

### Biodiversity Management Plan Tracking Sheet

| Date Initiated: |        |                                    | Total Grant:                             |         |
|-----------------|--------|------------------------------------|--|---------|
| Date            | Person | Action<br>(e.g. checking approval) | Comments<br>(e.g. what is required next) | Sent to |
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# **Biodiversity Management Plan**

## **(No Encumbrance)**

### **Maketū Ongatoro Wetland Society – Maketū Spit**

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*Prepared by: Ryan Standen – Land Management Officer*

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BMP Site No.:

File Reference No.:

Date:

Objective ID:

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# Contents

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|          |  |                      |
|----------|--|----------------------|
| <b>1</b> | <b>Site introduction</b> .....                             | <b>3</b>             |
| 1.1      | Description.....   | 3                    |
| 1.2      | Landowner(s).....  | 3                    |
| 1.3      | Site Map .....   | <a href="#">34</a>   |
| 1.4      | Partners to the plan .....                                 | 4                    |
| <b>2</b> | <b>Site biodiversity status</b> .....                      | <b>4</b>             |
| <b>3</b> | <b>Site threat evaluation</b> .....                        | <b>6</b>             |
| 3.1      | Threat assessment .....                                    | 6                    |
| 3.2      | Threat evaluation .....                                    | 6                    |
| <b>4</b> | <b>Site goals, objectives and outcome monitoring</b> ..... | <b>9</b>             |
| 4.1      | Biodiversity management plan goals .....                   | 9                    |
| 4.2      | Site operational objectives .....                          | 9                    |
| <b>5</b> | <b>Work Programme</b> .....                                | <b>9</b>             |
| 5.1      | Work programme .....                                       | 9                    |
| 5.2      | Site compliance monitoring of works (operations) .....     | 14                   |
| 5.3      | Biodiversity outcome monitoring .....                      | <a href="#">1615</a> |
| <b>6</b> | <b>Consultation</b> .....                                  | <b>17</b>            |
| <b>7</b> | <b>Work Programme Map</b> .....                            | <b>19</b>            |
|          | <b>Biodiversity Management Plan Agreement</b> .....        | <b>21</b>            |
|          | Appendix 1 – Site information.....                         | 29                   |
|          | Appendix 2 – Bait station/trap line maps .....             | 31                   |
|          | Appendix 3 – Pest Plant infestation maps .....             | 32                   |



# PART A

## 1 Site introduction

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### 1.1 Description

Maketū Spit is 45ha of coastal duneland located at the mouth of Kaituna River. The spit is crown land, which is owned and administered by Western Bay of Plenty District Council (WBOPDC) as a Recreation Reserve. There is an adjoining estuary habitat; the Maketū Wildlife Management Reserve. It is administered by the Department of Conservation (DoC). The Department of Conservation are supporting the BMP and Maketū Ongatoro Wetlands Society (MOWS) by contributing towards ecological monitoring and pest control costs.

In 2011 a Biodiversity Management Plan (BMP) agreement was implemented by MOWS, BOPRC, DoC, and WBOPDC with the aim of restoring the ecological integrity of the site. The original five year work programme has now been completed and objectives either achieved or ongoing. This BMP is a continuation of the original management plan with redefined objectives and work programme that builds on the restoration success and development of MOWS to date.

Protection site 45 (hectares): Identify how many hectares are to be protected within the protection site, and what the Land Use Capability (LUC) of each site is. LUC is a system used by Regional Councils to grade land. The system runs from one (flat, fertile silt loams with a wide range of productive uses) to eight (very steep, rocky or sandy country with no production potential). Class 4 land is the steepest land potentially arable.

| Area number | Description | Size (ha) | LUC unit | Stream length <sup>1</sup> protected (m) | Stream margin <sup>2</sup> protected (m) | New fencing erected <sup>3</sup> (m) |
|-------------|-------------|-----------|----------|--|--|--------------------------------------|
| 1           | Maketū spit | 45        | 8e1      | 0  | 0  | 0                                    |

Note 1: 'Stream length protected' measures the length of any stream, wetland or riparian area protected from stock access by these works (i.e. on both sides). If stock still have access to the same stream or wetland from the other bank then this is not counted.

Note 2: 'Stream margin protected' measures the length of streambank protected from stock access by these works (i.e. each side of the stream or wetland is counted separately).

Note 3: Actual length of new fencing to be erected under this agreement.

### 1.2 Landowner(s)

Current owner/s      Western Bay of Plenty District Council  
Address                  Private Bag 12803, Tauranga Mail Centre, Tauranga

### 1.3 Site Map



## 1.4 Partners to the plan

Partner(s)                      Maketū Ongatoro Wetland Society  
    Western Bay of Plenty District Council  
    Department of Conservation  
    Bay of Plenty Regional Council

Project Manager(s)    Julian fitter (MOWS)

Bay of Plenty Regional Council  
 Council Liaison Officer      Ryan Standen (BOPRC)

*(If the project manager is a Bay of Plenty Regional Council officer, then that officer will also be the Bay of Plenty Regional Council Liaison Officer)*

## 2 Site biodiversity status

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The BMP site is covered by Indigenous Biological Diversity Area A Maketū Spit and Wildlife Management Reserve in the Proposed Bay of Plenty Regional Council Coastal Plan. The site contains sand dune vegetation that is of regional significance



and provides habitat for at risk and regional uncommon plant species, threatened and at risk bird species and not threatened reptiles.

Below is summary of known biodiversity indicators from the 2008 Wildlands SNA survey and Wildlands Significant Natural Areas in the Coastal Environment (2012) which are supporting documents for the Proposed Bay of Plenty Regional Council Coastal Plan (2012) and how MOWS has addressed these indicators in their work plan.

### **Indigenous Vegetation**

The spit vegetation is dominated by indigenous species such as spinifex, pingao (at risk-relict), and pohuehue. Sand tussock (at risk-declining) had been recorded on the distal end adjoining the Maketū Ongatoro estuary mouth, however it was not recorded in 2008 and presumed eroded away or browsed by rabbits.

