)	The site occurs on 'Acutely Threatened' and 'Chronically Threatened' land environments.
2a(iii)	Vegetation exceeds the size threshold for swamps.
2b	Habitat for numerous 'Threatened', 'At Risk', and regionally significant taxa.
3a(ii)	Contains a high diversity of wetland plant species, including regionally significant and threatened species.
3b	Contains vegetation which reflects variations in moisture and water levels.
3c	Contains ecological sequences of indigenous reedland, sedgeland and forest vegetation.
4a	Wetland and forest function as a buffer to the upper catchment/tributary of the Awakino River.
4b	Large wetland complex, which provides hydrological connectivity to the upper catchment/tributary of the Awakino River.
4c	Wetlands provide habitat for one of the few black mudfish populations recorded in the Kaipara District. The site also provides important habitat for indigenous wetland birds and other species of indigenous fish.

Assessment against Appendix 2 of the NPSIB:

Attributes	Rating
1. Representativeness	
1.1 Supports freshwater wetland and alluvial vegetation types that are typical of the indigenous character of the Tangihua Ecological District and which retains a high level of ecological integrity in the context of what remains in the ecological district.	High
1.2. Site contains habitat that supports a typical suite of indigenous wetland birds, waterfowl and freshwater fish that are characteristic of the habitat type in the Tangihua Ecological District and retains the majority of species expected for that habitat type in the ecological district.	High
2. Diversity and pattern	
2.1 Site supports a high diversity of indigenous freshwater wetland species, vegetation, habitats of	High

	indigenous fauna, or communities within the context of the Tangihua Ecological District	
	3. Rarity and distinctiveness	
	3.1 Site provides habitat for three nationally 'Threatened' and six 'At Risk' indigenous species as identified in the New Zealand Threat Classification System lists.	High
	3.3 Indigenous wetland vegetation that has been reduced to less than 20% of its former extent in the Tangihua Ecological District and the Northland Region.	High
	4. Ecological context	
	4.1 Site is a large size and compact in the context of freshwater wetland habitat remaining in the Tangihua Ecological District.	High
	4.3 Site provides a partial link between other Significant Natural Areas, e.g. Awakino East Bush (K019) to the north and Waihue Road Shrubland and Forest Remnant (K458) to the northwest.	Medium
	4.5 Site supports large numbers of indigenous fauna, including cryptic wetland birds, waterfowl, and freshwater fish.	High
Overall significance:	The site is partially located in an 'Acutely Threatened' and 'Chronically Threatened' land environment and comprises two nationally significant semi-fertile freshwater wetlands. Wetlands are a regionally and nationally threatened habitat type, and this site is representative for ten ecological units. The wetlands provide an important area for threatened and regionally significant taxa, including a population of black mudfish. **Rating: High**	
Threats/Modifications/ Vulnerability (Desktop Assessment):	Willow weed, alligator weed and pampas are locally common in several areas of the site (Goldwater *et al.* 2009). NZ Fish & Game allow cattle to graze Flaxmill Wetland on a seasonal basis in order to control weeds such as kikuyu and pampas (Goldwater *et a*l. 2009). Some indigenous plants have been heavily browsed (N. Goldwater, pers. obs. 2009).	
References:	Goldwater *et al.* (2009).	
Assessment for Significance Based On:	Northland 0.1 metre Urban Aerial Photos (2017) and existing information as cited above.	
Boundary Changes Since 1999:	Real change (increase and decrease): Boundaries adjusted to include a relatively large area of forest and scrub south of the original SNA boundaries, and a gully that connects to the eastern side of the site. A large area at the northern end of the site has been converted to pasture, and has been removed from the SNA.	
Field Work required?	Yes. Boundary needs to be surveyed to accurately determine wetland extent where it borders pasture.	
Assessment Date:	17/10/2019	

SIGNIFICANT INDIGENOUS VEGETATION AND HABITATS OF KAIPARA DISTRICT, NORTHLAND – VOLUME 1

providing outstanding ecological services to sustain and improve our environments

Wildlands

R4899f – Volume 1

SIGNIFICANT INDIGENOUS VEGETATION AND HABITATS OF KAIPARA DISTRICT, NORTHLAND – VOLUME 1

Contract Report No. 4899f

April 2020

Project Team:
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CONTENTS

Reviewed and approved for release by:

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1. EXECUTIVE SUMMARY

Kaipara District (Northland) covers approximately 310,871 hectares, approximately 9.4% of which are legally protected. The district contains significant areas of indigenous forest, shrubland, wetlands, dune lakes and dunelands, which have significant ecological values. These habitats support a range of unique range of plants and animals, including many species classified as 'Threatened' and 'At Risk'. The District also contains the Kaipara Harbour, which is the largest harbour in New Zealand and the Southern Hemisphere and provides a nationally and internationally important habitat for migratory and non-migratory bird species.

