

IN THE MATTER                      of the Resource Management Act 1991  
AND  
IN THE MATTER                      of the Proposed One Plan hearings

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**REQUESTS RELATING TO SCHEDULE E  
AND  
PROVISIONAL DETERMINATION  
BIODIVERSITY & HERITAGE HEARING PANEL  
CHAPTERS 7 AND 12 AND SCHEDULE E - PROPOSED ONE PLAN**

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Note: In addition to the requests relating to Schedule E, this is a provisional determination. This provisional determination is not a decision within the meaning of the Resource Management Act and is not therefore an appealable decision. This provisional determination is intended to provide a statement of the current thinking of the Biodiversity & Heritage Hearing Panel (referred to as either Biodiversity & Heritage Hearing Panel or Panel) to enable other Hearing Panels, officers and submitters to understand the likely form of the provisions related to biodiversity and heritage of Chapters 7 and 12 and Schedule E so as to enable an integrated planning instrument at the conclusion of the entire hearing process.



1. The Resource Management Act (RMA) provides for composite planning instruments. A composite instrument presents special challenges for the Hearing Panels, officers, and submitters. In particular, it is important to achieve coherence and consistency throughout the entire document. To ensure that other Hearing Panels, officers and submitters understand the relevant Hearing Panel's thinking on each chapter, it has been decided to use the technique of issuing provisional determinations.
2. This provisional determination covers:
  - (a) Chapter 7, in relation to biodiversity and heritage (Appendix 1);
  - (b) Chapter 12 (Appendix 2), which is the same as Chapter 12 attached to the Land Hearing Panel's provisional determination;
  - (c) Schedule E (Appendix 3); and
  - (d) Revised or new definitions to be included in the Glossary (Appendix 4).
3. This wording represents the outcome of an extensive deliberative process by the Biodiversity & Heritage Hearing Panel. The provisional determination does not necessarily reflect the view of all Panel members. One out of the five members of the Panel has a different view on a number of the matters. It is anticipated that this member is likely to write a minority decision to record his points of view when the final decision is released.
4. This provisional determination is not a decision within the meaning of the RMA and, in particular, is not a decision under clause 10 of Schedule 1 to the RMA. Except where input has been expressly sought herein, the provisional determination is not intended to invite further response from submitters or encourage new debate.
5. The final decision under clause 10 of Schedule 1 to the RMA will contain reasons and meet the statutory requirements and, as noted above, may include a minority decision.
6. While deliberations have reached an advanced stage, they have not been concluded and the Panel reserves the right to make further changes.

**Requests - matters relating to Minute #7 and input now sought**

7. In relation to Schedule E, Chairperson's Minute #7 dated 14 April 2009 with attachments (revised Schedule E and Glossary, both dated 14 April 2009) asked a number of questions. Responses were received from relevant submitters and from Ms Maseyk and Ms Marr "Response of Fleur Maseyk and Helen Marr to the Chairperson's Minute #7 Biodiversity – Schedule E" dated 7 May 2009. These documents are on the website.

8. Question 32, on page 37 of Schedule E attached to Minute #7 stated:

“The Panel will be providing suitable exemptions for forestry. We are satisfied with the 1.0ha exemption for forest\* (iii above). We consider it should be a greater area for Treeland\*, Scrub\*, or Shrubland\*. Can Ms Maseyk please initially consult with Kit Richards to derive suitable exemption areas for these habitats and also the exemption areas in viii and x above.”
9. The officers’ response dealt with this question in a different manner than asked. The Panel therefore still needs input on the suitable exemption areas for forestry. Consequently, the Panel makes the following requests and notes that input is to be strictly limited to suitable exemptions for forestry.
  - (a) By not later than 24 July 2009, forestry submitters are invited to provide input to the Hearings Administrator on the forestry exemptions shaded in grey in Table E.2(b) in Schedule E attached to this provisional determination or any other exemptions that are sought.
  - (b) By not later than 7 August 2009, other submitters are invited to provide input to the Hearings Administrator on any changes sought by forestry submitters.
  - (c) By not later than 21 August 2009, officers are invited to provide input to the Hearings Administrator on matters raised by forestry or other submitters.
  - (d) By not later than 28 August 2009, forestry submitters are invited to provide any reply to the Hearings Administrator.
  - (e) In each case, if changes in wording are sought, specific suggested wording must be provided.
10. The Hearings Administrator is asked to please put material on the website as it is received.
11. In response to the Panel’s question 1, Ms Maseyk (at para 13) stated that there would be some value in providing the scientific names for all common names used in Schedule E. She helpfully explained that this would remove all confusion as to which species is being referred to by use of a common name. The Panel accepts that it would be beneficial to have scientific names for all the common names used in Schedule E, for the reasons expressed by Ms Maseyk, and asks her to please provide appropriate wording to the Hearings Administrator. It may be that it is more suitable for the scientific and common names to be part of Schedule E rather than the Glossary and Ms Maseyk is invited to comment on this.
12. The Panel asks Ms Maseyk to please double-check each reference to broadleaf and broadleaved in Schedule E and advise if any of them needs to be changed.
13. It would be appreciated if Ms Maseyk could provide a response to the points in the preceding two paragraphs by 31 July 2009.

## Remaining matters

14. In addition to receiving input as sought above, a number of other matters remain to be completed before Chapters 7 and 12 and Schedule E will be final. These include checking consistency of terminology and cross-references and final proofreading. Provisions in grey shading are awaiting input or are linked to matters being dealt with by other Hearing Panels and will need to be reconsidered. However, it was decided that these matters of detail should not delay release of the provisional determination. Some cross-references cannot be completed until other chapters have been completed. If you notice an error of detail (as opposed to debating the substance), please let the Hearings Administrator know.



Joan Allin  
Chairperson  
Biodiversity & Heritage Hearing Panel

22 June 2009



# Appendix 1

Text in grey highlight is related to deliberations of later Panels.

## 7 Living Heritage

### 7.1 Scope and Background

#### 7.1.1 Scope

This chapter addresses three matters:

- (1) **Indigenous biological diversity**<sup>^</sup> – The maintenance of indigenous *biological diversity*<sup>^</sup>, the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and the division of responsibilities between the Regional Council and *Territorial Authorities*<sup>^</sup> for managing indigenous *biological diversity*<sup>^</sup>.
- (2) **Landscapes and natural character** – The protection of outstanding landscapes and the management of the natural character of the coastal environment, wetlands, rivers, lakes and their margins.
- (3) **Historic heritage**<sup>^</sup> – The protection of *historic places* and archaeological sites *heritage*<sup>^</sup>.

Chapter 4 – Te Ao Māori – also contributes to the management of *historic heritage*<sup>^</sup>, in particular *sites*\* of significance to Māori, including *wāhi tapu*\*.

#### 7.1.2 Indigenous Biological Diversity<sup>^</sup>

As discussed in Chapter 1, the decline of indigenous *biological diversity*<sup>^</sup> (“indigenous biodiversity”) is one of the four most critical issues addressed in this Plan.

##### **Indigenous Biodiversity in the Manawatu-Wanganui Region**

The Manawatu-Wanganui Region now has only 23% of its original forest cover and 2 3% of its *wetland*<sup>^</sup> habitat. The majority of the forest is found in the hill country and the ranges, with fragments scattered throughout the lower-lying and coastal areas of the Region, where typically less than 10% of original habitat remains. Remaining natural habitat is small, fragmented and under pressure from pests and disturbance. Aquatic indigenous biodiversity is in a similar state of degradation with indigenous native fish populations greatly reduced, poor habitat (loss of riparian margins in most areas and introduction of exotic fish and pest plants) and many barriers between coastal *wetlands*<sup>^</sup>, streams and headwaters.

Much of the remaining indigenous biodiversity is in poor condition and health. Ecosystem processes are more often than not interrupted. The long-term viability of natural areas is further compromised by continued pressure from invasive species and surrounding *land*<sup>^</sup> use. If such habitats and linkages between them are to survive they will require protection and ongoing management.

##### **Future Approach**

This Plan’s approach to indigenous biodiversity management focuses primarily on habitats, rather than on individual species or genetic diversity. The Regional Council believes that by managing habitats it will most effectively sustain regional indigenous biodiversity into the future.