MOWS have undertaken a significant amount of coastal planting with spinifex and pingao on the foredune and undertook a backdune planting trial of coastal trees. MOWS has focused dune planting and pest control (browsers and predators) on the distal end to provide habitat for nesting shorebirds which has brought back a small section of sand tussock and previously un-recorded native ice-plant (not threatened).

### **Introduced Vegetation**

Radiata pine and pampas along the estuary edge; and kikuyu and tall fescue grass on the main access tracks and spreading into the dunes; were listed as the main introduced vegetation threats to the site. Tree lupin *Lupinus arboreus* and purple groundsel *Senecio elegans* are also present but controlled and no longer present a serious threat but will continue to be controlled by hand-pulling.

MOWS has poisoned the majority of Radiata Pine and planted native trees amongst them, as the pine will still provide shelter as they decay. Pampas has been sprayed successfully with minimal regrowth. Tall fescue is the main ecological threat to dunes, as it creates an exclusive holding and impacts on the natural gradation from dunes grasses back to pohuehue. Controlling Tall fescue is the major focus of the pest plant programme this coming year.

Burr medick *medicago minima* and suckling clover *Trifolium dubium* have also become established on the distal end and are threatening to change the nature of the vegetation there, control of these species will be a priority over the term of the BMP.

### **Indigenous Fauna**

The spit and Maketū Estuary provides high-value breeding habitat for native birds, specifically the Northern New Zealand Dotterel (Threatened-Nationally Vulnerable), variable oystercatcher (At Risk-Recovering), North Island Fern bird (At risk-declining) and a range of other threatened migratory birds. MOWS undertakes an extensive bird count monitoring programme to record: species population numbers, banded or non-banded, and age class, and a comment on previous years versus current year observations. Overall for commonly recorded species, population numbers have increased, with exception of 2011 Rena disaster, with population numbers now plateauing as suitable habitat is limited. There is evidence that New Zealand Dotterel from Maketū spit have migrated out from the spit to populate Dotterel Point, Pukehina and Newdicks Beach. Monitoring results are summarised in the attached annual reports. Recently, Birdlife International published its list of Seabird Important Bird areas (IBAs) in New Zealand; Maketu was noted as one of

only 17 on the mainland of North Island. This is a significant accolade and must in part be put down to the work that MOWS has been doing over the last five years in reporting and monitoring native bird species

The 2008 SNA report states that shore skink are common along the spit but there is no other data. MOWS has undertaken extensive invertebrate and reptile monitoring on the site using pitfall traps and ondulate covers. This monitoring confirmed a significant population of shore skink *Oligasoma smithii*. A single Rainbow skink was captured during the monitoring process, likely introduced with native plants. The area is being regularly monitored for additional individuals. An invertebrate survey conducted in 2010 listed over 100 species of invertebrate including and

~~four undescribed species. Unfortunately, Rainbow skinks were also recorded, their presence is most likely from plants supplied from local nursery.~~

### **Conditions and Pressures**

Domestic cat, hedgehogs, and mustelids were recorded as the main pest threat for this site. Rats, mice and rabbits were found by MOWS to provide an equal threat to the site. MOWS control of these pests, through poisoning and trapping, will remain ongoing but catch records have improved over the 5 years as technique improved and number of traps increased. Tracking tunnel results this season on the distal end showed no rats for the first time. As noted above, breeding success of birds has improved, which can be attributed to increased pest control on the spit through the BMP.

## **3 Site threat evaluation**

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### **3.1 Threat assessment**

#### **3.1.1 Pest animal threat**

Introduced mammalian species pose a major threat to the breeding success of the all native species. Eradication of all pest animal threats is unrealistic, but their controlled management is achievable.

#### **3.1.2 Pest plant threat**

At present invasive pasture weeds are the biggest threat to change the nature and biology of the spit and reduce its attractiveness as an open sand spit habitat for native species. Habitat restoration is vital to ensure the continued survival of the spit for native biodiversity and an invaluable natural protection from storms and other natural events.

#### **3.1.3 Human intrusion**

Vehicle access on the beach and human intrusion in the nesting area is a threat to habitat and nesting birds. Human intrusion has reduced due to tape fencing at the mole and around the distal end.

MOWS is working with Maketū school and other locals groups to educate them on the values of the site and what impact their behaviour has, both positive and negative, this is seen as ongoing long term solution.

### 3.2 Threat evaluation

The following threat evaluation summarises currently, knowledge sourced from MOWS and Bay of Plenty Regional Council staff.

| Pest animals   |  | Notes/Trends   |
|----------------|--|--|
| Possums        | <input checked="" type="checkbox"/> Absent <input type="checkbox"/> Present <input type="checkbox"/> High <input type="checkbox"/> Medium<br><input type="checkbox"/> Low            | Not recorded   |
| Mustelids      | <input type="checkbox"/> Absent <input checked="" type="checkbox"/> Present <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium<br><input type="checkbox"/> Low | Stoat numbers caught has increased. Potentially due to more traps or more breeding birds on the site |
| Goats and deer | <input checked="" type="checkbox"/> Absent <input type="checkbox"/> Present <input type="checkbox"/> High <input type="checkbox"/> Medium<br><input type="checkbox"/> Low            | None   |
| Wallaby        | <input checked="" type="checkbox"/> Absent <input type="checkbox"/> Present <input type="checkbox"/> High <input type="checkbox"/> Medium<br><input type="checkbox"/> Low            | None   |
| Rabbits/hares  | <input type="checkbox"/> Absent <input checked="" type="checkbox"/> Present <input type="checkbox"/> High <input type="checkbox"/> Medium<br><input checked="" type="checkbox"/> Low | Reduced significantly, <u>none currently on site</u>   |
| Hedgehogs      | <input type="checkbox"/> Absent <input checked="" type="checkbox"/> Present <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium<br><input type="checkbox"/> Low | Numbers caught has increased due to second trapping fence being installed.                           |
| Rats           | <input type="checkbox"/> Absent <input checked="" type="checkbox"/> Present <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium<br><input type="checkbox"/> Low | Numbers reduced on distal end where there is intensive poison and trapping                           |
| Cats           | <input type="checkbox"/> Absent <input checked="" type="checkbox"/> Present <input type="checkbox"/> High <input type="checkbox"/> Medium<br><input checked="" type="checkbox"/> Low | Controlled at Ford Rd carpark <u>and down spit</u>   |

