

# Further submission form



## Proposed Regional Policy Statement or Northland

### Form 6, Clause 7 & 8 of First Schedule, Resource Management Act 1991

(Please refer to our online guide to making a further submission for help on how to fill out this form [www.nrc.govt.nz/newRPS](http://www.nrc.govt.nz/newRPS))

Submitter details (please print clearly)

<input type="checkbox"/> Dr	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	Other (please specify)
First name: Nicola			Surname: de Wit		
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Please write your submission in the space provided below and send to:

Kathryn Ross General Manager - Planning and Policy Northland Regional Council Freepost 139690 Private Bag 9021, Whāngārei Mail Centre Whāngārei 0148	Fax: 09 470 1202  Email: <a href="mailto:mailroom@nrc.govt.nz">mailroom@nrc.govt.nz</a>
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**Further submissions must be received no later than 3pm, Friday 1 March 2013**

### Hearing

<input type="checkbox"/> Please ✓	<b>Do you wish to appear in support of your submission?</b>
<input type="checkbox"/>	I DO NOT wish to appear in support of my submission
<input checked="" type="checkbox"/>	I DO wish to appear in support of my submission
<input type="checkbox"/> Please ✓	<b>If others make a similar submission would you be prepared to consider presenting a joint case with them at any hearing?</b>
<input type="checkbox"/>	I DO NOT wish to present a joint case
<input checked="" type="checkbox"/>	I DO wish to present a joint case

**Choose one** (see Resource Management Act 1991, Schedule 1, Clause 8)

<input checked="" type="checkbox"/>	I am a person representing a relevant aspect of the public interest.
<input type="checkbox"/>	I am a person who has an interest in the proposal that is greater than the interest the general public has.
<input type="checkbox"/>	I am the local authority for the relevant area.

Please explain in the space below why you come within the category indicated above:

EDS is a not for profit environmental advocacy organisation comprising resource management professionals committed to improving environmental outcomes, including through input into regional planning processes.

Signature: \_\_\_\_\_ Date: 1 March 2013 \_\_\_\_\_

Submissions are considered public subject to the provisions of the Local Government Official Information and Meetings Act 1987.

*(A signature is not required if you make your submission by electronic means)*



### Your Further Submission(s)

Please use the table below to indicate the submissions (or parts of submissions) that you support or oppose. Two examples are provided. For handwritten submissions, please attach additional pages as necessary. For electronic submissions, the rows will automatically expand to fit. Additional rows can be added at the end by using the "Tab" on your keyboard.

<b>Submitter Name</b>	<b>Submitter number</b>	<b>Reference number(s)</b>	<b>Support/ Oppose</b>	<b>Reason for support/opposition (State the reason for your views)</b>
Director General of Conservation	568	2	Support	All economies are dependent on a healthy environment and the ecosystem services the environment provides. The RPS should reflect this dependency.
Royal Forest & Bird Protection Society of New Zealand Inc. Bellingham M.	284	1	Support	Sustainable management does not require that use and protection should be 'balanced'. It is about achieving wellbeing while maintaining environmental bottom lines.
Northland Chamber of Commerce	085	2A	Oppose	The precautionary approach is a statutory requirement and must be applied (section 32(4)(b)). It is a necessary resource management technique in situations of uncertainty.
Royal Forest & Bird Protection Society of New Zealand Inc. Bellingham M.	284	4	Support	The relief sought contains significant resource management issues. The precautionary approach is a statutory requirement and must be applied (section 32(4)(b)). The management of air quality and soil conservation is a requirement to achieve sustainable management (section 5(2)(b)).
Whangarei District Council	291	14	Support	The relief sought is consistent with the sustainable management purpose (section 5(2)(b)) and recognises that wellbeing is dependent on a healthy environment and the ecosystem services it provides.
Director General of Conservation	568	7	Support	The submission identifies other regionally significant issues, including climate change, riparian vegetation, and ecosystem services.
Director General of Conservation	568	8	Support	The loss of habitats and ecosystems is a significant resource management issue.
Marunui Conservation Ltd, Hawley C	425	3	Support	Vegetation clearance is still occurring and stating that it is "mainly historical" is incorrect and weakens the issue.
Northland Fish and Game Council	788	3	Support	There is a need to restore and protect wetlands due to the significant losses that have occurred and the significant benefits they provide.