The Regional Council proposes to take a more active role around the coordination of indigenous biodiversity management within the Region. The Regional Council's overall indigenous biodiversity strategy is two-tiered, involving:

- (a) **Halting the decline** – Those habitats that are *rare habitats\**, ~~or threatened habitats\*~~ or *at-risk habitats\** (as determined in accordance with ~~shown in~~ Schedule E of this Plan) will be given a high level of protection, through *rules*<sup>^</sup>, from activities likely to cause any further loss or modification.
- (b) **Active Management** – In addition, *rare habitats\**, ~~and threatened habitats\*~~ and *at-risk habitats\** will be proactively managed through collaboration with landowners for work such as pest control and fencing, and provision of economic incentives such as grants and rates relief.

The protection and active management of *sites\** on private *land*<sup>^</sup> is crucial to maintaining indigenous *biological diversity*<sup>^</sup> in the Region. Success in halting the indigenous biodiversity decline depends largely on the involvement and commitment of private landowners. This is a tall order for individuals, and the Regional Council recognises that the public good arising from maintaining indigenous *biological diversity*<sup>^</sup> should not be solely at the expense of landowners. The Regional Council is therefore committed to seeking arrangements that adequately assist landowners and fairly apportion the costs of indigenous biodiversity management.

### 7.1.3

#### Landscapes and Natural Character

The protection of outstanding landscapes from inappropriate subdivision, use and development is a matter of national importance.

A number of outstanding or unique regional landscapes and their associated values are identified in Schedule F. Although the issue of landscape change and competing pressures is best dealt with at a Territorial level, some policies giving guidance on the appropriate balance between important infrastructure, including renewable energy, and other values, such as landscape, are provided in Chapter 3.

Preservation of the natural character of the coastal environment, wetlands, rivers, lakes and their margins is also a matter of national importance. Natural character is a sliding scale and varies from a low degree of naturalness, such as urban environments, to a high degree of naturalness (for example, Tongariro National Park).

The approach of the One Plan is to maintain the current degree of naturalness of the natural character of the coastal environment, wetlands, rivers, lakes and their margins by:

- continuing to provide a regional policy on natural character to guide decision-making
- protecting and managing biodiversity, important wetlands, rivers and lakes as described elsewhere in this Plan.

The natural character of rivers, lakes and their margins can be adversely affected by activities, in particular structures and flood mitigation measures such as stop-banks. It is important that preservation of the natural character of rivers, lakes and their margins, where this is reasonable, is considered when making decisions on relevant activities. The natural character of wetlands can best be provided for by proactively managing the top 100 wetlands in the Region (as provided for in the sections of this chapter dealing with biodiversity).



The natural character of the coastal marine area is covered in Chapter 9. The natural character of the coastal environment landward of mean high water spring, wetlands, rivers, lakes and their margins is dealt with in this chapter.

The coastal environment has seen some change in the last 10 years. There has been an increase in residential subdivision on both the western and eastern coastlines. Within a 1-km inland coastal strip, however, this development accounts for only 4% of the area. Although residential development is expected to continue, it is unlikely to affect the natural character of the coast at a regional scale for some time beyond the life of this Plan. Nevertheless, it is important and appropriate for local decision-making on land use, particularly residential subdivision, to continue to take into account the natural character of a particular area.

#### 7.1.4

#### **Historic Heritage<sup>^</sup>**

The protection of *historic heritage<sup>^</sup>* from inappropriate subdivision, use and development is a matter of national importance. *Historic heritage<sup>^</sup>* is defined in the RMA. It means those *natural and physical resources<sup>^</sup>* that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from archaeological, architectural, cultural, historic, scientific, or technological qualities. *Historic heritage<sup>^</sup>* includes *historic sites<sup>\*</sup>*, *structures<sup>^</sup>*, archaeological sites, sites of significance to Māori, including *wāhi tapu*, and surroundings associated with the *natural and physical resources<sup>^</sup>*. Some activities that are controlled by the Regional Council can have an adverse impact on *historic heritage<sup>^</sup>* qualities values. For example, *earthworks* some activities and disturbances in the *beds<sup>^</sup>* of *rivers<sup>^</sup>* and *lakes<sup>^</sup>* can modify or destroy archaeological sites<sup>\*</sup>, and the *discharge<sup>^</sup>* of sewage to *land<sup>^</sup>* or *water<sup>^</sup>* could have an adverse impact on the *historic heritage<sup>^</sup>* qualities values of a particular *site<sup>\*</sup>* or *structure<sup>^</sup>*. The Regional Council can control these activities to *avoid, remedy or mitigate* ensure that adverse *effects<sup>^</sup>* impacts are minimised.

The Region has a long and recognised history and culture, and contains special places such as the Tongariro National Park, Whanganui River, Lake Papaitonga, the wreck of the Hyderabad, historic towns such as Wanganui, Marton, Taihape, Bulls and Raetihi, and many important archaeological sites such as Willis Redoubt, Waiū Pā and Te Āputa Pā. The accurate identification of *historic heritage<sup>^</sup>* sites<sup>\*</sup> or structures<sup>^</sup>, including the identification of currently “unknown” sites<sup>\*</sup>, is an issue in the Region, as is their protection from potential threats including demolition, “demolition by neglect”, fire, flood and earthworks.

Subdivision and *land<sup>^</sup>* use can also have a negative effect on *historic heritage<sup>^</sup>* qualities values. This is particularly an issue in coastal areas which are rich in *historic heritage<sup>^</sup>* sites, including *wāhi tapu<sup>\*</sup>* and archaeological sites<sup>\*</sup>. Subdivision and *land<sup>^</sup>* development are controlled by *Territorial Authorities<sup>^</sup>*.

Along with the Regional Council and *Territorial Authorities<sup>^</sup>*, a number of other agencies have responsibilities for the identification and management of *historic heritage<sup>^</sup>*. These agencies include the New Zealand Historic Places Trust (NZHPT), the New Zealand Archaeological Association (NZAA) and the Department of Conservation. In particular, the modification of archaeological sites as defined in the Historic Places Act is controlled by the NZHPT, and a person carrying out any activities that may damage, destroy or modify these sites must have authority from the NZHPT to do so. The NZAA owns and manages the national database of archaeological records, the Site Recording Scheme.

Decision-makers may refer to the New Zealand Historic Places Trust document dated 3 August 2007, Sustainable Management of Historic Heritage Guide No. 1



Regional Policy Statements (pp 12-13), which provides an example of the matters to be considered by local authorities.

## 7.2 Significant Resource Management Issues

### Issue 7-1: Indigenous *biological diversity*<sup>^</sup>

~~Indigenous *biological diversity*<sup>^</sup> is not being maintained in the Manawatu-Wanganui Region. Only a small proportion of the original extent of indigenous habitats remains~~ As a result of historical *land*<sup>^</sup> development practices, only a small proportion of the original extent of indigenous habitats remains. The diversity within remaining areas is declining owing to their isolation or as a consequence of a range of activities, most notably:

- (a) pest plants and pest animals
- (b) stock access
- (c) *land*<sup>^</sup> drainage, which impacts upon *wetlands*<sup>^</sup>
- (d) perched culverts and other barriers to fish migration
- (e) run-off and discharges causing poor *water*<sup>^</sup> quality
- (f) *vegetation clearance*<sup>\*</sup>
- (g) off-road vehicle activities in the *coastal foredune*<sup>\*</sup>.

### Issue 7-2: Landscapes and natural character

- (a) The Region's landscapes are at risk from the effects of development, particularly the Tararua and Ruahine ranges. Developments with the potential for greatest impact include wind farms, residential subdivision and other major structures.
- (b) The natural character of the coastal environment, wetlands, rivers, lakes and their margins is at risk from the effects of land-use activities and development, particularly new river works, drainage and subdivision in areas with a high degree of naturalness.

### Issue 7-3: *Historic heritage*<sup>^</sup>

~~Development and *land*<sup>^</sup> use can damage and destroy *historic heritage*<sup>^</sup> of significance in the Region. In the context of the Regional Council's role, this includes activities in the *coastal marine area*<sup>^</sup>. *Historic heritage is at risk from the effects of land-use activities, particularly land disturbance*<sup>\*</sup>, activities in the *beds*<sup>^</sup> of *rivers*<sup>^</sup> and *lakes*<sup>^</sup>, and discharges to *land*<sup>^</sup> and *water*<sup>^</sup>.~~

## 7.3 Objectives

### Objective 7-1: Indigenous *biological diversity*<sup>^</sup>

~~The existing level of~~ Protect significant indigenous vegetation and significant habitats of indigenous fauna and maintain indigenous *biological diversity*<sup>^</sup>, including enhancement where appropriate. ~~is maintained into the future by ensuring that:~~

- (a) ~~rare and threatened habitats~~<sup>\*</sup>, as defined in Schedule E, are protected from activities that may cause any loss or modification to the representativeness, distinctiveness or ecological context of these areas



- (b) ~~at-risk habitats\*, as defined in Schedule E, are maintained by ensuring that activities do not cause any significant adverse effects on their representativeness, distinctiveness or ecological context~~
- (c) ~~the best representative examples of rare and threatened habitats\* and at-risk habitats\* are proactively managed in order to improve their function.~~

This objective relates to Issue 7-1.