| Pest plants         |                          |               |      |                       |                 |
|---------------------|--------------------------|---------------|------|-----------------------|-----------------|
| Common name         | Botanical name           | Density       | Area | Descriptive location  | Level of threat |
| Pampas              | Cortaderia selloana      | low           |      | Scattered over spit   | medium          |
| Buffalo Grass       | Stenotaphrum secundatum  | low           |      | distal end            | low             |
| Kikuyu Grass        | Cenchrus clandestinus    | medium        |      | Muehlenbeckia heath   | medium          |
| Salt-water Paspalum | Paspalum vaginatum       | medium        |      | Water margins, inside | medium          |
| <u>Sea Couch</u>    | <u>Agropyron pungens</u> | <u>medium</u> |      | <u>Water margins</u>  | <u>medium</u>   |

|   |  |             |  |                           |   |
|---|--|-------------|--|---------------------------|---|
|   |  |             |  | <u>inside</u>             |   |
| Marram Grass                                | Ammophila arenaria   | low         |  | Western end               | low   |
| Harestail                                   | Lagurus ovatus   | high        |  | All over ex muehlenbeckia | low   |
| Tall Fescue                                 | Schedonorus arundinaceus   | medium/high |  | Muehlenbeckia heath       | High  |
| Spotted Medic                               | Medicago arabica   | high        |  | Dotterel breeding area    | medium  |
| <u>Suckling Clover</u>                      | <u>Trifolium dubium</u>  | <u>high</u> |  | <u>Distal end</u>         | <u>High</u>   |
| Fat Hen                                     | Chenopodium album  | low         |  | Harbour margins           | low   |
| Tree Lupin                                  | Lupinus arboreus   | medium      |  | All over but controlled   | medium  |
| <del>Velvet</del> — <u>Purple</u> Groundsel | Senecio elegans  | low         |  | All over, controlled      | medium  |
| Cape Weed                                   | Arctotheca calendula   | low         |  | Car Park - controlled     | medium  |
| <b>Grazing</b>                              |  |             |  |                           | <b>Notes/Trends</b>   |
| Grazing                                     | <input checked="" type="checkbox"/> Absent <input type="checkbox"/> Present <input type="checkbox"/> Medium <input type="checkbox"/> High <input type="checkbox"/> Low |             |  |                           |   |
| <b>Land use threats</b>                     |  |             |  |                           | <b>Notes/Trends</b>   |
| Vehicle                                     |  |             |  |                           | Reduced after reconfiguration of carpark rocks and picnic table |

## 4 Site goals, objectives and outcome monitoring

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### 4.1 Biodiversity management plan goals

This Biodiversity Management Plan (BMP) aims to restore the ecological integrity of the spit as habitat for populations of threatened species, and maintain its important coastal ecosystem function. This Maketū spit is regionally significant, as it has remained relatively unmodified with indigenous flora species providing habitat for the diverse population of threatened native birds and invertebrates. Pest plants and animals are degrading this unique coastal habitat.

### 4.2 Site operational objectives

The following objectives define operational targets and timelines.

1. Undertake annual biodiversity outcome monitoring, and compare results against existing baseline data to determine the extent of biodiversity change.
2. Restore dominance of native vegetation on sand dune and estuary edge through native planting programmes
3. Improve breeding success of native bird populations and protect native invertebrate and reptile species by reducing abundance of mustelids, rodents, and hedgehogs to a tracking tunnel index 5% or less annually
4. Eradicate or reduce area of high threat pest plants by 75% by 2020
5. Continue environmental education with Maketū Junior School

## 5 Work Programme

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### 5.1 Work programme

The Bay of Plenty Regional Council bases its annual programme of works on the financial year starting 1 July through to 30 June; the following is an agreed timetable of works.

#### Work programme 2015/16

- Ecological monitoring – MOWS to contract ecologist to undertake plant transects in the dune and estuary habitats; tracking tunnel grid on the distal end (June); two pitfall trap reptile surveys (November and March), and preparation for pitfall trap invertebrate survey next year; and compare results against existing baseline data from the first five years to determine change. Refer to 5.3 biodiversity outcome monitoring.
- Biodiversity Monitoring MOWS volunteers to monitor shorebirds populations weekly during the breeding season (August/February) with data provided to Forest and Bird. Compare results with previous years observations to determine any population changes and correlate with pest animal control trapping results.

- Pest animal control – MOWS volunteers will maintain and fortnightly check DoC 200 traps along the two trapping fences; and maintain a network of ~~105~~ x ~~105~~ metre spaced diatrac baitstations in the nesting area during pre-breeding season (July/August). During breeding season (August to February) all traps and baitstations will be checked weekly with trap catch rates and bait take recorded and analysed by MOWS to evaluate pest animal control operations.
- Pest plant control – MOWS to undertake pest plant control in the dune and estuary habitat to reduce the area of high threat pest plants and maintain control over areas where pest plants threat status has been reduced i.e. pampas at the Ford Rd carpark.
- Coastal margin protection planting – MOWS will work with Coast Care to selectively replant areas where weed species have been removed on the dunes, and establish riparian vegetation along the estuary edge.
- Training – MOWS volunteers will undertake training to gain qualifications and experience in skills that can be used in delivering the works plan i.e. safe herbicide use, pest animal control, project management, ATV safety course and first aid. MOWS volunteer will cover 1/3<sup>rd</sup> the cost of the training.
- Rubbish Collection – MOWS volunteers to collect rubbish on the beach and carpark area four working bees per year
- Signage and interpretation – Replace “*Maketū – A special place*” sign at the Ford Road carpark with new design and orientation to make it last longer.

### **Work programme 2016/17- 2017/20**

As above with reference to following coast table for year by year variations.

