

ECO – Ecosystems and indigenous biodiversity

Objectives

ECO-O1 Biodiversity and ecosystems

- (1) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.

ECO-O2 Significant Natural Areas

- (1) Indigenous biodiversity in Significant Natural Areas is protected and enhanced.

ECO-O3 Natural features in the **RPZ – Rangitahi Peninsula zone**

- (1) Natural features of the Rangitahi Peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced.

Policies

ECO-P1 Biodiversity and ecosystems

- (1) Enable activities that maintain or enhance indigenous biodiversity including:
 - (a) planting using indigenous species suitable to the habitat;
 - (b) the removal or management of pest plant and animal species;
 - (c) biosecurity works.
- (2) Consider the following when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:
 - (a) the required range of natural food sources;
 - (b) habitats of threatened and at risk species;
 - (c) ecological processes and corridors;
 - (d) ecological sequences;
 - (e) migratory pathways;
 - (f) pest plants and pest animals;
 - (g) the Waikato river and its catchment;
 - (h) natural character and landscape values of the area;
 - (i) natural waterway habitats and hydrology;
 - (j) ecological corridors, natural processes and buffer areas;
 - (k) legal and physical protection of existing habitat;
- (3) Provide for the removal of manuka or kanuka on a sustainable basis.

ECO-P2 Identify and Recognise

- (1) Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas

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- (2) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.

ECO-P3 Management hierarchy

- (1) Recognise and protect indigenous biodiversity within Significant Natural Areas by:
 - (a) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled;
 - (b) remedying any effects that cannot be avoided; then
 - (c) mitigating any effects that cannot be remedied; and
 - (d) after remediation or mitigation has been undertaken, offset any significant residual adverse effects in accordance with **Policy ECO-P4**

ECO-P4 Biodiversity offsetting

- (1) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, or on indigenous biodiversity outside such Significant Natural Areas.
- (2) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been avoided, remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and
 - (a) the biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting; and
 - (b) the biodiversity offset can achieve no net loss of indigenous biodiversity:
 - (i) preferably in the affected area of Significant Natural Area; or
 - (ii) where that is not practicable, in the ecological district in which the affected area of Significant Natural Area is located.

ECO-P5 Biodiversity in the coastal environment

- (1) Avoid the adverse effects of subdivision use and development within Significant Natural Areas of the coastal environment on:
 - (a) indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists
 - (b) habitats of indigenous species where the species are listed as threatened or at risk, are at the limit of their natural range, or are naturally rare
 - (c) areas containing nationally-significant examples of indigenous community types
 - (d) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, and
 - (e) areas set aside for full or partial protection of indigenous biological diversity under legislation.

ECO-P6 Providing for vegetation clearance

- (1) Provide for the clearance of indigenous vegetation in Significant Natural Areas when:
 - (a) maintaining tracks, fences and farm drains
 - (b) avoiding loss of life injury or damage to property

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- (c) collecting material to maintain traditional Maaori cultural practices
 - (d) collecting firewood for domestic use
- (2) Provide for the clearance of indigenous vegetation in Significant Natural Areas for the construction of building platforms, services, access, vehicle parking and on-site manoeuvring and the development of Maaori Freehold Land by:
- (a) using any existing cleared areas on a site that are suitable to accommodate new development in the first instance;
 - (b) using any practicable alternative locations that would reduce the need for vegetation removal;
 - (c) retaining indigenous vegetation which contributes to the ecological significance of a site, taking into account any loss that may be unavoidable to create a building platform, services, access, vehicle parking and manoeuvring on a site;
 - (d) Firewood.

ECO-P7 Managing Significant Natural Areas

- (1) Promote the management of Significant Natural Areas in a way that protects their long-term ecological functioning and indigenous biodiversity values, through such means as:
- (a) permanently excluding stock through voluntary covenants and conservation subdivisions
 - (b) undertaking plant and animal pest control
 - (c) retaining and enhancing indigenous vegetation cover
 - (d) maintaining and restoring natural wetland hydrology
 - (e) avoiding physical and legal fragmentation
 - (f) legal protection of Significant Natural Areas through conservation covenants or similar mechanisms
 - (g) providing for the role of Mana Whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing areas.

ECO-P8 Incentivise subdivision

- (1) Incentivise subdivision in the **GRUZ – General rural zone** when there is the legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a functioning ecosystem.

ECO-P9 Environmental improvement **in the RPZ – Rangitahi Peninsula zone**

- (1) Gully systems and stream margins should be planted and managed to maintain and enhance natural ecosystems, contribute to land stability and restore habitat for indigenous flora and fauna.
- (2) Planting and management of gully systems and stream margins will result in net environmental gain.