### **Whāinga 7-1: He kanorau koiora taketake**

Me ~~Mea ake nei~~ ka tiakina i te ngāhere taketake whakahirahira me ngā wāhi noho o ngā kararehe taketake whakahirahira me te tiaki, te whakareia i te ~~te taumata o~~ nāianeī o te kanorau koiora taketake kia hua ai:

- (a) ~~Ka whakamarumarutia ngā wāhi noho (e ai ki Schedule E) kua āhua ongo, kua whakawotia hoki i ngā ngohe ka whakamato pea, ka whakarerekē rānei i te āhuatanga, te wehe kē, āhuatanga taupuhi kaiao rānei o ēnei wāhi~~
- (b) ~~Ka tiakina ngā wāhi noho (e ai ki Schedule E) ka tāruke ki te mate kia hua ai o kore o puta i ngā ngohe pānga kōaro ki ē rātou āhuatanga, wehe kē rānei, āhuatanga taupuhi kaiao rānei, ā~~
- (c) ~~Ka tino whakahaerotia ngā tauira tino pai rawa atu o ngā wāhi noho kua āhua ongo, kua whakawotia hoki, ka tāruke ki te mate hoki, hei whakapai ake i ā rātou mahi.~~

E hono ana tēnei whāinga kia Take 7-1.

### **Objective 7-2: Landscapes and natural character**

- (a) The characteristics and values of the outstanding landscapes identified in Schedule F are protected as far as practicable.
- (b) Adverse effects, including cumulative adverse effects, on the natural character of the coastal environment, wetlands, and rivers, lakes and their margins are:
- (i) avoided in areas with a high degree of naturalness
  - (ii) avoided, remedied or mitigated in other areas.

### **Whāinga 7-2: Ngā mata whenua me te āhuatanga māori**

- (a) *Ka whakamarumarutia ngā āhuatanga me ngā ūara o ngā mata whenua motuhake (e ai ki Schedule F) e tika ana.*
- (b) *Ko ngā pānga kōaro, ehara tonu ko ngā pānga kōaro hui katoa, ki te āhuatanga māori o te taiao takutai moana, ngā papa waiwai, ngā awa, ngā roto hoki, me ē rātou takiwā:*
- (i) *Ka parea i roto i ngā wāhi nui te āhua māori, ā*
  - (ii) *Ka parea, ka whakatikaina, ka whakangāwaritia i wāhi kē.*

### **Objective 7-3: Historic heritage<sup>^</sup>**

*Historic heritage<sup>^</sup>* is protected from activities that would significantly reduce heritage qualities values.

This objective relates to Issue 7-3.



**Whāinga 7-3: Ngā taonga tuku iho o mua**

*Ka whakamarumarutia ngā taonga tuku iho o mua i ngā ngohe whakaiti i ngā ūara kairangi taonga tuku iho.*

E hono ana tēnei whāinga kia Take 7-3.

**7.4 Policies**

**7.4.1 Indigenous *Biological Diversity***

**Policy 7-1: Responsibilities for maintaining indigenous *biological diversity***

In accordance with s62(1)(i) RMA, local authority responsibilities for controlling *land* use activities for the purpose of maintaining indigenous *biological diversity* in the ~~Manawatu-Wanganui~~ Region are apportioned as follows:

(a) **The Regional Council ~~shall~~ will be responsible for:**

- (i) developing objectives, policies and methods for the purpose of establishing a Region-wide approach for maintaining indigenous *biological diversity*, including enhancement where appropriate
- (ii) ~~developing rules controlling the use of land use activities to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to for the purpose of maintaining indigenous biological diversity, including enhancement where appropriate.~~

(b) ***Territorial Authorities* shall be responsible for:**

- ~~(i) implementing the objectives and policies of this chapter when developing rules and making decisions on subdivision and land use consent applications~~
- (ii) retaining schedules of notable trees and amenity trees in their *district plans* and/or such other measures as they see fit for the purpose of recognising amenity, intrinsic and cultural values associated with indigenous *biological diversity*, but not for the purpose of protecting significant indigenous vegetation and significant habitats of indigenous fauna as described in (a)(ii) above.

(c) **Both the Regional Council and *Territorial Authorities* shall be responsible for:**

- (i) recognising and providing for matters described in s6(c) of the RMA and having particular regard to matters identified in s7(d) RMA when exercising functions and powers under the RMA, outside the specific responsibilities allocated above, including when making decisions on *resource consent* applications.

This policy relates to Issue 7-1 and Objective 7-1.

**~~Policy 7-2: Activities in Rare and Threatened Habitats~~**

- ~~(a) Rare and threatened habitats\* are identified in accordance with Schedule E.~~
- ~~(b) Rare and threatened habitats\* shall be protected by generally not allowing any of the following activities unless the provisions of subsection (c) or (d) apply:~~



- ~~(i) — vegetation clearance\* or land disturbance\* within these areas~~
- ~~(ii) — discharges of contaminants to land or water, or drainage or diversion of water, within or near these areas.~~
- ~~(c) — The activities described in subsection (b) will be allowed where they are for the purpose of pest control or habitat enhancement.~~
- ~~(d) — The activities described in subsection (b) may be allowed for other purposes where there are no more than minor adverse effects on the representativeness, rarity and distinctiveness or ecological context of the rare and threatened habitat\*, as assessed in accordance with Schedule E.~~

### **Policy 7-3: Activities in at-risk habitats**

- ~~(a) — At-risk habitats\* are identified in accordance with Schedule E.~~
- ~~(b) — At-risk habitats\* shall be maintained by regulating the following activities, and by making consent decisions in accordance with subsections (c) and (d):~~
  - ~~(i) — vegetation clearance\* and land disturbance\* within these areas~~
  - ~~(ii) — discharges of contaminants to land or water, and drainage and diversion of water, within or near these areas.~~
- ~~(c) — The activities described in subsection (b) will be allowed where they are for the purpose of pest control or habitat enhancement~~
- ~~(d) — Where the activities described in subsection (b) are carried out for other purposes, consent decisions will be made on a case by case basis, having regard to an assessment of the ecological significance of the site based upon the site's representativeness, rarity and distinctiveness, and ecological context as assessed in accordance with Schedule E. Consents will generally be granted in circumstances where:~~
  - ~~(i) — there will be no significant adverse effects on the factors which contribute to the significance of the area as assessed in accordance with Schedule E, or~~
  - ~~(ii) — any significant adverse effects can be adequately avoided, remedied or mitigated, or~~
  - ~~(iii) — financial contributions can be used to adequately compensate for or offset significant adverse effects.~~

### **Policy 7-2A: Regulation of activities affecting indigenous biological diversity<sup>^</sup>**

- (a) *Rare habitats\** and *threatened habitats\** shall be recognised as areas of significant indigenous vegetation and significant habitats of indigenous fauna unless *site\**-specific assessments determine otherwise.
- (b) *At-risk habitats\** require *site\**-specific assessments to determine their ecological significance.
- (c) *Vegetation clearance\**, *land disturbance\**, *cultivation\**, and *forestry\** within *rare habitats\**, *threatened habitats\** and *at-risk habitats\** will require a *resource consent<sup>^</sup>*.
- (ca) *Diversions of water<sup>^</sup>*, and *discharges<sup>^</sup> of contaminants<sup>^</sup>*, within *rare habitats\**, *threatened habitats\** and *at-risk habitats\** will require a *resource consent<sup>^</sup>*.
- (d) When making decisions on *resource consents<sup>^</sup>* for the activities described in (c) or (ca), the Regional Council shall:



- (i) allow activities undertaken for the purpose of pest control or habitat maintenance or enhancement
- (ii) allow biodiversity mitigation offsets in appropriate circumstances, which may include the establishment of *infrastructure*<sup>^</sup> of regional or national importance as identified in Policy 3-1
- (iii) allow the *maintenance*<sup>\*</sup> and *upgrade*<sup>\*</sup> of existing *structures*<sup>^</sup>, including *infrastructure*<sup>^</sup>
- (iv) not unreasonably restrict the existing use of *production land*<sup>^</sup>.

This policy relates to Issue 7-1 and Objective 7-1.

