

**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:	Victoria Froude		
Company / Organisation Name: (if applicable)	Pacific Eco-Logic		
Contact person (if different):			
Full Postal Address:	5D Deeming Road, RD1 Russell, 0272		
Phone contact:	Mobile: 021 077 3378	Home:	Work:
Email (please print):	victoriafroude@gmail.com		

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

X 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

X 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)

Please see the submission that follows

Confirm your position: Support Support In-part Oppose

(please tick relevant box)

My submission is:

(Include details and reasons for your position)

Please see the submission that follows

I seek the following decision from the Council:

(Give precise details. If seeking amendments, how would you like to see the provision amended?)

Please see the submission that follows

X 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

X 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:

21 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 not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

SUBMISSION NUMBER

451

Submission to the Proposed Far North District Plan by Pacific Eco-Logic

Section in plan	Position	Reasons for position	Relief sought
Definitions	Oppose in part	<p>There are no definitions of</p> <ul style="list-style-type: none"> • Indigenous vegetation • Suitably qualified and experienced ecologist <p>The definition of “remnant forest” needs refining</p>	<p>Add in definitions of indigenous vegetation, suitably qualified and experienced ecologist</p> <p>Refine the definition of “remnant forest” (from “means any indigenous natural area which has never been clear-felled”) to recognise a wider range of relevant natural areas, including indigenous forest that has been in place for a minimum number of years. The current definition could include indigenous natural areas of duneland, or coastal cliff vegetation.</p>
Subdivision Objectives	Oppose in part	Objective SUB-02 (b) states that subdivision provides for the protection of “significant natural areas”. It is unclear what this means, as the plan does not include any SNAs in Schedule 4	Rephrase SUB-02 (b) to clarify that areas that contain significant indigenous vegetation and significant habitats for indigenous fauna are to be protected.
Subdivision Policies	Support in part	The policies do not adequately address the protection of indigenous vegetation and habitats of indigenous fauna; and the management of sewage and other sources of contaminants that could affect natural waters	<p>Add policies that:</p> <ol style="list-style-type: none"> 1. Clarify that significant indigenous vegetation and significant habitats of indigenous fauna, (including the balance lot) are to be protected as part of a subdivision 2. Require cat and/or dog-free subdivision in areas of particular importance for vulnerable indigenous wildlife (e.g., kiwi, matuku, shorebirds) 3. Require sewage and stormwater management to prevent nutrients and sediment from reaching natural waterways, including natural wetlands 4. Identify priorities where riparian fencing and planting should be a condition of subdivision
Subdivision Policy P11	Support in part	Policy 11 does not address all the effects that need to be addressed to protect indigenous biodiversity	<p>Add the following to the list of matters to be considered when Council assesses land use and subdivision consent applications:</p> <ol style="list-style-type: none"> 1. The quality and extent of the indigenous ecosystems and elements present 2. The potential impact of the proposed activity on the biodiversity values of

