



*Remember
submissions
close at 5pm,
Friday 21
October 2022*

Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:	Tia Hohaia		
Company / Organisation Name: (if applicable)	Te Hiku Iwi Development Trust		
Contact person (if different):			
Full Postal Address:	7 Melba Street, Kaitaia 0410		
Phone contact:	Mobile: 0211778399	Home:	Work:
Email (please print):	tia@thcr.co.nz		

2. (Please select one of the two options below)

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

I **could** gain an advantage in trade competition through this submission

If you could gain an advantage in trade competition through this submission, please complete point 3 below

3. I **am** directly affected by an effect of the subject matter of the submission that:
 (A) Adversely affects the environment; and
 (B) Does not relate to trade competition or the effect of trade competition

I **am not** directly affected by an effect of the subject matter of the submission that:
 (A) Adversely affects the environment; and
 (B) Does not relate to trade competition or the effect of trade competition

Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

The specific provisions of the Plan that my submission relates to are:

(please provide details including the reference number of the specific provision you are submitting on)

See attached PDF



Confirm your position: <input type="checkbox"/> Support <input type="checkbox"/> Support In-part <input type="checkbox"/> Oppose (please tick relevant box)
My submission is: (Include details and reasons for your position) See PDF attached
I seek the following decision from the Council: (Give precise details. If seeking amendments, how would you like to see the provision amended?) See PDF attached.
<input type="checkbox"/> I wish to be heard in support of my submission <input checked="" type="checkbox"/> I do not wish to be heard in support of my submission (Please tick relevant box)
If others make a similar submission, I will consider presenting a joint case with them at a hearing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do you wish to present your submission via Microsoft Teams? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Signature of submitter: (or person authorised to sign on behalf of submitter) Tia Hohaia Date: 21st October 2022 (A signature is not required if you are making your submission by electronic means)

Important information:

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).



Send your submission to:

Post to: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council,
Private Bag 752
KAIKOHE 0400

Email to: pdp@fndc.govt.nz

Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.

Submissions close 5pm, 21 October 2022

Please refer to pdp.fndc.govt.nz for further information and updates.

Please note that original documents will not be returned. Please retain copies for your file.

Note to person making submission

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is no independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

SUBMISSION NUMBER

399

District Plan chapter	District Plan Subsection	District Plan Section	Provision / Rules	Reasons /Statement	Relief Sought/Outcome
Part 1 Introduction and General Provisions	How the Plan works	Relationship between spatial layers		The Proposed Map Tools includes 14 layers. There are no spatial layers setting out the area of interest relevant to each iwi/hapū management plan.	<p>Provide a map layer which maps the area of interest for each of the iwi/hapū management plans lodged with Council. The interactive map currently includes Treaty Settlement Areas of Interest (under the 'Non-Council Layers' tab), but these are not the same thing.</p> <p>We suggest 'Iwi/hapū Management Plans' be a separate "top" layer (i.e. along with Zone, Non District Plan Layers, Historical and Cultural Values, Specific Controls etc) with the 14 areas sitting underneath it, and not included within the 'Historical and Cultural Values' layer so that it is easily accessible to plan users. Alternatively, it could be included under the 'Non-Council Layers'</p>

S399.001

					tab. The maps could also link to the documents.	
Part 1 Introduction and General Provisions	Interpretation	Definitions		The definition of Sensitive Site item 3) is as follows: Scheduled site and area of significance to Māori. This definition does not recognise that many sites of significance to Māori are not mapped or otherwise identified. There are many reasons why the location of sites may not be shared.	Amend the definition of item 3) as follows: Scheduled site and/or area of significance to Māori;	S399.002
Part 1 Introduction and General Provisions	Interpretation	Definitions		The definition of Sensitive Activities should include sites of significance to tangata whenua other than marae. For example urupā (burial grounds) are sensitive sites and may not always be associated with marae.	Amend the definition of Sensitive Activity as follows: 1. means: a) Residential activities; b) Education facilities and preschools; c) Guest and visitor accommodation; d) Health care facilities which include accommodation for overnight care; e) Hospital; f) Marae or other culturally sensitive sites; or g) Place of assembly. Etc.	S399.003