ECO-P10 Ecological and habitat values **in the RPZ – Rangitahi Peninsula zone**

- (1) The significant ecological and habitat values of the Rangitahi Peninsula are maintained and enhanced.

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- (2) The loss of significant indigenous vegetation and significant habitat of indigenous fauna should be avoided.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW – How the Plan Works.

[Drafting note: Given the scope of this exercise to rehome notified PWDP provisions (and not make substantial changes), the below rules have not been fully rationalised. i.e. combined where the rules are similar. This exercise will be undertaken (where appropriate) in the Decisions Version of the Plan]

ECO-R1	Earthworks –within Significant Natural Areas <u>in the LLRZ – Large lot residential zone</u>	
	<p>(1) Activity status: PER Where:</p> <p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must not:</p> <p>(i) Exceed a volume of 50m³ in a single calendar year;</p> <p>(ii) Exceed an area of 250m² in a single calendar year; and</p> <p>(iii) Import any fill material.</p>	<p>(2) Activity status where compliance not achieved: DIS Council’s discretion is restricted to the following matters:</p> <p>(a) the location of earthworks, taking into account waterways, significant indigenous vegetation or habitat</p>

ECO-R2	Indigenous vegetation clearance inside a Significant Natural Area <u>in any of the following zones:</u>	
	<ul style="list-style-type: none"> • <u>LLRZ – Large lot residential zone;</u> • <u>GRZ – General residential zone;</u> • <u>GRUZ – General rural zone;</u> • <u>RLZ – Rural lifestyle zone;</u> • <u>COMZ – Commercial zone;</u> • <u>GIZ – General industrial zone;</u> • <u>HIZ – Heavy industrial zone;</u> • <u>OSZ – Open space zone; or</u> • <u>RPZ – Rangitahi Peninsula zone</u> 	
	<p>(1) Activity status: PER Where:</p> <p>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in <u>SCHED5 – Urban Allotment</u> for any of the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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<ul style="list-style-type: none"> (ii) Conservation fencing to exclude stock or pests; (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; (v) Gathering plants in accordance with Maori customs and values. 	
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<p>ECO-R3</p>	<p>Indigenous vegetation clearance inside a Significant Natural Area <u>in any of the following zones:</u></p> <ul style="list-style-type: none"> • <u>LLRZ – Large lot residential zone;</u> • <u>GRZ – General residential zone;</u> • <u>GRUZ – General rural zone;</u> • <u>RLZ – Rural lifestyle zone;</u> • <u>COMZ – Commercial zone;</u> • <u>GIZ – General industrial zone;</u> • <u>HIZ – Heavy industrial zone; or</u> • <u>RPZ – Rangitahi Peninsula zone</u> 	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Removal of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</p>	<p>(2) Activity status where compliance not achieved: DIS</p>	

<p>ECO-R4</p>	<p>Indigenous vegetation clearance inside a Significant Natural Area <u>in any of the following zones:</u></p> <ul style="list-style-type: none"> • <u>LLRZ – Large lot residential zone;</u> • <u>GRZ – General residential zone;</u> • <u>GRUZ – General rural zone;</u> • <u>RLZ – Rural lifestyle zone;</u> • <u>COMZ – Commercial zone;</u> • <u>GIZ – General industrial zone;</u> • <u>HIZ – Heavy industrial zone;</u> • <u>OSZ – Open space zone; or</u> • <u>RPZ – Rangitahi Peninsula zone</u> 	
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<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area identified on the planning maps or in SCHED5 – Urban Allotment must comply with all of the following conditions:</p> <p>(i) There is no alternative development area on the site outside the Significant Natural Area; and</p> <p>(ii) The total indigenous vegetation clearance does not exceed 250m².</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
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<p>ECO-R5</p>	<p>Indigenous vegetation clearance inside a Significant Natural Area in any of the following zones:</p> <ul style="list-style-type: none"> • LLRZ – Large lot residential zone; • GRZ – General residential zone; • GRUZ – General rural zone; • RLZ – Rural lifestyle zone; • COMZ – Commercial zone; • GIZ – General industrial zone; • HIZ – Heavy industrial zone; or • RPZ – Rangitahi Peninsula zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in SCHED5 – Urban Allotment where:</p> <p>(i) There is no alternative development area on the site outside the Significant Natural Area;</p> <p>(ii) The following total areas are not exceeded:</p> <p>(1) 1500m² for a Marae complex, including areas associated with access parking and manoeuvring; and</p> <p>(2) 500m² per dwelling, including areas associated with access parking and manoeuvring; and</p> <p>(3) 500m² for a papakaaingā building including areas associated with access parking and manoeuvring.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