S451.001 to S451.003

S451.004

S451.005

S451.006

Section in plan	Position	Reasons for position	Relief sought
			<p>the native vegetation present on, and in the vicinity of, the property</p> <ol style="list-style-type: none"> 3. The type and extent of legal and practical protection being provided to protect indigenous ecosystems and elements 4. The type and scale of ecological restoration and protective management being proposed (e.g., pest control) 5. The potential hazards posed by the construction and ongoing new activities on at-risk wildlife 6. Controls on pet ownership to protect at-risk wildlife
Subdivision Rules	Support in part	<p>The existing rules are generally supported</p> <p>Additional rules are needed to address the protection of indigenous vegetation and habitats of indigenous fauna for subdivisions other than environmental benefit lots.</p>	<p>Add additional rules for subdivisions, other than environmental benefit lots, to address the protection of indigenous vegetation and habitats of indigenous fauna. These rules should include</p> <ol style="list-style-type: none"> 1. The protection of significant indigenous vegetation and significant habitats of indigenous fauna (including the balance lot) as part of a subdivision 2. The requirement for cat and/or dog-free subdivision in areas of particular importance for vulnerable indigenous wildlife (e.g., kiwi, matuku, shorebirds)
Ecosystems and indigenous biodiversity Rule IB-R1	Oppose in part	<p>Clause 6 in PER-1 should be amended as a 20m clearance zone around buildings “used for a vulnerable purpose” is not appropriate in areas where there is relatively mature forest, duneland vegetation or wetlands. Often such clearance occurs pre-emptively, setting up a cycle of vegetation change to increasing weediness and fire vulnerability</p> <p>Clause 7 in PER-1 should be amended to recognise that 1000m² of vegetation clearance on a lot for</p>	<p>Amend PER 1 clause 6 to a 5m default for indigenous vegetation . By including a definition for “indigenous vegetation”, it should be clear which vegetation is not indigenous and where a larger area can be cleared. A different larger setback/clearance zone is appropriate for naturalised non-native vegetation such as mixtures of gorse, pampas, wattles, tobacco weed, pines and privet. This non-native vegetation is typically far more flammable than native vegetation</p> <p>Amend PER-1 clause 7 to 300m² on smaller lots that have a primarily indigenous vegetation cover</p> <p>Clarify what is “essential infrastructure” in the context of PER-1 Clause 7</p>

S451.007

S451.008

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		the residential building and associated essential infrastructure is inappropriate on smaller lots with an indigenous cover and where clause 6 also applies. The definition of infrastructure in this context is too large.	
Ecosystems and indigenous biodiversity Rule IB-R4	Oppose in part	<ol style="list-style-type: none"> 1. The existing rule is confusing and may provide little practical protection for areas of significant indigenous vegetation and habitats of indigenous fauna outside the coastal environment. 2. Schedule 4 (Significant Natural Areas) is currently empty. There seems to be no real incentive for landowners to ask for areas of their land to be included within that schedule. Therefore, clearer district plan rules for indigenous vegetation clearance are needed. 3. Using the existing definition of the <i>remnant forest</i>, it is unlikely that such vegetation would be non-significant unless the area is very small and/or significantly damaged and/or surrounded by a larger area of young 	<ol style="list-style-type: none"> 1. Amend rule IB-R4 to clarify that consent is required for the clearance of indigenous vegetation covering more than 100m² per site per calendar year for areas outside the coastal environment (as in Rule IB-R4 Per 2). 2. If a report from a suitably qualified and experienced ecologist certifies that the vegetation or habitat is not significant, then the calendar year permitted clearance limits could be increased. 3. Any remnant forest should be protected from clearance or subject to the clearance allowance for areas that meet the criteria for significant indigenous vegetation or significant habitats of indigenous fauna 4. Add rules and/or clarify what Northland Regional Council consents are/will be required for wetland drainage under the new Northland Regional Plan

