

ECO

**Ecosystems and
Indigenous
Biodiversity**

DRAFT
WAITAKI DISTRICT PLAN



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

Ecosystems and Indigenous Biodiversity

Introduction

The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance. These areas support the maintenance of ecosystem functioning and the retention of biodiversity. They are also important for the protection of cultural, landscape, and other natural values. In this chapter, such areas are identified and referred to as Significant Natural Areas (SNAs). The chapter also addresses management of biodiversity values outside of the mapped SNAs.

WDC has undertaken work to identify Significant Natural Areas and they have been listed in SCHED6 – Schedule of Significant Natural Areas. However, not all significant indigenous vegetation and significant habitats of indigenous fauna have been identified. Landowners and occupiers are encouraged to work together with WDC to allow for the identification of Significant Natural Areas on their land, so these precious resources can be retained for future generations.

The Waitaki District contains a wealth of native biodiversity with habitats ranging widely from the dunes and estuaries at the Pacific coast, coastal wetland, lowland grassland, limestone scarps, old-growth podocarp forest in foothills valleys, regenerating forest on hill slopes, inland wetlands and tussockland on moraine. The District also includes one of New Zealand Aotearoa's outstanding braided rivers, connecting the ocean to snowfields at the tops of the Southern Alps. Since the arrival of Europeans, the dry eastern parts of the South Island have been particularly attractive for agricultural development and are among the areas that have been most susceptible to species and habitat loss. Indigenous ecosystems remaining in the dry eastern parts of the South Island have often been reduced to small, highly fragmented and modified remnants. Having said this, there are still some large areas of undeveloped, or slowly recovering landscapes. These often contain a mosaic of indigenous biodiversity, much of it is worthy of formal protection.

Subdivision, use and development can give rise to a risk of adverse effects that degrade biodiversity values. The main threats to indigenous biodiversity in the Waitaki District are from indigenous vegetation clearance, earthworks, expansion and agricultural intensification of pastoral activities, and the spread of wilding conifers. For example:

1. the planting of non-indigenous conifer species can cause a spread of wilding conifers, which can impact on indigenous biodiversity and degrade Significant Natural Areas;
2. activities, such as earthworks and indigenous vegetation clearance, can modify or destroy habitat and/or fauna; and
3. agricultural intensification can reduce the variety and diversity of vegetation species, diminishing biodiversity values.

The future impacts of climate change also present a threat to biodiversity. An increase in extreme weather events, temperature changes and sea level rises are expected to cause changes to existing habitats for flora and fauna. For this reason, there is a need to protect those areas where habitats may be located in the future.

In addition to the regulatory methods employed in this chapter, WDC also seeks to protect significant indigenous vegetation and significant habitats of indigenous fauna by providing incentives, educating the public and advocating for the protection, maintenance and enhancement of biodiversity.

Objectives

ECO-O1 Halt the decline of indigenous biological diversity

Halt the decline of the Waitaki District’s indigenous biological diversity, including between species and ecosystems, by maintaining and, where appropriate, enhancing indigenous biodiversity.

ECO-O2 Identify and protect Significant Natural Areas

Areas identified as Significant Natural Areas are protected to ensure no net loss of indigenous biodiversity or indigenous biodiversity values as a result of land use activities.

ECO-O3 Restore or enhance Significant Natural Areas

Significant Natural Areas are restored or enhanced, where appropriate.

Policies

ECO-P1 Evaluation of Significant Natural Areas

Identify the ecological significance of indigenous vegetation and habitats of indigenous fauna using the criteria contained in APP3 – Criteria for evaluating significant indigenous vegetation and habitats of indigenous fauna:

1. where they are known and meet the criteria to be Significant Natural Areas, list them in SCHED6 – Significant Natural Areas and on the Planning Maps; and
2. where they are not known, through the resource consent process.