Director General of Conservation	568	9	Support	We agree with the proposed additions to the issue.
Director General of Conservation	568	12	Support	The relief sought correctly identifies that loss of values has occurred and will continue to occur unless addressed.
Federated Farmers of New Zealand	746	30	Oppose	Changes in the use of production land may result in deterioration of natural character. Not all production land activities will be considered “appropriate” under section 6(a) of the RMA.
Marunui Conservation Ltd, Hawley C	425	4	Oppose	The issue should not be limited to outstanding areas protected by section 6. There is a need to consider amenity (s7(c), definition of ‘environment’) and the quality of the environment (s7(f)).
Director General of Conservation	568	13	Support	It is essential to meet bottom lines providing for biophysical and intrinsic values of water before providing for other uses and values.
Horticulture New Zealand and Northland Horticulture Forum	830	5	Oppose	Prioritising biophysical bottom lines and intrinsic values is consistent with the RMA and NPSFM - section 5 requires the life-supporting capacity of water to be safeguarded and this is built on by objective A1 and B1 of the NPSFM.
Federated Farmers of New Zealand	746	33	Oppose in part Support in part	The submitter states that the objective inaccurately reflects s6(a). We note that it accurately reflects objective A2 of the NPSFM. The submitter states that the objective should contain regional direction. We agree and submitted that it should direct that these water bodies must be swimmable, fishable and support healthy ecosystems, including indigenous species.
Northland Fish and Game Council	788	7	Support	All bodies of water require a level of protection.
Dairy NZ, Parsons O	743	5	Oppose	Management of fresh water where there is high demand will require prioritisation of activities outcome of the critical purposes set out in the RMA. A laissez faire approach will not achieve the purpose of the RMA and the objectives of the NPSFM.
Director General of Conservation	568	15	Support	There is a need to specify that the water that is available to be allocated is that which is left after in stream values and environmental flows have been allowed for in order to ensure the objectives and policies of the NPSFM are achieved.
Northland Fish and Game Council	788	8	Support	There is a need to establish Minimum Annual Flows on every water body.

Director General of Conservation	568	16	Support	The relief sought is consistent with the RMA and NPSFM and is clearer.
Federated Farmers of New Zealand	746	37	Support	It is not acceptable for degradation of one water body to be tolerated if water quality is improved elsewhere. There is a need for progressive improvement of water quality in the region.
Royal Forest & Bird Protection Society of New Zealand Inc. Bellingham M.	284	6	Support	We agree that the objective of maintaining water quality while progressively improving various characteristics is internally inconsistent. There is a need to replace 'maintain' with 'improve'.
Director General of Conservation	568	17	Support	This objective must give effects to s5, s6(c), s7(d) and the NZCPS. It is relevant to regional and district council functions of maintaining indigenous biodiversity (ss 30 and 31). The relief sought is supported. In particular the deletion in the explanation of the "focus ... on the quality of indigenous ecosystems rather than their overall extent". Such a focus is inconsistent with the functions of regional and district councils and Part II of the RMA.
Director General of Conservation	568	18	Support	Ecosystem services are a significant contributor to economic wellbeing and the importance of protecting this contribution should be recognised.
Northland Fish and Game Council	788	11	Support	It is important that the objective recognises that economic wellbeing cannot be divorced from environmental wellbeing. Agriculture, recreation and tourism are key to Northland's economy and are particularly dependant on a healthy environment.
Director General of Conservation	568	19	Support	Northland's economy is dependent on the quality of its natural environment. Tourism is a particular example but agriculture is also dependant on a healthy environment.
New Zealand Transport Agency, Gielen T	784	16	Oppose in part	It is appropriate for the objective to consider environmental and cultural outcomes. We agree that infrastructure is not likely to often enhance environmental outcomes but the objective should provide that they must not breach environmental bottom lines. Once that requirement is met the other well beings should then be considered.
Fonterra Co-operative Group Ltd	681	8	Oppose	Secure sources of energy are not limited to non-renewable sources. To the contrary renewable local energy sources are likely to improve security of supply.
Director General of Conservation	568	21	Support	The objective needs to recognise the need to prioritise biophysical bottom lines.
Director General of Conservation	568	22	Support	The objective needs to recognise the significant issue of sprawling and sporadic lifestyle and coastal subdivision in Northland.