S451.009

S451.010

Section in plan	Position	Reasons for position	Relief sought
		<p>vegetation</p> <p>4. Wetland drainage is not addressed</p>	
Ecosystems and indigenous biodiversity Other methods	Support in part	The district plan does not include non-regulatory methods, especially those promoting and assisting landowners to protect significant indigenous vegetation and habitats of indigenous fauna	<p>Include a package of non-regulatory methods to promote and assist landowners to protect significant indigenous vegetation and habitats of indigenous fauna. This could include</p> <ol style="list-style-type: none"> 1. Rate relief/ postponement for areas under permanent/ long-term protection 2. Grants for plant and animal pest control, fencing and wetland restoration
COASTAL ENVIRONMENT Objectives	Oppose in part	The objectives are incomplete in that they do not address the protection, active management, and restoration of indigenous nature as part of protecting coastal natural character	Include additional objectives that address the protection, active management, and restoration of indigenous nature as part of protecting coastal natural character in the Far North District.
COASTAL ENVIRONMENT Policies general	Support in part	The PDP policies do not address the protection of (terrestrial and freshwater) coastal indigenous ecological integrity and function, nor the protection of coastal indigenous ecological community structure and composition. Especially important is the protection of relatively intact indigenous forests, shrublands, coastal cliffs communities, coastal wetlands (including saltmarsh, salt meadow/herb field and freshwater wetlands), and dunelands. These are important components of coastal	<p>Include additional policies addressing the need to:</p> <ol style="list-style-type: none"> 1. Protect indigenous coastal forests, coastal shrublands, coastal cliffs communities, coastal and freshwater wetlands and dunelands 2. Protect coastal wetlands (including saltmarsh, salt meadow/herb field and freshwater wetlands) from activities inland of the CMA in the Far North District 3. The need to protect isolated important indigenous elements such as large pohutukawa and puriri trees, and fringing pohutukawa and other native trees in Northland's harbours and bays (e.g., Bay of Islands). 4. The need for coastal ecosystems (such as saltmarsh, salt meadow and floodplain wetlands) to be able to migrate inland as sea levels rise. Such policies may include promoting restrictions on new activities that would impede such landward migration of coastal ecotones.

S451.011

S451.012

S451.013

Section in plan	Position	Reasons for position	Relief sought
		natural character and are often important for their biodiversity values. Notwithstanding policy CEP8, NZCPS 2010 policies 11, 13 and 14 need to be more completely addressed in the plan's coastal environment policies.	
COASTAL ENVIRONMENT Policy P6	Oppose in part	Contrary to Appendix 1, farming (pastoral agriculture) was not used as a value when mapping areas of at least high natural character for the RPS. Depending on how this policy is interpreted, farming use can be relevant if that includes protecting indigenous plants and animals.	Revise policy 6 to clarify: <ol style="list-style-type: none"> 1. What is included in the definition of farming 2. Recognise that farming has and can continue to have adverse effects on the coastal natural character of the Far North.
COASTAL ENVIRONMENT Policy P10	Support in part	Policy 10 does not address all the effects that need to be addressed to protect coastal natural character	Add the following to the list of matters to be considered when Council assesses land use and subdivision consent applications: <ol style="list-style-type: none"> 7. The quality and extent of the indigenous ecosystems and elements present 8. The potential impact of the proposed activity on the natural character values of the native vegetation present on, and in the vicinity of, the property 9. The type and extent of legal and practical protection being provided to protect indigenous ecosystems and elements 10. The type and scale of ecological restoration and protective management being proposed (e.g., pest control) 11. The potential hazards posed by the construction and ongoing new activities on at-risk wildlife 12. Controls on pet ownership to protect at-risk wildlife 13. The level of anthropogenic sound that is likely during construction and with the ongoing new activities 14. The level of anthropogenic night lighting proposed and its potential effect on indigenous species.