Indigenous habitats in Kaipara District has suffered extensive loss and modification, due mainly to land clearance for agricultural activities, with only about n16% of its former indigenous over remaining. While large, protected areas of indigenous forest, dunelands and saline wetlands have retained their ecological integrity and viability, cumulative loss has continued to occur on private land, resulting in a patchwork of small forest and wetland remnants that are increasingly vulnerable to the adverse effects of stock, pests, and climate change. The current regulatory framework has largely been ineffective to prevent the ongoing loss and degradation of indigenous ecosystems in Kaipara District and indeed throughout the Northland Region.

District Councils are required under Section (6c) of the Resource Management Act 1991(RMA) to identify and provide for "the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna" on land under their administration. In terms of the Regional Policy Statement for Northland 2016, the local authorities are required to identify Significant Natural Areas (SNAs) in their District Plans following the criteria set out in the RPS. The study completed by Wildland Consultants Ltd (Wildlands) has assessed the non-statutory Protected Natural Areas Project and has applied the RPS criteria in the new mapping process to give effect to the requirements of the RPS. The report also draws on natural areas identified and described in additional reports prepared by Wildland, including structure plans, wetland rankings, forestry surveys, and desktop surveys of heathlands. The review updates ecological information for these sites, maps these sites onto 2017 aerial photographs, reports any change in area of any of these sites, and identifies and maps any new, or potentially new, SNAs. Site information sheets have been provided for all existing and new sites, and include a summary of key information. This report comprises a stand-alone document containing all known information on SNAs in the Kaipara District to negate the need to search previous SNA reviews and information sources.

A total of 570 SNAs within Kaipara District, covering an area of *c.*58,361 hectares have been identified and described. Thirty-eight SNAs share boundaries with Whangarei District, three with Far North District, and one SNA includes areas from all three districts. Thirty-one SNAs were removed from the Kaipara District after inspection revealed that they were either too reduced or two degraded to be classified as significant. Twenty-seven of these were in the Otamatea Ecological District, three were in the Kaipara Ecological District, and one was in the Rodney Ecological District.

Following the Stage 1 assessment of all SNAs, 97 sites were shortlisted as being 'Likely Significant', i.e. the sites have the potential to meet one or more significance criteria but required further information. Where possible, 'Likely' SNAs were further

investigated using oblique aerial photography (Biospatial aerial imagery 2017) in February-March 2020. Twenty-eight sites were confirmed as significant based on the observable vegetation types. Twenty-two 'Likely' sites were combined with existing SNAs or new SNAs rather than creating unique sites. The status of 28 potential SNAs could not be confirmed using oblique aerial photography, and these sites remain to be ground-truthed. The remaining sites were removed after being deemed not to be significant.

2. INTRODUCTION

District Councils are required under Section (6c) of the Resource Management Act 1991(RMA) to identify and provide for "the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna" on land under their administration. The Kaipara District Council (KDC) is reviewing its operative District Plan. In undertaking the review, KDC and other Territorial Authorities in the region Whangarei District Council (WDC) and Far North District Council (FNDC) must give effect to the Northland Regional Policy Statement in their District Plans when identifying issues related to controlling the effects of land use and subdivision. In regards to this project, this relates specifically to the maintenance and protection of significant biodiversity. Section 31 of the RMA determines the following function of a territorial authority:

(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:

(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:
(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
(iii) the maintenance of indigenous biological diversity:
(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision

The Operative Kaipara District Plan in Policy 6. 6.1 determines that:

By progressively improving the level and accuracy of information on Significant Ecological Areas, so that it can be effectively used for information, education, non-regulatory and regulatory methods and monitoring.

The Council will work with other agencies and landowners to identify those areas in the District of significance which warrant monitoring, investigation and protection. The Council will also work with other agencies to monitor the status of identified areas and in particular the success of policies adopted through the District Plan.

