

## Part 3

### Domains and topics

#### Topics

#### NEV – Natural environment values

#### ECO – Ecosystems and indigenous biodiversity

### Objectives

#### ECO-O1 No net loss of significant natural areas [DP]

No net loss of significant natural areas in Whakatū Nelson.

#### ECO-O2 Enhancement of biodiversity corridor [DP]

Enhance the biodiversity corridor functioning of reserves, riparian margins and other areas in Whakatū Nelson.

### Policies

#### ECO-P1 Protection of biodiversity values of significant natural areas [DP]

Protect the biodiversity values of significant natural areas by:

1. avoiding adverse effects on the identified significant ecological values (SRMR-ECO-P1), as far as practicable;
2. remedying those effects, where avoidance is not practicable;
3. mitigating those effects, where neither avoidance or remediation is practicable; and
4. where there are residual adverse effects that cannot be avoided, remediated or mitigated, biodiversity offsetting will be considered, as a means of protection, restoration and enhancement, where the following circumstances apply:
  - a. the significant natural area in question is not a habitat for threatened or at risk species;
  - b. a net gain in biodiversity values would be achieved, when compared to the absence of the proposed offset, and discounting any pre-programmed conservation actions or those that are otherwise unrelated to the adverse effect in question;
  - c. the gain is of ecological equivalence; and
  - d. the gain would be achieved in perpetuity on the property within which the significant natural area is located.

### **ECO-P2 Adverse effects on the biodiversity values of significant natural areas [DP]**

The adverse effects on the biodiversity values of significant natural areas that are to be avoided, remedied, mitigated or off-set in accordance with ECO-P1, comprise the following:

1. fragmentation or a reduction in the size and extent of indigenous ecosystems and the habitats of indigenous species;
2. fragmentation or disruption of connections between ecosystems and habitats;
3. changes which result in increased threats to indigenous biodiversity or ecosystems, or pressures on indigenous fauna from pest plants and animals;
4. a reduction in buffering of indigenous ecosystems, including edge effects from light and wind exposure;
5. absolute loss of threatened or at risk species, or their habitats;
6. a reduction in the abundance of individuals within a population, or natural diversity of indigenous vegetation and habitats of indigenous fauna;
7. effects which contribute to a cumulative loss or degradation of habitats, species populations and ecosystems;
8. downstream effects on wetlands, rivers, streams and lakes from hydrological changes in the catchment;
9. effects on values of significance to tāngata whenua;
10. a reduction in the historical or cultural associations held by the wider community;
11. a destruction of, or significant reduction in, educational or scientific values; and
12. increases in the extinction probability of an indigenous species.

### **ECO-P3 Small scale clearance of indigenous vegetation in the Significant natural areas overlay [DP]**

1. Provide for small-scale clearance of indigenous vegetation within the Significant natural areas overlay where it will enable the continued use of existing formed roads, walking or cycling tracks, stock crossings, accessway tracks, existing network utilities, fences, lawns, gardens, defensible spaces, buildings or other lawfully established activities;
2. emergency tree works;
3. new walking tracks or extension to existing walking tracks;
4. new perimeter fences for stock or pest animal exclusion;
5. cultural harvesting;
6. new structures, vehicle accesses or parking areas where located in an identified building area; or
7. new above ground network utilities, where located in an identified network utility corridor.

### **ECO-P4 Subdivision, use or development in Significant natural areas overlay [DP]**

With the exception of the activities provided for in ECO-P3, only allow for subdivision, use or development of land within the Significant natural areas overlay, where it can be demonstrated that it is necessary and will avoid significant adverse effects and avoid, remedy, mitigate or offset other adverse effects, having regard to the following:

1. any practicable alternative locations for building platforms for any new structure, any vehicle accesses or parking, or any above ground network utility, including the use of existing cleared areas;
2. alternative methods for positioning future structures, vehicle accesses or parking or network utilities, such as elevation or undergrounding, and their relative effects on indigenous vegetation;
3. options for locating future structures to reduce the likelihood of future demands for clearance or disturbance for the purposes of maintenance, sunlight access, defensible fire space, or asset protection;
4. options for maintaining indigenous vegetation that contributes to the ecological significance of the site;
5. alternative locations and methods for planting of exotic vegetation within the Significant natural areas overlay that is associated with existing use and development, and options for managing the risk that exotic vegetation presents as actual or potential pest species;
6. options for minimising changes in hydrology that could adversely affect biodiversity values;
7. options for minimising sediment entering waterways;
8. options for permanent protection of remaining vegetation through fencing, covenanting or on-going management of pests and weeds; and
9. whether consent notices can be used to require compliance with any method specified in ECO-P4.1. to ECO-P4.8. above.