S451.014

S451.015

Section in plan	Position	Reasons for position	Relief sought	
			<p>15. The impact of the proposed development on the experiences of low-impact recreationists using public lands (including unformed legal roads) and the coastal marine area.</p> <p>16. The impacts of construction and long-term vehicle use on natural character</p> <p>17. Whether the development could hinder the ability of native ecosystems (e.g., saltmarsh) to migrate inland as sea levels rise</p>	
COASTAL ENVIRONMENT Rules R3	Support	This rule provides reasonable protection for natural character values	<p>Retain rule</p> <p>Clarify that any “natural wetland” includes riparian margins</p>	S451.016
COASTAL ENVIRONMENT Rules general		<p>1. There are no non-regulatory methods</p> <p>2. Isolated mature kowhai, puriri and pohutukawa trees in the coastal environment may not be adequately protected in the district plan as some patches did not meet the Northland Regional Council minimum mapping unit size and so were not included within an area of high or outstanding natural character</p>	<p>1. Include a non-regulatory methods section which should include:</p> <ol style="list-style-type: none"> 1. A commitment to monitor and report on changes in natural character, at least in areas of development. Councils’ failure to do so was a major criticism in the Review of the first NZCPS by Dr Jo Rosier in 2003. 2. Incentives to encourage long-term protection and restoration of coastal natural character 3. Priorities for natural character restoration in the coastal environment (e.g., https://www.nrc.govt.nz/media/en5buclz/naturalcharactermappingmethodology.pdf) <p>2. Include a rule that requires consent to fell or significantly prune isolated mature indigenous trees such as pohutukawa within the coastal environment</p> <p>OR</p> <p>Expand Schedule 1 Notable trees- to include all these trees</p>	S451.017 S451.018 & S451.019
Appendix 1 Mapping methods and criteria for natural character	Oppose in part	The listed criteria for the mapping of coastal natural character differ from what was actually used to map natural character for the RPS in 2012.	<p>Incorporate into the District Plan the definitions, criteria and methodology used for mapping the natural character in the Regional Policy Statement for Northland. This information can be found at https://www.nrc.govt.nz/media/en5buclz/naturalcharactermappingmethodology.pdf</p>	S451.020
Other matters		1. Monitoring and compliance are	1. Include an environmental monitoring and compliance strategy as an	S451.021

Section in plan	Position	Reasons for position	Relief sought	
		<p>needed to assess the effectiveness of the district plan rules for addressing matters in Part 2 of the Resource Management Act. Monitoring and compliance are not adequately addressed in the proposed district plan</p> <p>2. Many people are unaware or choose to be unaware of the requirements for consent for activities such as vegetation clearance. This means that requirements for retrospective consent are common</p>	<p>Appendix to the Plan</p> <p>2. Implement a public awareness programme with Northland Regional Council to inform better people of the requirements for consent for activities such as vegetation clearance, land drainage and earthworks.</p>	
Schedule 1 Notable trees	Oppose in part	<p>1. This Schedule is incomplete, as many notable indigenous trees and groups of trees have been excluded</p> <p>2. The Far North has many notable pohutukawa outside of existing forests that are vulnerable to human disturbance (including clearance for views), possums and myrtle rust</p> <p>3. This Schedule protects some invasive alien pest plant specimens, which is inappropriate</p>	<p>1. Remove all pest plants from the Schedule so that they can be progressively removed as seed sources being distributed far and wide by birds and wind</p> <p>2. Add additional notable pohutukawa in the Bay of Islands and elsewhere, including many fringing the water margins and contributing to its natural character</p> <p>3. Add tall matai and kauri on the north shore of the Waikare Inlet</p>	S451.022
Schedule 4 Schedule of significant	Oppose in part	This schedule is empty, and there are few incentives for it to be used by landowners	Provide additional incentives for this schedule, as discussed above in the biodiversity part of this submission	S451.023

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natural areas			
Schedules 7 and 8- High and outstanding natural character	Support	Land use changes, vegetation succession and more detailed information/imagery obtained since 2012, indicate that the natural character mapping for a few locations should be updated. Some locations, primarily in the Bay of Islands and the Far North, should be more highly ranked	Update the natural character mapping to include additional locations (for ONC and HNC) and remove a few areas of HNC that have been cleared since 2012. The latter is primarily in the Bay of Islands.
Zoning maps	Oppose in part	Some zoning does not provide adequate environmental protection and incentives for reserves or permanently covenanted land (e.g., some ecological restoration projects are inappropriately zoned (e.g., rural living or production)	Amend the zoning maps to natural open space to provide better protection and reduced rates for ecological restoration projects in areas such as: <ul style="list-style-type: none"> • The Pipiroa wetland on the Russell Peninsula, • The Wairoa Park QE11 covenant on the Russell Peninsula, • The Tangatapu wetlands and hillside FNDC covenant at the start of the walkway to Whangamumu from 717 Rawhiti Road

S451.024 &
S451.025

S451.026