Part 1 Introductio n and General Provisions	Tangata whenua	Iwi/Hapū management plans		Fourteen iwi/hapū management plans are identified, but there are live links to only three of them on the website currently	Include live links to all the identified iwi/hapū management plans. This could include links to a PDF copy held by the Council if the mana whenua group does not maintain a live link.	S399.004
Part 1 Introductio n and General Provisions	Tangata whenua	Iwi/Hapū management plans		Te Rūnanga o te Rarawa's submission that the term 'iwi/hapū environmental management plans' should be defined was accepted, but this has not been included in either the Tangata whenua section or the definitions section of the online version of the proposed plan.	Include a definition for iwi/hapū environmental management plans in either the definitions section or the Tangata Whenua section of the plan and the outline their role/relevance in RMA decision making in the Tangata Whenua section.	S399.005 & S399.006
Part 1 Introductio n and General Provisions	Tangata whenua	Iwi/Hapū management plans		Te Rūnanga o te Rarawa's submission that the plan should provide a process which allows plan users to identify iwi/hapū management plans which might be relevant to them and obtain the plan(s) they require was accepted but does not appear to have been implemented in the proposed plan.	Provide a mapping layer which shows the areas of interest which relate to the 14 iwi/hapū management plans recognised by the plan. The current mapping shows the area of interest in Treaty Settlements (under the Non-District Plan Layers tab), but these are not the same thing.	S399.007

Part 1 Introductio n and General Provisions	Tangata whenua	Overview		<p>Connection to the land and to nature has been shown to improve mental and physical wellbeing. That is especially true for tangata whenua for whom place forms an integral part of their identity as Māori. Therefore, decisions affecting land use are of vital importance to Māori.</p> <p>We are concerned that the overview does not fully encapsulate the special connection between tangata whenua and the whenua.</p>	<p>We suggest an additional paragraph be inserted as paragraph 3 as follows:</p> <p>The Council acknowledges that for Māori, whenua is a key part of their identity and the health of the land and natural environment is strongly connected to the mental health and overall wellbeing of tangata whenua.</p>	S399.008
Part 1 Introductio n and General Provisions	Tangata whenua	Objectives	TW-01 – TW-05	<p>We support the intent and objectives of TW-01 – TW-05, but are concerned that TW-02 fails to recognise:</p> <ul style="list-style-type: none"> a) that participating in resource management processes comes at a cost to iwi/hapū, many of whom do not have the capacity to bear that cost. b) That participation in resource management processes can occur at all levels from submissions to decision making. 	<p>Amend Objective TW-02 as follows: Tangata whenua are provided with opportunities and enabled to actively participate as kaitiaki in resource management processes</p>	S399.009
Part 1 Introductio n and General Provisions	Tangata whenua	Policies and throughout proposed plan	TWP-03 and througou t	Mātauranga Māori is inconsistently spelled.	Correct spelling of Mātauranga to include macron so as to be consistent throughout the document and with other Māori spelling.	S399.010
Part 1 Introductio n and	Tangata Whenua	Policies	TW-P3	In accordance with our submission relating to the inclusion in the overview of a paragraph relating to the special nature of the	Protect the values of Māori historic heritage,	S399.011

General Provisions				relationship between tangata whenua and the land, we suggest an amendment to Policy TW-P3 to recognise this relationship.	cultural resources, wāhi tapu and other taonga by: a. collaborating with Iwi and Hapū to identify significant sites and cultural resources; b. scheduling significant sites and areas of significance to Māori; and c. recognising that sites and areas of significance to Māori are associated with a wider cultural landscape which not only holds significance to tangata whenua, but also contributes to their sense of identity and sustaining their wellbeing.
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					<p>Alternatively, Policy SD-UFD-O1 could be amended to explicitly mention tangata whenua as follows:</p> <p>The wellbeing of people who live in and visit towns in the Far North and the special relationship of tangata whenua with the land is considered first when it comes to planning places and spaces.</p>	S399.012
Part 2 – District Wide Matters	Strategic Direction	Historic and Cultural Wellbeing	SD-CP-01 – SD-CP-05	We support the intent of these policies, but are concerned that Council obligations under the Treaty are not explicit and the policies infer obligations on other parties.	<p>Amend Policy SD-CP-01 to read as follows: Te Tiriti o Waitangi partnership with Council supports iwi and hapū to deliver on the social, economic, environmental and cultural wellbeing outcomes for tangata whenua.</p> <p>Amend Policy SD-CP-02 to read as follows: Te ao māori, tikanga māori and tangata whenua as kaitiaki, embedded in and integral</p>	S399.013 S399.014