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<p>ECO-R6</p>	<p>Indigenous vegetation clearance inside a Significant Natural Area in <u>any of the following zones:</u></p> <ul style="list-style-type: none"> • <u>LLRZ – Large lot residential zone;</u> • <u>GRZ – General residential zone;</u> • <u>GRUZ – General rural zone;</u> • <u>RLZ – Rural lifestyle zone;</u> • <u>COMZ – Commercial zone;</u> • <u>GIZ – General industrial zone;</u> • <u>HIZ – Heavy industrial zone; or</u> • <u>RPZ – Rangitahi Peninsula zone</u> 	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in <u>SCHED5 – Urban Allotment</u> for any of the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p> <p>(ii) Conservation fencing to exclude stock or pests;</p> <p>(iii) Maintaining existing farm drains;</p> <p>(iv) Maintaining existing tracks and fences;</p> <p>(v) Gathering plants in accordance with Maaori customs and values.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>	

<p>ECO-R7</p>	<p>Indigenous vegetation clearance inside a Significant Natural Area in <u>any of the following zones:</u></p> <ul style="list-style-type: none"> • <u>LLRZ – Large lot residential zone;</u> • <u>GRZ – General residential zone;</u> • <u>GRUZ – General rural zone;</u> • <u>RLZ – Rural lifestyle zone;</u> • <u>COMZ – Commercial zone;</u> • <u>GIZ – General industrial zone;</u> • <u>HIZ – Heavy industrial zone; or</u> • <u>RPZ – Rangitahi Peninsula zone</u> 	
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Removing of up to 5m³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</p>	<p>(2) Activity status where compliance not achieved: DIS</p>	

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ECO-R8	Earthworks - Significant Natural Areas in the GRZ – General residential zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:</p> <p>(i) Maximum volume of 50m³ in a single consecutive 12 month period;</p> <p>(ii) Maximum area of 250m² in a single consecutive 12 month period; and</p> <p>(iii) Not include importing any fill material.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion shall be restricted to the following matters:</p> <p>(a) The location of earthworks in relation to waterways, significant indigenous vegetation or habitat;</p> <p>(b) The protection of adverse effects on the Significant Natural Area values.</p>

ECO-R9	Title boundaries – Significant Natural Areas in the GRZ – General residential zone
<p>(1) Activity status: RDIS</p> <p>Where:</p> <p>(a) Subdivision of sites containing a Significant Natural Area(s), where the Significant Natural Area is contained wholly within a proposed lot.</p> <p>Council’s discretion shall be restricted to the following matter:</p> <p>(b) Effects on Significant Natural Area.</p>	<p>(2) Activity status where compliance not achieved: NC</p>

ECO-R10	Earthworks - Significant Natural Areas in the GRUZ – General rural zone
<p>Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</p> <p>(i) The earthworks must not exceed a volume of 50m³ in a single consecutive 12 month period; and</p> <p>(ii) The earthworks must not exceed an area of 250m² in a single consecutive 12 month period;</p> <p>(iii) The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Earthworks are setback 1.5m from all boundaries;</p> <p>(v) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</p> <p>(b) The effects on the Significant Natural Area.</p>

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<p>(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</p>	
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ECO-R11	Earthworks - Significant Natural Areas in the GRUZ – General rural zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Filling using imported fill must not exceed a volume of 20m³ and a depth of 1.5m.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</p> <p>(b) The effects on the Significant Natural Area.</p>

ECO-R12	Indigenous vegetation clearance - outside a Significant Natural Area in the GRUZ – General rural zone or RLZ – Rural lifestyle zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in SCHED5 – Urban Allotment must be for the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p> <p>(ii) Maintaining productive pasture through the removal of up to 1000m² per single consecutive 12 month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height;</p> <p>(iii) Maintaining existing tracks and fences;</p> <p>(iv) Maintaining existing farm drains;</p> <p>(v) Conservation fencing to exclude stock or pests;</p> <p>(vi) In the RLZ – Rural lifestyle zone:</p> <p>(1) gathering of plants in accordance with Maaori customs and values; or</p> <p>(2) a building platform and associated access, parking and manoeuvring up to a total of</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems;</p> <p>(b) the extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;</p> <p>(c) the extent to which cumulative effects have been considered and addressed;</p> <p>(d) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site;</p> <p>(e) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.</p>