To achieve this, the councils seek to identify and map areas of significant indigenous vegetation and significant habitats of indigenous fauna (Significant Natural Areas - SNAs) within their districts. Due to biodiversity management being a cross boundary

issue, the District Councils of the Northland Region have agreed to work collectively to address aspects of the RPS requirements. Once mapped, the councils are required to develop appropriate controls on activities within those areas to ensure their protection.

- This report provides a review of Significant Natural Areas (SNAs) in the Kaipara District that have been mapped and described in reports prepared for the Protected Natural Areas Programme (PNAP) from 1990 to 2012. (https://www.doc.govt.nz/search-results/?query=pnap). It also draws on natural areas identified and described in additional reports prepared by Wildland Consultants Ltd, including structure plans, wetland rankings, and desktop surveys of heathlands. The review updates ecological information for these sites, updates mapping of these sites onto 2017 aerial photographs, reporting on any reduction in area of any of these sites, and also includes identification and mapping of any new, or potentially new sites, and provision of site information sheets with summaries of key information for all existing and new sites.

- The current report is intended to comprise a stand-alone report which will contain all known information on SNAs in the Kaipara District to negate the need to search previous SNA reviews and information sources.

3. METHODS

3.1 Review of significance criteria

Significance criteria in the Northland RPS, along with relevant sections of the RPS were reviewed relating to the assessment of ecologically significant sites, primarily relevant policies within regional policy statements and district plans. Guidelines for the application of significance criteria in identifying SNAs in other parts of the country were also reviewed. Wildland Consultants subsequently prepared a report that contained significance criteria and guidelines for the application of significance criteria for the Northland Region (Wildland Consultants 2019). A table that lists the significance criteria and associated guidelines and examples is provided in Appendix 1.

3.2 Collation of existing information to update site information

Readily available literature on the indigenous biodiversity of the Kaipara District was searched for, reviewed, and used to update site information and to ensure that information required for the significance assessments was utilised. This information gathering included internet searches, review of relevant Wildland Consultants Limited reports, and review of relevant Regional and District Council publications. The information sources are cited in the 'References' section and include:

- The Northland Regional Policy Statement.

- Databases of records of herpetofauna and threatened plants (Department of Conservation Bioweb).

- Threatened Environment Classification GIS layer (LENZ Level 4).
- Queen Elizabeth II Open Space Covenant GIS layer.
- Heathlands (potential and confirmed) GIS layer and report (Wildland Consultants 2017a).
- China Forest natural areas GIS layer and report (Wildland Consultants 2017b).
- Rayonier Forest natural area GIS layer and report (Wildand Consultants 2009).
- Northland Biodiversity Rankings GIS layer.

Personal knowledge of the ecologists working on the project was also utilised for relevant sites.

3.3 Site assessments

A site assessment sheet was prepared for each site using the information available. The site sheets include information on the ecological values of the site and likely threats to the site. An example site sheet with definitions of the headings is presented below (Table 1).

At the top of each sheet, information is provided on the protection status, extent of the site, altitudinal range, and ecological district. Following this, there is a table which lists descriptions of vegetation and habitat types, and landforms present at the site. Records of nationally 'Threatened', 'At Risk', or regionally uncommon plant species or features of vegetation present at the site are presented in the "flora" section of the main table on the site sheets. There are similar sections for "fauna", threats or pressures that the site may be subject to, and additional notes/comments. Each site sheet also includes an assessment of ecological significance.

National-level threat classifications which were used are as follows:

- Robertson *et al.* (2017), for avifauna.
- Dunn *et al.* (2018), for freshwater fish.
- de Lange *et al.* (2018), for vascular plants.
- O'Donnell *et al.* (2001), for bats.
- Hitchmough *et al.* (2015), for herpetofauna.
- Mahlfeld *et al.* (2012), for terrestrial snails and slugs (Gastropoda).

Site maps are presented with each site sheet in Volumes 2 to 5 of this report. Within each of these sections, sites are presented by site number in ascending order.

3.4 GIS assessment and site mapping

The boundaries of each sites that were digitised were remapped at a scale of 1:5,000 on ArcGIS Desktop 10.7 using the 2017 aerial photographs (with protected area boundaries imported from the Department of Conservation, Ngā Whenua Rāhui, and QEII covenant GIS layers). During the remapping, the boundaries of these sites were

adjusted to 1:5,000 scale as required, based on the higher quality photographs which in many cases enabled better definition of sites than the previous aerial photographs.