					to Council decision making. Retain Policies SD-CP-03 – SD-CP-05 as written.	S399.015 to S399.017
Part 2 – District Wide Matters	Strategic Direction	Economic and Social Well being	SD-SP-04	The wording of this policy is ambiguous. As written, it implies that the future generations will be adaptive to climate change. We consider that communities and places should be adaptive to climate change to provide for future generations.	Amend policy SD-SP-04 to read as follows: Promotion of communities and places which are adaptive to climate change and that will meet the needs for not only the present population but future generations.	S399.018
Part 2 – District Wide Matters	Strategic Direction	Economic and Social Well being	SD-EP-01 – SD-EP-05	The Far North economy is heavily reliant on a healthy environment. The environment is not mentioned in any of these policies.	Amend SD-EP-01 to read as follows: A high-earning diverse local economy which is environmentally and economically sustainable and resilient to economic downturns, with the District's Māori economy making a significant contribution.	S399.019
Part 2 – District Wide Matters	Strategic Direction	Environmental Prosperity	SD-EP-01 – SD-EP-06	We support the intent of these policies, but consider that the ethic of protection could be strengthened and that the first three objectives are lacking in verbs which are required for the objectives to be successful.	Amend SD-EP-01 to read as follows: A culture of stewardship is evident in the community that protects	S399.020

					<p>and increases the District's biodiversity and environmental sustainability.</p> <p>Amend SD-EP-02 to read as follows:</p> <p>Collaborative relationships with iwi and hapū are fostered and maintained in order to support tangata whenua to carry out their obligation and responsibility as kaitiaki.</p> <p>Amend SD-EP-03 to read as follows: Active management of ecosystems to protect, maintain and increase indigenous biodiversity for future generations is ongoing.</p> <p>Retain SD-EP-04 – SD-EP-06 as written.</p>	<p>S399.021</p> <p>S399.022</p> <p>S399.023 to S399.025</p>
Part 2 District Wide Matters	Energy, Infrastructure and Transport	Infrastructure	I-P2 and I-P3	For avoidance of doubt, we recommend inclusion of the word "biodiversity" before offsetting in these policies	Amend policies IP-2 and IP-3 to include the words 'offsetting (including biodiversity offsetting)...	S399.026 & S399.027

Part 2 District Wide Matters	Energy, Infrastructure and Transport	Infrastructure	I-P6	There are some types of cultural site where location of services underground would be warranted and appropriate to avoid/minimise effects on cultural values. This is not specifically provided for by the policy.	Amend Policy IP-6 to read as follows: Where practicable and appropriate for the type of infrastructure, minimise the adverse visual effects of infrastructure by: <ul style="list-style-type: none"> a) co-location or multiple use; b) removing redundant facilities or structures; c) using landscaping and/or recessive colours and finishes; d) encouraging innovative design to maintain the character and amenity of the surrounding area by integrating infrastructure within the site and utilising existing built form and landform; and e) requiring the undergrounding
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S399.028

					of services when locating infrastructure in the coastal environment, a resource overlay, heritage area, or an area with high amenity value, or in the vicinity of culturally significant sites (where appropriate).
Part 2 District Wide Matters	Energy, Infrastructure and Transport	Infrastructure	I-P11	We support the intent of IP-11 to avoid new infrastructure where it will compromise the ability to develop and use land in the Māori Purpose zone or in the Treaty Settlement overlay unless the owners of the land agree to the new infrastructure.	Retain IP 11.
Part 2 District Wide Matters	Energy, Infrastructure and Transport	Renewable electricity generation	REG-03	The wording of REG-03 is ambiguous, it is not possible to avoid and minimise adverse effects	Change the wording to REG-03 to read as follows: Renewable electricity generation activities are located and designed to avoid and minimise significant adverse effects on areas with historical, cultural, environmental and coastal values. Alternatively the words “avoid and” could be deleted