## **Work Programme costs**

The Department of Conservation (DoC) is committed to the success of the BMP and will endeavour to provide ongoing funding beyond the 2015/2016 financial year. This scenario is shown in Table 2 below. However the availability of funds beyond 2015/2016 are uncertain due to changing national priorities for conservation. In the event that DoC funding is not available beyond 2015/2016 financial year, the agreement will continue with an alternative cost share arrangement shown in the second cost Table 3 below. Under both scenarios, DoC will continue to provide in-kind support on an ongoing basis.

# Cost Table with DoC for 5 years

| Area                        | Activity                           | Unit  | Quantity | Rate    | Cost           | Cost Share    |               |                                |               |               |
|-----------------------------|------------------------------------|-------|----------|---------|----------------|---------------|---------------|--------------------------------|---------------|---------------|
|                             |                                    |       |          |         |                | BOPRC         | WBOPDC        | WBOPDC - Community development | DOC           | MOWS          |
| <b>2015/16</b>              |                                    |       |          |         |                |               |               |                                |               |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 100.00   | 50.00   | 5,000          | 2,500         | 1,000         | 1,000                          | 500           | 0             |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0             | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 1,464         | 732           |
| 1                           | Pest Plant Control                 | Hour  | 240.00   | 50.00   | 12,000         | 6,000         | 2,400         | 0                              | 1,200         | 2,400         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0             | 500           |
| 2                           | Signage & Interpretation           | Sign  | 1.00     | 1500.00 | 1,500          | 750           | 300           | 300                            | 0             | 150           |
| 1                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0             | 1,125         |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0             | 0             |
| 0                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 416           | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0             | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0             | 2,600         |
| <b>2015/16 - Total</b>      |                                    |       |          |         | <b>42,375</b>  | <b>18,425</b> | <b>6,556</b>  | <b>4,472</b>                   | <b>3,580</b>  | <b>9,342</b>  |
| <b>2016/2017</b>            |                                    |       |          |         |                |               |               |                                |               |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 250           | 0             |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0             | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 1,464         | 732           |
| 1                           | Pest Plant Control                 | Hour  | 240.00   | 50.00   | 12,000         | 6,000         | 2,400         | 0                              | 1,200         | 2,400         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0             | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0             | 1,125         |
| 1                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 416           | 0             |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0             | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0             | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0             | 2,600         |
| <b>2016/2017 - Total</b>    |                                    |       |          |         | <b>38,375</b>  | <b>16,425</b> | <b>5,756</b>  | <b>3,672</b>                   | <b>3,330</b>  | <b>9,192</b>  |
| <b>2017/2018</b>            |                                    |       |          |         |                |               |               |                                |               |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 250           | 0             |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0             | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 1,464         | 732           |
| 1                           | Pest Plant Control                 | Hour  | 240.00   | 50.00   | 12,000         | 6,000         | 2,400         | 0                              | 1,200         | 2,400         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0             | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0             | 1,125         |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0             | 0             |
| 0                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 416           | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0             | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0             | 2,600         |
| <b>2017/2018 - Total</b>    |                                    |       |          |         | <b>38,375</b>  | <b>16,425</b> | <b>5,756</b>  | <b>3,672</b>                   | <b>3,330</b>  | <b>9,192</b>  |
| <b>2018/2019</b>            |                                    |       |          |         |                |               |               |                                |               |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 250           | 0             |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0             | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 1,464         | 732           |
| 1                           | Pest Plant Control                 | Hour  | 240.00   | 50.00   | 12,000         | 6,000         | 2,400         | 0                              | 1,200         | 2,400         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0             | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0             | 1,125         |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0             | 0             |
| 0                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 416           | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0             | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0             | 2,600         |
| <b>2018/2019 - Total</b>    |                                    |       |          |         | <b>38,375</b>  | <b>16,425</b> | <b>5,756</b>  | <b>3,672</b>                   | <b>3,330</b>  | <b>9,192</b>  |
| <b>2019/2020</b>            |                                    |       |          |         |                |               |               |                                |               |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 250           | 0             |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0             | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 1,464         | 732           |
| 1                           | Pest Plant Control                 | Hour  | 240.00   | 50.00   | 12,000         | 6,000         | 2,400         | 0                              | 1,200         | 2,400         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0             | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0             | 1,125         |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0             | 0             |
| 0                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 416           | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0             | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0             | 2,600         |
| <b>2019/2020 - Total</b>    |                                    |       |          |         | <b>38,375</b>  | <b>16,425</b> | <b>5,756</b>  | <b>3,672</b>                   | <b>3,330</b>  | <b>9,192</b>  |
| <b>Total Cost Programme</b> |                                    |       |          |         | <b>195,875</b> | <b>84,125</b> | <b>29,580</b> | <b>19,160</b>                  | <b>16,900</b> | <b>46,110</b> |

## Cost Share

| <b>Activity</b>                       | <b>BOPRC</b> | <b>WOPDC<br/>Reserves</b> | <b>WBOPDC<br/>Community</b> | <b>DoC</b> | <b>MOWS</b> |
|---------------------------------------|--------------|---------------------------|-----------------------------|------------|-------------|
| Ecological Monitoring                 | 50           | 20                        | 20                          | 10         | 0           |
| Biodiversity Monitoring               | 0            | 0                         | 0                           | <b>0</b>   | 100         |
| Animal Pest Control                   | 50           | 20                        | 0                           | 20         | 10          |
| Pest Plant Control                    | 50           | 20                        | 0                           | 10         | 20          |
| Coastal Margin<br>Protection Planting | 50           | 20                        | 20                          | 0          | 10          |
| Signage & Interpretation              | 50           | 20                        | 20                          | 0          | 10          |
| Rubbish Clearance                     | 0            | 0                         | 0                           | 0          | 100         |
| Project Management                    | 50           | 20                        | 20                          | 10         | 0           |
| Training                              | 50           | 0                         | 50                          | 0          | 0           |
| Annual registration with<br>Vol BOP   | 50           | 0                         | 0                           | 0          | 50          |
| Care Group Admin                      | 0            | 0                         | 0                           | 0          | 100         |