500m ² clearance of indigenous vegetation.	
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ECO-RI3	Indigenous vegetation clearance - outside a Significant Natural Area in the GRUZ – General rural zone or RLZ – Rural lifestyle zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in SCHEDS – Urban Allotment must be for the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p> <p>(ii) Maintaining productive pasture through the removal of up to 1000m² per single consecutive 12 month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height;</p> <p>(iii) Maintaining existing tracks and fences;</p> <p>(iv) Maintaining existing farm drains;</p> <p>(v) Conservation fencing to exclude stock or pests; or</p> <p>(vi) Gathering of plants in accordance with Maaori custom and values.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems;</p> <p>(b) the extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;</p> <p>(c) the extent to which cumulative effects have been considered and addressed;</p> <p>(d) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site;</p> <p>(e) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.</p>

ECO-RI4	Indigenous vegetation clearance - outside a Significant Natural Area in the GRUZ – General rural zone or RLZ – Rural lifestyle zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) On Maaori Freehold Land or Maaori Customary Land, the clearance of indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in SCHEDS – Urban Allotment must not exceed:</p> <p>(i) 1500m² for a Marae complex including associated access, parking and manoeuvring;</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems;</p> <p>(b) the extent to which the clearance will result in loss, damage or disruption to</p>

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<ul style="list-style-type: none"> (ii) 500m² per dwelling including associated access, parking and manoeuvring; and (iii) 500m² for a papakaainga building including associated access, parking and manoeuvring. 	<p>ecological processes, functions and ecological integrity, including ecosystem services;</p> <ul style="list-style-type: none"> (c) the extent to which cumulative effects have been considered and addressed; (d) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site; (e) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.
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<p>ECO-RI 5 Earthworks – Significant Natural Areas <u>in the RLZ – Rural Lifestyle zone</u></p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area that meet all of the following conditions: <ul style="list-style-type: none"> (i) Maximum volume of 50m³ in a 12 month period; (ii) Maximum area of 250m² in a 12 month period; and (iii) Not include importing any fill material. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The location of earthworks in relation to waterways, significant indigenous vegetation or habitat; (b) The protection of adverse effects on the Significant Natural Area values. <p>(3) Activity status: DIS Earthworks that do not comply with Rule <u>ECO-RI5(1) or (2)</u></p>

<p>ECO-RI 6 Earthworks – within Significant Natural Areas <u>in the COMZ – Commercial zone</u></p>	
<p>(1) Activity status: PER Where:</p> <ul style="list-style-type: none"> (a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions: <ul style="list-style-type: none"> (i) Do not exceed a volume of 50m³ in a single consecutive 12 month period; (ii) Do not exceed an area of 250m² in a single consecutive 12 month period; (iii) Do not include the importation of any fill material. 	<p>(2) Activity status where compliance not achieved: RDIS Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (a) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat; (b) The effects on the Significant Natural Area.

<p>ECO-RI 7 Earthworks – within Significant Natural Areas <u>in the GIZ – General industrial zone</u></p>	
<p>(1) Activity status: PER Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

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<p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) Maximum volume of 50m³ in a single consecutive 12 month period; (ii) Maximum area of 250m² in a single consecutive 12 month period; and (iii) Not include importing any fill material. 	<p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) the location of earthworks in relation to waterways, significant indigenous vegetation or habitat; (b) the protection of adverse effects on the Significant Natural Area values. <p>Activity status: DIS</p> <ul style="list-style-type: none"> (c) Earthworks within an identified Significant Natural Area in <u>Rules ECO-R17(1) or (2)</u>
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ECO-R18	Subdivision - Significant Natural Areas <u>in the GIZ – General industrial zone</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Subdivision of a site containing a Significant Natural Area, must not divide the Significant Natural Area. <p>Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (b) effects on the Significant Natural Area. 	<p>(2) Activity status where compliance not achieved: NC</p>

ECO-R19	Earthworks - Significant Natural Areas <u>in the HIZ – Heavy industrial zone</u>
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions: <ul style="list-style-type: none"> (i) Maximum volume of 50m³ in a single consecutive 12 month period; (ii) Maximum area of 250m² in a single consecutive 12 month period; and (iii) Not include importing any fill material. 	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) The location of earthworks in relation to waterways, significant indigenous vegetation or habitat; (b) The protection of adverse effects on the Significant Natural Area values.