S399.029

S399.030

Part 2 District Wide Matters	Energy, Infrastructure and Transport	Renewable electricity generation	REG-P4	REG-P4 item g) contains reference to policies that don't exist (REE-P5 and P6)	Amend the wording of REG-P4 item g) as follows: Adverse effects are managed in accordance with REE REG-P5 and P6.	S399.031
Part 2 District Wide Matters	Energy, Infrastructure and Transport	Renewable electricity generation	REG-P5 d) and P6 d)	For avoidance of doubt, make reference to biodiversity offsetting	Amend the wording of REG-P5 d) and P6 d) to read as follows: having regard to biodiversity offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated.	S399.032 & S399.033
Part 2 District Wide Matters	Energy, Infrastructure and Transport	Renewable electricity generation	REG-P11 item 3)	With respect to removal of indigenous vegetation it is also relevant to consider the ecological and cultural significance of that vegetation	Amend the wording of REG-P11 item 3) to read as follows: the extent of earthworks or indigenous vegetation removal and the ecological and cultural significance of that vegetation;	S399.034
Part 2 District Wide Matters	Energy, Infrastructure and Transport	Transport	TRAN-P2	Policy TRAN-P2 is ambiguous – it is not possible to simultaneously avoid and mitigate adverse effects	Amend Policy TRAN-P2 to read as follows: Avoids significant and remedies and/or mitigates other adverse effects on historical, cultural and natural	S399.035

					environment values to the extent practicable;	
Part 2 District Wide Matters	Energy, Infrastructure and Transport	Transport	Policies	Objective TRAN-O2 is the only objective which recognises that roading can have long term and permanent effects on the natural environment, including biodiversity. Effects including those due to lighting, road deaths, noise and vibration, habitat fragmentation and modification, air emissions and run off are permanent and are often underestimated (see recent Manaaki Whenua report available at: https://www.nzta.govt.nz/resources/research/reports/692). These effects can be managed and/or addressed to some degree via appropriate design and other methods (such as rehabilitation or weed control).	Include a new objective TRAN-O6 to ensure recognition of adverse effects on biodiversity are adequately addressed. We suggest the following: The maintenance and expansion of the transport network is managed so as to recognise adverse effects on indigenous biodiversity and address these effects to the extent practicable.	S399.036
Part 2 District Wide Matters	Natural Hazards and Risks	Natural Hazards	NH-O1	Cultural and heritage sites are also at risk from natural hazards (for example coastal urupā or particular coastal trees). The maintenance of these sites is important to tangata whenua because they are seen as a physical connection to tūpuna.	Amend Objective NH-O1 to read as follows: The risks from natural hazards to people, infrastructure and property and cultural and heritage resources are managed, including taking into account the likely long-term effects of climate change, to ensure the health, safety and resilience of communities.	S399.037

Part 2 District Wide Matters	Natural Hazards and Risks	Hazardous substances	HS-P1 – HS-P3	<p>We support separation distances from natural water bodies and other sensitive environments as required by Policies HS-P1 – HS-P3.</p> <p>We note our earlier submission that the definition of Sensitive Activities should include sites of significance to tangata whenua other than marae. For example urupā (burial grounds) are sensitive sites and may not always be associated with marae.</p>	Retain Policies HS-P1 – HS-P3.
Part 2 District Wide Matters	Natural Hazards and Risks	Hazardous substances	HS-R3 – HS-R9	<p>The rules relating to establishment of a new significant hazardous facility all other zones should include a setback to ensure they are not located immediately adjacent to a sensitive environment.</p> <p>With respect to HS-R5 we note our earlier submission that the definition of a scheduled site does not recognise that many sites of significance to Māori are not mapped or otherwise identified. There are many reasons why the location of sites may not be shared.</p>	<p>Amend HS-R3 – HS-R9 to read as follows:</p> <p>HS-R3: Significant hazardous facility within the coastal environment or within 100m of the coastal environment</p> <p>HS-R4: Significant hazardous facility within an outstanding natural feature or landscape or within 100m of an outstanding natural feature or landscape</p> <p>HS-R5: Significant hazardous facility within a scheduled site and area of significance to Māori or within 100m of a scheduled site and/or area of significance to Māori</p> <p>HS-R6: Significant hazardous facility within a significant natural area or</p>

S399.038 to S399.040

S399.041 to S399.047

					<p>within 100m of a significant natural area</p> <p>HS-R7: Significant hazardous facility within a flood hazard area or within 100m of a flood hazard area</p> <p>HS-R8: Significant hazardous facility within a coastal hazard area or within 100m of a coastal hazard area</p> <p>HS-R9: Significant hazardous facility within a scheduled heritage resource or within 100m of a scheduled heritage resource</p>
Part 2 District Wide Matters	Historical and Cultural Values	Historic Heritage	HHP-9 d)	Mātauranga Māori and waahi are misspelled in the policy.	<p>Employ consistent use of macrons throughout the proposed district plan.</p> <p>Specifically, amend Policy HHP-9 d) to read as follows:</p> <p>d) encouraging mātauranga māori, tikanga and kaitiakitanga to manage and maintain wāhi taonga</p>

