

## Section 24 - Indigenous Biodiversity

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### 24.1 Introduction

24.1.1 Section 5(2)(b) of the Act sets out the purpose of the Act which includes the safeguarding of the life supporting capacity of ecosystems. In the Waipa District, this includes the connections and corridors between ecosystems that are needed to maintain indigenous biodiversity values. Indigenous biodiversity values are the attributes of an ecosystem that determine an area's importance in maintaining biodiversity, such as species composition, habitat structure and ecosystem function. In Section 6(c), the Act requires that:

*"All persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

*(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna"*

24.1.2 In order to meet the requirements of the Act, the objectives, policies and rules of this section apply to the management of effects on the areas of indigenous vegetation and wetlands which support indigenous biodiversity values. The Plan provides for a three tiered approach to achieve this. The most restrictive provisions apply to the significant natural areas and bush stands which are identified on the Planning Maps and in Appendix N5 and Appendix N8 respectively. The Plan seeks to protect indigenous vegetation and wetlands in these areas. The biodiversity corridors identified on Planning Map 49 are considered to have potential significance to indigenous biodiversity values due to the desirability of improving connectivity between wetlands and areas of indigenous vegetation. The provisions pertaining to biodiversity corridors are slightly less restrictive. Provisions pertaining to indigenous vegetation and wetlands in the remainder of the District are the least restrictive.

24.1.3 Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River arises from the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act). These Acts establish the Vision and Strategy as the primary direction setting document for the Waikato River and activities within its catchments affecting the Waikato River. The Vision and Strategy recognises the protection and enhancement of flora and fauna as an Objective for the Waikato River.

24.1.4 In the Waipa District, only 7.5% of indigenous vegetation cover remains, which is substantially less than the nationally recommended standard of 20% (Land Environments of New Zealand (LENZ)) needed to sustain biodiversity. Primary forests (3.1% of their original estimated extent) and wetlands (0.2% of their original estimated extent) are particularly under-represented within the District. However, the Waipa District also contains large areas of productive soils that are utilised for farming activities which contribute to the community's ability to provide for its social and economic wellbeing. A careful balancing act is therefore required.

24.1.5 There are still prominent and ecologically significant natural features within the Waipa District, such as:

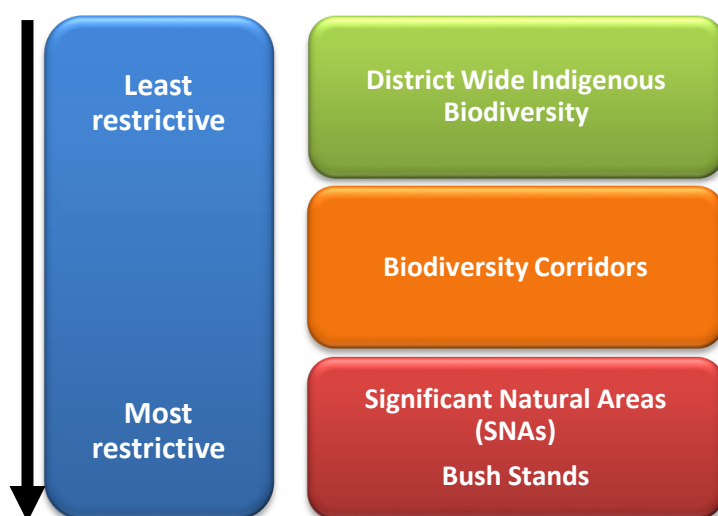
- (a) The three bush clad peaks of Pirongia, Kakepuku and Maungatautari; and
- (b) The peat lakes of the central plains between Hamilton and Te Awamutu; and
- (c) The Waipā and Waikato Rivers; and

(d) The remnant restiad peat bog - Moanatuatua.

24.1.6 While these features are of significant importance, there are poor ecological linkages or connections between them. Additionally, half of the remaining vegetation is unprotected, located on private land, and highly fragmented, which means that protecting the District's remaining indigenous vegetation is an important resource management issue. Many of these remnant areas still exist due to the management decisions of landowners, and without landowner goodwill and on-going support they may deteriorate. The sustainability of significant natural areas as habitats for at risk or threatened species would be enhanced by improving connectivity along the biodiversity corridors and by enhancing the areas of indigenous vegetation and wetlands within these corridors.

