

APPENDIX 4 PROVISION CASCADE

Issue to be addressed	Objective	Policies	Rules	Matters of Discretion or Control
<p>Indigenous Vegetation and Habitats</p>	<p>3.1.1 - Biodiversity and ecosystems</p> <p>(a) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced <u>to work towards achieving a no net loss of biodiversity.</u></p>	<p>3.1.2 Policies</p> <p>a) Enable activities that maintain or enhance indigenous biodiversity including:</p> <ul style="list-style-type: none"> i) Planting using indigenous species suitable to the habitat <u>and eco-sourcing these where practical;</u> ii) the removal or management of pest plant and animal species; iii) for biosecurity works. <p>b) Consider the following when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:</p> <ul style="list-style-type: none"> i) the required range of natural food sources ii) habitats of threatened and at risk species iii) ecological processes and corridors iv) ecological sequences v) migratory pathways vi) pest plants and pest animals 	<p>Residential Zone</p> <p>16.2.4.3– Earthworks – Significant Natural Areas</p> <p>16.2.8– Indigenous vegetation clearance inside a Significant Natural Area</p> <p>16.3.9.3– Building setback – Environmental Protection Area</p> <p>16.4.2 – Subdivision – Te Kauwhata Ecological Residential Area</p> <p>16.4.8 – Title boundaries – Significant Natural Areas</p> <p>16.4.16 – Subdivision of land containing an Environmental Protection Area.</p> <p>Business Zone</p> <p>17.2.5.3 – Earthworks within Significant Natural Areas</p> <p>17.2.9 – Indigenous vegetation clearance inside a Significant Natural Area</p> <p>17.4.1.4 – Subdivision – Title boundaries – Significant Natural Areas, Maaori Sites and Areas of significance to Maaori</p> <p>Industrial Zone</p> <p>20.2.5.2 – Earthworks - Significant Natural Areas</p>	<p>Residential Zone – Matters over which Council has restricted discretion (RDA matters)</p> <p>16.2.4.3(RD1); 16.4.8(RD1); 16.4.16(RD1)</p> <p>Business Zone – RDA matters</p> <p>17.2.5.3(RD1)</p> <p>Industrial Zone – RDA matters</p> <p>20.2.5.2(RD1); 20.4.6(RD1)</p> <p>Industrial Heavy Zone – RDA matters</p> <p>21.2.5.2(RD1); 21.4.5(RD1)</p> <p>Rural Zone – RDA matters</p> <p>22.2.3.3(RD1); 22.2.8 (RD1); 22.4.1.6(RD1); 22.4.3(RD1)</p> <p>Country Living Zone – RDA matters</p> <p>23.2.9(RD1); 23.4.5(RD1); 23.2.3.3(RD1); 23.4.11(RD1)</p> <p>Village Zone – RDA matters</p>

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		<ul style="list-style-type: none"> vii) the Waikato river and its catchment viii) natural character and landscape values of the area ix) natural waterway habitats and hydrology x) ecological corridors, natural processes and buffer areas xi) Legal and physical protection of existing habitat xii) The effects of earthworks on Agathis australis (kauri) <p>c) Provide for the removal of manuka or kanuka on a sustainable basis.</p>	<p>20.2.9 – Indigenous Vegetation Clearance 20.4.6 – Subdivision – Significant Natural Area</p> <p>Industrial Zone Heavy 21.2.5.2 – Earthworks – Significant Natural Areas 21.2.9 – Indigenous vegetation clearance inside a Significant Natural Area 21.4.5 – Subdivision – Significant Natural Areas</p> <p>Rural Zone 22.2.3.3 – Earthworks - Significant Natural Areas 22.2.7 – Indigenous vegetation clearance inside a Significant Natural Area 22.2.8 – Indigenous vegetation clearance – outside a Significant Natural Area 22.3.7.6 – Building setback – Environmental Protection Area 22.4.1.6 – Conservation lot subdivision 22.4.3 – Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance 22.4.6 – Subdivision of land containing all or part of an Environmental Protection Area.</p>	<p>24.4.6(RD1); 24.4.1(RD1); 24.4.2(RD1 and RD2); 24.4.6 (RD1)</p> <p>Reserve Zone – RDA matters 25.2.4.3(RD1)</p> <p>Infrastructure – RDA & Controlled Activities matters General Infrastructure 14.3.3(RD4 and RD5)</p> <p>National Grid 14.4.2(RD1 and RD2)</p> <p>Electricity Generation 14.6.2(RD1-RD3)</p> <p>Meteorological 14.8.2(RD1 & RD2)</p> <p>Telecommunications and Radio communications 14.10.2(C6 – C10)</p> <p>Water, wastewater and stormwater 14.11.2(RD5 – RD7 & RD9)</p> <p>Transportation 14.12.2 RD1 – RD8</p>