## Cost Table 2: DoC for 2015/2016 Financial year only

| Area                        | Activity                           | Unit  | Quantity | Rate    | Cost           | Cost Share    |               |                                |              |               |
|-----------------------------|------------------------------------|-------|----------|---------|----------------|---------------|---------------|--------------------------------|--------------|---------------|
|                             |                                    |       |          |         |                | BOPRC         | WBOPDC        | WBOPDC - Community development | DOC          | MOWS          |
| <b>2015/16</b>              |                                    |       |          |         |                |               |               |                                |              |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 100.00   | 50.00   | 5,000          | 2,500         | 1,000         | 1,000                          | 500          | 0             |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0            | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 1,464        | 732           |
| 1                           | Pest Plant Control                 | Hour  | 200.00   | 50.00   | 10,000         | 5,000         | 2,000         | 0                              | 1,000        | 2,000         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0            | 500           |
| 2                           | Signage & Interpretation           | Sign  | 1.00     | 1500.00 | 1,500          | 750           | 300           | 300                            | 0            | 150           |
| 1                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0            | 1,125         |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0            | 0             |
| 0                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 416          | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0            | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0            | 2,600         |
| <b>2015/16 - Total</b>      |                                    |       |          |         | <b>40,375</b>  | <b>17,425</b> | <b>6,156</b>  | <b>4,472</b>                   | <b>3,380</b> | <b>8,942</b>  |
| <b>2016/2017</b>            |                                    |       |          |         |                |               |               |                                |              |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 0            | 250           |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0            | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 0            | 2,196         |
| 1                           | Pest Plant Control                 | Hour  | 200.00   | 50.00   | 10,000         | 5,000         | 2,000         | 0                              | 0            | 3,000         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0            | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0            | 1,125         |
| 1                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 0            | 416           |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0            | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0            | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0            | 2,600         |
| <b>2016/2017 - Total</b>    |                                    |       |          |         | <b>36,375</b>  | <b>15,425</b> | <b>5,356</b>  | <b>3,672</b>                   | <b>0</b>     | <b>11,922</b> |
| <b>2017/2018</b>            |                                    |       |          |         |                |               |               |                                |              |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 0            | 250           |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0            | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 0            | 2,196         |
| 1                           | Pest Plant Control                 | Hour  | 200.00   | 50.00   | 10,000         | 5,000         | 2,000         | 0                              | 0            | 3,000         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0            | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0            | 1,125         |
| 1                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 0            | 416           |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0            | 0             |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0            | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0            | 2,600         |
| <b>2017/2018 - Total</b>    |                                    |       |          |         | <b>36,375</b>  | <b>15,425</b> | <b>5,356</b>  | <b>3,672</b>                   | <b>0</b>     | <b>11,922</b> |
| <b>2018/2019</b>            |                                    |       |          |         |                |               |               |                                |              |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 0            | 250           |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0            | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 0            | 2,196         |
| 1                           | Pest Plant Control                 | Hour  | 200.00   | 50.00   | 10,000         | 5,000         | 2,000         | 0                              | 0            | 3,000         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0            | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0            | 1,125         |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0            | 0             |
| 0                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 0            | 416           |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0            | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0            | 2,600         |
| <b>2018/2019 - Total</b>    |                                    |       |          |         | <b>36,375</b>  | <b>15,425</b> | <b>5,356</b>  | <b>3,672</b>                   | <b>0</b>     | <b>11,922</b> |
| <b>2019/2020</b>            |                                    |       |          |         |                |               |               |                                |              |               |
| 1                           | Ecological Baseline Monitoring     | Hour  | 50.00    | 50.00   | 2,500          | 1,250         | 500           | 500                            | 0            | 250           |
| 1                           | Biodiversity Monitoring            | Hour  | 72.00    | 25.00   | 1,800          | 0             | 0             | 0                              | 0            | 1,800         |
| 1                           | Animal Pest Control                | Hour  | 183.00   | 40.00   | 7,320          | 3,660         | 1,464         | 0                              | 0            | 2,196         |
| 1                           | Pest Plant Control                 | Hour  | 200.00   | 50.00   | 10,000         | 5,000         | 2,000         | 0                              | 0            | 3,000         |
| 1                           | Coastal Margin Protection planting | Plant | 500.00   | 5.60    | 2,800          | 1,400         | 560           | 340                            | 0            | 500           |
| 2                           | Rubbish Clearance                  | Hour  | 45.00    | 25.00   | 1,125          | 0             | 0             | 0                              | 0            | 1,125         |
| 0                           | Training                           | Hour  | 80.00    | 50.00   | 4,000          | 2,000         | 0             | 2,000                          | 0            | 0             |
| 0                           | Project Management                 | Hour  | 104.00   | 40.00   | 4,160          | 2,080         | 832           | 832                            | 0            | 416           |
| 0                           | Annual registration with Vol BOP   | Reg   | 1.00     | 70.00   | 70             | 35            | 0             | 0                              | 0            | 35            |
| 0                           | Care Group Admin                   | Hour  | 104.00   | 25.00   | 2,600          | 0             | 0             | 0                              | 0            | 2,600         |
| <b>2019/2020 - Total</b>    |                                    |       |          |         | <b>36,375</b>  | <b>15,425</b> | <b>5,356</b>  | <b>3,672</b>                   | <b>0</b>     | <b>11,922</b> |
| <b>Total Cost Programme</b> |                                    |       |          |         | <b>185,875</b> | <b>79,125</b> | <b>27,580</b> | <b>19,160</b>                  | <b>3,380</b> | <b>56,630</b> |

All costs exclude GST.