S399.048 & S399.049

Part 2 District Wide Matters	Historical and Cultural Values	Historic Heritage	HHP-11	Policy HHP-11 does not recognise iwi/hapū management plans in land and subdivision activities	Amend HHP-11 a) to read as follows: Protect archaeological sites where there is a reasonable cause to suspect they are present, by ensuring land and subdivision activities have regard to: a. the outcomes of any consultation undertaken with tangata whenua, any relevant iwi/hapū management plan and the need to undertake a Cultural Impact Assessment;	S399.050
Part 2 District Wide Matters	Historical and Cultural Values	Historic Heritage	HHP-15	Policy HHP-15 o) recognises iwi/hapū management plans	Retain Policy HHP-15 o)	S399.051
Part 2 District Wide Matters	Historical and Cultural Values	Historic Heritage	HHP-1 – HHP-15	The historical and cultural values policies do not provide for accidental discovery of artefacts or kōiwi (human remains) that are not the result of earthworks. The policies do not provide for the repatriation of taonga to tangata whenua as an automatic requirement of resource consents. This has led to the loss of taonga in the past.	Insert two new policies as follows: HHP-16 Require a protocol for accidental discovery of artefacts or kōiwi (human remains) which is consistent with any relevant iwi/hapū management plan(s) as a condition of consent for	S399.052 & S399.053

					<p>all works requiring land use consent.</p> <p>HHP-17 Require activities adjacent to or affecting sites of significance to Māori and/or archaeological sites identified in a iwi/hapū management plan or where there is reasonable cause to suspect there is an archaeological site to demonstrate the activity is having appropriate regard to:</p> <ul style="list-style-type: none">a) the outcomes of consultation with tangata whenua including the affected hapū and relevant iwi authority;b) any management set out in an iwi/hapū management plan;c) any assessments or advice from a suitably qualified and experienced archaeological expert; and
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					d) the outcomes of consultation with Heritage New Zealand Pouhere Taonga and the Department of Conservation
Part 2 District Wide Matters	Historical and Cultural Values	Notable Trees	NTP-1 b)	Policy NTP-1 b) requires that the STEM assessment be taken into account when considering cultural values. The STEM assessment is irrelevant to an assessment of cultural values.	Amend Policy NTP-1 b) to read as follows: The tree or group of trees have significant cultural values and are identified in either the relevant iwi/hapū management plan or in a Cultural Impact Assessment for the site. , taking into account any assessment undertaken under the STEM including heritage, amenity, botanical and/or ecological values.
Part 2 District Wide Matters	Historical and Cultural Values	Notable Trees	NTP-6 n) and o)	We support consideration of any relevant iwi / hapū management plan and any consultation with tangata whenua, but consider that “giving consideration” to a matter may still lead to undesirable outcomes. We prefer that these matters be “given regard to” or better yet “given effect to”	Amend Policies NTP-6 n) and o) to read as follows: Manage land use and subdivision involving a notable tree or trees to address the effects of the activity requiring resource consent, including (but not limited to) having regard to the

S399.054

S399.055

					<p>following matters where relevant to the application:</p> <p>n) any relevant iwi / hapū management plan lodged with Council</p> <p>o) any Cultural Impact Assessment and any consultation with tangata whenua; and</p>
Part 2 – District Wide Matters	Historical and Cultural Values	Sites and Areas of Significance to Māori	Policies	<p>We recognise that Te Rautaki o Te Oneroa-a-Tōhe/ Te Oneroa-a-Tōhe Beach Management Plan is provided for in national legislation. We note that there is also specific legislation requiring Councils to take iwi/hapū management plans into account.</p> <p>Preparation of environmental management plans represents a significant commitment on behalf of the iwi/hapū that prepared the plan. Achieving adoption of the plan has usually involved numerous hui and multiple drafts of the document and many hours of discussion and contribution by a large number of people. We consider that this commitment, including the financial commitment, should be recognised and that this section is the appropriate place to do it.</p>	<p>Insert a new policy similar to SASM-P7 to read as follows:</p> <p>Protect and preserve the culturally significant landscapes identified in iwi/hapū management plans held by Council from inappropriate land use, subdivision and development by:</p> <ol style="list-style-type: none"> a) Identifying the Area of Interest for iwi/hapū management plans on planning maps; b) Recognising and providing for the spiritual, cultural and historical relationship of