24.1.7 To achieve the requirements of Section 6(c) of the Act, and ensure that the overall proportion of remaining indigenous vegetation is maintained and enhanced, this Plan includes consideration of the "no net loss" principle of the Waikato Regional Policy Statement to ensure that that biodiversity controls at a district level contribute to no net loss at a regional scale. This is achieved through the identification of significant areas of indigenous vegetation and significant habitats of indigenous fauna of national, regional and local significance; as well as rules intended to protect or maintain and enhance significant natural areas and other remnant areas of indigenous vegetation and wetlands. In this Plan, areas of significant indigenous vegetation and significant habitats of indigenous fauna that comply with the criteria in the Waikato Regional Policy Statement have been identified. These areas are identified on the Planning Maps and have particular policies and rules that apply to them. Not all of these sites have been verified by a site visit, and some boundary adjustments may be required through ground-truthing. In addition a number of other sites that may comply with the Regional Council criteria exist, but have not been included on the Planning Maps due to being considered 'likely' or 'indeterminate'. Site visits to confirm boundaries and status need to be undertaken. The Regional Council is also mapping significant wetland areas in the District and these may be added to the Plan as significant natural areas through a First Schedule process.

24.1.8 This Plan adopts a cascade of rules approach, illustrated below, for activities that affect areas of indigenous vegetation and wetlands. Most of these rules appear in this Section of the Plan, but other rules also appear in other Sections of the Plan including Sections 4, 15 and 26. In some limited circumstances, the removal of indigenous vegetation is enabled within significant natural areas, for example, to maintain identified infrastructure or to allow for sustainable forestry as appropriate.



- 24.1.9 In addition to maintaining and enhancing remaining indigenous vegetation within the District, this Plan seeks to secure the protection of key areas through benefit lot incentives (refer to Section 15 - Infrastructure, Hazards, Development and Subdivision). These incentives are regulatory tools that focus primarily on enhancing connections through a 'corridor approach'. Biodiversity corridors have been identified on Planning Map 49. Incentives may also be available for the protection of wetlands, (due to their rarity), areas of indigenous vegetation that meet significant natural area criteria and also for remnant kahikatea stands due to the contribution these very distinctive features make to the rural character of the District. This focused approach ensures that the incentives are offered to the areas where a strategic benefit to indigenous biodiversity values or the public good can be achieved, while limiting the extent of subdivision incentives so as to manage the District's future growth. Benefit lots are one of a range of tools available to create an incentive for protection, other possible mechanisms are non-regulatory in nature.
- 24.1.10 Council is also considering a range of non-regulatory approaches to promote the retention of indigenous biodiversity, and a range of possible methods are outlined in Council's Environment Strategy. In addition, a contestable heritage fund is being developed, for which the retention of indigenous biodiversity can be a consideration. Such non-regulatory approaches contribute to ensuring the success of the protection of indigenous biodiversity, but will be subject to resourcing including funding through non Resource Management Act processes.
- 24.1.11 The Forests Act 1949 contains provisions relating to Sustainable Forest Management Permits and Plans. The primary focus of the Forests Act is on sustainable timber production rather than effects on indigenous biodiversity values, whereas the Resource Management Act requires a broader view of sustainability. As such, this section contains provisions to address effects which fall outside of the requirements of the Forests Act.

## **24.2 Resource Management Issues**

### **Low levels of indigenous vegetation in Waipa District and its effect on biodiversity**

- 24.2.1 Only 7.5% of indigenous vegetation cover remains in the District, and these areas are highly fragmented and confined to the hills and mountains, resulting in poor connectivity between mountains and hills, rivers and lakes, lowland natural areas, and the urban centres. There is a need to protect, enhance, restore and reconnect these remaining natural areas to improve their long term ecological viability.
- 24.2.2 Many natural areas in the District are still being lost and/or degraded due to inappropriate development and subdivision and impacts associated with more intensive use of land.
- 24.2.3 Wetland areas are particularly vulnerable to loss or degradation. The Waikato Regional Council is in the process of identifying and assessing the extent and significance of the remaining wetland areas in the region. This data will be available by July 2016 and may prompt a variation or plan change to the District Plan.

### **Challenges of managing the low levels of indigenous vegetation in the Waipa District**

- 24.2.4 There is strong direction from central government for the protection of indigenous biodiversity. Although restoration initiatives are underway at a number of sites such as Maungatautari, Mount Kakepuku, and Lake Serpentine, more action is needed to slow and potentially halt the current trend of declining levels of indigenous biodiversity.

