

6 Ecological Areas

6.1 Introduction

The Kaipara District contains significant areas of indigenous forest, shrubland, wetlands, dune lakes and dune lands which have very important ecological values. These areas are home to a unique range of plants and animals. 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.

The forests and shrublands are notable for their diversity of native species. The forests contain a mixture of podocarp and hardwood species including kauri, miro, puriri, rata, rewarewa, rimu, taraire, tawa, totara and towai. Most of these ecological areas have previously been modified or cleared and are, at least in part, of a regenerating nature. However, there are several unmodified kauri forests, the most notable being the Waipoua Forest, which is the largest in New Zealand (and borders the Kaipara and Far North Districts). The forests and shrublands are home to variety of plants and animals, including nationally threatened and regionally rare species such as the North Island kokako, North Island brown kiwi, the kauri snail, the Hochstetter's frog, the Pittosporum kirkii tree and the Hebe speciosa shrub.

The Kai Iwi dune lakes include one of the two deepest dune lakes in New Zealand and second largest lake in Northland as well as a range of threatened species including the nationally threatened aquatic plant *Trithuria inconspicua* and the fish the Dune Lake Galaxias.

The West Coast consolidated habitat is made up of coastal cliffs and hill slopes of tussock, flaxland, vineland and shrubland associations dominated by areas of coastal toetoe, harakeke, pohuehue, mingimingi and manuka. The Pouto dune system embraces one of the most extensive and least modified dune land, wetland and dune lakes complexes in the country. It supports an impressive range of threatened plant and animal species including the Northland stronghold for the wetland plant, marsh fern and a nationally significant population of the northern New Zealand dotterel.

Most of the major ecological areas are in Crown ownership and held for conservation purposes. The Crown estate which is managed by the Department of Conservation stands at around 20,000 hectares. This represents about 8% of the total land area in the District. It comprises several large blocks such as the internationally renowned Waipoua Forest as well as numerous small areas such as Sterling's Bush, near Paparoa. The largest conservation blocks within the Kaipara District which are managed by the Department of Conservation are:

- Kaihu Forest (Pt of Northland Conservation Park) Area – 2,424 hectares (of a total conservation area of 4,320 hectares);
- Houto Forest (Pt of Northland Conservation Park) Area - 938 hectares;
- Mareretu Forest Conservation Area - 1,356 hectares (of a total conservation area of 2,640 hectares);
- Marlborough Conservation Area - 4,795 hectares (of a total conservation area of 5,360 hectares);
- Mataraua Forest (Pt of Northland Conservation Park) - 5,703 hectares (of a total conservation area of 8,000 hectares);
- Pouto Conservation Area – 3,567 hectares;
- Pouto North Conservation Area – 1,398 hectares;
- Tangihua Forest (Pt of Northland Conservation Park) - 3,240 hectares (of a total conservation area of 3,900 hectares);
- Trounson Kauri Park Scenic Reserve - 586 hectares;
- Waipoua Forest (Pt of Northland Conservation Park) – 12,410 hectares; and
- Waipu Gorge Forest Conservation Area - 154 hectares.

Estates managed by the Department of Conservation are administered in accordance with their status as conservation areas, protected areas or reserves under the Conservation Act 1987 and Reserves Act 1977 respectively. The District Council also administers several small areas of forest which have been set aside as reserves. The principal areas concerned are:

- Hamlyns Bush Scenic Reserve;
- Maropiu Bush Scenic Reserve;
- Maungaraho Rock Scenic Reserve; and
- Turiwiri Bush Scenic Reserve.

The Plan seeks to protect areas of ecological significance

There are forests, shrub lands and wetlands of ecological value in the District

Many ecological areas of the District are already protected (e.g. they are in reserves)

In addition to the above, there are significant areas of conservation value, including native forest and shrub land that are in private ownership. Private owners are primarily responsible for the management of this land, although Northland Regional Council has a responsibility for weed, pest and erosion control. An important goal for Council and the community is to achieve widespread commitment to the active protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna on both public and private property for current and future generations.

The Department of Conservation has a system in place to ensure information on natural features in the District and assessing other features under its Protected Natural Areas Survey Programme (is regularly being updated. As the District contains eight of the Departments 'ecological districts', being Otamatea, Kaipara, Tutamoe, Tangihua, Waipu, Whangarei, Tokatoka and Rodney.