#### **Policy 7-4: Proactive management of representative habitats indigenous biological diversity<sup>^</sup>**

- (a) The Regional Council will aim to maintain or enhance indigenous *biological diversity*<sup>^</sup> improve the health and function of the best representative examples of rare and threatened habitats<sup>\*</sup> and at-risk habitats<sup>\*</sup> by working in partnership with relevant landowners, other parties with a legal interest in the *land*<sup>^</sup>, and relevant consent holders to establish a management plan and incentive programme for the voluntary proactive management of each of these areas identified *sites*<sup>\*</sup> by 2016.
- (b) For the purposes of ~~subsection~~ (a), separate programmes will be established for *wetlands*<sup>^</sup>, bush remnants, native fish communities and coastal ecosystems.
- (c) The management plans under ~~subsection~~ (a) will generally address the following matters as a minimum:
  - (i) fencing and prevention of stock access
  - (ii) pest control
  - (iii) planting
  - (iv) agreed *land*<sup>^</sup> uses
  - (v) work and materials to be provided by the Regional Council or a third party
  - (vi) financial assistance to be provided by the Regional Council or a third party
  - (vii) monitoring
  - (viii) legal options for ensuring longevity of the measures implemented.

This policy relates to Issue 7-1 and Objective 7-1.

#### **Policy 7-5: Fostering an ethic of stewardship**

The Regional Council will ~~aim to~~ equip landowners and others with the information they need to act as good stewards for indigenous biodiversity, and to act responsibly and proactively. These initiatives will be additional to the Council-led programmes under Policy 7-4.

This policy relates to Issue 7-1 and Objective 7-1.

#### **Policy 7-6: Pest plants and pest animals**

- (a) To the extent that they relate to the maintenance of indigenous biodiversity, the pest plant and pest animal ~~pest~~ management functions of the Regional Council will primarily target pests threatening rare *habitats*<sup>\*</sup>, and *threatened habitats*<sup>\*</sup> and *at-risk habitats*<sup>\*</sup>.



- (b) When ~~exercising functions and powers as set out in Policy 7-1, making decisions about subdivisions and land-use activities,~~ *Territorial Authorities*<sup>^</sup> shall take into account the risks of introducing pest plants or pest animals ~~pests~~ into *rare habitats\**, ~~and threatened habitats\*~~, *at-risk habitats\** and nearby areas ~~shall be taken into account~~.

This policy relates to Issue 7-1 and Objective 7-1.

## 7.4.2

### Landscapes and Natural Character

#### Policy 7-7: Outstanding landscapes

The landscapes listed in Schedule F shall be recognised as outstanding. All subdivision, use and development affecting these areas shall be managed in a manner which:

- (a) avoids or minimises to the extent reasonable any adverse effects on the characteristics and values specified in Schedule F for each landscape
- (b) takes into account and avoids any cumulative adverse effects
- (c) takes into account the policies in Chapter 3 when assessing activities involving renewable energy and infrastructure of regional importance.

#### Policy 7-8: Natural character

The natural character of the coastal environment, wetlands, rivers, lakes and their margins shall be preserved and protected from inappropriate subdivision, use and development, by encouraging the natural character of these areas to be restored where appropriate and by making decisions on resource consent applications that take into account whether the activity:

- (a) is compatible with the existing level of modification to the environment
- (b) is necessarily located in or near the wetland, river or lake and whether any alternatives exist
- (c) is of an appropriate form, scale and design to blend with the existing landforms, geological features and vegetation
- (d) does not significantly disrupt natural processes or existing ecosystems.

#### Policy 7-9: Public access

- (a) Activities within or near rivers and lakes shall be established and operated in a manner which readily provides for public access, and public access may be restricted only where necessary for safety, cultural or conservation purposes.
- (b) Public access for recreational purposes shall recognise the need to protect rare and threatened habitats\* and at-risk habitats\*.

## 7.4.3

### *Historic Heritage*<sup>^</sup>

#### Policy 7-10: *Historic heritage*<sup>^</sup>

~~Historic heritage is recognised as a matter of national importance and all resource-use activities controlled by the Regional Council shall be managed in a manner which protects historic and archaeological values and avoids, remedies or mitigates any adverse effects, including cumulative adverse effects, on historic heritage.~~



Regional plans<sup>^</sup> and district plans<sup>^</sup> shall include provisions to protect historic heritage<sup>^</sup> of national significance, which may include places of special or outstanding heritage value registered as Category 1 historic places, wāhi tapu, and wāhi tapu areas under the Historic Places Act 1993.

This policy relates to Issue 7-3 and Objective 7-3.

**Policy 7-11 Historic heritage<sup>^</sup> identification**

- (a) Territorial Authorities<sup>^</sup> shall develop and maintain a schedule of known historic heritage<sup>^</sup> for their district which shall be included in their district plan<sup>^</sup>.
- (b) The Regional Council will develop and maintain a schedule of known historic heritage<sup>^</sup> for the coastal marine area<sup>^</sup> which will be included in the Regional Coastal Plan<sup>^</sup>.
- (c) Historic heritage<sup>^</sup> schedules shall include a statement of the qualities that contribute to each site\*.

This policy relates to Issue 7-3 and Objective 7-3.

**7.5**

**Methods**

The main non-regulatory methods the Regional Council will pursue are outlined below as action plan summaries.

<u>Project Name/Method</u>	<u>Wetlands<sup>^</sup> – Biodiversity</u>
<u>7-1</u>	
<u>Project Description</u>	<p>The Regional Council and other agencies will work with landowners to protect and enhance priority wetlands<sup>^</sup> throughout the Region. Resources will be directed towards the most significant sites<sup>^</sup>.</p> <p>Wetland<sup>^</sup> owners will be provided advice and financial/project management assistance to carry out enhancement and protection measures including fencing, planting, and pest (plant and animal) control. The Regional Council will seek funding from third parties to assist with this project-method, and encourage the establishment of covenants.</p> <p>Monitoring of the effectiveness of the protection and enhancement works will be undertaken.</p> <p><del>The</del> This project-method will include publicity to increase public awareness about the importance of wetlands<sup>^</sup> and indigenous biological diversity<sup>^</sup>.</p>
<u>Who</u>	Regional Council, landowners, foresters, relevant consent holders, Federated Farmers, Territorial Authorities <sup>^</sup> , Department of Conservation, non-government agencies including NZ Fish and Game, QEII Trust, NZ Wetland Trust, NZ Landcare Trust and relevant funding agencies including the He Tini Awa Trust, Biodiversity Condition Fund, Nga Whenua Rahui and Ducks Unlimited.
<u>Links to Policy</u>	This project links to method implements Policy 7-4.
<u>Targets</u>	The top 100 wetlands <sup>^</sup> in the Region are actively managed, including protection and/or enhancement measures, within 10 years of this Plan becoming operative.



<u>Project Name-Method</u> 7-2	Bush Remnants – Biodiversity
<u>Project Description</u>	<p>The Regional Council and other agencies will work with landowners to protect and enhance priority bush remnants throughout the Region. Resources will be directed towards the most significant <i>sites</i> .</p> <p>Bush remnant owners will be provided with advice and financial/project management assistance to carry out enhancement and protection measures including fencing, planting, and pest (plant and animal) control. The Regional Council will seek funding from third parties to assist with this <u>project method</u>, and encourage the establishment of covenants.</p> <p>Monitoring of the effectiveness of the protection and enhancement works will be undertaken.</p> <p><del>The</del> <u>This project method</u> will include publicity to increase public awareness about the importance of bush remnants and indigenous <i>biological diversity</i> .</p>
<u>Who</u>	Regional Council, <u>landowners, foresters, relevant consent holders, Federated Farmers, Territorial Authorities</u> , Department of Conservation, non-government agencies including QEII Trust and NZ Landcare Trust, and relevant funding agencies including the He Tini Awa Trust, Biodiversity Condition Fund and Nga Whenua Rahui.
<u>Links to Policy</u>	This <del>project links to</del> <u>method implements</u> Policy 7-4.
<u>Targets</u>	The top 200 bush remnants in the Region are being actively managed, including protection <del>and</del> or enhancement measures, within 10 years of this Plan becoming operative.