- 24.2.5 The following issues have been identified as the most critical for indigenous biodiversity in the District:
- (a) Protecting the remaining areas of indigenous vegetation on the low lands (i.e. kahikatea stands, riparian margins, shrub lands, and wetland communities) from stock, invasion of weeds, land drainage and vegetation removal; and
  - (b) Retaining the ecological values associated with the unprotected forested lower slopes of the western hills of Pirongia, the Kapamahunga Range, Maungatautari, Kakepuku, Maungakawa, Te Miro and Te Tapui; and
  - (c) Reducing the impact of pests on indigenous flora and fauna of the District; and
  - (d) Land use practices adjacent to the peat lakes and rivers can result in adverse effects, through the clearance of buffer margins, weed intrusion; and/or the acceleration of peat shrinkage through over drainage and degrading water quality; and
  - (e) Maintaining and enhancing indigenous vegetation and wetland areas within biodiversity corridors identified on Planning Map 49.
- 24.2.6 A range of methods, both regulatory and non-regulatory, are needed to address indigenous biodiversity issues in the District.

### 24.3 Objectives and Policies

*Please also refer to the objectives and policies of Parts C, Part D, and Part E as relevant.*

*Please note that these objectives and policies do not apply to the Karāpiro and Arapuni Hydro Power Zone.*

#### **Objective - Managing effects on district wide indigenous biodiversity**

- 24.3.1 To maintain and enhance the existing level of biodiversity within the District.

*Policy - Maintenance and enhancement of indigenous biodiversity*

- 24.3.1.1 To achieve the maintenance and enhancement of indigenous biodiversity values in the District by ensuring that removal of indigenous vegetation or disturbance of wetland areas only occurs where:
- (a) Connectivity to link core habitats along biodiversity corridors is supported; and
  - (b) Sensitive sites remain buffered from intensive land use, development and subdivision; and
  - (c) Habitat is retained for at risk and threatened indigenous species; and
  - (d) Customary activities do not adversely affect at risk or threatened indigenous species; and
  - (e) Consideration has been given to opportunities that contribute to no net loss at a regional scale.

*Policy - Indigenous vegetation removal for tracks*

- 24.3.1.2 To ensure that the effects of indigenous vegetation removal for the creation of new tracks is remedied or mitigated in accordance with the identified indigenous biodiversity values of the area.

*Policy - Te Awa cycleway*

- 24.3.1.3 To provide for the removal of indigenous vegetation for the construction of the Te Awa cycleway where the indigenous biodiversity values and connectivity are appropriately avoided, remedied or mitigated.

*Policy - Sustainable harvesting of indigenous vegetation*

- 24.3.1.4 To provide for sustainable harvesting of indigenous vegetation where the indigenous biodiversity values and ecological characteristics of the area are maintained or enhanced.

*Policy - Conservation activities*

- 24.3.1.5 Conservation activities that require minor disturbance or removal of indigenous vegetation are enabled.

*Policy - Removal of manuka or kanuka*

- 24.3.1.6 To provide for the removal of small amounts of manuka or kanuka on a sustainable basis.

*Policy - Electricity transmission and distribution*

- 24.3.1.7 To provide for appropriate management of indigenous vegetation in accordance with the National Environmental Standard for Electricity Transmission.

*Policies - Non-regulatory methods*

- 24.3.1.8 To encourage planting of indigenous vegetation to enhance indigenous biodiversity values.
- 24.3.1.9 To ensure stock and pests are appropriately managed.
- 24.3.1.10 To promote enhancement of indigenous biodiversity in the District through a range of both regulatory and non-regulatory methods.

Advice Note: Please refer to Environmental Benefit Lot Rules 15.4.2.46 to 15.4.2.51.

**Objective - Maintain and enhance indigenous biodiversity within the biodiversity corridors**

- 24.3.2 To maintain and enhance indigenous biodiversity, ecological processes and connectivity within the biodiversity corridors as identified on Planning Map 49.

*Policy - Loss of indigenous biodiversity*

- 24.3.2.1 The removal indigenous vegetation and habitat of indigenous species or the disturbance of wetland areas within the biodiversity corridors is discouraged.