Council has produced maps which identify the distribution and abundance of kiwi in the Kaipara District based on information from New Zealand Land Care Trust Land. These maps are included within Part E – Maps as Appendix F. Council recognises high-density kiwi habitat as significant habitat in terms of the relevant provisions of the District Plan. Council has a range of measures aimed at protecting or enhancing kiwi habitat including advocacy and education, conditions on consents in areas of confirmed high-density kiwi habitat, and use of other procedures such as the Council Bylaw on Dog Control.



Wairau River, Maungaturoto



Mangawhai Harbour

6.2 Resource Management Act Requirements

In Part 2, the Resource Management Act 1991 requires that areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected. Areas identified in Department of Conservation's Protected Natural Areas Survey programme as being internationally or nationally important will have the highest priority when allocating resources to assist with their protection.

In evaluating the "significance" of other areas, Northland Regional Policy Statement provides guidance to Council and the criteria set out in Appendix III of that Statement will be applied.

6.3 How to Use This Chapter of the District Plan

This Chapter contains Issues, Objectives and Policies relating specifically to recognising and protecting Ecological Values. While this Chapter does contain methods, it does not contain 'Rules'. The Outcomes sought for Ecological Areas (how the objectives and policies are implemented) are achieved through land use and subdivision Rules and performance standards in the Zone Chapters.

As long as a proposed activity meets the performance standards of the relevant Zone Chapter, landowners have flexibility on what they do on their property and do not need to consider this Chapter. However, if a proposed development, new land use or subdivision does require consent under the relevant Zone Chapter (Part B), you may need to give consideration to this Chapter, particularly on how your development contributes to achieving the objectives and policies for Ecological Values.

Before you use this Chapter of the Plan, check:

- That the proposed activity meets the performance standards for the relevant Zone (if it does you don't need to refer to this Chapter).
- If you do require a Resource Consent, review the assessment criteria to confirm if they include consideration of impacts on ecological values (if they don't and your activity is a 'Restricted Discretionary Activity, you don't need to refer to this Chapter).

If you do need to consider this Chapter, consider how your proposal contributes to achieving the Objectives and Policies of this Chapter as well as those of other Chapters. Issues, Objectives and Policies within each Chapter of the Plan are presented in no particular order of importance.

The District Plan seeks to encourage landowners to protect areas of significant ecological value

Criteria for identifying areas of significant vegetation and significant habitats of indigenous fauna are listed in Section 6.7.1

The 'Rules' to implement this Chapter are in the Zone Chapters,

Part B

Figure 1-2 in Chapter 1 provides a summary of how to use this District Plan

Also, it is important to remember you may want to use this Chapter if you are proposing to seek one of the following types of subdivision as it will assist you in determining whether areas on your land have ecological value for an 'environmental benefit':

- 'Preservation of natural or cultural heritage';
- 'Environmental benefit'; or
- 'Integrated development'.

In summary, if your proposal is for an activity (development) that meets the Performance Standards for the relevant Zone Chapter, you don't need to consider this Chapter.

6.4 Ecological Area Issues

6.4.1 Unsustainable land development or land use activities adjacent to or on lakes, rivers and coastal margins or within the catchments of these environments can result in loss or degradation of significant ecological areas.

Land disturbance associated with subdivision, including earthworks and vegetation clearance in water catchment receiving areas and close to water bodies can adversely affect the stability of their margins, water quality and ecosystem viability. Activities on, or adjoining lakes and other sensitive receiving environments can have adverse effects on the character of these areas.

Human activities including uncontrolled stock grazing and inappropriate vehicle use have the potential to adversely affect natural areas and biodiversity of the District. Contamination and changes to flow regimes can result from runoff from the surface of roads, storage areas, disposal of stormwater and from industrial processes.

Weed invasion and inadequate control of animal and plant pests is also a significant factor in the degradation of the remaining significant ecological areas in the District.

There is little certainty of protection for the many significant ecological areas in the District, as in most cases, protection and active management is at the sole responsibility of the landowner. The lack of physical protection around the remaining areas (e.g. stock proof fencing) also means that some land use activities, such as uncontrolled grazing are a threat or potential threat to habitat values.

6.4.2 Ecological areas have become fragmented with a resulting loss of the natural corridors, which facilitate migration of fauna between areas.

Land use and development can result in the loss and degradation of ecosystems and habitats, and the fragmentation and isolation of habitats, resulting in a reduction in the abundance of certain species and a reduction in the natural values of an area.

