



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:	Craig Deal		
Company / Organisation Name: (if applicable)	Northland Fish and Game Council		
Contact person (if different):			
Full Postal Address:	As, 7 Nell Pl, Raumanga Whangare 0110		
Phone contact:	Mobile:	Home:	Work:
	021 798 749		
Email (please print):	cdeal@fishandgame.org.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)

Refer to email dated 21 October 2022



Confirm your position:  Support  Support In-part  Oppose  
(please tick relevant box)

Refer to email dated 21 October 2022

**My submission is:**  
(Include details and reasons for your position)

Refer to email dated 21 October 2022

**I seek the following decision from the Council:**  
(Give precise details. If seeking amendments, how would you like to see the provision amended?)

Refer to email dated 21 October 2022

I wish to be heard in support of my submission  
 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  
 Yes  No

Do you wish to present your submission via Microsoft Teams?  
 Yes  No

**Signature of submitter:**  
(or person authorised to sign on behalf of submitter)

Date: 28/10/22

(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](mailto: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](http://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 not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

**SUBMISSION NUMBER**

436



District Planning Team  
Far North District Council  
Private Bag 752  
Kaikohe 0440

### ***Submission on the Proposed Far North District Plan 2022***

#### **Introduction**

1. Northland Fish and Game (“Fish and Game” and “NFGC”) thanks the Far North District Council (“Council”) for the opportunity to comment on the Proposed Far North District Plan (“Proposed Plan”). NFGC is open to discussion and suggestions of alternative solutions for each of the matters raised. NFGC recognises that for some of the matters raised more detailed discussion with the Council will be necessary to resolve the matters and encourages further liaison with Far North District planners to draft provisions which are agreeable to both parties.

#### **Role of Fish and Game**

2. NFGC is an entity established under the Conservation Act 1987 with functions to:  
*26(Q)1... manage, maintain and enhance the sports fish and game resource in the recreational interests of anglers and hunters...*  
*(b) to maintain and improve the sports fish and game resource-*  
*(i) by maintaining and improving access; and...*  
*(iv) by ensuring there are significant resources to enforce fishing and hunting season conditions;...*  
*(c) to promote and educate-*



- (ii) by promoting recreation based on sports fish and game;*
- (e) in relation to planning,-*
  - (i) to represent the interests and aspirations of anglers and hunters in the statutory planning process; and...*
  - (iii) to prepare sports fish and game management plans in accordance with this Act; and...*
  - (vii) to advocate the interests of the Council, including its interests in habitats...*

3. In addition to Fish and Game functions set out above, s 7(h) Resource Management Plan 1991 (RMA) states that all persons in achieving the purpose of the Act “shall have particular regard to – the protection of the habitat of trout and salmon.”

#### **The importance of sports fishery and game bird resource in the district**

- 4. The sports fish and game bird resources throughout the Far North District are highly valued throughout the district. On the basis of 2016/2017 licence figures, NFGC represents over 1850 hunters and some 300 anglers who live in the Northland region. However, many hunters and anglers, including tourists, are non-residents who purchase their licences outside the region, and travel to Northland to hunt and fish.
- 5. In addition to representing the interests of our licence holders the NFGC are also landowners and land managers. NFGC manage some 375 hectares of wetland in approximately 8 different titles.

#### *Sports fisheries*

- 6. The Far North District provides a valued sports fishery resource, although its extent is somewhat limited by characteristically high summer water temperatures and low flow levels. Sports fish present in the Far North District include Rainbow trout and Brown trout.



7. Sports fisheries have had statutory recognition in NZ since 1867, with the largely salmonid-based (trout and salmon) fisheries a key value in, and attribute of, our freshwaters. The current statutory basis and regime for sports fishery management is provided under Part VA of the Conservation Act 1987, the Freshwater Fisheries Regulations 1983 and Anglers Notices promulgated annually under this legislation.

#### *Game bird resources*

8. The Far North District provides significant game bird habitat and hunting opportunity, with some key large waterbodies such as the Hokianga Harbour, and numerous dams, ponds, wetlands, rivers, lakes and estuaries. Game birds present in the Far North District include Mallard duck, Grey Duck, Shoveler duck, Paradise shelduck, Black swan, Pukeko, Ring-neck pheasant, Brown quail and California quail.
9. Game birds are recognised in the First Schedule of the Wildlife Act 1953 and their management is by Fish and Game Councils under Part 2 of that Act, with associated regulations and annual Game Gazette Notices to the Anglers Notice. Several of the principal game birds (Grey duck, Paradise shelduck, Shoveler duck, Black swan and Pukeko) are native species.