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			<p>Country Living Zone 23.2.3.3 – Earthworks within Significant Natural Areas 23.2.8 – Indigenous vegetation clearance inside a Significant Natural Area 23.2.9 – Indigenous vegetation clearance outside a Significant Natural Area 23.3.7.6 – Building setback – Environmental Protection Area 23.4.5 – Site boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori 23.4.11 – Subdivision of land containing all or part of an Environmental Protection Area</p> <p>Village Zone 24.2.4.2 Earthworks – within Significant Natural Areas 24.2.8 – Indigenous vegetation clearance inside a Significant Natural Area 24.4.1 – Subdivision – General 24.4.2 – Subdivision – Te Kowhai and Tuakau 24.4.6 Title boundaries – Significant Natural Areas, heritage items, archaeological</p>	

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			<p>sites, sites of significance to Maaori</p> <p>Reserve Zone 25.2.4.3 Earthworks – within Significant Natural Areas 25.2.8 – Indigenous vegetation clearance in a Significant Natural Area</p> <p>Infrastructure General Infrastructure 14.3.3(RD4 and RD5) National Grid 14.4.2(RD1 and RD2) 14.4.3(D1 and D2) 14.4.4 (NC1 and NC2) Electrical distribution 14.5.3 (D2 and D3) Electricity Generation 14.6.2(RD1-RD3); 16.6.3 (D1) 14.6.4(NC1) Liquid Fuel & Gas 14.7.1(P2) 14.7.2(D1 & D2) Meteorological 14.8.2(RD1 & RD2) 14.8.3(D1 & D2) Amateur Radio 14.9.3(D2) Telecommunications and Radio communications 14.10.2(C6 – C10) 14.10.4(D1 and D3 –D8) Water, wastewater and stormwater</p>	

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			14.11.1(P5) 14.11.2(RD5 – RD7 & RD9) 14.11.3 (D3) 14.11.4 (NC1-NC3) Transportation 14.12.2 RD1 – RD8 14.12.3 D2	
		<p><u>3.1.2 A Policy-Management hierarchy</u> <u>(a) Recognise and protect indigenous biodiversity outside Significant Natural Areas using the following hierarchy by</u> <u>(i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats in the first instance;</u> <u>(ii)remedying any effects that cannot be avoided; then</u> <u>(iii)mitigating any effects that cannot be remedied; and</u> <u>(iv)after remediation or mitigation has been undertaken, offset any significant residual adverse effects in accordance with Policy 3.1.2B</u></p>		
		<p><u>3.1.2B Policies-Biodiversity Offsetting</u> <u>(a) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in significant residual adverse effects to indigenous vegetation or habitat</u></p>		