ECO-R20	Subdivision - Significant Natural Areas <u>in the HIZ – Heavy industrial zone</u>
<p>(1) Activity status: RDIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Subdivision of a site containing a Significant Natural Area, must not divide the Significant Natural Area. <p>Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (b) effects on the Significant Natural Area. 	<p>(2) Activity status where compliance not achieved: NC</p>

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ECO-R21	Earthworks – within Significant Natural Areas in the OSRZ – Open space and recreation zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must not:</p> <p>(i) Exceed a volume of 50m³ in a single consecutive 12 month period;</p> <p>(ii) Exceed an area of 250m² in a single consecutive 12 month period;</p> <p>(iii) Import any fill material.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</p> <p>(b) The effects on the Significant Natural Area.</p>

ECO-R22	Earthworks - Significant Natural Areas in the RPZ – Rangitahi Peninsula zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:</p> <p>(i) Maximum volume of 50m³ in a single consecutive 12 month period;</p> <p>(ii) Maximum area of 250m² in a single consecutive 12 month period; and</p> <p>(iii) Not include importing any fill material.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion shall be restricted to the following matters:</p> <p>(a) The location of earthworks in relation to waterways, significant indigenous vegetation or habitat;</p> <p>(b) The protection of adverse effects on the Significant Natural Area values.</p>

ECO-R23	Earthworks – within Significant Natural Areas in the GRZ – General residential zone
<p>(1) Activity status: DIS</p> <p>Where:</p> <p>(a) Earthworks within an identified Significant Natural Area not provided for in Rule ECO-R8(1) or (2)</p>	

ECO-R24	Earthworks – within Significant Natural Areas in the COMZ – Commercial zone
<p>(1) Activity status: DIS</p> <p>Where:</p> <p>(a) Earthworks for any other purpose within an identified Significant Natural Area.</p>	

ECO-R25	Earthworks – within Significant Natural Areas in the HIZ – Heavy industrial zone
<p>(1) Activity status: DIS</p> <p>Where:</p> <p>(a) Earthworks within an identified Significant Natural Area not provided for in Rule ECO-R19(1) or (2)</p>	

Part 2: District-wide Matters / Natural Environment Values / ECO – Ecosystems and indigenous biodiversity

ECO-R26 Earthworks – within Significant Natural Areas **in the RPZ – Rangirahi Peninsula zone**

(1) Activity status: DIS

Where:

- (a) Earthworks within an identified Significant Natural Area not provided for in **Rule ECO-R22(1) or (2)**

NATC – Natural character

Objectives

NATC-O1 Natural Character

- (1) The high and Outstanding Natural Character of the coastal environment is protected from inappropriate subdivision, use and development.
- (2) The natural character of wetlands, and lakes and rivers and their margins are protected from inappropriate subdivision, use and development.

Policies

NATC-PI Recognising natural character

- (1) processes and experiential qualities which contribute to natural character:
 - (a) areas or waterbodies in their natural states or close to their natural state;
 - (b) coastal or freshwater landforms and landscapes;
 - (c) coastal or freshwater physical processes, including the movement of water and sediment;
 - (d) biodiversity;
 - (e) biological processes and patterns;
 - (f) water flows and levels, and water quality; and
 - (g) the experience of the above elements, patterns and processes.
- (2) Recognise the natural character qualities of the following areas within the coastal environment and identified on the planning maps as:
 - (a) Outstanding Natural Character areas; and
 - (b) High (and very high) natural character areas.

NATC-P2 Protecting the natural character qualities of the coastal environment

- (1) Protect the qualities of outstanding and high natural character areas in the coastal environment from inappropriate subdivision, use and development by:
 - (a) managing the adverse effects of subdivision, use and development;
 - (b) avoiding significant adverse effects of subdivision, use and development;
 - (c) avoiding subdivision, use and development within areas of outstanding natural character, where it would damage, diminish or compromise natural character;
 - (d) avoiding activities that damage the stability of identified coastal dune systems;
 - (e) requiring appropriate building setbacks from riparian and coastal margins;
 - (f) ensuring that activities are carried out in a way that maintains or enhances water quality in the coastal environment;
 - (g) enabling and concentrating development within existing settlements to avoid development sprawling along the coastline;
 - (h) recognising historic farming operations that continue today;

- (i) avoiding the establishment of new plantation forestry.

NATC-P3 Protecting the natural character of wetlands, and lakes and rivers and their margins

- (1) Protect the natural character qualities of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development by:
 - (a) ensuring that location, intensity, scale and form of subdivision, use and development are appropriate;
 - (b) minimising, to the extent practicable, indigenous vegetation clearance and modification (including earthworks, disturbance and structures);
 - (c) encouraging any new activities to consolidate within, and around, existing developments or, where the natural character and landscape values have already been compromised, to avoid development sprawling; and
 - (d) requiring appropriate setbacks of activities from wetlands, lakes and rivers.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW – How the Plan Works.