#### *Sportsfish and game bird management*

10. Sports fishery management and game bird management sit within a framework of wildlife management by Fish and Game Councils and the Department of Conservation in Part 5 of the Conservation Act 1987. Aspects of fishery and game bird management (such as which species should be managed where) are covered by that legislation. The nature of this species management by the Department of Conservation ('DOC') and Fish and Game Councils is set out in some detail for each Fish and Game region in their respective Sports Fish and Game Bird Management Plans.



11. Sports Fish and Game Bird Management Plans have been through a public process approved by the Minister of Conservation. The general purpose of a Sports Fish and Game Bird Management Plan is to establish objectives for the management of sports fish and game birds (section 17L(1)). Sports Fish and Game Bird Management Plans are prepared under sections 17L and 26Q(1)(e)(iii) of the Conservation Act 1987 and must have regard to:
  - (a) the sustainability of sports fish and game in the area to which the plan relates; and
  - (b) the impact that the management proposed is likely to have on other natural resources and other users of the habitat concerned; and
  - (c) must include such provisions as may be necessary to “maximise recreational opportunities for hunters and anglers”.
12. As statutory management plans, the Proposed Far North District Plan (‘Proposed Plan’) is required to have had regard to Sportsfish and Game Management Plans in the course of its preparation (s 66(2)(c)(i) RMA).
13. Management of the habitat of all freshwater fish and wildlife and appropriate provision for amenity derived from the fishery and game bird resource, however, is the responsibility of regional and district councils under the RMA. The Northland Fish and Game Council Sportsfish and Game Management Plan (2003) recognises that the Northland Fish and Game Council (‘NFGC’) is established for the purpose of the management, maintenance and enhancement of sports fish and game within the Northland region. The Sportsfish and Game management plan recognizes that the protection, maintenance and enhancement of sportsfish and game habitat and the sustainable management of sports fish and game species as key elements of the statutory mandate of the Council’s functions, responsibilities and powers.
14. The RMA, ss 5, and ss6(a) (preservation of natural character), 7(c) (maintenance and enhancement of amenity values), 7(d) intrinsic values of ecosystems, 7(f) (maintenance and enhancement of the quality of the environment) and 7(h) (protection of the habitat of trout and salmon) are all directly relevant to sports fishery management.



15. The RMA, ss 5, and ss6 (a) (preservation of natural character of water bodies), 6 (c) protection of areas of significant indigenous vegetation and significant habitats of indigenous flora and fauna), 7(h) (protection of the habitat of trout and salmon), 7(c) (maintenance and enhancement of amenity values), 7(d) intrinsic values of ecosystems, and 7(f) (maintenance and enhancement of the quality of the environment) are all directly relevant to game bird management.

#### *Wetlands*

16. Wetlands are some of the most diverse, complex, and productive ecosystems on earth supporting and providing essential habitat for an array of micro-organisms, plants, insects and animals. They are biodiversity hot spots supporting indigenous flora and fauna,. Wetlands also play a crucial role in environmental regulation including flood, water quality, erosion and sediment protection; groundwater recharge; and climate regulation; in addition to providing recreational and amenity values.
17. Since European settlement in the mid-1800s, the vast majority of New Zealand’s wetlands have been drained or irretrievably modified for coastal land reclamation, farmland, flood control, and the creation of hydro-electricity reservoirs. As a result, wetlands have become a threatened ecosystem type with less than 10% of their original extent remaining. Freshwater wetlands are now estimated to cover only 1% of the New Zealand land mass and the rate and extent of wetland loss has been recognised as among the highest in the world. The original diversity and extent of wetlands has been reduced significantly in New Zealand, natural catchment hydrology has been altered, and the natural processes of wetland infilling and creation have been disrupted.
18. The RMA gives local government the mandate to recognise and provide for protection of wetlands as a matter of national importance under section 6(a) preservation of natural character; 6(b) preservation of outstanding natural features; and under 6(c), the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Under s 6(c), due to the rarity of these remaining habitats, all wetlands should be considered significant.