ECO-P2 Protection of Significant Natural Areas

Protect Significant Natural Areas listed in SCHED6 – Significant Natural Areas and identified through the resource consent process by:

1. avoiding adverse effects as far as practicable;
2. where avoidance is not practicable, requiring remediation of adverse effects;
3. requiring mitigation where the adverse effects of subdivision, use and development cannot be avoided or remedied; and
4. considering the use of biodiversity offsets where:
 - a) appropriate measures have been taken to avoid adverse effects, but there are residual adverse effects that cannot be avoided; and
 - b) the residual adverse effects cannot be remedied or mitigated; and
 - c) the following principles/criteria are met:

- i. the residual adverse effects on biodiversity are capable of being offset and will be fully compensated by the offset to ensure no net loss of biodiversity;
 - ii. there is a strong likelihood that the offsets will be achieved in perpetuity;
 - iii. where the area to be offset is identified as a national priority for protection under Policy ECO-P8, the biodiversity offset must deliver a net gain for biodiversity;
 - iv. where the offset involves the ongoing protection of a separate site, it will deliver no net loss, and preferably a net gain for indigenous biodiversity conservation; and
 - v. the offset re-establishes or protects the same type of ecosystem, unless a proposal for environmental compensation for an alternative ecosystem or habitat provides a net gain for biodiversity.
5. having regard to:
- a) the biodiversity values of the Significant Natural Area, including the reasons that the area is considered significant;
 - b) the extent of anticipated impact on those values;
 - c) the scale, intensity, location and duration of the activity;
 - d) any fragmentation and edge effects;
 - e) the cumulative effects of activities within or adjacent to the Significant Natural Area;
 - f) any protection mechanisms proposed as part of the activity;
 - g) how the loss of vegetation can be avoided;
 - h) the contribution of the area to landscape and amenity values;
 - i) the particular cultural, spiritual and heritage values of importance of the Significant Natural Area to Kāi Tahu; and
 - j) the need for a precautionary approach where there is incomplete or insufficient information.

ECO-P3 Appropriate activities within Significant Natural Areas

1. enable limited earthworks within a Significant Natural Area listed in SCHED6 – Significant Natural Areas where it is of a scale and nature that maintains biodiversity values;
2. enable limited clearance of indigenous vegetation within a Significant Natural Area where it is:
 - a) of a scale and nature that maintains biodiversity values; or
 - b) undertaken for mahika kai purposes in accordance with tikaka Māori by mana whenua.

ECO-P4 Inappropriate activities within or near to Significant Natural Areas

Prohibit planting:

1. non-indigenous vegetation within Significant Natural Areas listed in SCHED6 – Significant Natural Areas; and

2. species that may result in the spread of wilding conifers within or near to Significant Natural Areas listed in SCHED6 – Significant Natural Areas.

ECO-P5 Managing indigenous vegetation outside Significant Natural Areas

Avoid significant adverse effects on indigenous vegetation that is not listed in SCHED6 – Significant Natural Areas or assessed as being significant under APP3 – Criteria for evaluating the significance of indigenous vegetation and habitats of indigenous fauna, and remedy or mitigate other adverse effects, including by recognising:

1. the intrinsic value of indigenous biodiversity, including its value as a habitat for indigenous fauna;
2. the maintenance or enhancement of indigenous biodiversity in the Waitaki District;
3. the contribution of indigenous biodiversity to biophysical and natural science landscape values;
4. the contribution of indigenous biodiversity to amenity values, in particular in relation to views from public spaces, walkways, roads and trails; and
5. the value of indigenous species, including taonga species to Kāi Tahu.

ECO-P6 Supporting the maintenance, restoration and enhancement of indigenous biodiversity

Support the maintenance, enhancement and restoration of indigenous biodiversity, including by:

1. enabling activities that maintain the integrity of, restore, or enhance biodiversity values; and
2. using a range of tools, including incentives, education, landowner engagement and advocacy, to encourage owners, community groups and others to take action to enhance biodiversity values, including by encouraging landowners and occupiers to remove species that result in wilding conifers.