Table 1: Example site information sheet with definition of each heading.

SITE NAME

Site Number:	Number of site, as shown on GIS layer and site map in 2019.
Protection Status:	Protected (type of protection, e.g. Department of Conservation, Ngā Whenua Rāhui kawenata, and QEII covenant) and/or unprotected.
Area (ha):	Total extent of site in hectares.
Altitude Range (m):	Range of altitude within the site, in metres above sea level, from the lowest to highest point.
Ecological District:	Ecological District which the site occurs in. If a site is in multiple ecological districts, then all of the ecological districts which the site occurs in are listed.
Property address	

VEGETATION TYPE	**LANDFORM**
Vegetation types as determined from existing information or aerial photographs	Landform as determined from existing information or aerial photographs
(Reference to sources used for vegetation types)	

Flora:	Key botanical features of the site. Notes on threatened or uncommon plant species which are present or have been recorded at the site. In some cases, dated records are included in this section as an indication of what has been recorded at the site previously. The text has been composed in a way which indicates whether the species are likely to remain present or not, or if this is unknown.
Fauna:	Notes on threatened or uncommon animal species which are present or have been recorded at the site. In some cases, dated records are included in this section as an indication of what has been recorded at the site previously. The text has been composed in a way which indicates whether the species are likely to remain present or not, or if this is unknown.
Notes/Comments:	Additional notes about the site.
Significant:	Yes, or Possible, based on the assessment against the criteria), as justified below.
Significance Assessment:	**Criteria Met** / **Justification** Number of criterion / An explanation of the reason/(s) why the site meets this criterion. Number of criterion / An explanation of the reason/(s) why the site meets this criterion.
Threats/Modifications/ Vulnerability (desktop assessment):	Threats which have been recorded at the site or are likely to threaten the ecological values of the site.
References:	References about the site and/or records from the site. Species threat classifications are not listed here because they are provided in the main report.
Assessment for Significance Based On:	Sources of information used to make the significance assessment.
Boundary Changes Since 1999:	Information on changes in the site boundaries since 1999, which have been observed based on comparison of 2017 aerial photographs.

Paper roads and river parcels which are within Department of Conservation administered areas were included in the protected sites where they appeared to meet the significance criteria.

Areas which did not obviously meet the significance criteria (such as exotic plantation forestry, residential dwellings, and pasture) were excluded from the sites.

Unprotected areas that are contiguous with Department of Conservation administered sites or QEII covenants were included with the protected site if they appeared to have similar vegetation and habitat types. An explanation of whether the site includes protected area(s) and/or unprotected areas was included on each site sheet. A separate study on the Council covenanted areas will be undertaken by KDC to add to the list of protected areas.

Details about each site were captured in an attribute table. Fields in the attribute table are listed and defined in Table 2.

Table 2: Fields of the attribute table associated with each site.

Attribute	Definition
Date	Date of digital mapping (for future reference).
DIG_SCALE	Digitised scale, 1:5,000.
BASE_MAP	Base map. 2017 aerial photographs.
SiteName	Name (most appropriate name if site has had different names in the past).
SiteNumber	Unique identifier (Site No.). (Each site throughout the region has a unique number).
EcologicalDistrict	Ecological District which the site occurs in. If a site is in multiple ecological districts, all ecological districts the site occurs in are listed.
Area_HA	Area (hectares).
MIN- ALT	Minimum altitude of the site (metres above sea level, m asl).
MAX- ALT	Maximum altitude of the site (metres above sea level, m asl).
MEAN- ALT	Mean altitude of the site (metres above sea level, m asl).
ProtectionStatus	Protected, unprotected, or part protected.
ProtectionType	If protected, provides the type of protection. For example, Department of Conservation, Ngā Whenua Rāhui kawenata, or QEII covenant. If unprotected, NA.
FIELD_CHK_B	Field check required to confirm site boundaries. Yes or No.
FIELD_CHK_SB	Field check required to confirm significance and site boundaries. Yes or No.
Criterion_1a(I)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_1a(ii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_1(a)iii	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_1(b)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_1b(ii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2a(i)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2a(ii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2a(iii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2b	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2c(i)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2c(ii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2d(i)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2d(ii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2d(iii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_2d(iv)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_3a(i)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_3a(ii)	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_3b	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_3c	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_4a	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_4b	Y (Yes) or N (No), depending on whether criterion is met.
Criterion_4c	Y (Yes) or N (No), depending on whether criterion is met.
NOTE	Other relevant information.