19. Although s 6 of the RMA identifies protection of wetlands as a matter of national importance, many wetlands continue to degrade through reduced water availability, eutrophication and impacts from weeds and pests. There is evidence that wetland loss and development is still occurring in the Far North District. Wetlands were an integral part of the Far North landscape. The most significant inland wetlands are those linked with the Kawakawa River (Opahi, Motatau), and Waitangi wetlands.
20. Today, the extent and quality of many wetlands in the Far North District has severely diminished. Although in many places they are much reduced in area and modified through drainage and land development, these habitats are the last remaining areas of more or less contiguous freshwater swamp of any significant size.
21. Wetlands, ponds and rivers in the Far North District provide important recreational game bird hunting opportunities on both public and private lands. Game bird productivity is driven by land use and habitat availability for breeding/feeding/resting. Freshwater wetlands, ponds and lakes can provide critical breeding/moulting/feeding habitat for many game bird species which include some indigenous wildlife species i.e. the NZ shoveler duck, NZ Paradise shelduck and native species, Grey ducks, Pukeko, Black swans and the introduced Mallard duck. Protection, maintenance and enhancement of these waterbodies is therefore critical for the maintenance of regional game bird populations.
22. NFGC constructs, restores, enhances and maintains wetlands in the Far North District. Often these activities involve the restoration of historical water level regimes by undoing the negative impacts on wetlands of land drainage activities. Most of these wetlands are on rural land, including both public and private. When dealing with landowners, the resource consent process and the potential to incur costs is often a major impediment to conducting wetland restoration projects.



## General submissions

### *Wetlands*

23. Remaining wetlands and ponds change over time due to infilling from decaying vegetation, natural infilling from windblown soils and sand and from natural detritus. This is a natural evolutionary process that has occurred for millenniums. However new wetlands are no longer being created through this natural process due to rivers and streams being forced to defined areas with stopbanks and river control works. Increased contaminants and the introduction of pest plants have resulted in the infilling of small lakes, ponds, rivers and wetlands and the loss of biodiversity. This result causes the loss of habitat for a huge range of species that require open water areas for feeding and breeding.
24. Wetland maintenance, restoration and enhancement is therefore vital to address the loss and degradation of wetlands. Many wetlands have become reliant on beneficial human intervention to function. Such intervention can increase the extent and improve the biodiversity, condition and resilience of wetlands. Most wetlands have been impacted by surrounding land drainage and nutrient enrichment from runoff. Restoration and enhancement works may involve restoration planting, removal of unwanted plants, managing water inflows and outflows into wetlands within a defined range, removing sediment that accumulates also within a defined range, blocking drains and restoring buffers and ecological linkages, and creating habitat for native flora and fauna. The nature of the works may change over time, but it is always undertaken within limits or ranges, and with the health of the wetland in mind.
25. It is essential that the Far North District Plan strikes the right balance between protection of wetlands and allowing restoration/enhancement activities to occur. Relying on the preservation of remnant wetlands alone, will be insufficient at preventing wetland degradation caused by anthropocentric alteration to natural ecosystem functioning. If the loss and degradation of wetlands in the Far North District is to be addressed, encouraging wetland restoration and enhancement is vital. The District Plan



must therefore find a balance that allows for interventions that aim to minimise impacts, restore hydrological functionality where it has been compromised and create new wetlands in order to provide habitat for species that no longer have sufficient natural wetland habitat to meet their ecological requirements.

***Relief sought***

26. NFGC seeks amendment to the Proposed Plan by:

- providing that earthworks or indigenous vegetation clearance within a wetland is permitted when it is for wetland maintenance and restoration work. S463.001 & S463.002

***Maimai***

27. The right to build, tag and use maimai is a fundamental part of duck hunting in New Zealand and managing this activity is a core function of NFGC. NFGC enforces the relevant legislation that regulates maimai use in the field (Wildlife Act, 1953, Wildlife Regulations 1955). A wide range of structures are used as maimai, including permanent and temporary structures. Such structures are accepted around much of New Zealand as a permitted activity.

28. The maximum floor size for maimai (10m<sup>2</sup>) is already controlled by the Building Act 2004 under s41(1)b and Schedule 1(3). Maimai need to be of adequate size to maintain safe shooting zones and not to compromise hunter safety.

***Relief sought***

29. NFGC seeks that the Proposed Plan include:

- A definition for 'maimai' that is consistent with the Building Act. S436.003



- Provisions that provide for the building of maimai on wetlands or near a lake or river as a permitted activity.