The Energy Efficiency and Conservation Authority, Hood T	699	7	Support	The objective should also refer to opportunities to improve energy efficiency through efficient design, location and function of development.
Whangarei District Council	291	54	Support	It is necessary to avoid inappropriate development in hazard prone areas. Policy 25 of the NZCPS requires local authorities to avoid increasing the risk of harm from coastal hazards. The suggested replacement of (d) with “the protection and restoration of natural defences” is consistent with policies 25 and 26 of the NZCPS.
Aquaculture New Zealand	836	22	Oppose	The relief requested is inconsistent with section 6(a) and the NZCPS. All areas of natural character must be preserved – not just a representative portion of areas.
Bay of Islands Maritime Park	593	10	Support	The reference to the margins of freshwater bodies only is inconsistent with s 6(a) and should be amended to include freshwater bodies themselves.
Director General of Conservation	568	24	Support	In particular we support the reference to significant indigenous vegetation and habitats of indigenous fauna. We also support the recognition of public access and water quality which are both fundamental to Northland’s character and referred to in ss 6 and 5 of the RMA respectively. We also support the reference to policy 13 and 15 of the NZCPS which require the avoidance of all adverse effects of outstanding natural features and landscape and outstanding natural character areas.
Federated Farmers of New Zealand	746	48	Oppose	Not all production land activities will be considered “appropriate” under section 6(a) of the RMA. There needs to be consideration of what activities or scale of activities do not detract from natural character and landscape values.
Director General of Conservation	568	26	Support	We agree that the policy needs to include a timeframe to the development of coastal water quality classifications and standards.
Balance Agri-Nutrients	470	18	Oppose	The approach is consistent with the NPSFM. Section 5 matters will be considered when the objectives and limits are established through the regional plan process. There is no need for specific reference to this aspect.
Northland Fish and Game Council	788	16	Support	We agree that the policy needs to include a timeframe for the development of objectives and limits.
Irrigation NZ	831	7	Oppose	The use of a precautionary approach is appropriate where there is insufficient information. Paragraph (e) should be retained.
Director General of Conservation	568	32	Support	There is need to direct the protection of in stream values and aquatic habitat integrity – particularly during the interim period during which over-allocation is being phased out.

Federated Farmers of New Zealand	746	60	Oppose	Promotion is too weak, there is a need to require efficient use. Alternatively the terminology from the NPSFM could be adopted “improve and maximise”.
Fonterra Co-operative Group Ltd	681	13	Oppose	The ‘default’ under the RMA is a “first in, first served” approach. This does not prevent local authorities adopting a more refined allocation method.
Director General of Conservation	568	33	Support	The allocation of water should only be considered after allowing for environmental flows to protect in-stream aquatic values and the life supporting capacity of water. Applicants should be required to demonstrate that the quantity applied for is within environmental limits, including consideration of climate change.
Director General of Conservation	568	35	Support	We agree that there is a policy gap.
Whangarei District Council	291	84	Support	The proposed method lists relevant adverse effects on indigenous biodiversity and correctly identifies that these adverse effects are cumulative.
Far North District Council	362	26	Oppose	The policy is consistent with policy 11 of the NZCPS.
Horticulture New Zealand and Northland Horticulture Forum	830	53	Oppose	Section 6(c) sets a minimum standard, not a maximum. It is consistent with s 5 to protect vulnerable and high value areas and species in addition to significant vegetation and habitats.
Director General of Conservation	568	37	Support	Activities that safeguard indigenous ecosystems and species should be supported, however only where the other adverse effects of the activity are acceptable.
Director General of Conservation	568	38	Support	There is a need for more guidance as to when biodiversity offsets may be appropriate.
Federated Farmers of New Zealand	746	69	Support in part	We agree that “unreasonably” is too vague. We suggest that the paragraph should read “Not <del>unreasonably</del> restrict the <u>appropriate</u> use of production land, including forestry”.
Farmers of New Zealand Inc, Guest B	363	9	Oppose	Economic factors are not relevant when carrying out a mapping exercise as it is a factual exercise. They are relevant to the extent provided in the RMA when determining what objectives, policies and rules should apply to the mapped areas. There should not be ‘double-counting’.