*Policy - Promote enhancement of indigenous biodiversity*

- 24.3.2.2 To recognise and promote the importance of maintaining and enhancing connectivity along biodiversity corridors, and indigenous vegetation and habitat of indigenous fauna within the biodiversity corridors.

*Policy - Encouragement of permanent protection in the biodiversity corridors*

- 24.3.2.3 To encourage incentives that achieve permanent protection for the retention of features within the biodiversity corridors such as wetlands and kahikatea stands.

Advice Note: Please refer to Environmental Benefit Lot Rules 15.4.2.46 to 15.4.2.51.

**Objective - Significant natural areas and bush stands**

- 24.3.3 To protect the indigenous biodiversity values and the existing level of indigenous biodiversity within the significant natural areas listed in Appendix N5 and bush stands listed in Appendix N8.

*Policy - Limiting indigenous vegetation removal and other activities within identified significant natural areas and bush stands.*

- 24.3.3.1 To protect the ecological sustainability, indigenous biodiversity values and characteristics of significant natural areas including wetlands, and bush stands by ensuring that:

- (a) The removal of indigenous vegetation or habitat of indigenous species is discouraged and:
- (i) Only occurs in sustainable quantities in significant natural areas of local significance; and
  - (ii) Only occurs in limited circumstances within internationally, nationally or regionally significant natural areas and bush stands.
- (b) The health and functioning of significant natural areas including wetlands, and bush stands is maintained through appropriate land use practices.

*Policy - Identification of additional significant natural areas*

- 24.3.3.2 Complete the identification and mapping of additional areas that meet the significant natural area criteria identified in the Regional Policy Statement, including wetlands that are identified by the Regional Council as significant.

## 24.4 Rules

*The rules that apply are contained in:*

- (a) *The activity status tables and the performance standards in this section; and*  
(b) *The activity status tables and the performance standards in Parts D Zone Provisions, Part E District wide Provisions and Part F District Wide Natural and Cultural Heritage of the Plan.*

*Please note that the following rules do not apply to the Karāpiro and Arapuni Hydro Power Zone. Refer to Section 12 of the Plan.*

### 24.4.1 Activity Status Tables

Advice Note: Where a proposed activity requires a resource consent solely as a result of an area being identified as a significant natural area (SNA) and the site has not been ground truthed, Council will meet the costs of the ground truthing assessment to confirm the status and boundaries of the significant natural area. The assessment will be carried out by a Council approved suitably qualified and experienced ecologist prior to an application for resource consent being lodged.

24.4.1.1	Activities	Most restrictive		Moderate restriction	Least restrictive
		Significant Natural Areas (SNAs) (Appendix N5)	Bush Stands (Appendix N8)	Biodiversity Corridors (Map 49)	District Wide indigenous Vegetation
<p>For all permitted and controlled activities listed in this table the rules in 24.4.2 will apply. The activity status for activities which fail to comply with the rules is identified under each rule. For the avoidance of doubt where activities fail to comply with this table and have no associated rule, resource consent for a non-complying activity is required.</p> <p>For the avoidance of doubt, if a significant natural area or bush stand are located within a biodiversity corridor, the most restrictive rule provisions shall apply.</p>					
<b>Management of indigenous vegetation</b>					
(a)	Trimming, pruning or removal of indigenous vegetation associated with the following activities: (i) To maintain or construct perimeter fences for stock exclusion; or (ii) Undertaken in accordance with the terms of a QEII National Trust covenant, or other relevant covenant, consent notice or encumbrance; or (iii) Carried out by, or under the direction or control of the Department of Conservation or Waipa District Council on Crown Reserve; or (iv) Undertaken pursuant to conservation activities where the activity complies with Rule 24.4.2.2; or (v) To undertake pest and weed control activities.	P	P	P	P
(b)	Planting of indigenous vegetation and conservation planting.	P	P	P	P
(c)	Pest control activities.	P	P	P	P
(d)	Removal of dead or damaged indigenous vegetation or indigenous vegetation presenting an imminent danger to human life.	P	P	P	P

