

**UNDER** the Resource Management Act 1991  
("RMA")

**IN THE MATTER OF** of an application for Private Plan Change  
83 ("PPC83") by THE RISE LIMITED to  
rezone 56.9 ha of land at Cove Road and  
Mangawhai Heads Road, Mangawhai  
from Rural Zone to Residential Zone.

**SUPPLEMENTARY EVIDENCE STATEMENT OF MADARA VILDE ON BEHALF OF THE  
APPLICANT**

**ECOLOGY**

**27 MARCH 2024**

**1. INTRODUCTION**

1.1 This supplementary evidence statement has been prepared to address the further ecological matters highlighted by Submitters 4 and 14 and the Council's Consulting Ecologist Mr Brown of Wildlands during the course of the Hearing held on 27<sup>th</sup> March 2024.

**2. APPLICABILITY OF PET RESTRICTIONS**

2.1 In Mr Brown's opinion there is a risk that 'Regionally' and 'Nationally' threatened fauna could be impacted on as part of introduction of additional domestic pet animals within the PPC83 boundaries. To support his argument Mr Brown references the potential presence of NI brown kiwi (*Apteryx mantelli*) in the nearby surrounds relying on the evidence of submitters that NI kiwi are present within the wider area. First of all, I would like to correct Mr Brown that the current national 'Threat Status' of NI brown kiwi as per Robertson *et al.* (2021) is 'Not Threatened'<sup>1</sup> (please refer to Figure 1 below). NI brown kiwi is not listed as a 'Regionally Significant' species within the Rodney Ecological District in which the site is located. No other 'Regionally' or 'Nationally'

---

<sup>1</sup> Conservation status of birds in Aotearoa New Zealand (2021). Hugh A. Robertson, Karen A. Baird, Graeme P. Elliott, Rodney A. Hitchmough, Nikki J. McArthur, Troy D. Makan, Colin M. Miskelly, Colin F. J. O'Donnell, Paul M. Sagar, R. Paul Scofield, Graeme A. Taylor and Pascale Michel

significant or threatened fauna, as far as I am aware of it, has previously been recorded within or nearby the site.

NOT THREATENED (37)	
Taxonomically determinate (37)	
<i>Acanthisitta chloris chloris</i>	South Island rifleman
<i>Anas gracilis</i>	grey teal
<i>Anas rhynchos</i>	Australasian shoveler
<i>Anas superciliosa x platyrhynchos</i>	grey duck × mallard hybrid
<i>Anthornis melanura melanura</i>	korimako / bellbird
<i>Apteryx mantelli</i>	North Island brown kiwi
<i>Aythya novaeseelandiae</i>	pāpango / New Zealand scaup

Figure 1: An excerpt from Robertson et al. (2021) Conservation status of birds in Aotearoa New Zealand, 2021, showing the current Threat Status of NI brown kiwi

- 2.2 I understand Mr Brown has himself not recorded NI brown kiwi in the Mangawhai area and relies on the evidence of the submitters to confirm their presence. The site or immediate surrounds is not located in a known or designated kiwi area as per operative Kaipara District Plan Kiwi Habitation Density Maps. Having myself lived in the Mangawhai Heads area for over 7 years and travelled extensively along Cove Road during peak kiwi activity times (including dawn and dusk), I have never heard or seen a kiwi in this general area, nor have I ever heard of any kiwi mortality in the Mangawhai area through vehicle collisions or via domestic pet predation, noting that I am not disputing that these are relevant issues in areas of high kiwi density, which Mangawhai and the wider surrounds is not.
- 2.3 Submitters 4 and 14 highlight the potential NI brown kiwi presence within the Sanctuary and Bream Tail Farm developments. Firstly, the evidence on NI brown kiwi presence within these nearby developments and immediate surrounds without comprehensive ecological surveys being carried out by a suitably qualified ecologist is anecdotal at best. Having worked on recent subdivision consent applications within the Sanctuary development, my opinion is that, what is often described by residents as a NI brown kiwi call is more likely to be a morepork (*Ninox novaeseelandiae novaeseelandiae*) call, which is exceptionally similar to a male kiwi call, and to a non-expert, it would be difficult to distinguish between the two. My professional work within the Sanctuary development and nearby surrounds in the last 7-year period, where I have utilised a combination of acoustic monitoring equipment as well as standard dawn and dusk surveys, has found

no evidence of NI brown kiwi presence within the immediate Sanctuary development. The only NI brown kiwi records I have personally recorded previously were located over 5km west of the site within the upper reaches of King Road, nearby the Maranui Conservation area, where a small number of NI brown kiwi were introduced in 2013, and as far as I am aware of it, they have not continued their expansion further down catchment and have retained their presence largely to the core of the Maranui Conservation area. As for Bream Tail development, I am not aware of any one specific area where NI brown kiwi are located within the wider Bream Tail Farm unit, and no further evidence or records have been provided by the Submitters for me to assess whether the potential increase of domestic pets on the PPC83 site could have an impact on this isolated population (unspecified number of kiwi). Without further evidence I can only assume kiwi were at some point in time released within Bream Tail through assisted relocation rather than them having arrived on their own accord, and this population is likely extremely closely monitored by Bream Tail residents or their representatives.

