

Appendix V. Far North District Plan Assessment

Table 1. Chapter 8 (“Rural Environment”)

Provision No.	Provision	Comment
Objective 8.3.1	To promote the sustainable management of natural and physical resources of the rural environment.	The project is consistent with the definition of sustainable management in the RMA.
Objective 8.3.2	To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.	The project is required to enhance the life-supporting capacity of high value soils in the area by enabling horticultural land uses.
Objective 8.3.3	To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.	The application demonstrates how the adverse effects associated with the construction and operation of the proposed reservoir will be avoided and mitigated.
Objective 8.3.4	To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.	<p>The FNDP relies on the significance criteria in Appendix 3 of the previous Regional Policy Statement for Northland, which is no longer operative.</p> <p>An area of wetland within the footprint of the proposed reservoir has been identified as significant in accordance with Appendix 5 of the operative RPS. The planning framework for managing effects of activities on natural wetlands are the subject of regional council functions (refer NES-F) and RPS, which assigns the regional council with the function of controlling the use of land to maintain indigenous biodiversity within water bodies (including wetlands).</p> <p>The assessment of ecological values and effects (refer Appendix I) only confirmed the presence of one at-risk species at inhabiting terrestrial vegetation (secondary totara forest and exotic forest) at the site (New Zealand pipit) but concluded that the vegetation contains suitable habitat for long tail bats and North Island brown kiwi and two at risk herpetofauna species. It has not been confirmed if the small areas exotic forest and relatively young totara are significant habitat of indigenous fauna.</p> <p>Regardless, the applicant proposes a suite of measures to mitigate the effect of vegetation clearance on at risk and threatened species that are or may be using the site as habitat.</p>
Objective 8.3.6	To avoid actual and potential conflicts between land use activities in the rural environment.	The purpose of the project is to enable rural land use activities and is not in conflict with other land use activities.
Objective 8.3.7	To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.	The project involves vegetating the margins of the reservoir and the contributing streams and also the restoration and enhancement of other streams in the area.

Provision No.	Provision	Comment
Objective 8.3.9	To enable rural production activities to be undertaken in the rural environment.	The project will enable rural production activities in the rural environment.
Objective 8.3.10	To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.	The project is compatible with the rural amenity values and rural production activities in the area.
Policy 8.4.1	That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.	The project will contribute to sustainable management of natural and physical resource in the area, as described in the assessment of environmental effects.
Policy 8.4.2	That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded and rural productive activities are able to continue.	The project is consistent with the policy, as addressed above.
Policy 8.4.6	That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.	Loss of natural wetland within the footprint of the reservoir will be offset through the creation and enhancement of wetland outside of the footprint. Measures will be implemented to prevent and minimise adverse effects on any at risk or threatened species.

Table 2. Chapter 8.6 (“Rural Environment”)

Provision No.	Provision	Comment
Objective 8.6.3.1	To promote the sustainable management of natural and physical resources in the Rural Production Zone.	The project is consistent with the definition of sustainable management in the RMA.
Objective 8.6.3.2	To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.	The project is not contrary to the objective.
Objective 8.6.3.3	To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.	As stated, the project will ensure that the amenity values of the zone will be maintained and potentially enhanced.
Objective 8.6.3.6	To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.	It is very unlikely that the project will lead to reverse sensitivity issues.
Objective 8.6.3.8	To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.	The proposed reservoir has a functional need to be located in the rural environment because it is associated with rural production activity.
Policy 8.6.4.1	That the Rural Production Zone enables farming and rural production activities, as well as a wide	As stated, the project is associated with and will enable rural production activities, is very unlikely

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	range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.	to give rise to reverse sensitivity issues, and the adverse effects associated with the project will be avoided or mitigated.
Policy 8.6.4.7	That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.	It is very unlikely that the proposed reservoir will conflict with any existing or new rural land use activities.

Table 3. Chapter 12.2 (“Indigenous Flora and Fauna”)

Provision No.	Provision	Comment
Objective 12.2.3.1	To maintain and enhance the life supporting capacity of ecosystems and the extent and representativeness of the District’s indigenous biological diversity.	It is considered that the project will not compromise the achievement of the objective, particularly through the implementation of measures to avoid and mitigate adverse effects and because of wetland and stream offsetting measures.
Objective 12.2.3.2	To provide for the protection of, and to promote the active management of areas of significant indigenous vegetation and significant habitats of indigenous fauna.	The small area of exotic forest and terrestrial vegetation has not been assessed as significant habitat of indigenous fauna. However, some natural wetland within the reservoir footprint has. It is proposed that the loss of area of natural wetland be offset through the creation and enhancement of wetland outside of the reservoir footprint.
Policy 12.2.4.1	That areas of significant indigenous vegetation and significant habitats of indigenous fauna be protected for the purpose of promoting sustainable management with attention being given to: (a) maintaining ecological values; (b) maintaining quality and resilience; (c) maintaining the variety and range of indigenous species contributing to biodiversity; (d) maintaining ecological integrity; and (e) maintaining tikanga Maori in the context of the above	This policy has been assessed with reference to other related objectives and policies.
Policy 12.2.4.3	That adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna are avoided, remedied or mitigated by: (a) seeking alternatives to the disturbance of habitats where practicable; (b) managing the scale, intensity, type and location of subdivision, use and development in a way that avoids, remedies or mitigates adverse ecological effects; (c) ensuring that where any disturbance occurs it is undertaken in a way that, as far as practicable: (i) minimises any edge effects; (ii) avoids the removal of specimen trees; (iii) does not result in linkages	This policy has been assessed with reference to other related objectives and policies.