[Drafting note: Given the scope of this exercise to rehome notified PWDP provisions (and not make substantial changes), the below rules have not been fully rationalised. i.e. combined where the rules are similar. This exercise will be undertaken (where appropriate) in the Decisions Version of the Plan]

NATC-RI	Earthworks – Landscape and Natural Character Areas in any of the following zones: LRZ – Large lot residential zone; GRZ – General residential zone; GIZ – General industrial zone; or HIZ – Heavy industrial zone							
<p>(1) Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions: <ul style="list-style-type: none"> (i) The earthworks are undertaken within a single consecutive 12 month period; (ii) The earthworks must not exceed the following areas and volumes within a single consecutive 12 month period: 		<p>(2) Activity status where compliance not achieved: DIS</p>						
<table border="1"> <thead> <tr> <th>Landscape or Natural Character-Area</th> <th>Area (m²)</th> <th>Volume (m³)</th> </tr> </thead> <tbody> <tr> <td>For the GRZ – General Residential Zone, GIZ – General industrial zone and HIZ – Heavy industrial</td> <td>50</td> <td>250</td> </tr> </tbody> </table>		Landscape or Natural Character-Area	Area (m ²)	Volume (m ³)	For the GRZ – General Residential Zone, GIZ – General industrial zone and HIZ – Heavy industrial	50	250	
Landscape or Natural Character-Area	Area (m ²)	Volume (m ³)						
For the GRZ – General Residential Zone, GIZ – General industrial zone and HIZ – Heavy industrial	50	250						

<p>zone High or Outstanding Natural Character area of the coastal environment</p>			
<p>For the LLRZ – Large low residential zone Natural Character or Outstanding Natural Character area of the coastal environment</p>			
<p>(iii) The height of the resulting cut or batter face in stable ground does not exceed 1.5m;</p> <p>(iv) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) The earthworks do not divert or change natural water flows, water bodies or established drainage paths.</p>			

<p>NATC-R2</p>	<p>Earthworks – within Landscape and Natural Character Areas in the GRUZ – General rural zone or RLZ – Rural lifestyle zone</p>		
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions:</p> <p>(i) The earthworks are undertaken within a single consecutive 12 month time period;</p> <p>(ii) The earthworks must not exceed the following areas and volumes within a single consecutive 12 month period:</p>		<p>(2) Activity status where compliance not achieved: DIS</p>	
<p>Landscape or Natural Character Area</p>	<p>Area (m²)</p>	<p>Volume (m³)</p>	
<p>Hill Country Significant Amenity Landscape</p>	<p>1,000</p>	<p>500</p>	

Part 2: District-wide Matters / Natural Environment Values / NATC – Natural character

Significant-Amenity Landscape-Waikato River Margins and Lakes	500	500	
Significant-Amenity Landscape (SAL) sand-dune	50	250	
High or Outstanding Natural Character area of the coastal environment			
Outstanding Natural-Feature sand-dune			
Outstanding Natural-Feature (ONF)			
Outstanding Natural-Landscapes (ONLs)			
<p>(iii) The height of the resulting cut or batter face in stable ground does not exceed 1.5m;</p> <p>(iv) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) The earthworks do not divert or change natural water flows, water bodies or established drainage paths.</p>			

NATC-R3	Earthworks – within Landscape and Natural Character Areas in the OSZ – Open space zone
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the maintenance of existing tracks, fences or drains must comply with all of the following conditions:</p> <p>(i) The earthworks are undertaken within a single consecutive 12 month period;</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

(ii) The earthworks do not exceed the following areas and volumes:		
Landscape or Natural Character Area	Area (m ²)	Volume (m ³)
Significant Amenity Landscape Hill Country	1,000	500
Significant Amenity Landscape Waikato River Margins and Lakes	500	500
Significant Amenity Landscape sand dune	50	250
High Natural Character Area or Outstanding Natural Character area of the coastal environment	50	250
Outstanding Natural Feature sand dune	50	250
Outstanding Natural Feature	50	250
Outstanding Natural Landscapes	50	250
<p>(iii) The height of the resulting cut or batter face in stable ground, not including any surcharge, does not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</p> <p>(iv) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(v) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vi) The earthworks do not divert or change natural water flows, water bodies or established drainage paths.</p>		

NATC-R4	Buildings and structures in Landscape and Natural Character Areas in any of the following zones: <ul style="list-style-type: none"> • GRUZ – General rural zone; or • RLZ – Rural lifestyle zone
(I) Activity status: DIS	

Where:

(a) Building or structure located within any:

~~(i) Outstanding Natural Feature;~~

~~(ii) Outstanding Natural Landscape;~~

(iii) Outstanding Natural Character Area;

(iv) High Natural Character Area.