## Cost share 2016/2017-2019/2020

| Activity                           | BOPRC | WOPDC Reserves | WBOPDC Community | MOWS |
|------------------------------------|-------|----------------|------------------|------|
| Ecological Monitoring              | 50    | 20             | 20               | 10   |
| Biodiversity Monitoring            | 0     | 0              | 0                | 100  |
| Animal Pest Control                | 50    | 20             | 0                | 30   |
| Pest Plant Control                 | 50    | 20             | 0                | 30   |
| Coastal Margin Protection Planting | 50    | 20             | 20               | 10   |
| Rubbish Clearance                  | 0     | 0              | 0                | 100  |
| Project Management                 | 50    | 20             | 20               | 10   |
| Training                           | 50    | 0              | 50               | 0    |
| Annual registration with Vol BOP   | 50    | 0              | 0                | 50   |
| Care Group Admin                   | 0     | 0              | 0                | 100  |

## 5.2 Site compliance monitoring of works (operations)

This table specifies the type and frequency of compliance and operational monitoring required to give confidence in the effectiveness of the work programme.

| Compliance activities | Programme   |
|-----------------------|---|
| Pest plant control    | <p><b>MOWS:</b></p> <p>To monitor eradication of pest plants and new occurrences through site inspections, photopoints and frequency of weed species on plant transects (see section 5.4 for more detail).</p> <p><b>Bay of Plenty Regional Council:</b></p> <p>Inspection of works takes place annually, to check if methods of control are meeting the site objective of eradication.</p>             |
| Pest animal control   | <p><b>MOWS:</b></p> <p>To monitor the sustained control of pest animals and new occurrences through site inspections and tracking tunnel results (see section 5.4 for more detail).</p> <p><b>Bay of Plenty Regional Council:</b></p> <p>Inspection of works takes place annually and review of tracking tunnel data, to check if methods of control are meeting the site objective of eradication.</p> |

|  |  |
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### 5.3 Biodiversity outcome monitoring

| Monitoring type  | Year 1<br>2015-16<br>measure  | Year 2<br>2016-17<br>measure  | Year 3<br>2017-18<br>measure  | Year 4<br>2018-19<br>measure  | Year 5<br>2019-20<br>measure  |
|--|---|---|---|---|---|
| Tracking tunnels – Mammalian animal abundance  | MOWS:<br>August and December. Target 5% or less                         | MOWS:<br>August and December. Target 5% or less                       | MOWS:<br>August and December. Target 5% or less                         | MOWS:<br>August and December. Target 5% or less                       | MOWS:<br>August and December. Target 5% or less                       |
| Shorebird and seabird breeding.  | MOWS:<br>Visual counts twice monthly from September to February.        | MOWS:<br>Visual counts twice monthly from September to February.      | MOWS:<br>Visual counts twice monthly from September to February.        | MOWS:<br>Visual counts twice monthly from September to February.      | MOWS:<br>Visual counts twice monthly from September to February.      |
| Shorebird populations.   | MOWS:<br>Visual counts every two weeks mid-August to end of February.   | MOWS:<br>Visual counts every two weeks mid-August to end of February. | MOWS:<br>Visual counts every two weeks mid-August to end of February.   | MOWS:<br>Visual counts every two weeks mid-August to end of February. | MOWS:<br>Visual counts every two weeks mid-August to end of February. |
| Pitfall traps – Invertebrates. 3 grids over site, 9 traps per grid @ 5mx5m spacings          | Contracted out:<br>Traps checked every second month.                    | Contracted out:<br>Traps checked every second month.                  | Ongoing.<br>Traps checked every second month.                           | Ongoing.<br>Traps checked every second month.                         | Ongoing<br>Identification and report..                                |
| Pitfall traps – reptiles. 3 grids over site, 9 traps per grid @ 5mx5m spacings               | Contracted out:<br>Set for three days spring and autumn.                | Contracted out:<br>Set for three days spring and autumn.              | Contracted out:<br>Set for three days spring and autumn.                | Contracted out:<br>Set for three days spring and autumn.              | Contracted out:<br>Set for three days spring and autumn.              |
| Plant transects – plant communities composition and result monitoring for pest plant control | Contracted out:<br>Survey<br>Scott Height<br>Frequency 10 x 10 m plots. |   | Contracted out:<br>Survey<br>Scott Height<br>Frequency 10 x 10 m plots. |   | Contracted out:<br>Scott Height<br>Frequency 10 x 10 m plots.         |
| Photopoints – plant restoration.   | MOWS:<br>Photos from marked positions with data sheet.                  | MOWS:<br>Photos from marked positions with data sheet.                | MOWS:<br>Photos from marked positions with data sheet.                  | MOWS:<br>Photos from marked positions with data sheet.                | MOWS:<br>Photos from marked positions with data sheet.                |

## 6 Consultation

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## 7 Work Programme Map

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# PART B

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## Biodiversity Management Plan Agreement

Dated the                    day of    20

### **PARTIES:**

- 1 Bay of Plenty Regional Council** ("Council")
- 2 ("Landowner")** Objective

### **BACKGROUND**

- A** The Council has developed a voluntary programme to empower landowners to protect valuable sites of biodiversity across the Bay of Plenty.
- B** The Landowner owns the property described in Appendix 1 ("the Property"). The Property contains valuable native biodiversity the parties wish to protect (such area(s) referred to as "the Site" and "the Protection Site" in this Biodiversity Management Plan).
- C** The Landowner and the Council have agreed to work together collaboratively and in partnership with each other to protect the Site. They are entering into this Biodiversity Management Plan to set out how they will work together to achieve this.

### **AGREEMENT**

#### **1 Agreement to Enter into Biodiversity Management Plan**

- 1.1** In consideration of the Council agreeing to provide the Grant Money and performing the Council's Works, the Landowner agrees to carry out the Landowner's Works and otherwise comply with this Biodiversity Management Plan.
- 1.2** The Landowner and the Council acknowledge a commitment to the concept of partnering and agree to work in a co-operative and constructive manner to achieve the objectives, actions and responsibilities set out in this Biodiversity Management Plan.
- 1.3** The Council and the Landowner agree that the purpose of this Biodiversity Management Plan is to protect, maintain and enhance the biodiversity of the Site, and in particular to achieve the goals, objectives and outcome monitoring set out in Part A of this Biodiversity Management Plan.

## **2 Commencement Date and Term of Biodiversity Management Plan**

- 2.1 The commencement date of this Biodiversity Management Plan is the date on which it is signed by both parties (“the Commencement Date”).
- 2.2 The Biodiversity Management Plan has a term of 999 years, commencing from the Commencement Date. For the purposes of clarification, while the Biodiversity Management Plan has a term of 999 years, the Work Programme is normally carried out over a five year period. Refer to Part A for the timeframe for the Work Programme.