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		<p><u>outside a Significant Natural Area, where</u></p> <p>(i) <u>the biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting;</u></p> <p>(ii) <u>alternative habitat supporting similar ecological aspects is enabled or enhanced.</u></p>		
		<p><u>3.1.2C Non-Regulatory Policy</u> <u>The Council will work with landowners to promote the use of non-regulatory methods, including assistance with the establishment of protective covenants, service delivery, education, and other incentives in protecting and enhancing ecological sites.</u></p>		
	<p>3.2.1 – Significant Natural Areas</p> <p>Indigenous biodiversity in Significant Natural Areas is protected and enhanced.</p>	<p>3.2.2 Policy – Identify and Recognise</p> <p>a) Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas</p> <p>b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.</p> <p>3.2.3 – Management Hierarchy</p>	<p>Residential Zone</p> <p>16.2.4.3– Earthworks – Significant Natural Areas</p> <p>16.2.8– Indigenous vegetation clearance inside a Significant Natural Area</p> <p>16.4.8 – Title boundaries – Significant Natural Areas</p> <p>16.4.16 – Subdivision of land containing an Environmental Protection Lot</p> <p>Business Zone</p>	<p>Residential Zone – Matters over which Council has restricted discretion (RDA matters)</p> <p>16.2.4.3 (RD1);</p> <p>16.4.8(RD1); 16.4.16 (RD1)</p> <p>Business Zone – RDA matters</p> <p>17.2.5.3(RD1)</p> <p>Industrial Zone – RDA matters</p> <p>20.2.5.2(RD1);</p> <p>20.4.6(RD1)</p>

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		<p>a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:</p> <ul style="list-style-type: none"> i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled; ii) remedying any effects that cannot be avoided, then iii) mitigating any effects that cannot be remedied; and iv) after remediation or mitigation has been undertaken, offset any significant residual adverse effects in accordance with Policy 3.2.4. v) <u>If offsetting of any significant residual adverse effects in accordance with Policy 3.2.4. is not feasible then economic compensation may be considered</u> <p>3.2.4 - Biodiversity Offsetting</p> <p>a) 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.</p>	<p>17.2.5.3 – Earthworks within Significant Natural Areas 17.2.9 – Indigenous vegetation clearance inside a Significant Natural Area 17.4.1.4 – Subdivision – Title boundaries – Significant Natural Areas, Maaori Sites and Areas of significance to Maaori</p> <p>Industrial Zone 20.2.5.2 – Earthworks- Significant Natural Areas 20.2.9 – Indigenous Vegetation Clearance 20.4.6 – Subdivision – Significant Natural Area</p> <p>Industrial Heavy Zone 21.2.5.2 – Earthworks – Significant Natural Areas 21.2.9 – Indigenous vegetation clearance inside a Significant Natural Area 21.4.5 – Subdivision – Significant Natural Areas</p> <p>Rural Zone 22.2.3.3 – Earthworks and Filing within Significant Natural Areas 22.2.7 – Indigenous vegetation clearance inside a Significant Natural Area</p>	<p>Heavy Industrial Zone – RDA matters 21.2.5.2(RD1); 21.4.5(RD1)</p> <p>Rural Zone – RDA matters 22.2.3.3(RD1); 22.4.1.6(RD1); 22.4.3(RD1); 22.4.6 (RD1)</p> <p>Country Living Zone – RDA matters 23.2.9(RD1); 23.4.5(RD1); 23.2.3.3(RD1); 23.4.11(RD1)</p> <p>Village Zone – RDA matters 24.4.6(b)</p> <p>Reserve Zone – RDA matters 25.2.4.3(b)</p> <p>Infrastructure – RDA & CA matters General Infrastructure 14.3.3(RD4 and RD5)</p> <p>National Grid 14.4.2(RD1 and RD2)</p> <p>Electricity Generation 14.6.2(RD1-RD3)</p>

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		<p>b) 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</p> <p>i) the biodiversity offset is consistent with the framework detailed in Appendix 6 (Biodiversity Offsetting); and</p> <p>ii) the biodiversity offset can achieve no net loss of indigenous biodiversity:</p> <p>A. preferably in the affected area of Significant Natural Area; or</p> <p>B. where that is not practicable, in the ecological district in which the affected area of Significant Natural Area is located.</p>	<p>22.4.1.6 – Conservation lot subdivision</p> <p>22.4.3 – Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance</p> <p>Country Living Zone</p> <p>23.2.3.3 – Earthworks within Significant Natural Areas</p> <p>23.2.8 – Indigenous vegetation clearance inside a Significant Natural Area</p> <p>23.3.7.6 – Building setback – Environmental Protection Area</p> <p>23.4.5 – Site boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori</p> <p>23.4.11 – Subdivision – Subdivision of land containing all or part of an Environmental Protection Area.</p>	<p>Meteorological 14.8.2(RD1 & RD2)</p> <p>Telecommunications and Radio communications 14.10.2(C6 – C10)</p> <p>Water, wastewater and stormwater 14.11.2(RD5 – RD7 & RD9)</p> <p>Transportation 14.12.2 RD1 – RD8</p>
		<p>3.2.5 - Biodiversity in the Coastal Environment</p> <p>a) Avoid the adverse effects of subdivision use and development within Significant Natural Areas of the coastal environment on:</p> <p>i) indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists</p>	<p>Village Zone</p> <p>24.2.4.3 Earthworks – within Significant Natural Areas</p> <p>24.2.8 – Indigenous vegetation clearance inside a Significant Natural Area</p> <p>24.4.1 – Subdivision – General</p>	