S399.056

					<p>iwi/hapū with the area identified in the plan(s);</p> <p>c) requiring that resource consent applications within or adjacent to the sites identified as significant within the relevant iwi/hapū management plan demonstrate that they have had regard to that Management Plan;</p> <p>d) provide an assessment of consistency with the vision, objectives and desired outcomes outlined in the Management Plan;</p> <p>e) provide an assessment of effects on values identified in the plan and provide,</p>
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					<p>where relevant, evidence of outcomes of consultation with and/or cultural advice provided by tangata whenua.</p> <p>f) considering the relevant iwi authority or hapū as an affected person for any activity within the area where the adverse effects are considered minor or more than minor.</p>
Part 2 – District Wide Matters	Natural Environment Values	Ecosystems and Indigenous Biodiversity	IB-P1	Council is required to map significant natural areas. “Encouraging” landowners at the time of subdivision and development is inadequate to achieve this requirement. When resource consent is required is one of the few opportunities Council has to exert control over this process.	<p>Amend IB-P1 c) to read as follows:</p> <p>c) requiring landowners to include identified Significant Natural Areas in Schedule 4 of the District Plan at the time of subdivision and development;</p>

S399.057

Part 2 – District Wide Matters	Natural Environment Values	Ecosystems and Indigenous Biodiversity	Policy IB-2	Policy 11 of the New Zealand Coastal Policy Statement refers specifically to threatened and at risk taxa of flora and fauna as well as ecosystems and habitats. The policy as written does not specifically provide for threatened and at risk species. On that basis Policy IB-2 is not consistent with the National Policy Statement.	<p>Amend Policy IB-2 to read as follows: Within the coastal environment:</p> <ul style="list-style-type: none"> a) avoid adverse effects of land use and subdivision on Significant Natural Areas, indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists; indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare, 	S399.058
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					<p>areas containing nationally significant examples of indigenous community types; and areas set aside for full or partial protection of indigenous biological diversity under other legislation.</p> <p>b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on areas of important and vulnerable indigenous species vegetation, habitats and ecosystems</p>
Part 2 – District	Natural Environment Values	Ecosystems and	Policy IB-3	Policy IB-3 as written does not specifically provide for threatened and at risk species of flora and fauna. These species are most at risk of adverse effects.	Amend Policy IB-3 to read as follows:

S399.059

Wide Matters		Indigenous Biodiversity			Outside the coastal environment: a) avoid, remedy or mitigate adverse effects of land use and subdivision on Significant Natural Areas and threatened and at risk indigenous species to ensure adverse effects are no more than minor; and b) avoid, remedy or mitigate adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems to ensure there are no significant adverse effects.
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Part 2 – District Wide Matters	Natural Environment Values	Ecosystems and Indigenous Biodiversity	IB-P6	<p>Priority should be given to the most rare ecosystem/habitat types. In general terms this includes coastal ecosystems and lowland ecosystems (the “lowest, flattest, warmest and driest” environments Cieraad et al 2015). Not all Significant Natural Areas include ecosystems of these types.</p> <p>Given that the amount of indigenous habitat across the district is large and apparently increasing (based on a comparison of the 2000 and 2020 SNA maps) and that the protection of SNAs has been controversial, we suggest Council consider undertaking or commissioning a district wide analysis of the SNA areas and other habitats already identified using publicly available databases in order to identify which types are already well protected and develop appropriate district wide priorities and protection targets which could allow development of some (generally well protected or common) SNAs (particularly on Māori land) whilst ensuring a representative and appropriate reserve network of ecosystem types across the District to protect and maintain the districts indigenous biodiversity.</p> <p>We are happy to provide further information in relation to this submission if required.</p>	<p>Amend Policy IB-6 to read as follows: Encourage the protection, maintenance and restoration of indigenous biodiversity, with priority given to Significant Natural Areas in lowland or coastal areas, through non-regulatory methods including consideration of:</p> <ul style="list-style-type: none"> a) assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a high priority Significant Natural Area; b) reducing or waiving resource consent application fees; c) providing, or assisting in obtaining funding from other 	S399.060
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					<p>agencies and trusts;</p> <p>d) sharing and helping to improve information on indigenous biodiversity; and</p> <p>e) working directly with iwi and hapū, landowners and community groups on ecological protection and enhancement projects.</p>
Part 2 – District Wide Matters	Natural Environment Values	Natural Character	Overview	Sentence 2 of the Overview fails to recognise that lake, wetland and riparian margins provide ecological connection ki uta ki tai and provide important habitats for some species (e.g. spawning native fish).	<p>Amend Sentence 2 of the Overview to read as follows:</p> <p>The margins of these waterbodies are areas of important and valued natural character and provide ecological connection and habitats for native species, support public and customary access, recreation and hazard management.</p>

