

Online Further Submission

Further Submitters Name Carly McIlroy

Further Submitter #112

Further Submitter Number FS112

Wish to be heard Yes

FS qualifier a person who has an interest in the proposal that is greater than the interest the general public has (e.g. land owner, resource user)

FS qualifier reason I will be a part of a project that is looking at reforesting a significant area that is currently a sheep and beef farm, and we are looking to preserve our future land use options.

Joint presentation Yes

Attention: Miss Carly McIlroy

Contact organisation

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Northland

FS112.04 - 112.14

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Online further submitter? Yes

Date raw FS lodged 04/09/2023 2:35pm

Further submission points

Raw FS number	Original submitter	Related Submission Point	Plan section	Provision	OS Decision Requested	SupportOppose	FS Decision requested	Reasons
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FS112.4	Green Inc Ltd	S164.001	Planning maps	Rural Production Zone	amend zoning of Tupou from Rural Production to a new special zone such as managed ecological zone or a special purpose zone for Tupou.	Support	Allow
					Tupou		
					NA11D/1151		
					NA42C/379		
					NA55B/383		
					NA71D/247		
					NA102A/98		
					NA102A/99		
					NA102A/100		
					NA115C/434		
					NA136/174		
					NA136/235		
					NA140/216		
					NA262/283		
					NA315/329		
					NA340/269		
					NA357/153		
					NA245/209		

I support this submission. The Proposed Plan would result in large area of the land potentially becoming Significant Natural Areas which have too many restrictive controls that would not allow the vision for Tupou to come to fruition. If there is to be a net biodiversity gain- and a large one at that- then it should be promoted and enabled, rather than restricted. There will be an ongoing management plan for planting areas as to enhance the natural biodiversity but there needs to be flexibility for future

potential land uses which a SNA would prohibit. Either a Managed Ecological Zone or a Special Purpose Zone needs to be granted for Tupou, to allow for future developments. This project will be restoring an extensive area back to native ecosystems with the goal of a large net biodiversity gain. This needs to be promoted and enabled while preserving future land uses options.

FS112.5	Tupou Limited	S487.003	General	General / Plan Content / Miscellaneous	<p>Insert a new category of Managed Indigenous Vegetation (MIV) with the following provisions:</p> <p>The basis for a good definition for MIV already exists under the NZ Emissions Trading Scheme. That is, the land must be eligible as post-1989 forest land:</p> <ul style="list-style-type: none"> - first established after 31 December 1989. - Wasn't forest land on 31 December 1989; or was forest land on 31 December 1989, but was deforested between 1 January 1990 and 31 December 2007; - is or will be planted in species that can reach at least 5m in height when mature - has/will have tree crown cover of more than 30% in each hectare - The post-1989 forest land definition should be adjusted to: <ul style="list-style-type: none"> - exclude the minimum size provision - include created wetlands - Pest and weed control is required 	Support in part	Allow	I support in part this submission. A special purpose zone should be implemented for Tupou, due to the extensive area that is planned to be restored. This will allow for large areas to be restored to native ecosystems as well as future developments to be carried out that will only enhance the area.
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- MIV cannot be included as SNA (possible exceptions with landowner agreement where the landowner receives some mitigation measure).

- Pruning, trimming, thinning are permitted activities.

- Clearance and any associated land disturbance are permitted activities.

- If any restrictions are required then as follows:

- In Rural Production Zone or Treaty Settlement Land Overlay: if it does not exceed 20% of the MIV over a 3-year period; or 5,000 m², whichever is greater.

- All other zones, if it does not exceed 10% of the MIV over a 5-year period; or up to 5,000 m², whichever is greater.

- Otherwise discretionary.

An alternative to creating a new district-wide category of MIV would be to create a Special Purpose Zone

for Tupou, which adequately embraces and encourages what we are attempting to achieve for the property. An example of this is the poorly named Nature Preservation Zone in the Hastings District Council plan. Such a zone would allow (permitted activity) for:

- Vegetation clearance to a certain level for buildings, roads and tracks.
- Enhancement of accommodation offerings
- Subdivision that aligns with the nature conservation intentions of the zone

Key requirements for the zone would include:

- Pest control
- Archaeological and taonga sites for local hapu are not modified.
- All actions fit under an umbrella of "net biodiversity gain"

A key issue

is that Special Purpose Zone removes the need

to classify the area as an
SNA

with the associated
restrictive controls.

FS112.6	Tupou Limited	S487.001	General	General / Plan Content / Miscellaneous	<p>Insert a new category of Managed Indigenous Vegetation (MIV) with the following provisions:</p> <p>The basis for a good definition for MIV already exists under the NZ Emissions Trading Scheme. That is, the land must be eligible as post-1989 forest land:</p> <ul style="list-style-type: none"> - first established after 31 December 1989. - Wasn't forest land on 31 December 1989; or was forest land on 31 December 1989, but was deforested between 1 January 1990 and 31 December 2007; - is or will be planted in species that can reach at least 5m in height when mature - has/will have tree crown cover of more than 30% in each hectare - The post-1989 forest land definition should be adjusted to: - exclude the minimum size provision - include created wetlands - Pest and weed control is required 	Support in part	Allow
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- MIV cannot be included as SNA (possible exceptions with landowner agreement where the landowner receives some mitigation measure).
- Pruning, trimming, thinning are permitted activities.
- Clearance and any associated land disturbance are permitted activities.
- If any restrictions are required then as follows:
 - In Rural Production Zone or Treaty Settlement Land Overlay: if it does not exceed 20% of the MIV over a 3-year period; or 5,000 m², whichever is greater.
 - All other zones, if it does not exceed 10% of the MIV over a 5-year period; or up to 5,000 m², whichever is greater.
 - Otherwise discretionary.