- 2.4 Irrespective of the above, Submitter 4 presenting on behalf of Sanctuary residents association described that the large majority of the households within the Sanctuary development do not have any specific restrictions on domestic pets, apart from a handful of more recent subdivisions which have been undertaken utilising the Environmental Benefit ('EB') Rule 12.13.1 of the operative Kaipara District Plan. I note that domestic cat restrictions are a common requirement of the EB Rule, and typically are imposed to any subdivision applied for under the EB Rule. Arguably, the Sanctuary development is of much higher existing ecological baseline setting given that the site part contains and directly adjoins the foothills of the Brynderwyn Hills Forest Complex. Having considered Submitter 4 evidence I note that the submitter didn't appear to have any issue with the current baseline setting of the Sanctuary not having any specific pet restrictions, and in fact, the Submitter's comments appeared to indicate that abiding by responsible pet ownership practices rather than having specific controls imposed on pet animals are seen as sufficient pet management practices to protect indigenous fauna that may be present within the adjacent Brynderwyn Hills Forest Complex.
- 2.5 Submitter 4 also stated that the pet owners within the Sanctuary development are encouraged to attend avian aversion training for dogs, which relates to my evidence in chief (EIC), in which I outlined that utilising education, raising awareness and encouraging cooperation between residents/pet owners are often much more effective and acceptable tools to utilise instead of imposing bans or restrictions which are less likely to be abided or supported by pet owners.

- 2.6 In my personal experience, living in a residential setting in Mangawhai Heads, which is not too dissimilar from the proposal, along with having had involvement in other recent residential developments in Mangawhai, I have yet to see any domestic pet restrictions/ban considerations being imposed when deciding on a subdivision application. When looking at this from a purely practical perspective, more often than not, individual lot owners choose to fence or otherwise establish some physical separation between their lots and the neighbouring land, and this in turn reduces the likelihood of their domestic pets roaming outside of the individual lot boundaries. It is in pet owners best interest to not have their pets roam outside their lot boundaries, given that there is a high likelihood of their pets suffering mortality through vehicle collisions.
- 2.7 In addition, when considering the practicality of including such a matter for discretion within the Cove Road North Precinct Plan provisions, one should consider that it is unlikely that the PPC83 site will be developed in a standalone manner given the varied ownership patterns. Depending on where the first subdivision and development might occur, and depending on the personal views and experiences of both the future Applicant's Ecologist as well as Council's Peer Reviewing Ecologist, it is very likely that this first subdivision application will set a baseline precedent that will trickle down into the subsequent subdivisions. Or alternatively, it could be the case that future residents will find that they are not allowed pets, while their direct neighbour on a more recently developed lot will have no such restrictions.
- 2.8 As highlighted by submitters 4 and 14, both the nearby Sanctuary and Bream Tail Farm carry out pest animal control within their respective development boundaries. Similarly to these neighbouring sites, the Cove Road North Precinct Plan provisions will require that any future subdivision within the PPC83 boundaries containing an ecological feature is made subject to site specific integrated pest animal management plan, which will positively benefit indigenous fauna present on site and immediate surrounds. The pest management will provide for ongoing control of species such as rabbits, possums, feral cats, rats and mustelids. This will ensure that the existing pest control operation effort carried out within the nearby sites is extended throughout the PPC83 site boundaries.
- 2.9 Therefore, my opinion remains that there is no evidence basis for a specific matter of discretion to be included within the precinct plan provisions relating to potential domestic pet restrictions or bans, and in my professional opinion community engagement, education, and collaboration between domestic pet owners, animal welfare organizations, and local authorities are often better alternatives, in addition to carrying out pest animal control that target non-domestic pets such as feral and stray cats.

2.10 I conclude that there are no sufficient grounds for such a complex, and in my opinion unnecessary matter for discretion, to be included within the Cove Road North Precinct Plan provisions should PPC83 be approved. I appreciate there is a lot of emotive reasoning behind the Submitters and Council's Ecologists evidence which is based on their personal and professional experience, but I stand by my original Ecological Assessment having presented robust baseline information of the ecological setting of the Site and immediate surrounds that is based on rigorous ecological assessments and provides a factual basis to make a decision on.

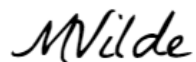
### **3. WETLAND DELINEATION**

3.1 I understand that submitter 23 is not satisfied with the potential wetland area classification within their respective property in the ecological surveys I carried out in May 2022. As noted within my EIC and summary evidence presented at the Hearing, wetland delineation on properties that are within the PPC83 area, but where physical access was not possible or granted, was undertaken through a combination of historic and current aerial imagery analysis, vantage point surveys, analysis of flood hazards, topography and contour information obtained from LIDAR, which I believe is a robust assessment methodology for sites that are not physically able to be surveyed utilising the MfE (2022) Wetland delineation protocols.

3.2 My observations from analysis of relevant datasets combined with vantage point surveys revealed the presence of an extensive rushland ecosystem within the central aspect of the submitters land. The submitter at the Hearing described this area as being dominated by rushes and made a reference that this area is too wet and boggy to utilise machinery in, which even for a non-expert would infer that the area in question is likely a potential wetland area. I will note that it appears that the submitter is continuously farming and utilising this area for haymaking, and therefore consideration has to be given to the 'non-normal circumstances' which according to the current MfE Wetland delineation protocols (2022) requires underlying soil and hydrological conditions to be assessed, which can only be undertaken through carrying out physical site surveys, which were not able to be carried out during the ecological survey period in May 2022.

3.3 As discussed within my EIC, the ecological mapping where it relates to potential natural inland wetland identification is provided as indicative only at this stage, and is to be used as a point of reference when assessing future subdivision and land use consent application within the PPC83 boundaries, should it be approved. To ensure that all wetland areas within PPC83 boundaries are appropriately delineated and recognised at

the time of any future subdivision proposal of any site containing or adjoining a potential wetland area, Cove Road North Precinct Plan provisions require that a Wetland Assessment is prepared by a suitably qualified ecologist. This will allow for a robust assessment to be undertaken as part of any future development taking place within the PPC83 site boundaries that will be in accordance with relevant best practice methodology at the time of a consent application being made.

A handwritten signature in black ink, reading "Milde". The signature is written in a cursive, flowing style.

Madara Vilde

27 March 2024