NFL – Natural features and landscapes

Objectives

NFL-O1 Outstanding natural features and landscapes

- (1) Outstanding natural features and outstanding natural landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.

NFL-O2 Significant amenity landscapes

- (1) The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.

NFL-O3 Natural features in the **RPZ – Rangitahi Peninsula zone**

- (1) Natural features of the Rangitahi Peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced.

Policies

NFL-PI Recognising values and qualities

- (1) Recognise the attributes of the district's mountains, bush clad ranges and hill country identified as outstanding natural features and outstanding natural landscapes including:
 - (a) ridgelines and valleys
 - (b) significant ecological values
 - (c) indigenous bush and the extent of this bush cover
 - (d) cultural heritage values associated with these areas
 - (e) recreational attributes including walking and access tracks
 - (f) existing water reservoirs and dams
 - (g) existing pastoral farming activities on the margins of these areas
- (2) Recognise the attributes of the Waikato River delta and wetlands, Whangamarino Wetland and Lake Whangape identified as Outstanding Natural Features, including:
 - (a) natural geomorphology and hydrological processes;
 - (b) significant habitat values;
 - (c) significant indigenous vegetation;
 - (d) cultural heritage values associated with these areas;
 - (e) recreational use of these areas; and
 - (f) existing pastoral farming activities on the margins these areas.
- (3) Recognise the attributes of the west coast dunes identified as outstanding natural features, including:
 - (a) natural geomorphology, patterns and processes;
 - (b) significant habitat values;

- (c) significant indigenous vegetation;
- (d) cultural heritage values associated with these areas; and
- (e) existing pastoral farming activities on the margins these areas.

NFL-P2 Protection from inappropriate subdivision, use and development

- (1) Ensure that the attributes of identified Outstanding Natural Features and Outstanding Natural Landscapes are protected from inappropriate subdivision, use and development by:
 - (a) requiring buildings and structures to be integrated into the outstanding natural landscape or feature to minimise any visual impacts;
 - (b) managing the adverse effects of building platforms, buildings, driveways and roads through appropriate subdivision design;
 - (c) requiring subdivision and development to retain views of outstanding natural landscapes and features from public places; and
 - (d) avoiding the adverse effects of extractive industries and earthworks.

NFL-P3 The relationships of Maaori with natural resources and land

- (1) Provide for the consideration of cultural and spiritual relationships of Maaori with Outstanding Natural Features and Outstanding Natural Landscapes as part of subdivision, use and development.
- (2) Provide for the development of Maaori Freehold Land, within Outstanding Natural Features and Landscapes, including within the Whaanga Coast Specific Area.
- (3) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Outstanding Natural Features and Outstanding Natural Landscapes.

NFL-P4 Recognising Significant Amenity Landscapes

- (1) Recognise the attributes which contribute to identified Significant Amenity Landscapes

NFL-P5 Maintaining and enhancing Significant Amenity Landscapes

- (1) Maintain and enhance identified Significant Amenity Landscapes, during subdivision, land use and development, in particular by:
 - (a) requiring buildings and structures to be integrated into the Significant Amenity Landscape to minimise any visual impacts;
 - (b) managing the adverse effects of building platforms, buildings, driveways and roads through appropriate subdivision design;
 - (c) providing for the continuation of farming activities within hill country landscapes and volcanic features;
 - (d) managing the adverse effects of earthworks; and
 - (e) promoting and encouraging maintenance and enhancement of their attributes.

NFL-P6 The relationships of Maaori with their resources and land

- (1) Provide for the cultural and spiritual relationships of Maaori with Significant Amenity Landscapes during subdivision, use and development.

- (2) Provide for the development of Maaori Freehold Land within Significant Amenity Landscapes.
- (3) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Significant Amenity Landscapes.

NFL-P7 Landscape values **in the RPZ – Rangirahi Peninsula zone**

- (1) Planting on steep slopes should be encouraged and designed to protect and enhance the landscape values on the peninsula.
- (2) Landscape planting along streets and public open spaces should incorporate species to contribute to habitat for indigenous fauna.
- (3) Landscaping shall be designed to incorporate ecological and habitat linkages, where appropriate.