3.5 Oblique aerial imagery

Following the Stage 1 site assessments, further inspection of 'Likely' SNAs was undertaken using oblique aerial photography flown in 2017 (Biospatial oblique photography 2017). The photography captured very high resolution images of vegetation at oblique angles, which in most cases, proved useful in determining whether or not a potential SNA met any of the significance criteria. The photography did not cover the entire Kaipara District, meaning that several 'Likely' sites will require ground-truthing field work which is Stage 2 of the project.

4. ECOLOGICAL CONTEXT – AN OVERVIEW

4.1 Overview

Kaipara District (Northland) covers approximately 310,871 hectares, approximately 9.4% of which are legally protected (Table 3). The district contains significant areas of indigenous forest, shrubland, wetlands, dune lakes and dune lands which have very important ecological values. These habitats support a range of unique range of plants and animals, including many species classified as 'Threatened' and 'At Risk'. The District also contains the Kaipara Harbour, which is the largest harbour in New Zealand and the Southern Hemisphere and provides a nationally and internationally important habitat for migratory and non-migratory bird species (KDC 2013).

Table 3: Number and size of protected areas within Kaipara District.

Protection Type	Number of Sites	Area (hectares)	Percent of District
Council Covenant		5.11*	<1
Department of Conservation	318	26,834.0	8.6
Ngā Rāhui Whenua Kawenata	0	0	0
QEII covenant	155	2,374.4	< 1
Total	**473**	**29,208.4**	**9.4**

* this area is likely to be an underestimate due to lack of recent Council data.

4.2 Land cover

The dominant landcover within Kaipara District is 'Herbaceous Saline Vegetation' comprising 62 percent land area (Table 4). 'High Producing Grassland' is the second most extensive landcover type (*c.*12.32**Error! Bookmark not defined.** percent) followed by 'Estuarine Open Water' (*c.*12.23 percent) and 'Mangrove' (*c.*3.9**Error! Bookmark not defined.** percent combined). Other landcover types occur in small extents such as 'Broadleaved Indigenous Hardwoods' (*c.*1.4 percent), 'Exotic Forest' (*c.*0.1 percent) and 'Herbaceous Freshwater Vegetation' (*c.*0.8**Error! Bookmark not defined.** percent).

Table 4: Landcover types by area within the Kaipara District.

Landcover Type	Area (hectares)	Percentage of District
Broadleaved Indigenous Hardwoods	4,353.00	1.40
Built-up Area (settlement)	1061.94	0.34
Deciduous Hardwoods	648.23	0.21
Depleted Grassland	1661.24	0.53
Estuarine Open Water	38,092.34	12.23
Exotic Forest	16.29	0.01
Fernland	65.73	0.02
Flaxland	4,770.17	1.53
Forest - Harvested	560.71	0.18
Gorse and/or Broom	0.23	0.00
Gravel or Rock	2,246.90	0.72
Herbaceous Freshwater Vegetation	260.33	0.08
Herbaceous Saline Vegetation	193,011.44	61.97
High Producing Exotic Grassland	38,358.90	12.32
Indigenous Forest	1,223.21	0.39
Lake or Pond	0.98	0.00
Landslide	4,845.23	1.56
Low Producing Grassland	879.08	0.28
Mangrove	10,571.19	3.39
Manuka and/or Kanuka	443.34	0.14
Matagouri or Grey Scrub	406.18	0.13
Mixed Exotic Shrubland	285.15	0.09
Orchard, Vineyard or Other Perennial Crop	1,364.69	0.44
River	2672.06	0.86
Sand or Gravel	2912.36	0.94
Short-rotation Cropland	76.70	0.02
Surface Mine or Dump	35.65	0.01
Transport Infrastructure	226.66	0.07
Urban Parkland/Open Space	4,353.00	1.40
Total	**311,050.93**	

4.3 Threatened land environments

Approximately 11 percent of land is on 'Acutely Threatened' and 20 percent on 'Chronically Threatened' land environments (Cieraad *et al*. 2015; Table 5). 'Acutely Threated' and 'Chronically Threatened' land environments are highly modified with less than 20 percent indigenous vegetation, and the vegetation that does remain is typically highly fragmented and often degraded. The remaining area of the district is on 'At Risk' (30 percent), 'Critically Underprotected' (14 percent), 'Less Reduced and Better Protected' (17 percent), and 'Under Protected' (16 percent).