#### **ECO-P5 Biodiversity corridors [DP]**

Enhance the functioning of biodiversity corridors by:

1. restoring indigenous vegetation using ecologically appropriate indigenous species and supporting active pest and weed control, in reserves, riparian areas associated with rivers, streams and coastal margins, and other areas that collectively provide a connection between the hill country and the coast, through Whakatū Nelson;
2. acquiring reserves at the time of subdivision or through negotiation;
3. creating esplanade reserves or strips at the time of subdivision or through negotiation;
4. securing biodiversity corridors through land covenants and consent notices; and
5. identifying biodiversity corridors as part of structure and property planning exercises.

## Rules

### Rule interpretation and application

#### ECO-R1 [DP]

The rules that **apply** to activities (other than subdivision) in the Significant natural areas overlay are contained in the activity status table as follows:

1. ECO-R6 and ECO-R7.

#### ECO-R2 [DP]

The activity status tables and standards for subdivision in the Significant natural areas overlay are contained in the activity status table in SUB – Subdivision.

#### ECO-R3 [DP]

In addition to the rules set out in ECO-R1 and ECO-R2 above, further rules relating to earthworks and vegetation clearance are contained in EW – Earthworks that also apply to activities in the Significant natural areas overlay.

#### ECO-R4 [DP]

Activities in the Significant natural areas overlay are also subject to the activity status tables and standards of the underlying zones.

#### ECO-R5 [DP]

Notwithstanding any other rules in this plan, all plantation forestry activities regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 must comply with those regulations. Where there is conflict or duplication between a rule in this plan and those regulations, the regulations prevail.

## Activity status

Rule	Use/Activity
ECO-R6	Significant natural areas overlay: Vegetation clearance
ECO-R7	Significant natural areas overlay: Vegetation planting

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<b>ECO-R6</b> <b>Significant natural areas overlay:</b>	1. The clearance of exotic vegetation in the Significant natural areas	3. Not applicable.	4. The clearance of indigenous vegetation in the Significant natural

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p><b>Vegetation clearance</b> <b>[DP]</b></p> <p>Legal effect on notification: Yes</p>	<p>overlay is a <b>permitted activity</b>.</p> <p>2. The clearance of indigenous vegetation in the Significant natural areas overlay is a <b>permitted activity</b>, provided that:</p> <ul style="list-style-type: none"> <li>a. it complies with EW-R14.1; and</li> <li>b. it is within 1 metre either side of or on an existing formed road, walking or cycling track, stock crossing or accessway; or</li> <li>c. it is within 1 metre of an existing network utility, fence, lawn, garden, defensible space or other lawfully established activity; or</li> <li>d. it is within 3 metres of an existing building; or</li> <li>e. it is for the purposes of: <ul style="list-style-type: none"> <li>i. emergency tree works; or</li> <li>ii. constructing a new walking track or an</li> </ul> </li> </ul>		<p>areas overlay that does not comply with ECO-R6.2. is a <b>discretionary activity</b>.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>extension to an existing walking track of no more than 1 metre in width, where the construction of such a track itself involves clearance of no more than 1.2 metres in width, the tracks are not contiguous with other walking tracks, and where no indigenous species of tree over 6 metres in height or 60cm in diameter, when measured at a height of 2 metres above the ground, are removed;</p> <p>or</p> <p>iii. constructing perimeter fences for stock or pest animal exclusion; or</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> <li>iv. cultural harvesting; or</li> <li>v. constructing a structure, vehicle access or parking area, where it is located in an identified building area, and involves clearance of no more than 100m<sup>2</sup>; or</li> <li>vi. constructing an above ground network utility, where it is located in an identified network utility corridor, and involves clearance of no more than 100m<sup>2</sup>.</li> </ul>		
<p><b>ECO-R7</b> <b>Significant natural areas overlay:</b> <b>Vegetation planting</b> <b>[DP]</b> Legal effect on notification: Yes</p>	<p>1. The planting of indigenous vegetation in the Significant natural areas overlay is a <b>permitted activity</b>, provided that:</p> <ul style="list-style-type: none"> <li>a. Indigenous vegetation utilises indigenous species that are</li> </ul>	<p>2. Not applicable.</p>	<p>3. The planting of exotic vegetation in the Significant natural areas overlay, is a <b>non-complying activity</b>.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>naturally occurring and sourced from within the relevant ecological district within which the planting is to take place</p> <p>i. it is for the purposes of habitat restoration or enhancement</p>		