<u>Project Name-Method</u> 7-3	Sites of Significance – Aquatic
<u>Project Description</u>	<p>The Regional Council and other agencies will work with landowners to protect and enhance <i>water bodies</i> <del>ways</del> and parts of <i>water bodies</i> <del>ways</del> that serve an important role in the lifecycle of the Region's rare and threatened native fish. Resources will be directed towards the most significant sites.</p> <p><del>Waterway</del> Owners of <i>land</i> <sup>^</sup> adjacent to <i>water bodies</i> <sup>^</sup> will be provided advice and financial/project management assistance to carry out enhancement and protection measures including fencing, planting, replacement of perched culverts and pest (plant and animal) control. The Regional Council will seek funding from third parties to assist with this <u>project method</u>.</p> <p>Monitoring of the effectiveness of the protection and enhancement works will be undertaken.</p> <p><del>The</del> <u>This project method</u> will include publicity to increase public awareness about the importance of native fish and indigenous <i>biological diversity</i> .</p>
<u>Who</u>	Regional Council, <u>landowners, foresters, relevant consent holders, Federated Farmers, Territorial Authorities</u> , Department of Conservation and funding agencies including the He Tini Awa Trust, Biodiversity Condition Fund and Nga Whenua Rahui.
<u>Links to Policy</u>	This <del>project links to</del> <u>method implements</u> Policy 7-4.
<u>Targets</u>	The top 100 sites of significance – aquatic are actively managed, including protection <del>and</del> or enhancement measures, within 10 years of this Plan becoming operative.



<u>Project Name-Method</u> 7-4	Inanga Spawning and Native Fishery Sites – Biodiversity
<u>Project Description</u>	<p>The Regional Council and other agencies will work with landowners to protect and enhance <del>water bodies^ways</del> and parts of <del>water bodies^ways</del> (wetlands^ and streams) that serve an important role in the lifecycle of the inanga and whitebait species. Resources will be directed towards the most significant sites.</p> <p><del>Waterway</del> Owners of <del>land^</del> adjacent to <del>water bodies^</del> will be provided advice and financial/project management assistance to carry out enhancement and protection measures including fencing, planting, replacement of perched culverts and pest (plant and animal) control. The Regional Council will seek funding from third parties to assist with this <del>project-method</del>.</p> <p>Monitoring of the effectiveness of the protection and enhancement works will be undertaken.</p> <p><del>The</del> This <del>project method</del> will include publicity to increase public awareness about the importance of native fish and indigenous <i>biological diversity</i>^.</p>
<u>Who</u>	Regional Council, landowners, <i>foresters</i> , relevant consent holders Federated Farmers, <i>Territorial Authorities</i> ^, Department of Conservation and funding agencies including the He Tini Awa Trust, Biodiversity Condition Fund and Nga Whenua Rahui.
<u>Links to Policy</u>	This <del>project links to</del> <u>method implements</u> Policy 7-4.
<u>Targets</u>	The top 30 inanga spawning and native fishery sites are actively managed, including protection <del>and</del> enhancement measures, within 10 years of this Plan becoming operative.

<u>Project Name-Method</u> 7-5	Biodiversity (Terrestrial and Aquatic) Research, Monitoring and Reporting
<u>Project Description</u>	The aim of this <del>project</del> method is to develop an integrated research, monitoring and reporting programme that supports delivery and refinement of existing policies and methods, guides implementation planning, and allows implementation effectiveness to be assessed.
<u>Who</u>	Predominantly <del>Horizons</del> the Regional Council, with assistance from research institutes, universities, <del>and</del> non-government agencies and community groups as required.
<u>Links to Policy</u>	This <del>project links to</del> <u>method implements</u> Policy 7-4.
<u>Targets</u>	A research, monitoring and reporting programme that supports delivery and refinement of existing policies and methods, and guides and assesses implementation.

<u>Project Name-Method</u> 7-6	Education in Schools – Biodiversity
<u>Project Description</u>	The aim of this <del>project method</del> is to raise awareness amongst the youth of the Region of the significance of <del>our</del> indigenous <i>biological diversity</i> ^, the threats to it, and what they can do to protect/restore it. This will be achieved through various environmental education programmes/initiatives eg., Green RIG, EnviroSchools, Trees for Survival, <del>Youth Environment Forum-ete</del> .
<u>Who</u>	<del>Horizons</del> Regional Council, Department of Conservation and various national and local environmental education providers.
<u>Links to Policy</u>	This <del>project links to</del> <u>method implements</u> Policy 7-5.



<u>Project Name-Method</u> 7-6	Education in Schools – Biodiversity
Targets	The Regional Council develops and delivers a biodiversity-related environmental education programme.

<u>Project Name-Method</u> 7-7	District Planning – Natural Features, Landscapes and <u>Indigenous Biological Diversity* Habitats</u>
Project Description	<p>The Regional Council will formally submit on <u>resource consent</u> applications received by <u>Territorial Authorities</u> for <u>land</u> use activities where there is potential for effects on outstanding natural features, landscapes or <u>indigenous biological diversity</u> <del>native habitats</del>.</p> <p>The Regional Council will formally seek changes to <u>district plans</u> if <u>required necessary</u> to ensure provisions are in place to provide an appropriate level of protection to natural features, landscapes and <u>indigenous biological diversity</u> <del>native habitats</del>.</p> <p>The Regional Council will formally seek changes to <u>district plans</u> if necessary to ensure <u>district plan</u> <u>rules</u> requiring protection of significant indigenous vegetation and the significant habitats of indigenous fauna do not contradict <u>rules</u> on indigenous biodiversity in this Plan.</p>
Who	Regional Council and <u>Territorial Authorities</u> .
Links to Policy	This project links to method implements Policies 7-1, 7-4, 7-5, 7-7 and 7-8.
Targets	<ul style="list-style-type: none"> <li>• Submissions completed on consent applications.</li> <li>• <u>District plan</u> changes sought if necessary <del>by 2008</del> <u>after this Plan becomes operative</u>.</li> </ul>

<u>Method 7-8</u>	<u>Indigenous Biodiversity Advice and Information</u>
<u>Description</u>	The aim of this method is to provide landowners and other parties with an interest in biodiversity with advice and information about the state of biodiversity in the Region, information about the <u>rules</u> and methods contained within this Plan to manage indigenous biodiversity, and advice about how these methods and <u>rules</u> will be implemented. This includes providing guidance on the <u>rules</u> contained within this Plan so that they can be easily understood and used by landowners.
<u>Who</u>	Regional Council, with assistance from landowners and community groups as required.
<u>Links to Policy</u>	This method implements Policies 7-4 and 7-5.
<u>Targets</u>	An education and advice programme that is freely available and allows those interested to understand and use the methods and <u>rules</u> provided for in this Plan.



Method 7-9	Proactive Identification of <i>Historic Heritage</i> <sup>^</sup>
<u>Description</u>	The aim of this method is to determine an approach to provide for the proactive identification of <i>historic heritage</i> <sup>^</sup> resources within the Region.  The approach may include the development of a Region-wide database or list of areas with a high potential for containing unidentified <i>historic heritage</i> <sup>^</sup> <i>sites</i> <sup>*</sup> and <i>structures</i> <sup>^</sup> , amendments or variations to existing regional or <i>Territorial Authority</i> <sup>^</sup> <i>plans</i> <sup>^</sup> , or agreed partnerships for funding and carrying out surveys.
<u>Who</u>	Regional Council, <i>Territorial Authorities</i> <sup>^</sup> , New Zealand Historic Places Trust, New Zealand Archaeological Association, <i>hāpu</i> <sup>*</sup> and <i>iwi</i> <sup>*</sup> , and landowners.
<u>Links to Policy</u>	This method implements Policies 7-10 and 7-11.
<u>Targets</u>	An approach is agreed upon within two years of this Plan becoming operative.