The removal of parts of ecological areas may not seem significant on its own but if this results in loss of a natural corridor, potentially the whole ecosystem becomes less viable. In many instances animal species will not move between native ecosystems unless there is a vegetation connection (often native plant species) between two areas.

6.4.3 Past subdivision and land use practices have compromised the biodiversity of indigenous species and ecosystems within the District, and there remains a potential threat to those that remain.

Council has the responsibility (under the Resource Management Act 1991) to take into account the effects of subdivision and land use activities on the indigenous species in the District, their genetic diversity and the natural habitats and ecosystems that support them. Of the remaining areas of remnant native forest and wetlands outside of the Department of Conservation Estate, the majority do not have any legal or physical protection.

6.4.4 A notable proportion of the significant ecological areas are on private land. Their protection needs to be balanced with the ability of the landowners to provide for their social and economic wellbeing.

A proportion of the as yet unprotected significant indigenous vegetation and significant habitats of indigenous fauna is privately owned. The desire to protect these areas gives rise to questions of equity if protection of these areas unreasonably constrains otherwise normal rural activities and/or affects economic wellbeing.

If you volunteer to protect an Ecological Area the Council may give you additional development rights e.g. for subdivision

6.4.5 There are several available databases of the District's significant ecological areas to assist the Council with the development of District Plan methods and monitoring. Some of these are out-of-date and incomplete (e.g. they do not consider ecological areas across the whole District).

There are some databases available on indigenous vegetation and fauna within the Kaipara District but these may not be up to date or the re-surveying of these areas may not be complete. The validity of these databases could currently be questioned in relation to: the continued existence of sites; their significance and quality; current threats; and the current level of voluntary protection being provided by landowners. Updating these databases, including electronic mapping and consultation with landowners requires significant resources.

6.4.6 The areas of indigenous vegetation and habitats within the District contribute to the unique character of the District, in particular coastal, harbour and lake areas, and they need to be retained and where possible enhanced.

Natural features, landscapes, indigenous vegetation and habitats of indigenous fauna are an integral component of the District's character. Preservation of the natural character of the coastal environment and the protection of areas of significant indigenous vegetation and habitats are matters of national importance.

6.5 Ecological Area Objectives

In addition to the District Wide Objectives, the following Objectives apply:

6.5.1 To maintain and enhance the life supporting capacity of ecosystems, and the extent and representativeness of the District's indigenous biological diversity.

Issues 6.4.1, 6.4.2, 6.4.3, 6.4.4 and 6.4.6

6.5.2 To maintain ecological values through the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna while allowing appropriate subdivision, use and development.

Issues 6.4.2, 6.4.5 and 6.4.6

6.5.3 To promote active management of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Issues 6.4.2, 6.4.5 and 6.4.6

6.5.4 To protect the natural character of the coast, rivers and lakes and their margins within the District by avoiding, remedying or mitigating the adverse effects of surface water activities.

Issue 6.4.6

6.6 Ecological Area Policies

In addition to the District Wide Policies, the following Policies apply:

6.6.1 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.

Objectives 6.5.1, 6.5.2 and 6.5.3

6.6.2 By managing the scale, intensity, and location of subdivision and land development activities in areas of significant indigenous vegetation or significant habitats of indigenous fauna.

Objectives 6.5.1, 6.5.2 and 6.5.3

6.6.2b Where disturbance of significant indigenous vegetation and significant habitats of indigenous fauna cannot be avoided, it should be undertaken in a way that, minimises and/or mitigates adverse effects as far as practicable, by:

- Ensuring that any disturbance:
 - a) minimises any edge effects;
 - b) avoids the removal of specimen trees;
 - c) does not result in linkages with other areas being lost;
 - d) avoids adverse effects on threatened species;
 - e) minimises disturbance of root systems of remaining vegetation;
 - f) does not result in the introduction of exotic weed species or pest animals; and
 - g) does not result in the intentional or unintentional release of weeds or pest animals or the abandonment of domestic pets;

- Encouraging and where appropriate requiring the exclusion of domestic cats and dogs (except for working dogs as defined in the Dog Control Act 1996) in areas of high kiwi density (Appendix F to the Maps);
- Encouraging and where appropriate requiring active pest control and removal and the provision of stock proof fencing to avoid the grazing of such areas; and
- Encouraging planting and restoration. Eco-sourcing is preferred practice when planting indigenous plants and in particular, when undertaking revegetation or restorative planting. It serves to maintain genetic diversity and increase plant survival because plants are accustomed to their local environment.