S399.061

Part 2 – District Wide Matters	Natural Environment Values	Natural Character	Overview	Natural Character does not only relate to the margins of wetlands, lakes and rivers. The overview section mentions natural character in the Coastal Marine Area (as required by the NZCPS), but there are no policies or objectives relating to natural character except as it applies to the margins of wetlands, lakes and rivers.	Address natural character of terrestrial ecosystems. This would include by providing objectives and policies relating to natural character outside the margins of wetlands, lakes and rivers	S399.062 to S399.064
Part 2 – District Wide Matters	Natural Environment Values	Natural Character	NATC-S2	<p>As worded, NATC-S2 appears to be inconsistent with The National Policy Statement for Freshwater Management (2020) and accompanying National Environmental Standards. The accompanying note, that the NESF requires a 10m setback from any natural wetland and may require consent is noted, but since this comes after the standard, this could easily be confused.</p> <p>The NPS and NES make earthworks within 100m of a wetland a non-complying activity if it will result or is likely to result in drainage or partial drainage of the wetland (Rule 52) and earthworks within a wetland a prohibited activity if it will result or is likely to result in partial drainage of the wetland (Rule 53). Vegetation clearance within, or within a 10 m setback from, a wetland and earthworks within, or within a 10 m setback from, a wetland are non-complying activities under Rule 54.</p> <p>This matter can be addressed by amending the wording at the start of NATC-S2 so that it is clear that earthworks and clearance within a wetland are generally prohibited/non-complying.</p>	Amend the wording of NATC-S2 so that it clearly states that any clearance of vegetation must be outside a 10m margin from wetlands.	S399.065
Part 2 – District Wide Matters	Subdivision	Subdivision	SUB-O4	Many blocks of Māori land are land locked and are not able to be accessed. This reduces their ability to be developed and contribute to the economic development of tangata whenua and the district. This can be addressed in a minor way at the time	Insert a new item to Objective SUB-O4 as follows:	S399.066 and S399.067

				adjoining land is subdivided by ensuring access is provided as part of that development.	k) enabling and maintaining access to land locked allotments Alternatively this may be able to be addressed in the Māori Purpose Section
Part 2 – District Wide Matters	General District Wide Matters	Activities on the surface water.	ASW-P3	The word ‘recognise’ in this Policy does not demonstrate understanding and we feel a stronger verb is required to make this rule effective.	Amend Policy ASW-P3 to read as follows: Recognise and take into account tangata whenua's relationship with and cultural practices associated with freshwater when managing activities on the surface of water in rivers and lakes, including the ability to undertake customary activities
Part 2 – District Wide Matters	General District Wide Matters	Earthworks	Note 5	As noted, the NPS-FW and NES apply. For avoidance of doubt reference to the setbacks prescribed by the NES would be helpful to ensure users of the plan are aware of this connection.	Amend Note 5 to read as follows: The Northland Regional Plan currently in force and the National Environment Standards for Freshwater 2020 include rules and regulations relating to earthworks to manage

S399.068

S399.069

					effects on freshwater and soil including setbacks . Consent may be required for earthworks in terms of the regional rules and regulations in those documents in addition to this District Plan.	
Part 2 – District Wide Matters	General District Wide Matters	Lighting	Light-P2	Adverse effects of lighting on wildlife are recognised in the overview and objectives, but not provided for in the policies.	Insert a new policy as follows: e) manage adverse effects on indigenous fauna	S399.070
Part 2 – District Wide Matters	General District Wide Matters	Noise	Overview	The Overview does not consider adverse effects of noise on indigenous fauna.	Amend Sentence 3 of the Overview to read as follows: Noise can be the cause of annoyance, impacting community health, wellbeing and the quality of living environments and adversely affecting fauna .	S399.071
Part 2 – District Wide Matters	General District Wide Matters	Noise	Noise-O1	The objectives do not provide for adverse effects due to noise on indigenous fauna.	Amend Objective Noise-O1 to read as follows: Activities generate noise effects that are compatible with the role, function and character of each zone and do not compromise community health, safety and	S399.072 & S399.073