## 7.6 Anticipated Environmental Results

Anticipated Environmental Result	Link to Policy	Indicator	Data Sources
<u>Except for change because of natural processes, or change authorised by a <i>resource consent</i><sup>^</sup>, by 2017, the extent area of each habitat type identified as <i>rare habitat</i><sup>*</sup>, <i>threatened habitat</i><sup>*</sup> or <i>at-risk habitat</i><sup>*</sup> is the same as (or better than) that estimated prior to this Plan becoming operative, and no "not threatened" habitat types have fallen into the number of <i>at-risk habitats</i><sup>*</sup> category has not increased.</u>	Living Heritage Policies: 7-1, 7-2A, <del>7-3</del> , 7-4, 7-5, 7-6 and 7-8  Administration Policies: 2-1, 2-2, 2-3 and 2-5  Water Policies: 6-1, 6-2, 6-3, 6-4, 6-5, 6-7, 6-10 6-17, 6-18, 6-19, 6-26 and 6-28	<ul style="list-style-type: none"> <li>• <u>Extent Area</u> of each habitat type compared to former extent</li> <li>• Number of <i>rare habitats</i><sup>*</sup>, and <i>threatened habitats</i><sup>*</sup> and <i>at-risk habitats</i><sup>*</sup> sites damaged by unauthorised activities</li> </ul>	<ul style="list-style-type: none"> <li>• Landcare Research: Land Environments NZ Tool, EcosSat tool and Land Cover Database 2 tool</li> <li>• Regional Council's <i>Horizons</i><sup>'</sup> incidents database</li> </ul>
By 2017, the Region's top 100 <i>wetlands</i> <sup>^</sup> and top 200 bush remnants will be in better condition than that measured prior to this Plan becoming operative.	Living Heritage Policies: 7-1, 7-2A, 7-4, 7-5, 7-6 and 7-8  Administration Policies: 2-1, 2-2, 2-3 and 2-5  Water Policies: 6-1, 6-2, 6-3, 6-4, 6-5, 6-7, 6-10 6-17, 6-18, 6-19, 6-26 and 6-28	<ul style="list-style-type: none"> <li>• Number of top 100 <i>wetlands</i><sup>^</sup> and top 200 bush remnants under proactive management</li> <li>• Habitat condition measure(s) which, where possible, will be consistent with those used by the Department of Conservation</li> </ul>	<ul style="list-style-type: none"> <li>• Regional Council's <i>Horizons</i><sup>'</sup> identification and assessment of significant indigenous aquatic, coastal and terrestrial habitat types</li> <li>• Regional Council's <i>Horizons</i><sup>'</sup> progress reports on results of proactive management of top <i>wetland</i><sup>^</sup> and bush remnant habitats</li> </ul>
<u>By 2017, the Region's known <i>historic heritage</i><sup>^</sup> will be recorded in <i>district plans</i><sup>^</sup> and <i>regional plans</i><sup>^</sup>.</u>	Living Heritage Policies: 7-10 and 7-11	<ul style="list-style-type: none"> <li>• <i>Territorial Authorities</i><sup>^</sup> have schedules of known <i>historic heritage</i><sup>^</sup> in their <i>district plans</i><sup>^</sup></li> <li>• Regional Council has a schedule of <i>historic heritage</i><sup>^</sup> for the <i>coastal marine area</i><sup>^</sup> in the Regional Coastal Plan</li> </ul>	<ul style="list-style-type: none"> <li>• <i>District plans</i><sup>^</sup></li> <li>• <i>Regional plans</i><sup>^</sup></li> </ul>



<p>Except for change because of natural processes, at 2017 the characteristics/values of all outstanding landscapes and natural features identified in the Region (Schedule F) will be in the same state as assessed prior to this Plan becoming operative.</p>	<p>Living Heritage Policies: 7.7 and 7-8</p> <p>Administration Policies: 2-1, 2-2, 2-3 and 2-5</p>	<ul style="list-style-type: none"> <li>• Number of Schedule F outstanding landscapes and natural features where identified characteristics/values have been damaged</li> <li>• Level of protection afforded to Schedule F outstanding landscapes and natural features in Territorial Authority district plans</li> <li>• Ratio of successful submissions versus total submissions made on outstanding landscapes and natural features to Territorial Authority consent planning processes</li> </ul>	<ul style="list-style-type: none"> <li>• Outstanding landscapes and natural features characteristics/values assessment survey</li> <li>• Horizons' incidents database</li> <li>• Horizons' SED (Subdivision Enquiry Database) database</li> <li>• Territorial Authority district plans</li> <li>• Territorial Authority consent decisions</li> </ul>
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## 7.7 Explanations and Principal Reasons

### **Indigenous Biodiversity**

*Rare habitats\** and *threatened habitats\** are made up of habitats that are either naturally rare in the Region (that is, there was never a large number of that type of habitat) or have been reduced to a level of ~~less than~~ 20% or less of their original extent in the Region. At this level they cannot sustain themselves without intervention. Even a small loss of, or small amount of damage to, these habitats may lead to the total loss of this habitat type in the Region.

*At-risk habitats\** are made up of habitats that have been reduced to a level of less than ~~33~~ 50% of their original extent in the Region. These habitats are at risk of falling into the threatened category (described above) in the lifetime of this Plan if something is not done to prevent that habitat loss. *At-risk habitats\** also include those areas which provide a habitat for a rare or threatened species.

The objectives, policies and methods adopted ~~here~~ aim to prevent the further ~~deliberate~~ loss of *rare habitats\** and *threatened habitats\** and to control activities which may have an adverse *effect\** on the unique characteristics of *at-risk habitats\**. Also included are objectives, policies and methods to actively manage, improve and protect ~~the best examples~~ identified habitats.

### **Landscapes**

The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development is a matter of national importance. While this issue is best dealt with at a territorial level, it is considered important that this document should continue to provide a list of outstanding natural features and landscapes and their associated values. The objectives, policies and methods adopted here are to provide guidance and direction in the protection of these values.

### **Natural character**

Preservation of the natural character of the coastal environment, wetlands, rivers, lakes and their margins is a matter of national importance. The approach of the One Plan is to maintain the current degree of naturalness of the natural character



of the coastal environment, wetlands, rivers, lakes and their margins. The objectives, policies and methods adopted in this document aim to achieve this by providing policy guidance on natural character to be taken into account when making decisions on applications which may affect natural character and by actively protecting and managing biodiversity.

**Historic Heritage<sup>^</sup>**

The protection of *historic heritage<sup>^</sup>* from inappropriate subdivision, use and development is a matter of national importance. It is considered important to provide a regional framework for the protection of *historic heritage<sup>^</sup>* by:

- (a) requiring *Territorial Authorities<sup>^</sup>* and the Regional Council to identify *historic heritage<sup>^</sup> sites<sup>\*</sup>* and *structures<sup>^</sup>*, and to include them in district plans<sup>^</sup> and regional plans<sup>^</sup>, and
- (b) requiring the Regional Council to manage the effects on *historic heritage<sup>^</sup>* for those resource use activities for which it has jurisdiction.

Objective 7-3 and Policies 7-10 and 7-11 provide the regional framework, guidance and direction required to manage *historic heritage<sup>^</sup>*.

## Appendix 2

Text in grey highlight is related to deliberations of later Panels.

### 12 Land^\_ Use Activities and Land^\_-based Biodiversity Indigenous Biological Diversity^

#### 12.1 Policies Land^\_ Use Activities

##### Objectives

##### Objective 12-1: Accelerated erosion^ – regulation of vegetation clearance^, land disturbance^, forestry^ and cultivation^

The regulation of vegetation clearance^, land disturbance^, forestry^ and cultivation^ in a manner that ensures:

- (a) accelerated erosion^, and any associated damage to people, buildings and infrastructure^ is avoided as far as reasonably practicable or otherwise remedied or mitigated
- (b) increased sedimentation in water bodies^ as a result of human activity is avoided as far as reasonably practicable, or otherwise remedied or mitigated [or consistency with the water^ management objectives and policies set out in Chapter 6].

##### Policies

##### Policy 12-1A: Regional rules^ for vegetation clearance^, land disturbance^, forestry^ and cultivation^

The Regional Council will:

- (a) regulate vegetation clearance^, land disturbance^, forestry^ and cultivation^ through regional rules^ in accordance with Objectives 11-1 and 12-1 and Policies 11-1, 11-2 and 11-3
- (b) manage the effects^ of vegetation clearance^ and land disturbance^ in Hill Country Erosion Management Areas^ by requiring resource consents^ for those activities:
  - (i) adjacent to some water bodies^
  - (ii) involving the removal of some woody vegetation^
  - (iii) involving the formation of new tracking^.

This policy implements Objective 12-1.