Federated Farmers of New Zealand	746	72	Oppose	The relief sought is likely to be inconsistent with Part II of the RMA and the NZCPS. There is no justification for restricting controls to parcels of land under 40ha. There must be consideration of the effects on the environment.
Federated Farmers of New Zealand	746	73	Oppose	It is appropriate for the RPS to identify the coastal environment and other areas. This provides certainty to all parties regarding the extent of these areas and the application of the relevant objectives, policies, and methods.
Whangarei District Council	291	88	Support	The policy has a number of problems as identified by the submitter.
Marunui Conservation Ltd, Hawley C	425	29	Support	Outstanding natural landscapes and features are “outstanding” whether they are in or outside of the coastal environment. They require the same level of protection.
Mighty River Power Ltd	783	11	Oppose	The policy is consistent with policy 13 and 15 of the NZCPS.
TrustPower Ltd	539	19	Oppose	The relief sought is inconsistent with and substantively weaker than policy 13 of the NZCPS.
Director General of Conservation	568	46	Support	Vegetation clearance and earthworks are activities which can have significant adverse effects and should be subject to control in regional plans to allow regional councils to fulfil their functions of soil conservation, maintaining and enhancing quality of water, maintaining indigenous biological diversity, etc (section 30 of the RMA)
Marunui Conservation Ltd, Hawley C	425	37	Support	Amenity is a regionally significant issue and it is an explicit requirement of the RMA due to section 7(c) and the definition of ‘environment’ which includes “amenity values”. Therefore s 5 requires local authority to avoid, remedy or mitigate adverse effects of activity on amenity values.
Marunui Conservation Ltd, Hawley C	425	38	Support	Cumulative effects are not limited to the coastal environment. Cumulative effects are notoriously difficult to manage and thus require clear direction as to management. The method needs to recognise the threat of cumulative effects in all areas.
TrustPower Ltd	539	20	Oppose in part	The submitter correctly identifies that a reference to “inappropriate subdivision, use and development” would be consistent with s6 RMA and policy 13 NZCPS. However, the relief sought positions the statement within the policy in such a way that it is inconsistent with the NZCPS which reads: “ <u>To</u> preserve the natural character of the coastal environment and <u>to</u> protect it from inappropriate subdivision, use and development: (a) avoid adverse effects... (b) avoid significant adverse effects...” I.e. policy 13 has already set the bar for determining appropriateness.



Whangarei District Council	291	93, 94	Oppose in part	The relief sought makes significant changes to the structure of the method which raises a number of issues. It limits controls on indigenous vegetation to significant indigenous vegetation. This inconsistent with the functions of regional and district councils to maintain indigenous vegetation (ss 30 and 31). It limits the method to outstanding natural landscapes and features, whereas the notified version also applies to natural character. It removes the 'standard' from (2) i.e. it does not require controls to avoid adverse effects in the coastal environment and avoid significant adverse effects elsewhere.
Director General of Conservation	568	47	Support in part	The policy at current may allow activities whose effects are overall unacceptable, it there is some benefit. The policy must ensure that it only enables activities that have a net environmental benefit.
Winstone Aggregates	560	30	Oppose	Promoting the improvement of natural character should not be limited to areas outside of 'regionally significant mineral resources'. It is not guaranteed that extraction will occur in such areas.
Director General of Conservation	568	53	Support	We agree that there is need for a qualification stating that all policies and methods of the RPS must be considered and that this should be included in the policy itself for certainty and clarity.
Ngatiwai Trust Board	632	36	Support in part	We agree that (a) seems to paraphrase s 32 however we add that if it is to do this it needs to complete the reference to precaution as required by s32(4)(b).
Whangarei District Council	291	134	Support	The relief sought " <u>avoid increasing</u> minimise" is consistent with policy 25 NZCPS.
Bay of Islands Maritime Park	593	28	Support	New subdivision should be prohibited in identified flood and coastal hazard areas. Allowing subdivision in these areas will have a greater economic and environmental cost for the community over the long term. Allowing subdivision in these areas would increase the risk of social, environmental and economic harm from hazards which is, in the coastal context, inconsistent with policy 25 NZCPS.
Director General of Conservation	568	59	Support	This policy is inconsistent with the NZCPS.
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Director General of Conservation	568	65	Support	The policy is inconsistent with the NZCPS.