					wellbeing or ecological values. Alternatively a separate objective relating to fauna could be inserted.	
Part 2 – District Wide Matters	General District Wide Matters	Noise	Noise-P3	The policies as written do not provide for management of adverse effects due to noise on indigenous fauna.	Insert a new policy, Noise-P3 e) as follows: Any adverse effects on indigenous fauna and habitats	S399.074
Part 2 – District Wide Matters	General District Wide Matters	Mineral extraction overlay	ME-P5	A word appears to be omitted from Policy ME-P5, otherwise it doesn't make sense. It appears the word might be significant?	Amend Policy ME-P5 to read as follows: Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects from new and the expansion of existing mineral extraction activities on the characteristics and qualities of the following, where located outside of the Coastal Environment Overlay:	S399.075
Part 2 – District Wide Matters	General District Wide Matters	Mineral extraction overlay	ME-P6	Policy ME-P6 does not take account of threatened and at risk species of biodiversity as required by Policy 11 of the NZCPS.	Amend Policy ME-P6 to read as follows: Avoid adverse effects of new, and the expansion of existing, mineral extraction activities, within the characteristics and qualities which make	S399.076

					up the following within the Coastal Environment: a) Outstanding Natural Landscapes; b) Outstanding Natural Features; and c) Outstanding Natural Character; and d) Threatened and at risk indigenous species
Part 2 – District Wide Matters	General District Wide Matters	Mineral extraction overlay	ME-P7	Policy ME-P7 does not take account of threatened and at risk species of biodiversity as required by Policy 11 of the NZCPS.	Amend Policy ME-P7 to read as follows: Where ME-P6 does not apply avoid significant and avoid, remedy or mitigate other adverse effects of new, and the expansion of existing mineral extraction activities on natural character, natural features, and natural landscapes and indigenous biodiversity within the Coastal Environment.
Part 2 – District	General District Wide Matters	Mineral extraction overlay	ME-S1	Item 5 is insufficient to ensure use of rehabilitation resources such as topsoil, logs, boulders and wilding plants are maximised and rehabilitation outcomes are maximised, particularly with respect	Replace Item 5 as follows: A detailed rehabilitation plan for the site which is

S399.077

S399.078

Wide Matters				<p>to indigenous biodiversity and the potential for prolonged adverse effects in the absence of effective rehabilitation.</p> <p>We recommend that the rehabilitation plan be consistent with Centre for Mining and Environmental Research Guidelines, specifically those available in Section 5.7 of the guidance document available at: https://www.cmer.nz/publications/2018/MELG_Meso_Gold_NAFF.pdf</p> <p>We are happy to provide further information in relation to this submission if required.</p>	consistent with Centre for Mining and Environmental Research guidelines for rehabilitation of mine sites.	
Part 3 – Area Specific Matters	Special Purpose Zones	Airport Zone	AIRPZ-P3	<p>Bay of Islands Airport adjoins an area of wetland which is one of few known habitats of the nationally vulnerable Northland mudfish (<i>Neochanna heleioides</i>). Whilst mudfish would be protected through vegetation clearance rules (and NES rules relating to wetlands), we consider it is important to recognise that expansion of the Bay of Islands Airport could adversely affect this species, whilst at the same time providing a pathway (via biodiversity offsetting) to enable development of this regionally significant infrastructure.</p>	<p>Amend AIRPZ-P3 to read as follows: Provide for the expansion of airport activity in the Airport zone where it does not compromise the amenity of the surrounding area and any effects, including effects on indigenous biodiversity, can be avoided, remedied, or mitigated, or offset.</p>	S399.079
Part 3 – Area Specific Matters	Special Purpose Zones	Carrington Estate	CAR-P6	<p>Carrington Estate includes areas within the CMA where effects on threatened and at risk species must be avoided in accordance with Policy 11 of the NZCPS. This is not recognised in the matters to be considered.</p>	<p>Insert additional item to CAR-P6 as follows: j) adverse effects on any threatened or at risk species. Alternatively, a general statement similar to that in the Overview section</p>	S399.080 & S399.081

					<p>for the Kauri Cliffs Special Zone could be added to the Overview section for this zone as follows: This special purpose zone provides specifically for development and activities, which are to be carried out in a manner that retains the character, features and landscape of the Carrington Estate zone, some of which are located within the coastal environment and are subject to the provisions in that chapter of the District Plan.</p>