S436.004 to  
S436.006

### ***Noise and reverse sensitivity***

30. Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites.
31. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season.
32. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.

### ***Relief sought***

33. NFGC seeks that the Proposed Plan include:

- Provisions that constrain housing and industrial developments near areas with recreational hunting values. S436.007 to S436.025
- Provisions that provide for the associated discharge of noise of firearms for all informal and legitimate proposes such as recreational hunting, pest control and sight adjustment, as permitted activities. S436.026
- Provisions that provide for recreational hunting as a permitted activity in the rural zone. S436.027
- Where reverse sensitivity issues are discussed, specific reference is given to recreational hunting, especially in relation to subdivisions and new growth. S436.028



## ***Signs***

34. Fish and Game has a statutory role to maintain and enhance access to sports fisheries and game bird hunting areas. Accordingly, Fish and Game erects interpretative signage at access points to sports fisheries and game bird hunting areas. The construction, maintenance, use and removal of these signs is a fundamental aspect of managing game bird shooting and sports fish angling activities in New Zealand and are important functions of NFGC. Such signs are accepted around much of New Zealand as a permitted activity.
35. Fish and Game signs typically have brief information about legal access points, licence requirements, applicable hunting/angling regulations (i.e. local restrictions like “fly fishing only”), and /or the need for licence holders to take precautions against the spread of aquatic pests. Frequently such signs are located in rural areas alongside formed roads or approaches to angling/hunting access points. There are many such signs at access points around the Far North District. These are erected, paid for and maintained by the Fish & Game Council and its volunteers. The signs are informative and of a professional national standard that add to the Far North’s vibrancy and cultural well-being by promoting healthy outdoor activities. In some court proceedings involving illegal fishing and similar offending, the presence of adequate signage has been pivotal, in pre-warning the person charged that they were committing an offence.
36. Fish and Game signs would in some instances be covered by the definition of ‘official sign’ and therefore subject to the conditions set out in several rules throughout the plan. However, there are some instances in which NFGC may need to breach these rules, for example in the case of in the Rural Zone, by erecting more the one sign on a site, or on a road frontage. NFGC should not have to



apply for a resource consent to do this. As stated previously Fish and Game signs are accepted around much of New Zealand as a permitted activity.

***Relief sought:***

37. NFGC seeks that the Proposed Plan allow for all signs erected by NFGC to be a permitted activity, notwithstanding that they may not be located on the site where the angling/hunting activity to which the sign relates is occurring. S436.029

***Public access and esplanade reserves and strips***

38. The recreational values of waterbodies can be constrained by limited public access; therefore, it is important to provide such access. Rivers and streams in the Far North District support trout fisheries, and many wetlands support game bird hunting, but outside of urban areas there is relatively little legal public access to and along waterbodies. While unformed legal roads do provide some access to rivers, they often wander over farmland and it is not obvious where they lie. Once at the river, there are few esplanade reserves and strips, marginal strips, recreation and road reserves and so most riverbanks are in private ownership, potentially with ad medium filum rights.
39. Fish and Game has a statutory obligation to maintain and enhance access to sports fisheries and game bird hunting areas. Public access to lakes, rivers and public spaces can be fragmented by the subdivision process if not carefully managed. The subdivision process itself however provides an opportunity to maintain public access and associated linkages. The recreation of esplanade reserves for example can provide for the protection of conservation values of riparian margins, maintenance of water quality and aquatic habitats and the enhancement of public access and recreational opportunities, including sports fish angling and game bird hunting.



40. Section 6(d) of the RMA recognises that the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance.

41. The Council should therefore make the most of every opportunity to enhance public access and increase the coverage of esplanade strips along waterbodies, including through subdivision rules and when subdivision results in the creation of allotments along waterbodies.

***Relief sought***

42. NFGC seeks and supports provisions within the Proposed Plan that include:

- Policies and rules that ensure that the plan maintains and enhances public access to and along wetlands, streams, lakes and rivers.
- Policies and rules to provide for the creation and protection of esplanade reserves and strips as a permitted activity.

S436.030 &  
S436.031

***Growth management***

43. NFGC supports separation of urban areas by defined and open space and effective rural zoning, and encouraging a more compact urban footprint through limiting rural lifestyle development. However, settlement patterns should be tightly restricted in undeveloped rural areas or in areas with high landscape and/or natural character values such as near wetlands and lakes.