## **3 The Works**

- 3.1 The Council agrees to carry out the Council’s Works at the Council’s cost, and where a timeframe is specified for such work, within the required timeframe.
- 3.2 The Landowner agrees to carry out the Landowner’s Works at the Landowner’s cost, and where a timeframe is specified for such work, within the required timeframe. For the purposes of clarification, the Landowner is responsible for carrying out the work in the Work Programme.

## **4 Grant Money**

- 4.1 Subject to clause 4.2, the Council will pay the Grant Money to the Landowner once:
- (a) The Landowner’s Works the Grant Money relates to, have been completed to the Council’s reasonable satisfaction; and
  - (b) The Landowner has provided the Council with a GST invoice for the relevant Grant Money, provided that where the Landowner is not registered for GST, rather than providing a GST tax invoice, the Landowner will provide an invoice for the relevant Grant Money.
- 4.2 Unless the Council and the Landowner agree otherwise in writing, before any costs are incurred for the relevant Landowner’s Works:
- (a) The Grant Money payable will not exceed the share of the cost or value of any work, by more than the relevant sum or percentage shown in Part A of this Biodiversity Management Plan; and
  - (b) The Council will pay the Grant Money only if the Landowner’s Works the Grant Money relates to, are completed in the financial year in which either the Work Programme specifies they are to be carried out in, or as agreed to on an annual basis with Council and the Landowner provides to the Council a GST invoice, or where the Landowner is not registered for GST, an invoice, for the Grant Money before the end of that financial year. For the purposes of this clause “financial year” means the 12 month period commencing on 1 July and ending on 30 June in the following year.

## **5 On-going Maintenance**

- 5.1 The Landowner is responsible (at the Landowner’s cost) for all on-going maintenance of the Landowner’s Works and the Site to ensure the biodiversity of the Site is protected and maintained, taking into account the goals and objectives of this Biodiversity Management Plan.

- 5.2 If stock types and/or stock levels on land adjacent to the boundary of the Site is likely to have a detrimental effect on the Site, then the Landowner must at the Landowner's cost, erect appropriate stock-proof, fit for purpose fencing on the affected unfenced boundary of the Site.
- 5.3 On a continuing basis, the Landowner agrees to take all reasonable steps to preserve and protect the native biodiversity within the Site and in particular the Landowner shall, within the Site:
- (a) Not (nor permit any other person to) fell, remove, burn or otherwise damage any native vegetation growing therein, provided however that vegetation may be removed with the prior written approval of the Council.
  - (b) Not (nor permit any other person to) plant, sow or scatter any trees, shrubs or plants therein or the seed of any trees, shrubs or plants other than local native flora or introduce any substance injurious to plant life therein except in the control of pest plants.
  - (c) Undertake such measures as may be appropriate from time to time in the control of pest plants or other exotic species, incompatible with the ecological values of the area.
  - (d) Not allow any cattle, sheep, horses, pigs, goats or other domestic livestock to enter therein.

## **6 Monitoring**

- 6.1 The Council will, at the Council's expense, periodically monitor the effectiveness of:
- (a) The Landowner's Works;
  - (b) The Council's Works;
  - (c) Activities carried out in fulfilling the Work Programme; and
  - (d) The on-going maintenance.

## **7 Variations to Biodiversity Management Plan**

- 7.1 The Council and the Landowner may vary the terms of this Biodiversity Management Plan from time to time to provide for the necessary and appropriate protection of the Site, provided that any such variation is not contrary to the purposes and objectives of this Biodiversity Management Plan.
- 7.2 No variation to the terms of this Biodiversity Management Plan will have any force or effect unless and until the variation is in writing and signed by the Council and the Landowner.

## **8 Other Activities**

- 8.1 Should the Landowner wish to undertake activities on the Site other than those noted in this Biodiversity Management Plan, then the written agreement of the Council will first be required. Such agreement will not be unreasonably withheld, provided the proposed activity does not compromise the objectives of this Biodiversity Management Plan.

## **9 Right of Entry**

- 9.1 The Council may through its officers, employees, contractors or agents enter the Property for the purpose of:
- (a) Viewing the state and condition of the Site;
  - (b) Carrying out the Council's Works;
  - (c) Ascertaining compliance by the Landowner with the terms of this Biodiversity Management Plan; and
  - (d) Remediating any default by the Landowner pursuant to clause 11.1.
- 9.2 Prior to exercising any right of entry to the Property in relation to this Biodiversity Management Plan, the Council shall give the Landowner not less than 24 hours' notice (which need not be written notice) of the Council's intention to enter upon and cross the Property, for the purposes of accessing the Site, but the Council may in an emergency, or if unable to contact the Landowner, enter and cross the Property and the Site without giving notice. In the event the Council exercises the right of entry without giving notice, the Council will leave a written notice in a prominent location on the Property explaining the purposes of the entry and what was undertaken.

## **10 Change of Ownership**

- 10.1 If the Landowner wishes to sell or otherwise dispose of all or any part of the Property, the Landowner must notify the Council of such sale or other disposition and provide the Council with the name and contact address of the new owner, lessee or licensee.

## **11 Default**

- 11.1 If the Landowner is in default of the Landowner's obligations under this Biodiversity Management Plan, the following provisions will apply:
- (a) The Council may give notice to the Landowner stating the nature of the Landowner's default, the reasonable actions required to remedy the default and providing a reasonable timeframe within which the Landowner must remedy the default ("Default Notice");
  - (b) If, on expiry of the timeframe specified in any Default Notice, the Landowner's default has not been remedied, the Council may give further notice to the Landowner, advising that if the default advised of in the Default Notice, is not remedied within a further reasonable timeframe specified by the Council then the Council will be entitled to undertake any works required to remedy such default and may recover the cost in all things of doing so from the Landowner; and
  - (c) If, on expiry of the further reasonable timeframe specified in clause 11.1(b), the Landowner's default has not been remedied, the Council may arrange for the undertaking of any works required, to remedy such default and may recover the cost in all things of doing so from the Landowner.