**Policy 12-1: Consent decision-making for vegetation clearance<sup>\*</sup>, and land disturbance<sup>\*</sup>, forestry<sup>\*</sup> and cultivation<sup>\*</sup>**

For vegetation clearance<sup>\*</sup>, land disturbance<sup>\*</sup>, forestry<sup>\*</sup> or cultivation<sup>\*</sup> that requires resource consent<sup>\*</sup> under Rule 12-4 or Rule 12-5, the Regional Council will make decisions on consent applications and set consent conditions<sup>^</sup> on a case-by-case basis, having When making decisions on resource consent applications, and setting consent conditions, for vegetation clearance<sup>\*</sup> and land disturbance<sup>\*</sup> the Regional Council will have particular regard to:

- (a) ~~the objectives and policies of Chapter 5~~
- (aa) giving effect to the Regional Policy Statement<sup>\*</sup>, particularly Objective 5-2 and Policies 5-2 and 5-3
- (b) ~~whether a whole farm business plan~~<sup>\*</sup> should be required as a condition of consent
- (c) ~~any industry standards that are relevant to the activity in accordance with Policy 12-2~~
- (d) ~~whether the vegetation clearance~~<sup>\*</sup> or land disturbance<sup>\*</sup> is for an important or essential activity as described under Policy 12-3
- (e) the degree of compliance with the standards for managing surface water<sup>^</sup> turbidity as set out in Chapter 6, to the extent that this is necessary and can reasonably be determined
- (f) ~~effects on sensitive areas including, but not limited to:~~
  - (i) ~~dwelling houses and other buildings and structures~~
  - (ii) ~~waahi tapu, matae and other places of significance to tangata whenua~~
- (fa) managing the effects<sup>^</sup> of land disturbance<sup>\*</sup>, including large-scale earthworks, by requiring Erosion and Sediment Control Plans<sup>\*</sup> or other appropriate plans to be prepared
- (fb) managing the effects of forestry<sup>\*</sup> by requiring sustainable forestry<sup>\*</sup> management practices to be adopted and Erosion and Sediment Control Plans<sup>\*</sup> or other appropriate plans to be prepared
- (fc) managing the effects<sup>^</sup> of cultivation<sup>\*</sup> adjacent to some water bodies<sup>^</sup> through the use of sediment run-off control methods
- (fd) the appropriateness of establishing infrastructure<sup>^</sup> of regional or national importance as identified in Policy 3-1
- (fe) generally allowing the clearance of woody vegetation<sup>\*</sup> on established pasture if that clearance will not lead to accelerated erosion<sup>\*</sup> or the increased sedimentation of water bodies<sup>\*</sup>
- (ff) generally allowing activities that are for the purpose of managing natural hazards<sup>^</sup>, including the reduction of flood risk
- (fg) generally allowing forestry<sup>\*</sup> for soil conservation purposes

- (fh) generally allowing activities that result in improved land<sup>^</sup> stability or enhanced surface water<sup>^</sup> quality
- (fi) any relevant codes of practice, standards, guidelines, or environmental management plans and accepting compliance with them to the extent that they can be used as conditions<sup>^</sup> on resource consents<sup>^</sup>
- (g) the appropriateness of adopting the best practicable option<sup>^</sup> to prevent or minimise adverse effects<sup>^</sup> in circumstances where:
  - (i) numerical guidelines or standards establishing a level of protection for the a receiving environment<sup>^</sup> are not available or cannot easily be established, or
  - (ii) the likely adverse effects<sup>^</sup> are minor, and the costs associated with adopting the best practicable option<sup>^</sup> are small in comparison to the costs of investigating the likely effects<sup>^</sup> on land<sup>^</sup> and or water<sup>^</sup>
- (h) measures including, but not limited to, sediment and erosion control measures required to reasonably minimise adverse effects<sup>^</sup> caused by rainfall and storm events
- (hi) achieving integrated management through consents that are Region-wide or cover large areas for activities that are widespread and undertaken by or on behalf of a single consent holder including, but not limited to, infrastructure<sup>^</sup> or forestry<sup>^</sup>, provided any such consents are subject to conditions<sup>^</sup>, including review provisions, enabling site<sup>\*</sup>-specific matters to be addressed as necessary.
- (i) ~~the objectives and policies of Chapter 2 regarding codes of practice and other good practice initiatives, Chapter 3 regarding infrastructure and energy, Chapter 7 regarding indigenous biological diversity, landscapes and natural character, and Chapter 10 regarding natural hazards to the extent that they are relevant to the activity.~~

This policy implements Objective 12-1.

### **Policy 12-2: Recognition of industry standards**

The Regional Council will examine relevant industry-based standards and codes of practice, including those for production forestry, and will accept compliance with industry standards as being adequate to avoid, remedy or mitigate adverse effects to the extent that such standards address the matters in Policy 12-1.

### **Policy 12-3: Important and essential activities**

The Regional Council will generally allow vegetation clearance<sup>\*</sup> or land disturbance<sup>\*</sup> associated with an activity that is important or essential to the well-being of local communities, the Region or a wider area of New Zealand. Such activities might include, but not be limited to, vegetation clearance<sup>\*</sup> or land disturbance<sup>\*</sup> associated with natural hazard management and the provision of essential infrastructure.

### **Policy 12-4: Large-scale consents**

For ~~vegetation clearance\* and land disturbance\* activities that are widespread and undertaken by a single consent holder including, but not limited to:~~

- ~~(a) common activities of network utility operators~~
- ~~(b) forestry operations~~

~~the Regional Council will consider granting consents that are region-wide or cover large areas, provided any such consents are subject to conditions and/or review provisions enabling site-specific concerns to be addressed as necessary.~~

## **12.2 Land<sup>^</sup>-based Indigenous Biological Diversity<sup>^</sup>**

### **12.2.1 Objective**

#### **Objective 12-2: Regulation of activities affecting indigenous biological diversity<sup>^</sup>**

The regulation of vegetation clearance\*, land disturbance\*, forestry\* and cultivation\* to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna or to maintain indigenous biological diversity<sup>^</sup>, including enhancement where appropriate.

### **12.2.2 Policies**

#### **Policy 12-5A: Regional rules<sup>^</sup> for activities affecting indigenous biological diversity<sup>^</sup>**

The Regional Council will require resource consents<sup>^</sup> for vegetation clearance\*, land disturbance\*, forestry\* and cultivation\* within rare habitats\*, threatened habitats\* and at-risk habitats\* through regional rules<sup>^</sup> in accordance with Objectives 11-1 and 12-2 and Policies 11-1, 11-2 and 11-3.

This policy implements Objective 12-2.

#### **Policy 12-5: Consent decision-making regarding rare and threatened habitats, and at-risk habitats**

The Regional Council will make decisions on resource consent applications involving rare and threatened habitats\*, and at-risk habitats\* in accordance with the objectives and policies in Chapter 7.

#### **Policy 12-5: Consent decision-making for activities in rare habitats\*, threatened habitats\* and at-risk habitats\***

- (a) For activities regulated under Rule 12-6, the Regional Council will make decisions on consent applications and set consent conditions<sup>^</sup> on a case-by-case basis, having regard to:

- (i) giving effect to the *Regional Policy Statement*<sup>^</sup>, particularly Objective 7-1 and Policy 7-2
  - (ii) the significance of the area of habitat, in terms of its representativeness, rarity and distinctiveness, and ecological context, as assessed under Policy 12-6
  - (iii) the potential adverse effects<sup>^</sup> of the proposed activity on that significance, and
  - (iv) for *discharges*<sup>^</sup> and diversions, the matters set out in Policy 12-1(e) and 12-1(g).
- (b) Consent will generally not be granted for *vegetation clearance*<sup>^</sup>, *land disturbance*<sup>^</sup>, *forestry*<sup>^</sup> or *cultivation*<sup>^</sup> in a *rare habitat*<sup>^</sup>, *threatened habitat*<sup>^</sup>, or *at-risk habitat*<sup>^</sup> assessed to be an area of significant indigenous vegetation or a significant habitat of indigenous fauna, unless:
- (i) any more than minor adverse effects<sup>^</sup> on that habitat's representativeness, rarity and distinctiveness, or ecological context assessed under Policy 12-6 are avoided as far as reasonably practicable, or otherwise remedied or mitigated
  - (ii) any more than minor adverse effects<sup>^</sup> which cannot reasonably be avoided, remedied or mitigated are offset to result in a net indigenous *biological diversity*<sup>^</sup> gain.
- (c) Consent will generally be granted for *vegetation clearance*<sup>^</sup>, *land disturbance*<sup>^</sup>, *forestry*<sup>^</sup> or *cultivation*<sup>^</sup> in an *at-risk habitat*<sup>^</sup> assessed not to be an area of significant indigenous vegetation or a significant habitat of indigenous fauna when:
- (i) there will be no significant adverse effects<sup>^</sup> on that habitat's representativeness, rarity and distinctiveness, or ecological context as assessed in accordance with Policy 12-6, or
  - (ii) any significant adverse effects<sup>^</sup> are avoided, as far as reasonably practicable, or otherwise remedied or mitigated, or
  - (iii) any significant adverse effects<sup>^</sup> which cannot reasonably be avoided, remedied or mitigated are offset to result in a net indigenous *biological diversity*<sup>^</sup> gain.
- (d) When assessing an offset in accordance with (b)(ii) or (c)(iii), regard shall be had to:
- (i) the desirability of providing for a net gain within the same habitat type
  - (ii) the desirability of providing for a net gain in the same ecologically relevant locality as the affected habitat
  - (iii) the appropriateness of establishing *infrastructure*<sup>^</sup> of regional or national importance as identified in Policy 3-1.
- (e) Consent will generally be granted for *vegetation clearance*<sup>^</sup>, *land disturbance*<sup>^</sup>, *forestry*<sup>^</sup> or *cultivation*<sup>^</sup> that is for the purpose of:
- (i) pest control, habitat maintenance or habitat enhancement, or
  - (ii) the *maintenance*<sup>^</sup> or *upgrade*<sup>^</sup> of existing *structures*<sup>^</sup>, including *infrastructure*<sup>^</sup>.