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	with other areas being lost; (iv) avoids adverse effects on threatened species; (v) minimises disturbance of root systems of remaining vegetation; (vi) does not result in the introduction of exotic weed species or pest animals; (d) encouraging, and where appropriate, requiring active pest control and avoiding the grazing of such areas.	
Policy 12.2.4.4	That clearance of limited areas of indigenous vegetation is provided for	The total quantity of indigenous terrestrial vegetation that will be removed within the reservoir footprint is 0.17 ha (secondary totara forest).

Table 4. Chapter 12.3 (“Soils and Minerals”)

Provision No.	Provision	Comment
Objective 12.3.3.1	To achieve an integrated approach to the responsibilities of the Northland Regional Council and Far North District Council in respect to the management of adverse effects arising from soil excavation and filling, and minerals extraction.	It is understood that FNDC has transferred its functions, powers and duties for processing, administering, and enforcing land use consents for construction earthworks for earth dams to NRC. ¹
Objective 12.3.3.3	To avoid, remedy or mitigate adverse effects associated with soil excavation or filling.	Erosion and sediment control measures that will be undertaken are thoroughly described in the assessment of environmental effects.
Policy 12.3.4.1	That the adverse effects of soil erosion are avoided, remedied or mitigated.	
Policy 12.3.4.4	That soil excavation and filling, and mineral extraction activities be designed, constructed and operated to avoid, remedy or mitigate adverse effects on people and the environment.	

Table 5. Chapter 12.7 (“Lakes, Rivers, Wetlands and the Coastline”)

Provision No.	Provision	Comment
Objective 12.7.3.1	To avoid, remedy or mitigate the adverse effects of subdivision, use and development on riparian margins.	The construction of the reservoir will result in the loss of stream extent within the reservoir footprint. To offset and compensate for the loss, stream restoration measures will be undertaken outside of the reservoir footprint.
Objective 12.7.3.2	To protect the natural, cultural, heritage and landscape values and to promote the protection of the amenity and spiritual values associated with the margins of lakes, rivers and indigenous wetlands and the coastal environment, from the adverse effects of land use activities, through proactive restoration/rehabilitation/revegetation.	As stated, the margins of the reservoir and contributing streams will be vegetated to maintain and enhance natural character and amenity values. Stream and wetland offsetting compensation measures will also be implemented. It is expected that the wetland and stream offsetting and compensation measures will be

¹ Transfer of Functions, Powers and Duties Pursuant to Section 33 Resource Management Act 1991. 13 December 2006. Revised Transfer Agreement between the Far North District Council and the Northland Regional Council.

Objective 12.7.3.6	To protect areas of indigenous riparian vegetation: (a) physically, by fencing, planting and pest and weed control; and (b) legally, as esplanade reserves/strips.	protected through some form or legal mechanism and will involve fencing and weed control.
Objective 12.7.3.7	To create, enhance and restore riparian margins.	
Policy 12.7.4.1	That the effects of activities which will be generated by new structures on or adjacent to the surface of lakes, rivers and coastal margins be taken into account when assessing applications.	The effects of the proposed reservoir are addressed in detail in the assessment of environmental effects.
Policy 12.7.4.2	That land use activities improve or enhance water quality, for example by separating land use activities from lakes, rivers, indigenous wetlands and the coastline, and retaining riparian vegetation as buffer strips.	It is possible that the project will result in improved downstream water quality as a consequence of it attenuating contaminants (e.g., sediment and faecal pathogens). The creation of vegetated riparian buffer strips is also likely to attenuate contaminants and improve water quality.
Policy 12.7.4.3	That adverse effects of land use activities on the natural character and functioning of riparian margins and indigenous wetlands be avoided.	The network of streams on site are, for the most part, characterised by modified straightened and deepened channels. The site also comprised fragmented areas of wetland degraded by stock access and other modifications. Overall the natural character of the water bodies is low. The applicant is proposing to develop and implement a wetland and stream offsetting and compensation plan that involves the creation and enhancement of wetland within the area and restoration and enhancement of streams outside the reservoir footprint. It is considered that measures will result in a net improvement in natural character and functioning of water bodies.
Policy 12.7.4.5	That activities which have a functional relationship with waterbodies or the coastal marine area be provided for.	The proposed reservoir has a functional need to be constructed at the location.