24.4.1.1	Activities	Most restrictive		Moderate restriction	Least restrictive
		Significant Natural Areas (SNAs) (Appendix N5)	Bush Stands (Appendix N8)	Biodiversity Corridors (Map 49)	District Wide indigenous Vegetation
<b>Customary activities</b>					
(e)	Removal of indigenous vegetation undertaken pursuant to customary activities that does not adversely affect at risk or threatened indigenous species.	P	P	P	P
<b>Construction and maintenance of tracks</b>					
(f)	Trimming, pruning and removal of indigenous vegetation on or within 2m of existing tracks, or water intake structures, required for maintenance purposes.	P	P	P	P
(g)	Removal of indigenous vegetation for a track up to 3m wide for the Te Awa Cycleway.	C	C	C	P
<p>The matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>Location, extent and necessity of vegetation removal associated with the activity; and</li> <li>Effects on the connectivity, value and characteristics of the significant natural area, bush stand or biodiversity corridor (as relevant); and</li> <li>Appropriateness of mitigation measures proposed including consideration of the no net loss principle.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
(h)	Removal of indigenous vegetation for construction of new tracks (excluding conservation activities and the Te Awa Cycleway).	NC National or Regional SNA RD Local SNA	NC	C Where clearance is less than 1 hectare RD Where clearance is 1 hectare or more	P
<p>The matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>Location and extent of vegetation removal associated with the activity; and</li> <li>The necessity of vegetation removal associated with the activity; and</li> <li>Effects on the connectivity, value and characteristics of the local significant natural area or biodiversity corridor (as relevant); and</li> <li>Appropriateness of mitigation measures proposed including consideration of the no net loss principle.</li> </ul> <p>Assessment of a restricted discretionary activity shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>The matters listed above for a controlled activity; and</li> <li>Alternatives to removal of indigenous vegetation.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
<b>Network utilities, electricity transmission and distribution</b>					
(i)	Trimming or pruning of indigenous vegetation to avoid or mitigate effects on the operation of an existing network utility.	P	P	P	P



24.4.1.1	Activities	Most restrictive		Moderate restriction	Least restrictive
		Significant Natural Areas (SNAs) (Appendix N5)	Bush Stands (Appendix N8)	Biodiversity Corridors (Map 49)	District Wide indigenous Vegetation
(j)	Removal of indigenous vegetation for the purpose of reducing risk to existing transmission or distribution lines	C	C	C	P
<p>The matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>Location, extent and necessity of vegetation removal associated with the activity; and</li> <li>Effects on the connectivity, value and characteristics of the significant natural area, bush stand or biodiversity corridor (as relevant); and</li> <li>Effects on indigenous biodiversity; and</li> <li>Effects on landscape; and</li> <li>Appropriateness of mitigation measures proposed including consideration of the no net loss principle.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
(k)	Removal of indigenous vegetation for electricity transmission or distribution line purposes, excluding matters in clause (j).	RD	RD	RD	P
<p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>Location, extent and necessity of vegetation removal associated with the activity; and</li> <li>Effects on the connectivity, value and characteristics of the significant natural area, bush stand or biodiversity corridor (as relevant); and</li> <li>Effects on indigenous biodiversity; and</li> <li>Effects on landscape; and</li> <li>Appropriateness of mitigation measures proposed including consideration of achieving the no net loss principle; and</li> <li>Alternatives to removal of indigenous vegetation.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
<b>Removal of manuka or kanuka</b>					
(l)	Removal of manuka or kanuka for use on same holding where the activity complies with Rule 24.4.2.1.	D National or Regional SNA C Local SNA	D	P	P
<p>The matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>Location, extent and necessity of indigenous vegetation removal; and</li> <li>Effects on the connectivity between significant natural areas; and</li> <li>Effects on indigenous biodiversity; and</li> <li>Appropriateness of mitigation measures proposed including consideration of the no net loss principle; and</li> <li>Alternatives to removal of indigenous vegetation.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
<b>Sustainable harvesting of indigenous vegetation</b>					
(m)	Sustainable harvesting where the activity complies with Rule 24.4.2.3.	C	NC	C	P
<p>The matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>Effects on at risk or threatened species and methods to address those effects; and</li> <li>The location of trees within significant natural area, or biodiversity corridor (as relevant); and</li> </ul>					