Subdivisions and land development activities requiring consent will be assessed to determine whether they may result in adverse effects on significant ecological areas. Policy 6.6.2b provides a framework by which to assess those activities which might otherwise be appropriate but are proposing to disturb areas of significant indigenous vegetation or significant habitats for indigenous fauna. This Policy gives guidance on ways to minimise, remedy and mitigate adverse effects. Conditions may be imposed to avoid, remedy or mitigate effects. Notwithstanding the Policy 6.6.2b, applications may be declined where the effects cannot be appropriately managed.

Objectives 6.5.1, 6.5.2 and 6.5.4

- 6.6.3 By managing earthworks and vegetation clearance in all areas of the District in order to avoid, remedy or mitigate adverse effects on significant ecological areas, recognising there is complete information on the exact geographic location of all these valued areas may not be available.**

In the absence of a comprehensive schedule and maps identifying the location of significant ecological areas for the whole District, the Council will manage the level of land disturbance activities across the District. These activities will be assessed on a case-by-case basis in order to determine whether the areas concerned are significant, and whether the activity will result in adverse ecological effects. Recognition is given to the value placed on the environments of the District (e.g. the harbours, waterways, coast and lakes) through the environmental overlays.

Objectives 6.5.1, 6.5.2 and 6.5.4

- 6.6.4 By evaluating the significance of areas of indigenous vegetation and habitats of indigenous fauna by reference to the criteria listed in Appendix III of the Northland Regional Policy Statement**

The Northland Regional Policy Statement contains an appendix which the Northland Regional Council uses to define criteria for identifying areas of significant vegetation and significant habitats of indigenous fauna. These criteria are listed in 6.7.1 (District Plan Methods) and in Appendix 25G.

Objectives 6.5.1 and 6.5.2

- 6.6.5 By providing incentives in the Plan which encourage measures to protect and enhance indigenous vegetation and habitats of indigenous species.**

Provisions in this Chapter of the District Plan are initially voluntary and directed towards encouraging landowners to protect and actively manage significant ecological areas, through providing a range of tangible incentives, such as financial assistance (Biodiversity fund) and subdivision opportunities. These incentives apply to measures in excess of those that would be required to avoid, remedy or mitigate the effects of land use, subdivision or development.

Objectives 6.5.1, 6.5.2 and 6.5.3

6.7 Methods

The above Policies will be implemented through the following Methods:

6.7.1 District Plan Methods

- 6.7.1.1 Administer Rules within Zone Chapters controlling activities which may adversely affect the ecological values of features of international, national, regional, or district significance.**
- 6.7.1.2 In all Zones Rules apply to the clearance of indigenous vegetation, recognising the environmental values of those areas within identified Overlays.**
- 6.7.1.3 Policies in the District Plan supporting initiatives for weed and pest control and habitat management to be implemented, where practicable, when assessing applications for subdivision and Land Use Consents and by financial assistance.**
- 6.7.1.4 Incentives in the District Plan Rules encourage voluntary protection of indigenous vegetation and habitats of indigenous species.**
- 6.7.1.5 Council retains the discretion to impose conditions regarding the keeping of dogs and cats on subdivision or Land Use Consents within areas of confirmed high density kiwi habitat and ecological areas. For example, for areas identified in Part E (Maps) Appendix F: Kiwi Density and other relevant databases including the Department of Conservation's Protected Natural Areas Survey Programme areas, the NIWA Freshwater Fish Database and Threatened Land Environments of New Zealand database.**

- 6.7.1.6 Appendix F to the Maps contains indicative maps showing the areas of kiwi habitation in Kaipara District.**

- 6.7.1.7 The significance of indigenous vegetation and habitats will be assessed by reference to the criteria in Appendix III of the Northland Regional Policy Statement, and also contained within Appendix 25G, Part D of this Plan, when processing applications for Resource Consent for land use or subdivision. These criteria are:**

- Whether the area contains critical, endangered, vulnerable or rare taxa, or taxa of indeterminate threatened status (in the context of this clause, taxa means species and subspecies);
- Whether the area contains indigenous or endemic taxa that are threatened or rare in Northland;
- Whether the area contains representative examples in an ecological district of a particular habitat type;
- Whether the area has a high diversity of taxa or habitat types for the ecological district;
- Whether the area forms an ecological buffer, linkage or corridor to other areas of significant vegetation or significant habitats of indigenous fauna;
- Whether the area contains habitat types that are rare in the ecological district;
- Whether the area supports good populations of taxa which are endemic to the Northland or Northland-Auckland regions;
- Whether the area is important for indigenous or endemic migratory taxa; and
- Whether the area supports viable populations of species, which are typical of that type of habitat within an ecological district and retain a high degree of naturalness.