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		<ul style="list-style-type: none"> ii) 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 iii) areas containing nationally significant examples of indigenous community types iv) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, and v) areas set aside for full or partial protection of indigenous biological diversity under legislation. <p>3.2.6 - Providing for Vegetation clearance</p> <ul style="list-style-type: none"> a) Provide for the clearance of indigenous vegetation in Significant Natural Areas when: <ul style="list-style-type: none"> i) maintaining tracks, fences and farm drains ii) avoiding loss of life injury or damage to property iii) collecting material to maintain traditional Maaori cultural practices iv) collecting firewood for domestic use b) 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 	<p>24.4.6 Title boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori</p> <p>Reserve Zone</p> <p>25.2.4.3 Earthworks – within Significant Natural Areas</p> <p>25.2.8 – Indigenous vegetation clearance in a Significant Natural Area</p> <p>Infrastructure</p> <p>General Infrastructure</p> <p>14.3.3(RD4 and RD5)</p> <p>National Grid</p> <p>14.4.2(RD1 and RD2)</p> <p>14.4.3(D1 and D2)</p> <p>14.4.4 (NC1 and NC2)</p> <p>Electrical distribution</p> <p>14.5.3 (D2 and D3)</p> <p>Electricity Generation</p> <p>14.6.2(RD1-RD3); 16.6.3 (D1)</p> <p>14.6.4(NC1)</p> <p>Liquid Fuel & Gas</p> <p>14.7.1(P2)</p> <p>14.7.2(D1 & D2)</p> <p>Meteorological</p> <p>14.8.2(RD1 & RD2)</p> <p>14.8.3(D1 & D2)</p> <p>Amateur Radio</p> <p>14.9.3(D2)</p> <p>Telecommunications and Radio communications</p>	

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		<p>for the development of Maori Freehold Land by:</p> <ul style="list-style-type: none"> i) using any existing cleared areas on a site that is suitable to accommodate new development in the first instance ii) using any practicable alternative locations that would reduce the need for vegetation removal iii) 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. iv) <u>Operating, maintaining or upgrading existing infrastructure</u> <p>3.2.7 - Managing Significant Natural Areas</p> <ul style="list-style-type: none"> a) 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: <ul style="list-style-type: none"> i) permanently excluding stock through voluntary covenants and conservation subdivisions 	<p>14.10.2(C6 – C10) 14.10.4(D1 and D3 –D8) Water, wastewater and stormwater 14.11.1(P5) 14.11.2(RD5 – RD7 & RD9) 14.11.3 (D3) 14.11.4 (NC1-NC3) Transportation 14.12.2 RD1 – RD8 14.12.3 D2</p>	

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		<ul style="list-style-type: none"> ii) undertaking plant and animal pest control iii) retaining and enhancing indigenous vegetation cover iv) maintaining and restoring natural wetland hydrology v) avoiding physical and legal fragmentation vi) legal protection of Significant Natural Areas through conservation covenants or similar mechanisms vii) providing for the role of Mana Whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing areas. <p>3.2.8 – Incentivise subdivision</p> <ul style="list-style-type: none"> a) Incentivise subdivision in the Rural Zone when there is <u>that provides for</u> the legal and physical protection of Significant Natural Areas provided the areas are of a suitable size and quality to achieve a functioning ecosystem. 		