24.4.1.1	Activities	Most restrictive		Moderate restriction	Least restrictive
		Significant Natural Areas (SNAs) (Appendix N5)	Bush Stands (Appendix N8)	Biodiversity Corridors (Map 49)	District Wide indigenous Vegetation
	<ul style="list-style-type: none"> <li>The area of trees to be harvested on an annual basis; and</li> <li>Effects on the connectivity, value and characteristics of the significant natural area, bush stand or biodiversity corridor (as relevant); and</li> <li>Potential adverse effects on indigenous biodiversity during harvesting and methods to avoid, remedy or mitigate those effects including consideration of the no net loss principle.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>				
<b>Removal of indigenous vegetation for any other purpose</b>					
(n)	Removal of indigenous vegetation for any other purpose.	NC National or Regional SNA	NC	C Where clearance is less than 1 hectare	P
		D Local SNA		RD Where clearance is 1 hectare or more	
<p>The matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>Location and extent of vegetation removal associated with the activity; and</li> <li>The necessity of vegetation removal associated with the activity; and</li> <li>Effects on the connectivity, value and characteristics of biodiversity corridor; and</li> <li>Appropriateness of mitigation measures proposed including consideration of the no net loss principle.</li> </ul> <p>Assessment of a restricted discretionary activity shall be limited to the following matters:</p> <ul style="list-style-type: none"> <li>The matters listed above for a controlled activity; and</li> <li>Alternatives to removal of indigenous vegetation.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>					
<p><i>In this table: P = permitted activity; C = controlled activity; RD = restricted discretionary activity; D = discretionary activity; NC = non-complying activity; NA = not applicable</i></p>					

## 24.4.2 Performance Standards

*The following rules apply to activities listed as permitted, controlled or restricted discretionary.*

*Where rules are not complied with the resource consent will be required in accordance with the rules in the activity status table or as identified in the performance standards, and will be assessed against the relevant objectives and policies. In the case of controlled and restricted discretionary activities, the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*

### Rule - Removal of manuka or kanuka

24.4.2.1 Removal of manuka or kanuka from a holding shall comply with the following:

- The removal of manuka or kanuka is no more than 5m<sup>3</sup> per calendar year; and
- The area from which manuka or kanuka is removed shall be replanted within 6 months or allowed to regenerate; and
- The removal of manuka or kanuka shall not adversely affect any at risk or threatened indigenous species.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with discretion being restricted to the following matters:

- Location, extent and necessity of indigenous vegetation removal; and
- Effects on the connectivity between significant natural areas or along biodiversity corridors; and
- Effects on indigenous biodiversity; and
- Appropriateness of mitigation measures proposed including consideration of the no net loss principle; and
- Alternatives to removal of indigenous vegetation.

This matter shall be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Conservation activities**

- 24.4.2.2 When undertaking conservation activities that involve the removal of indigenous vegetation, no greater than 1 hectare or 1% of the area, whichever is the lesser, of the significant natural area or bush stand shall be disturbed or removed.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with discretion being restricted to the following matters:

- Location, extent and necessity of indigenous vegetation removal; and
- Effects on the value and characteristics of the significant natural area or bush stand (as relevant); and
- Effects including any positive benefit to indigenous biodiversity; and
- Alternatives to removal of indigenous vegetation.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Sustainable harvesting of indigenous vegetation**

- 24.4.2.3 Sustainable harvesting of indigenous vegetation shall comply with the following:
- (a) Be subject to a sustainable forest management plan or permit under Forests Act 1949; and
  - (b) Maintain the values and characteristics of the significant natural area and connectivity along biodiversity corridors; and
  - (c) Not adversely affect any at risk or threatened indigenous species; and
  - (d) No harvesting occurs within 5m of a water body.

Advice Note: Refer also to Rule 26.4.2.1 regarding removal of vegetation within 23m of a water body.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted to the following matters:

- The location of trees if within significant natural area or biodiversity corridor (as relevant); and
- The area of trees to be harvested on an annual basis; and
- Effects on the connectivity, value and characteristics of the significant natural area or biodiversity corridor (as relevant); and
- Potential adverse effects on indigenous biodiversity during harvesting and methods to avoid, remedy or mitigate those effects including consideration of the no net loss principle.

These matters will be considered in accordance with the assessment criteria in Section 21.

## **24.5 Assessment Criteria**

### **24.5.1 Controlled activities and Restricted Discretionary activities**

*For controlled and restricted discretionary activities the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. Resource consent conditions can only be imposed over the matters which control or discretion has been reserved. The relevant assessment criteria are contained within Section 21.*

### **24.5.2 Discretionary activities**

*For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*