## **12 Dispute Resolution**

12.1 If any dispute arises between the Council and the Landowner concerning this Biodiversity Management Plan, they will first try to settle the dispute by negotiation, employing the services of a facilitator or mediator, should either of them so desire but if, at the end of 10 working days after the commencement of negotiations, they have not settled their dispute, it shall be referred to the arbitration of a single arbitrator to be appointed, failing agreement between them within the next five working days, by the President of the New Zealand Law Society or his or her nominee. For the purposes of this clause, negotiation shall commence on the day on which either party first gives written notice to the other, seeking a resolution of the dispute.

## **13 Best Endeavours**

13.1 Each party will use their best endeavours to carry this Biodiversity Management Plan into effect and in particular will promptly do all such acts, matters and things and shall execute all such documents as shall be necessary for that purpose.

## **14 Notices**

14.1 The following apply to all notices between the parties relevant to this Biodiversity Management Plan, whether authorised by this Biodiversity Management Plan or by the general law:

- (a) All notices must be served in writing (unless specified otherwise);
- (b) All written notices, unless otherwise required by the Property Law Act 2007, must be served by one of the following means:
  - (i) On the party as authorised by Sections 354 to 361 of the Property Law Act 2007; or
  - (ii) On the party or on the party's lawyer:
    - A By personal delivery; or
    - B By posting by ordinary mail; or
    - C By facsimile or email.

14.2 In respect of the means of service specified in clause 14.1(b) above, a notice is deemed to have been served:

- (a) In the case of personal delivery, when received by the party or at the lawyers office;
- (b) In the case of posting by ordinary mail, on the third working day following the date of posting to the address for service notified in writing by the party or to the postal address of the lawyers office;
- (c) In the case of facsimile transmission, when sent to the facsimile number notified in writing by the party, or to the facsimile number of the lawyers office; and
- (d) In the case of email, when acknowledged by the party or by the lawyer orally or by return email or otherwise in writing.

- 14.3 Notice served by a party after 5:00 pm on a working day, or on a day which is not a working day, shall be deemed to have been served by that party at 9:00 am on the next succeeding working day.
- 14.4 Where two or more notices are deemed to have been served at the same time, they shall take effect in the order in which they have been served but for clause 14.3.
- 14.5 Any period of notice required to be given under this Agreement shall be computed by excluding the day of service.

## **15 Definitions and Interpretation**

15.1 In this Biodiversity Management Plan, unless the context requires otherwise:

- (a) “Biodiversity Management Plan” includes Parts A, B & C of this document.
- (b) “Council’s Works” means any work referred to in this Biodiversity Management Plan as being a Council obligation.
- (c) “Grant Money” means the Council’s contribution to the cost of the Landowner’s Works, as specified in Part A of this Biodiversity Management Plan.
- (d) “Landowner’s Works” means all work required to be carried out by this Biodiversity Management Plan, excluding the Council’s Works.
- (e) “on-going maintenance” means any on-going maintenance required by this Biodiversity Management Plan.
- (f) “Property” means the Landowner’s property on which the Site is located, being the property defined in Appendix 1.
- (g) “Site” and “Protection Site” means the area of the Property shown approximately on the plan in Appendix 2 and identified as the Site or the Protection Site.
- (h) “The Council” and “the Landowner” shall include their executors, administrators, successors and permitted assigns.
- (i) “Work Programme” means the work programme in Part A of this Biodiversity Management Plan.
- (j) “working day” means any day of the week other than:
  - (i) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereigns Birthday Day and Labour Day;
  - (ii) A day in the period commencing on the 24th day of December in any year and ending on the 5th day of January in the following year, both days inclusive;
  - (iii) The day observed as the anniversary of the province in which the Property is situated; and
  - (iv) A working day shall be deemed to commence at 9:00 am and to terminate at 5:00 pm.

15.2 In the interpretation of this Biodiversity Management Plan, the following provisions apply unless the context requires otherwise:

- (a) Headings are inserted for convenience only and do not affect the interpretation of this document.
- (b) A reference in this document to dollars or \$ means dollars and all amounts payable under this document are payable in New Zealand dollars.
- (c) A reference in this document to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- (d) A reference in this document to any agreement or document is to that agreement or document as amended, novated, supplemented or replaced.
- (e) A reference to a clause refers to a clause within that part of the Biodiversity Management Plan in which the reference appears (i.e. Part A, B or C).
- (f) A reference to a part, appendix, schedule or attachment is a reference to a part, appendix, schedule or attachment of or to this document.
- (g) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- (h) A word which denotes the singular also denotes the plural, a word which denotes the plural also denotes the singular, and a reference to any gender also denotes the other genders.
- (i) A reference to the word 'include' or 'including' is to be construed without limitation.

This Agreement dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**SIGNED BY:**

\_\_\_\_\_  
Bay of Plenty Regional Council

\_\_\_\_\_

\_\_\_\_\_  
[Landowner]





# PART C

## Appendix 1 – Site information

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### 1 Property details

Legal description:

Certificate of title number:

Existing registered legal  
and or other protection  
mechanism against the site:

Existing relevant legal  
documents registered

District plan status:

Valuation number:

### 2 Location and land use

Catchment:

Land type:

| Land Type                  | Area (ha) | Tenure   |  |
|----------------------------|-----------|--|--|
| <i>[insert land type –</i> |           | <input type="checkbox"/> Private<br><input type="checkbox"/> Maori<br><input type="checkbox"/> Crown | <input type="checkbox"/> Local Body<br><input type="checkbox"/> Mixed<br><input type="checkbox"/> Leased |
| <i>[insert land type –</i> |           | <input type="checkbox"/> Private<br><input type="checkbox"/> Maori<br><input type="checkbox"/> Crown | <input type="checkbox"/> Local Body<br><input type="checkbox"/> Mixed<br><input type="checkbox"/> Leased |
| <i>[insert land type –</i> |           | <input type="checkbox"/> Private<br><input type="checkbox"/> Maori<br><input type="checkbox"/> Crown | <input type="checkbox"/> Local Body<br><input type="checkbox"/> Mixed<br><input type="checkbox"/> Leased |

### **3 Ecological and archaeological information**

Ecological district:

Ecological status of site:

Iwi/hapū information:

Archaeological information:

## Appendix 2 – Bait station/trap line maps

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# Appendix 3 – Pest Plant infestation maps

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