Rules

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For the GRZ – General residential zone, GIZ –											

<p>General industrial zone, HIZ – Heavy industrial area: Outstanding Natural Feature (ONF) sand dune</p>			
<p>For the GRZ – General residential zone, General industrial zone, HIZ – Heavy industrial area: Outstanding Natural Feature (ONF)</p>			
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<p>NFL-R2</p>	<p>Earthworks – within Landscape and Natural Character Areas in the GRUZ – General rural zone or RLZ – Rural lifestyle zone</p>		
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NFL-R3	Building height in an Outstanding Natural Feature, Outstanding Natural Landscape or Significant Amenity Landscape in the GIZ – General industrial zone or HIZ – Heavy industrial zone
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<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) A building must not exceed a height of:</p> <p>(i) 5m in an Outstanding Natural Feature or Outstanding Natural Landscape; and</p> <p>(ii) 7.5m in a Significant Amenity Landscape.</p>	<p>(2) Activity status where compliance not achieved: DIS</p>
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NFL-R4	Earthworks – within Landscape and Natural Character in the OSZ – Open space CODE																								
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Earthworks for the maintenance of existing tracks, fences or drains must comply with all of the following conditions:</p> <p>(i) The earthworks are undertaken within a single consecutive 12 month period;</p> <p>(ii) The earthworks do not exceed the following areas and volumes:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Landscape or Natural Character Area</th> <th style="width: 20%;">Area (m²)</th> <th style="width: 20%;">Volume (m³)</th> </tr> </thead> <tbody> <tr> <td>Significant Amenity Landscape Hill Country</td> <td>1,000</td> <td>500</td> </tr> <tr> <td>Significant Amenity Landscape Waikato River Margins and Lakes</td> <td>500</td> <td>500</td> </tr> <tr> <td>Significant Amenity Landscape sand dune</td> <td>50</td> <td>250</td> </tr> <tr> <td>High Natural Character Area or Outstanding Natural Character area of the coastal environment</td> <td>50</td> <td>250</td> </tr> <tr> <td>Outstanding Natural Feature sand dune</td> <td>50</td> <td>250</td> </tr> <tr> <td>Outstanding Natural Feature</td> <td>50</td> <td>250</td> </tr> <tr> <td>Outstanding Natural Landscapes</td> <td>50</td> <td>250</td> </tr> </tbody> </table>	Landscape or Natural Character Area	Area (m ²)	Volume (m ³)	Significant Amenity Landscape Hill Country	1,000	500	Significant Amenity Landscape Waikato River Margins and Lakes	500	500	Significant Amenity Landscape sand dune	50	250	High Natural Character Area or Outstanding Natural Character area of the coastal environment	50	250	Outstanding Natural Feature sand dune	50	250	Outstanding Natural Feature	50	250	Outstanding Natural Landscapes	50	250	<p>(2) Activity status where compliance not achieved: DIS</p>
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NFL-R5	<p>Buildings and structures in Landscape and Natural Character Areas in any of the following zones:</p> <ul style="list-style-type: none"> • GRUZ – General rural zone; or • RLZ – Rural lifestyle zone
<p>(I) Activity status: DIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) Building or structure located within any: <ul style="list-style-type: none"> (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) Outstanding Natural Character Area; (iv) High Natural Character Area; 	

PA – Public Access

Objectives

PA-O1 Reserve Provision

- (1) Public open space, natural reserves, parks and recreational facilities are provided to meet the needs of communities.

PA-O2 Transport network

- (1) An integrated transport network that provides access to and within the Rangitahi Peninsula for vehicles, walking and cycling

Policies

PA-P1 Esplanade reserves and walkways

- (1) Acquire esplanade reserves or strips along coasts, rivers, lakes and wetlands during subdivision to enable the creation of trails and public access, particularly in identified high priority areas in **APP16 – Esplanade Priority Areas**.
- (2) During subdivision, provide for the acquisition and development of walkways/cycle ways/bridle ways identified on the planning maps, structure plans or in Council's Trails Strategy by:
 - (a) having convenient and practical public access to and along the route;
 - (b) incorporating safety and security for neighbours and walkway users;
 - (c) integrating with the wider transport network;
 - (d) protecting and restoring natural values.

PA-P2 Open space and coastal access **in the RPZ – Rangitahi Peninsula zone**

- (1) Public access to open space and the coastal environment within the Rangitahi Peninsula Structure Plan Area shall be provided by walkways/ cycle ways/bridleways in a way that:
 - (a) Provides convenient and practical connections to the Rangitahi Peninsula residential areas,
 - (b) Enables connections to walkways/cycle ways/bridleways in the greater Raglan area,
 - (c) Avoids significant adverse effects on ecological values,
 - (d) Provides for access to the coastal marine area whilst avoiding significant adverse effects on the natural environmental character of the coastal environment.

Rules

[Drafting note: These objectives and policies have been duplicated here, as per Direction 22 of the District-wide Matters Standard. No rules from the PWDP have been rehomed to this district-wide section]