ECO-P7 National priorities for protection

Recognise the following national priorities for protection:

1. indigenous vegetation in land environments where less than 20% of the original indigenous vegetation cover remains;
2. areas of indigenous vegetation associated with sand dunes and wetlands;
3. areas of indigenous vegetation located in “originally rare” terrestrial ecosystem types not covered under 1. and 2. above; and
4. habitats of threatened and at risk indigenous species.

ECO-P8 Impacts of climate change on resilience of ecosystems

Take into account the future impacts of climate change:

1. when selecting species for mitigation or biodiversity offset proposals;
2. while considering future risk to the range and extent of species and ecosystems; and
3. as part of proposals that may be impacted by future sea level rise.

ECO-P9 Hutia te Rito

Recognise the role of mana whenua as kaitiaki of indigenous biodiversity within their rohe, providing for mana whenua involvement in the management of indigenous biodiversity and ensuring that Hutia te Rito is recognised and provided for.

ECO-P10 Indigenous vegetation on urban environment allotments

Recognise that indigenous vegetation on urban environment allotments are not protected, unless specifically scheduled in the plan as a Significant Natural Area or Notable Tree.

Rules

Note: For certain activities, a resource consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, resource consent is required under each of those rules. The steps to determine the status of an activity are set out in the General Approach Chapter.

PERMITTED ACTIVITIES

ECO-R1 Indigenous vegetation clearance outside of a Significant Natural Area listed in SCHED6 – Significant Natural Areas	
<p>All zones</p>	<p>Activity status: Permitted</p> <p>Where: PER-1 The indigenous vegetation clearance:</p> <ol style="list-style-type: none"> 1. is for the repair and maintenance of existing and lawfully established: <ol style="list-style-type: none"> a) roads; b) farm tracks; c) yards; d) irrigation infrastructure; e) fences; f) dams; g) walking tracks; h) cycling tracks; or i) driveways and access; and 2. occurs within 2m of the areas listed in PER-1; or <p>PER-2 The indigenous vegetation clearance complies with the performance standards ECO-S1, ECO-S2, ECO-S3 and ECO-S4; or</p> <p>PER-3 The indigenous vegetation clearance relates to any unscheduled urban tree on an urban environment allotment; or</p>
	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1, PER-2, PER-3, PER-4, PER-5, PER-6, PER-7, or PER-8</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the effects on: <ol style="list-style-type: none"> a) indigenous biodiversity values; b) the hydrological function of the catchment; c) landscape, natural features and natural character; d) ecological corridors and linkages; and e) cultural values associated with indigenous biodiversity; and 2. the extent to which the vegetation removal is necessary, taking into account the need for, or purpose of, the proposed activity; and 3. the minimisation of effects through the consideration of alternative locations for the activity where effects are significant; and 4. proposals for remediation and mitigation of adverse effects; and 5. proposals for biodiversity offsets for residual adverse effects as provided for by ECO-P3; and

<p>PER-4 The indigenous vegetation clearance relates to planted or regenerating indigenous vegetation less than 15 years old, where the vegetation was previously lawfully cleared as a permitted activity or with an appropriate resource consent; or</p> <p>PER-5 The indigenous vegetation clearance relates to planted indigenous vegetation managed specifically for the purpose of a forestry activity, harvesting and subsequent replanting; or</p> <p>PER-6 The indigenous vegetation clearance is part of the understory of a plantation forest and is incidental to permitted or otherwise authorised plantation forest harvesting; or</p> <p>PER-7 The indigenous vegetation clearance is part of a planted garden or shelterbelt; or</p> <p>PER-8 The indigenous vegetation clearance is clearance undertaken for mahika kai purposes by mana whenua.</p>	<p>6. the risk of the increase in weed and pest species, and proposed management of pests; and</p> <p>7. benefits resulting from the proposed activity, including the extent to which the activity may protect, maintain or enhance indigenous biodiversity values; and</p> <p>8. effects on kaitiakitanga and the values of indigenous vegetation, taonga species and habitats, and biodiversity to mana whenua.</p>
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ECO-R2 Indigenous vegetation clearance within a Significant Natural Area listed in SCHED6 – Significant Natural Areas		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The indigenous vegetation clearance is for the repair and maintenance of existing and lawfully established:</p> <ol style="list-style-type: none"> 1. roads; 2. farm tracks; 3. yards; 4. irrigation infrastructure; 	<p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with PER-1, PER-2 or PER-3</p> <p><i><u>Note: Section 88 Information Requirements for Applications</u></i></p>