44. Elements of the experience sought by recreational hunters and anglers in the Far North District include the wilderness experience, the opportunity to engage in the sports, and the opportunity to obtain fish and game birds for food or enjoyment in a natural/non-built environment, all with minimal restriction. This is a significant recreational and cultural aspect of the district which deserves



recognition, particularly given the projected increasing footprint of settlement and industry. It constitutes an essential public amenity for an increasingly urbanised population. These are values that should be recognised in the Far North District Plan.

45. A proliferation of rural 'lifestyle' blocks in the Far North District will allow future landowners to object to hunting activities; for example, by complaining under s48 of the Arms Act regarding the discharge of a firearm in or near a dwelling, house or public place to "annoy or frighten any persons". Introducing new dwelling areas near lakes and wetlands with values for hunters will have a number of possible implications on the future of hunting, limiting the suitability of subdivision in these areas.

46. Growth of settlement into as-yet undeveloped land is a threat in terms of potential effects on sensitive ecosystems, particularly wetlands, and fauna (particularly avifauna). The following issues are of significance to NFGC:

- Runoff of heavy metals and other contaminants from hard surfaces into waterbodies;
- Drainage of wetland and bog areas for protection of increased settlement;
- Increased predation of avifauna from pets and pests associated with human population.

### ***Relief sought***

47. NFGC seeks that the Proposed Plan:

S436.032

- Ensures that development occurs away from areas valued for their amenity characteristics which are important for culture and recreation.
- Ensures that recreational game bird hunting and recreational freshwater fishing are included as permitted activities in all rural areas.
- Ensures development is directed away from known hazard areas (ie, flooding hazards).





- Ensures existing ponding zones are implemented and there is no further drainage to support growth of settlement areas.
- Encourage and Prioritise Water Sensitive Design Principles (as used in the Auckland Unitary Plan) for new developments to reduce the creation of runoff and the sources of contaminants.
- Acknowledge the effects of settlement expansion on avifauna and sustainably manage such effects.

**Specific submission points:**

Chapter/provision	Support/Oppose	Reason for submission	Amendment required
<b>Part 1 Definitions</b>			
Further definition required:  Maimai	Seek amendment	The Proposed Plan does not contain a definition for maimai. For the reasons set out in the general submissions above under “maimai” NFGC seek that a definition for maimai being included in the Proposed Plan.	Amend the Proposed Plan to include the following definition  <i>“<u>Maimai - game bird hunting shelter structures</u>”</i>
<b>Part 2 District wide matters – natural environmental values</b>			
<b>Ecosystems and indigenous biodiversity</b>			
IB-P6	Support	For the reasons set out under general submissions ‘wetlands’ above NFGC	Encourage the protection, maintenance and restoration of indigenous biodiversity, with priority

S436.003

S436.033



		<p>strongly support this policy – especially in regards to reducing or waiving resource consent application fees.</p>	<p>given to Significant Natural Areas, through non-regulatory methods including consideration of:</p> <ul style="list-style-type: none"> <li>a. assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a Significant Natural Area;</li> <li>b. reducing or waiving resource consent application fees;</li> <li>c. providing, or assisting in obtaining funding from other agencies and trusts;</li> <li>d. sharing and helping to improve information on indigenous biodiversity; and</li> <li>e. working directly with iwi and hapū, landowners and community groups on ecological protection and enhancement projects.</li> </ul>
<p>IB-R1 – Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for</p>	<p>Seek amendment</p>	<p>For the reasons set out in the general submissions above under “wetlands” NFGC seek amendments to include the repair and maintenance of maimai as a permitted activity and wetland maintenance and restoration work as a</p>	<p>Amend the Proposed Plan to include the following:</p> <p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p>