6.7.2 Other Methods

- 6.7.2.1 The Council will make available on its website a direct link to the Department of Conservation's published Protected Natural Areas Reports and also make these available through Council offices;**

- 6.7.2.2 The Council will progressively develop a database on significant indigenous vegetation and significant habitats of indigenous fauna, including confirmed high density kiwi habitat. The database will contain information on the type, location, level of significance, vulnerability, condition and protection status of indigenous vegetation and habitats of indigenous fauna in the District. Sources for the database will include, but not be restricted to:**

- Sites under statutory protection outside of the Resource Management Act, e.g. covenanted areas, Nga Whenua Rahui, Queen Elizabeth II Trust covenants, Reserve Management Plans, e.g. Taharoa Domain Reserve Management Plan;
- Sites where legal protection has been secured under the Resource Management Act 1991, e.g. Consent Notices, conditions on Resource Consents;
- Sites volunteered by landowners for protection;
- Department of Conservation's published Protected Natural Area Studies;
- Further potential sites, by reference to other published information and surveys undertaken by qualified personnel, including the report undertaken by Wildland Consultants (GIS Analysis of the Extent and Distribution of Indigenous Vegetation and Habitats Remaining in Kaipara District, 2006);
- Areas covered by Plans and Permits granted under the Forests Act 1949;
- Known high density kiwi habitat; and
- Northland Regional Council's Ecological Database.

As part of this database, Council will progressively compile electronic maps of the District, in collaboration with other key agencies, in particular the Department of Conservation and the Northland Regional Council. These maps will be initially used for education and the provision of information. Council will consider as part of the Long Term Plan planning cycle, whether a future Plan Change (including landowner consultation) should be undertaken to include these mapped areas and associated rules in the District Plan.

Education is an important method. The Council will provide information to landowners and the public generally about the existence and value of indigenous vegetation and habitats and the management of them. Information on management practices that protect kiwi and other indigenous fauna in exotic forests will be provided.

The Council will make available incentives (such as the Biodiversity Fund) to private landowners for protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Council will give advice to landowners on other sources of assistance available such as the Northland Regional Council Environment Fund, the Nature Heritage Fund and the QE II National Trust.

- 6.7.2.3 The Council will progressively develop guidelines to assist landowners in the protection and enhancement of ecological areas. These guidelines could include information on planting plans, weed management, wetland restoration and the covenanting of ecological features and potential economic benefits from this.**

6.8 Outcomes

In addition to the District Wide Outcomes, the following Outcomes apply:

- 6.8.1 Maintenance and enhancement of the biodiversity of indigenous plant and animal species within the Kaipara District and the natural habitats and ecosystems that support them.** [Issue 6.4.3](#)
- 6.8.2 Significant indigenous vegetation, significant habitats of indigenous fauna and ecological corridors do not suffer further degradation, are protected and where possible are enhanced and expanded.** [Issue 6.4.2](#)
- 6.8.3 Activities on or adjoining lakes and other sensitive receiving environments are managed to enhance the natural character values of these areas.** [Issues 6.4.1 and 6.4.6](#)
- 6.8.4 A greater community awareness is developed of the type, location, significance and vulnerability of indigenous vegetation and habitats and the available methods of protection.** [Issues 6.4.4 and 6.4.5](#)
- 6.8.5 An increase in those areas of significant indigenous vegetation and significant habitats of indigenous fauna, which are formally protected.** [Issues 6.4.1 and 6.4.5](#)

6.9 Rules

Activities affected by this Chapter of the Plan must comply with the relevant standards applying to the Zone in which the activity is located (refer to Part B - Zone Chapters), and with other relevant provisions in Part C – Sites, Features and Units.

Particular attention is drawn to excavation and fill, vegetation clearance, setback rules within Chapters 12 -16 in Part B – Zone Chapters.