	<p>5. fences; 6. dams; 7. walking tracks; 8. cycling tracks; or 9. driveways and access; and</p> <p>PER-2 The vegetation clearance occurs within 2m of the areas listed in PER-1; or</p> <p>PER-3 The vegetation clearance is undertaken for mahika kai purposes in accordance with tikaka Māori by mana whenua.</p>	<p><i>Pursuant to s88 of the RMA, any application for non-complying activities made under this provision must provide, in addition to the standard information requirements, an Ecological Assessment, provided by a suitably qualified and experienced ecologist, identifying the biodiversity values and potential impacts from the proposal, to address policies ECO-P2, ECO-P3 and ECO-P4.</i></p>
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ECO-R3 Earthworks within a Significant Natural Area listed in SCHED6 – Significant Natural Areas		
<p>All zones</p>	<p>Activity status: Permitted</p> <p>Where: PER-1 Earthworks undertaken for the repair and maintenance of existing and lawfully established:</p> <p>1. roads; 2. farm tracks; 3. yards; 4. irrigation infrastructure; 5. fences; 6. dams; 7. walking tracks; 8. cycling tracks; or 9. driveways and access; and</p> <p>PER-2 The width, length and materials used are the same to that which existed prior to the repair and maintenance being required; and</p> <p>PER-3 Silt and sediment control measures are in place to prevent discharge of silt and/or sediment into the Significant Natural Area.</p>	<p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with PER-1, PER-2 or PER-3</p> <p><u><i>Note: Section 88 Information Requirements for Applications</i></u></p> <p><i>Pursuant to s88 of the RMA, any application for non-complying activities made under this provision must provide, in addition to the standard information requirements, an Ecological Assessment, provided by a suitably qualified and experienced ecologist, identifying the biodiversity values and potential impacts from the proposal, to address policies ECO-P2, ECO-P3 and ECO-P4.</i></p>

RESTRICTED DISCRETIONARY ACTIVITIES

ECO-R4 Exotic plantation forestry, agricultural intensification, quarrying or mining activities adjacent to a Significant Natural Area listed in SCHED6 – Significant Natural Areas		
All zones	<p>Activity status: Restricted Discretionary</p> <p>Where: RDIS-1</p> <p>1. the activity is exotic plantation forestry, the distance shall be at least 100m from a Significant Natural Area.</p> <p><i>Note: For exotic plantation forestry which involves species that result in wilding conifers, see ECO-R7.</i></p> <p>Matters of discretion are restricted to:</p> <p>1. the effects on:</p> <ul style="list-style-type: none"> a) indigenous biodiversity values; and b) the hydrological function of the catchment; and c) landscape, natural features and natural character; and d) the amenity values of any public spaces, walkways, roads and trails; and e) ecological corridors and linkages; and f) cultural values associated with indigenous biodiversity; and <p>2. the minimisation of effects through the consideration of alternative locations for the activity where effects are significant; and</p> <p>3. proposals for remediation and mitigation of adverse effects; and</p> <p>4. proposals for biodiversity offsets for residual adverse effects as provided for by ECO-P3; and</p>	<p>Activity status when compliance is not achieved: Non Complying</p> <p>Where: NC-1</p> <p>Compliance is not achieved with RDIS-1</p>