An alternative to creating a new district-wide category of MIV would be to create a Special Purpose Zone

I support in part this submission. The Proposed Plan would result in a loss of property rights for those wanting to restore native ecosystems, as they could likely be deemed Significant Natural Areas in the future which would restrict further developments. A distinction between managed and natural indigenous vegetation should be categorised, with managed systems becoming Managed Indigenous Vegetation (MIV). A district wide MIV category should be implemented to allow those restoring areas of indigenous

ecosystems,
allowing for
future
developments
to be carried
out in these
areas if there
is still a net
biodiversity
gain.

for Tupou, which
adequately embraces
and encourages what
we are attempting to
achieve for the
property. An example of
this is the poorly named
Nature Preservation
Zone in the Hastings
District Council plan.
Such a zone would
allow (permitted
activity) for:

- Vegetation clearance
to a certain level for
buildings, roads and
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- Enhancement of
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- Subdivision that aligns
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Key requirements for
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- Pest control
- Archaeological and
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hapu are not modified.

- All actions fit under an umbrella of "net biodiversity gain"

A key issue is that Special Purpose Zone removes the need to classify the area as an SNA with the associated restrictive controls.

FS112.7

Tane's Tree Trust -
Northland Totara
Working Group

S157.001

Ecosystems
and
indigenous
biodiversity

IB-R1

Retain Point 12 of Rule
IB-R1 PER-1 (inferred)

Support

Allow

I support this submission and agree that sustainable indigenous forestry activities should be encouraged, supported, and explicitly provided for.

FS112.8	Setar Thirty Six Limited	S168.023	Ecosystems and indigenous biodiversity	IB-P2	Amend Policy IB-P2 as follows: Within the coastal environment: a. avoid adverse effects of land use and subdivision on Significant Natural Areas areas of significant indigenous vegetation and significant habitats of indigenous fauna ; and ...	Support	Allow	I support this submission. As SNAs are not mapped, this should be amended to remedy, mitigate, or offset adverse effect of land use and subdivision on areas of indigenous vegetation and significant habitats of indigenous fauna.
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FS112.9	Ministry of Education Te Tāhuhu o Te Mātauranga	S331.043	Ecosystems and indigenous biodiversity	IB-P5	Retain policy IB-P5, as proposed.	Support	Allow	I support this submission and agree that there is operational need to provide educational facilities for existing communities in Significant Natural Areas, and this should include, but not be limited to, development of land use where promotion of indigenous biodiversity is formed through aspects such as indigenous carbon farming and tourism.
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FS112.10	Arahia Burkhardt Macrae	S255.005	Ecosystems and indigenous biodiversity	IB-R4	Amend rule to increase the amount of permitted activity clearance and land disturbance for sites where there is a protection mechanism in place (such as provided for in SUB-R6 Environmental Benefit Subdivision rule).	Support	Allow	I support this submission. There should be an increased amount of permitted activity clearance and land disturbance for landowners if the majority of the indigenous vegetation remains protected and retained.
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FS112.11	Arahia Burkhardt Macrae	S255.003	Ecosystems and indigenous biodiversity	IB-R1	Insert a new rule equivalent to SUB-R6 (Environmental Benefit Subdivision) but for landuse which Rewards landowners who have already protected areas, and incentivises landowners to protect areas.	Support	Allow	I support this submission. Where landowners are protecting, enhancing, or restoring indigenous vegetation, there should be allowances for land use activity on areas of indigenous vegetation no matter the age of the indigenous vegetation if the outcomes are an overall gain in biodiversity.
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FS112.12	Lynley Newport	S128.002	Ecosystems and indigenous biodiversity	IB-P6	Amend Policy IB-P6 by making it IB-PI and by deleting the word "consideration of" from the preamble and simply saying:"... through the following non-regulatory methods:". In summary, to be reworded as follows: <i>Encourage the protection, maintenance and restoration of indigenous biodiversity, with priority given to Significant Natural Areas, through the following non-regulatory methods including consideration of...</i>	Support	Allow	I support this submission. There should be more emphasis on policies that encourage and enable landowners to carry out the protection, maintenance, and enhancement of indigenous biodiversity, therefore IB-P6 should take priority.
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FS112.12	Lynley Newport	S129.001	Ecosystems and indigenous biodiversity	IB-P4	Amend IB-P4 to read: If adverse effects on indigenous species, habitats cannot be avoided, remedied or mitigated in accordance with IB-P2 and/or P3, consider whether it is appropriate to apply the following steps as an effects management hierarchy: (remainder unchanged)	Support	Allow	I support this submission. Offsetting should be available to those in coastal environment, not just for areas outside of coastal environments where there is a no net loss and preferably net gain in indigenous biodiversity.
FS112.13	Setar Thirty Six Limited	S168.013	Natural Environment	SD-EP-O5	Amend Objective SD-EP-O5 as follows: The natural character of the coastal environment and outstanding natural features and landscapes are managed to ensure their long-term protection for future generations, including their restoration.	Support	Allow	I support this submission, restoration should be included in Objective SD-EP-O5, so as to be promoted.

FS112.14	Marianna Fenn	S542.006	Ecosystems and indigenous biodiversity	IB-P4	<p>Amend (a) to require a net gain in indigenous biodiversity; and</p> <p>Amend (b) to reflect the need for compensation up to a net gain; and</p> <p>Amend definitions of biodiversity offsetting and biodiversity compensation to reflect need for net gain</p>	Support	Allow	I support this submission. IB-P4 a should be amended to (a) biodiversity offsetting to address more than minor residual adverse effects to achieve a no net loss and preferably net gain in indigenous biodiversity. Offsets should include both past and future actions.
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