S436.034



<p>specified activities within and outside a Significant Natural Area</p>		<p>permitted activity. These amendments would bring the Proposed Plan in line with the NES-F.</p>	<p><b>PER-1</b> It is for any of the following:</p> <ol style="list-style-type: none"> <li>1. To address an immediate risk to the health and safety of the public or damage to property;</li> <li>2. To remove dead trees, provided that no more indigenous vegetation is cleared or trimmed than is necessary for safe removal;</li> <li>3. The formation of walking tracks less than 1.2m wide using manual methods which do not require the removal of any tree over 300mm in girth;</li> <li>4. Clearance for biosecurity reasons;</li> <li>5. The sustainable non-commercial harvest of plant material for rongoā Māori (customary medicine);</li> <li>6. To create or maintain a 20m setback from a building used for a vulnerable activity (excluding accessory buildings) to the edge of the indigenous vegetation area;</li> <li>7. To allow for the construction of a single residential unit on a title and essential associated on-</li> </ol>
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			<p>site infrastructure and access and it does not exceed 1,000m<sup>2</sup>;</p> <p>8. It is within an area subject to an Open Space Covenant under the Queen Elizabeth II National Trust Act 1977, a Ngā Whenua Rahui Kawenata, a Conservation Covenant under the Reserves Act 1977 or the Conservation Act 1987, or a Heritage covenant under the Heritage New Zealand Pouhere Taonga Act 2014 and the vegetation clearance is provided for in that covenant or order;</p> <p>9. The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation provided that the clearance does not exceed 3.5m in width either side of the fence line;</p> <p>10. The removal or clearance from land which was previously cleared and the indigenous vegetation to be cleared is less than 10 years old;</p> <p>11. Creation and maintenance of firebreaks to manage fire risk;</p> <p>12. The harvesting of indigenous timber approved under the Forests Act 1949 via</p>
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			<p>either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries;</p> <p>13. <u>It is for wetland maintenance and restoration work.</u></p> <p>14. It is for the operation, repair and maintenance of the following activities where they have been lawfully established:</p> <ul style="list-style-type: none"> <li>i. fences</li> <li>ii. infrastructure</li> <li>iii. buildings</li> <li>iv. driveways and access</li> <li>v. walking tracks</li> <li>vi. cycling tracks</li> <li>vii. farming tracks.</li> <li>viii. <u>Maimai</u></li> </ul>
<b>Natural character</b>			
NATC-R1 – New buildings or structures, and	Seek amendment	For the reasons set out in the general submissions above under “maimai” NFGC	Amend the Proposed Plan to include the following:

S436.035



<p>extensions or alterations to existing buildings or structures</p>		<p>seek that maintenance of maimai be included in PER-2.</p>	<p><b>PER-2</b>          The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins is required for:</p> <ol style="list-style-type: none"> <li>1. restoration and enhancement purposes; or</li> <li>2. natural hazard mitigation undertaken by, or on behalf of, the local authority; or</li> <li>3. park management activity in the Open Space or Sport and active recreation zone; or</li> <li>4. a post and wire fence for the purpose of protection from farm stock.</li> <li>5. river crossings, including but not limited to, fords, bridges, stock crossings and culvert crossings.</li> <li>6. activities related to the construction of river crossings.</li> <li>7. pumphouses utilised for the drawing of water provided they cover less than 25m<sup>2</sup> in area.</li> <li>8. <u>maintenance of an existing maimai.</u></li> </ol>
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<p>NATC-R2 – Repair or maintenance</p>	<p>Seek amendment</p>	<p>For the reasons outlined under ‘maimai’ in the general submissions above NFGC seek this rule be amended to include maimai.</p>	<p>Amend the rule as follows:</p> <p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b>          The repair or maintenance within wetland, lake and river margins of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:</p> <ol style="list-style-type: none"> <li>1. roads</li> <li>2. fences</li> <li>3. network utilities</li> <li>4. driveways and access</li> <li>5. walking tracks</li> <li>6. cycling tracks</li> <li>7. farming tracks</li> <li>8. <u>Maimai</u></li> </ol>
<p>NATC-R3 – Earthworks or indigenous vegetation clearance</p>	<p>Seek amendment</p>	<p>For the reasons outlined under ‘wetlands’ in the general submissions above NFGC seek this rule be amended to include</p>	<p>Amend the rule as follows:</p> <p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p>

S436.036

S436.037



		wetland maintenance and restoration work.	<p><b>PER-1</b> The earthworks or indigenous vegetation clearance within wetland, lake and river margins is:</p> <ol style="list-style-type: none"> <li>1. required for the repair or maintenance permitted under NATC-R2; or</li> <li>2. required to provide for safe and reasonable clearance for existing overhead power lines.</li> <li>3. necessary to address a risk to public health and safety.</li> <li>4. for biosecurity reasons.</li> <li>5. for the sustainable non-commercial harvest of plant material for rongoā Māori.</li> <li>6. <u>Wetland maintenance and restoration work</u></li> </ol>
NATC-S2 Earthworks or indigenous vegetation clearance	Amendment	For the reasons outlined under 'wetlands' in the general submissions above NFGC seek this rule be amended and bring the conditions in line with the NESF.	<p>Amend the rule as follows:</p> <p>Any earthworks or indigenous vegetation on a site within wetland, lake and river margins clearance must:</p> <ol style="list-style-type: none"> <li>1. not exceed a total area of <del>400</del><u>500m<sup>2</sup></u> or <u>10% of the area of the natural wetland,</u></li> </ol>