<p>5. the risk of the increase in weed and pest species, and proposed management of pests; and</p> <p>6. benefits resulting from the proposed activity, including the extent to which the activity may protect, maintain or enhance indigenous biodiversity values; and</p> <p>7. effects on kaitiakitanga and the values of indigenous vegetation, taonga species and habitats, and biodiversity to mana whenua.</p>	
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NON-COMPLYING ACTIVITIES

ECO-R5	Plantation forestry, agricultural intensification, quarrying or mining activities within a Significant Natural Area listed in SCHED6 – Significant Natural Areas	
All zones	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable

PROHIBITED ACTIVITIES

ECO-R6	Planting non-indigenous vegetation within a Significant Natural Area listed in SCHED6 – Significant Natural Areas	
All zones	Activity status: Prohibited	Activity status when compliance is not achieved: Not Applicable

ECO-R7	Planting species that result in wilding conifers within a Significant Natural Area, or within 100m of a Significant Natural Area listed in SCHED6 – Significant Natural Areas	
All zones	Activity status: Prohibited	Activity status when compliance is not achieved: Not Applicable

ECO STANDARDS**ECO-S1 General indigenous vegetation clearance**

The clearance of indigenous vegetation older than 15 years must not exceed 5,000m² on a site in any continuous period of five years.

ECO-S2 Indigenous vegetation clearance areas dominated by snow tussock

Indigenous vegetation clearance must not exceed 5,000m² on a site in any continuous period of 5 years, for areas dominated by narrow leaved snow tussock (*Chionochloa rigida*).

ECO-S3 Indigenous vegetation clearance in threatened land environments

Indigenous vegetation clearance must not exceed 500m² on a site in any continuous period of five years in land environments with less than 20% remaining indigenous vegetation cover.*

*as defined by Threatened Environment Classification (TEC) version 2012. Refer ECO-APP1 – Threatened Environment Classification.

ECO-S4 Indigenous vegetation clearance in sensitive ecological environments that are not currently identified as Significant Natural Areas

Indigenous vegetation clearance must not exceed 50m² on a site in any continuous period of 5 years in the following locations:

1. on land that has not been cultivated or irrigated in the previous 20 years on plains, terraces, moraines and valley floors, including short tussock grassland, cushionfields or shrublands; or
2. indigenous forest or regenerating forest greater than 3 metres high; or
3. shrubland containing emergent indigenous trees greater than 3 metres high; or
4. matagouri (*Discaria toumatou*) shrubland that has a canopy of at least 1.5 metres high; or
5. diverse indigenous shrubland, where 'diverse' means three or more species of indigenous shrub or vine; or
6. indigenous vegetation containing any one of: matai (*Prumnopitys taxifolia*), kahikatea (*Dacrycarpus dacrydioides*), weeping mapou (*Myrsine divaricata*), Melicope simplex, Hebe rakaiaensis, Corokia cotoneaster, mountain ribbonwood (*Hoheria glabrata*), bog pine (*Halocarpus bidwillii*), celery pine (*Phyllocladus alpinus*), Hall's tōtara (*Podocarpus laetus*), kōwhai (*Sophora microphylla*), kānuka (*Kunzea* spp.), Hebe cupressoides, native brooms (*Carmichaelia* spp.), fierce lancewood (*Pseudopanax ferox*), *Coprosma virescens*, *Coprosma crassifolia*, *Pimelea aridula*, snow totara (*Podocarpus nivalis*), southern rata (*Metrosideros umbellata*), *Coprosma intertexta*, or any species of *Olearia*; prostrate kowhai (*Sophora prostrata*); or
7. copper tussock (*Chionochloa rubra* subsp. *cuprea*) grasslands; or
8. subalpine shrubland or mixed shrub and tussock above 900m metres asl; or

9. rocky habitats including rock outcrops and associated talus and boulderfield habitats.

ECO-APP1 – Threatened Environment Classification (TEC) version 2012

Placeholder – appendix under development