Table 5: Threated land environments within Kaipara District.

Category	Name	Criteria	Area of District (hectares)	Percent of District
1	Acutely Threatened	Less than 10 percent indigenous cover left	34,219.4	11.01
2	Chronically Threatened	10-20 percent indigenous cover left	63,467.9	20.42
3	At Risk	20-30 percent indigenous cover left	95,498.2	30.72
4	Critically Underprotected	Greater than 30 percent left and less than 10 percent protected	43,943.1	14.14
5	Underprotected	Greater than 30 percent left and 10-20 percent protected	15,600.8	5.02
6	Less Reduced and Better Protected	Greater than 30 percent left and greater than 20 percent protected	53,007.3	17.05
n/a	Unclassified	n/a	5,134.5	1.65

4.4 Ecological districts of Kaipara District

Kaipara District encompasses all or part of eight ecological districts (Table 6). The ecological district with the largest extent within the district is Kaipara, followed by Tokatoka, and then Otamatea, Tangihua and Tutamoe, which have similar extents.

Table 6: Ecological districts within Kaipara District.

Ecological District	Area of ED (hectares)	Area of ED Within Kaipara District	Percent of ED Within Kaipara Distric
Kaipara	197,502.0	89,926.8	46
Otamatea	83,182.0	45,972.8	55
Rodney (part Northland)	38,362.0	20,361.4	53
Tangihua	166,875.0	47,949.2	29
Tokatoka	74,610.0	60,402.0	81
Tutamoe	81,658.0	40,958.0	50
Waipū	49,725.0	4,438.4	9
Whāngārei	81,291.0	862.5	1
Total		**310,871.2**	

5. INFORMATION ON EACH ECOLOGICAL DISTRICT

5.1 Overview

The following information is presented for each Ecological District in Sections 4.2-4.9:

- Background information and overview
- Geology, physiography and soils
- Landform units or land systems
- Vegetation (historic and present)
- Fauna (where information is available)

5.2 Kaipara Ecological District
(adapted from Smale *et al.* 2009)

5.2.1 Overview

Kaipara Ecological District (Northland) covers approximately 87,700 hectares, encompassing a long, narrow strip of mostly consolidated sand country between Maunganui Bluff and North Kaipara Head, including what is colloquially known as the 'Poutō Peninsula'. It is bordered for much of its length by the long, convoluted coastline of the Kaipara Harbour and its northern extension, the Northern Wairoa River on the eastern side, and by the Tasman Sea on the west. Kaipara Ecological District adjoins four other ecological districts: Tutamoe to the north, Tangihua to the northeast, Tokatoka to the east, and Otamatea to the southeast.

Significant natural features of particular note are:

- The Kaipara Harbour and its estuaries at Poutō, which provide habitat for a range of estuarine wetland flora and fauna. They are nationally and internationally important feeding and roosting grounds for migratory waders such as godwits (*Limosa* spp.), and also constitute an important habitat for resident species such as rails (Rallidae), herons (Ardeidae), gulls (Laridae.), terns (Sterninae), shags (Phalacrocoracidae), and North Island fernbird (*Bowdleria punctata*).

- The dune lakes along the western coast, particularly in the north at Kai Iwi, west of Dargaville, and south at Poutō. They have been augmented in recent decades by farm ponds. The lake and ponds provide habitat for a range of wetland flora and fauna including grebes (Podicipedidae), waterfowl, rails, shags, and rarer species such as banded rail (*Gallirallus philippensis*) and spotless crake (*Porzana tabuensis*) (both sparse).

- The very extensive Poutō dune system and its associated lakes and wetlands that provides habitat for a range of littoral, sand dune, and freshwater wetland flora and fauna. Fauna present include resident waders (such as New Zealand dotterels/*Charadrius obscurus* and oystercatchers/*Haematopus* spp.), rails, herons, gulls, terns, shags, fernbird, katipo (*Latrodectus katipo*), and the moth *Notoreas* sp. "northern".