S436.038





			<p><del>whichever is smaller for 10 years from the notification of the District Plan, unless a control in 5. below applies;</del></p> <ol style="list-style-type: none"> <li>2. not exceed a cut height or fill depth of 1m;</li> <li>3. screen exposed faces; and</li> <li>4. comply with Ecosystems and indigenous biodiversity chapter, NFL-S3 Earthworks or indigenous vegetation clearance and CE-S3 Earthworks or indigenous vegetation clearance.</li> </ol> <p><b>Note:</b> <del>The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.</del></p>
<b>Public access</b>	Support	For the reasons outlined under 'public access and esplanade reserves and strips' in the general submissions above NFGC support this policy directive and rules.	
<b>Part 2 District wide matters – general</b>			

S436.030



district wide matters			
Earthworks			
EW-P1	Seek amendment	For the reasons outlined under 'wetlands' in the general submissions above NFGC seek amendment to this policy to include enable restoration work for earthworks.	<p>Amend the rule as follows:</p> <p>Enable earthworks necessary to provide for the District's social, economic and cultural well-being, and their health and safety where they provide for:</p> <ul style="list-style-type: none"> <li>a. urban land uses and development within urban zones;</li> <li>b. rural land uses and development including, farm tracks, land drainage, and other farming activities within the Rural zones;</li> <li>c. conservation, <u>restoration</u> and recreation activities;</li> <li>d. land drainage and flood control works; and</li> <li>e. installation, upgrade and maintenance of infrastructure.</li> </ul>

S436.039



Noise			
Objectives - Noise - 02	Support	For the reasons outlined under 'noise and reverse sensitivity' in the general submissions above NFGC support this policy objective.	S436.040
Rules	Seek amendment	For the reasons outlined under 'noise and reverse sensitivity' in the general submissions above NFGC seeks that noise generated by recreational hunting be made a permitted activity.	S436.041  NFGC seek the following amendment:  The noise rules and effects standards do not apply to noise generated by the following activities: <ol style="list-style-type: none"> <li>1. normal residential activity such as children's play, lawn mowing, house maintenance and entertainment;</li> <li>2. aircraft being operated during flight;</li> <li>3. vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998), or within a site as part of or compatible with a normal residential activity;</li> <li>4. trains on rail lines (public or private) and crossing bells within road reserve, including at railway yards, railway sidings or stations. However, this exemption does not</li> </ol>



			<p>apply to the testing (when stationary), maintenance, loading or unloading of trains;</p> <ol style="list-style-type: none"><li>5. agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis, forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture Processing zones;</li><li>6. motorcraft operating on the surface of waterbodies;</li><li>7. any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance);</li><li>8. the use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities;</li></ol>
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			<ol style="list-style-type: none"><li>9. activities at emergency service facilities associated with emergency response and emergency response training;</li><li>10. helicopters used for an emergency and as an air ambulance;</li><li>11. impulsive sounds (such as hammering and bangs) and dog barking noise which are poorly assessed by reference to NZS 6802:2008: Acoustics Environmental Noise;</li><li>12. the control of crowd noise at a park or reserve;</li><li>13. unamplified noise from organised sporting events in the Open Space and Sport and Active Recreation zones where these occur for up to 20 hours per week between 7am and 7pm;<del>or</del></li><li>14. unamplified noise from standard outdoor activities at schools where this occurs between 7.00 am to 7.00 pm Monday to Sunday;<del>;</del> <u>or</u></li><li>15. <u>hunting.</u></li></ol>
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<b>Signs</b>	Support	For the reasons outlined under 'signs' in the general submissions above NFGC support these policies and rules.	
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**We wish to be heard in support of our submission**

Signed by:

A handwritten signature in black ink, appearing to read 'Craig Deal', written in a cursive style.

**Craig Deal  
Regional Manager  
Northland Fish and Game  
Dated: Wednesday 21 October 2022.**

**Address for service:  
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