This policy implements Objective 12-2.

**Policy 12-6: Criteria for assessing the significance of, and the effects of activities on, an area of habitat**

- (a) An area of *rare habitat*<sup>^</sup>, *threatened habitat*<sup>^</sup> or *at-risk habitat*<sup>^</sup> may be recognised as being an area of significant indigenous vegetation or a significant habitat of indigenous fauna if:

- (i) in terms of representativeness, that habitat:
1. comprises indigenous habitat type that is under-represented (20% or less of known or likely former cover), or
  2. is large relative to other areas of habitat in the Ecological District or Ecological Region, with indigenous species composition, structure and diversity typical of the habitat type, and
  3. has functioning ecosystem processes.
- or
- (ii) in terms of rarity and distinctiveness, that habitat supports an indigenous species, or community, that:
1. is classified as threatened (as determined by the New Zealand Threat Classification System and Lists\*), or
  2. is distinctive to the Region, or
  3. is at a natural distributional limit, or
  4. has a naturally disjunct distribution that defines a floristic gap, or
  5. is originally (prehuman) uncommon within New Zealand.
- or
- (iii) in terms of ecological context, that habitat provides:
1. connectivity (physical or process connections) between two or more areas of indigenous habitat, or
  2. an ecological buffer (provides protection) to an adjacent area of indigenous habitat (terrestrial or aquatic) that is ecologically significant, or
  3. part of an indigenous ecological sequence or connectivity between different habitat types across a gradient (eg, altitudinal or hydrological), or
  4. important breeding areas, seasonal food sources, or an important component of a migration path for indigenous species, or
  5. habitat for indigenous species that are dependent on large and contiguous habitats.
- (b) The potential adverse effects<sup>a</sup> of vegetation clearance\*, land disturbance\*, forestry\* or cultivation\* on a rare habitat\*, threatened habitat\* or at-risk habitat\* shall be determined by the degree to which the proposed activity will diminish any of the above characteristics of the habitat that make it significant, while also having regard to the ecological sustainability of that habitat.

This policy implements Objective 12-2.

## 12.3

### Rules<sup>^</sup> – Vegetation clearance<sup>\*</sup>, land disturbance<sup>\*</sup>, forestry<sup>\*</sup> and cultivation<sup>\*</sup> and land<sup>^</sup>-based biodiversity including wetlands<sup>^</sup>

#### Guide for resource users

This section contains five regional rules<sup>^</sup> for vegetation clearance<sup>\*</sup>, land disturbance<sup>\*</sup>, forestry<sup>\*</sup> and cultivation<sup>\*</sup>:

- (a) Rule 12-1 Permitted: Large-scale land disturbance<sup>\*</sup>, including earthworks<sup>\*</sup>, including earthworks<sup>\*</sup> – A permitted activity<sup>^</sup> rule<sup>^</sup> for large-scale land disturbance<sup>\*</sup>.
- (b) Rule 12-2 Permitted: Forestry<sup>\*</sup> – A permitted activity<sup>^</sup> rule<sup>^</sup> for forestry<sup>\*</sup>.
- (c) Rule 12-3 Permitted: Cultivation<sup>\*</sup> – A permitted activity<sup>^</sup> rule<sup>^</sup> for cultivation<sup>\*</sup>.

Activities complying with the conditions<sup>^</sup> of Rules 12-1, 12-2 and 12-3 do not need a resource consent<sup>^</sup>.

- (d) Rule 12-4 Restricted Discretionary: Vegetation clearance<sup>\*</sup> and land disturbance<sup>\*</sup> in a Hill Country Erosion Management Area<sup>\*</sup> – A restricted discretionary rule<sup>^</sup> for specified vegetation clearance<sup>\*</sup> and land disturbance<sup>\*</sup> in a Hill Country Erosion Management Area<sup>\*</sup> adjacent to some water bodies<sup>^</sup>. The removal of 1 ha or greater per property per 12-month period of some woody vegetation<sup>\*</sup>, and new tracking<sup>\*</sup>, is specifically covered by the rule<sup>^</sup>. The activities require a resource consent<sup>^</sup> which may or may not be granted by the Regional Council. The Regional Council can set consent conditions<sup>^</sup> relating to the matters over which discretion has been reserved in the rule<sup>^</sup>.

- (e) Rule 12-5 Discretionary: vegetation clearance<sup>\*</sup>, land disturbance<sup>\*</sup>, forestry<sup>\*</sup> and cultivation<sup>\*</sup> – A discretionary activity<sup>^</sup> rule<sup>^</sup> for activities that do not comply with the conditions<sup>^</sup>, standards and terms of the previous rules<sup>^</sup>. These activities require a resource consent<sup>^</sup>, which may or may not be granted by the Regional Council. The Regional Council can set consent conditions<sup>^</sup> if the consent is granted.

- (f) Rule 12-6 Discretionary: Activities within a rare habitat<sup>\*</sup>, threatened habitat<sup>\*</sup>, or at-risk habitat<sup>\*</sup> – A discretionary activity<sup>^</sup> rule<sup>^</sup> for activities, including discharges<sup>^</sup> and diversions, that are located within a rare habitat<sup>\*</sup>, threatened habitat<sup>\*</sup>, or at-risk habitat<sup>\*</sup>. These activities require a resource consent<sup>^</sup>, which may or may not be granted by the Regional Council. The Regional Council can set consent conditions<sup>^</sup> if the consent is granted.

## 12.1 Rules—Vegetation Clearance and Land Disturbance

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
12-1 Vegetation clearance and land disturbance not covered by other rules	Any vegetation clearance* or land disturbance* pursuant to s.9 RMA that is not specifically regulated by any other rule in this Plan. For the avoidance of doubt, this rule includes vegetation clearance* and land disturbance* that is carried out in accordance with a whole farm business plan*.	Permitted	(a) For any land disturbance involving a volume of fill or excavation of more than 1000 m <sup>3</sup> /y per property*, effective erosion and sediment control measures shall be installed and maintained during and following completion of works. (b) The activity shall not disturb any archaeological site, waahi tapu or koiwi remains as identified in any district plan, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained. (c) In the event of an archaeological site, waahi tapu or koiwi remains being discovered or disturbed while undertaking the activity, the activity shall cease and the Regional Council shall be notified as soon as practicable. The activity shall not be recommenced without the approval of the Regional Council.	
12-2 Production forestry	Vegetation clearance* or land disturbance* pursuant to s.9 RMA for the purposes of harvesting, production forestry or developing land for production forestry planting, in the following circumstances: (a) in the case of land adjoining rivers, lakes and natural wetlands: (i) for areas where the land slope* is between 0° and 15°, within 10 m of the bed of a river, lake or wetland (ii) for areas where the land slope* is greater than 15°, within the strip of land bordered by the bed	Controlled	(a) The activity shall not take place in any rare or threatened habitat* or at risk habitat*. (b) The activity shall not take place on a coastal foredune as regulated by Rule 12-5. (c) The activity shall not disturb any archaeological site, waahi tapu or koiwi remains as identified in any district plan, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.	Control is reserved over: (a) the nature, scale, timing and duration of vegetation clearance or land disturbance (b) compliance with best management practices, including forestry industry standards (c) measures to maintain slope stability (d) the method of sediment retention and control of sediment run-off,

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
12-3 Land disturbance	<p>of a river, lake or wetland, and a setback distance (being not less than 10 m) at which the slope reduces to 15° or 100 m, whichever is the lesser</p> <p>(b) in the case of hillcountry highly erodible land*, the affected area is more than 1 ha/y per property*</p> <p>(c) in the case of coastal highly erodible land*, the affected area is more than 100 m<sup>2</sup>/y per property*.</p> <p>This rule does not apply to production forestry activities that are:</p> <p>(d) accredited by the Forestry Stewardship Council programme (these are a permitted activity under Rule 12-1)</p> <p>(e) on land mapped as hillcountry highly erodible land* in Schedule A, but where all land that is the subject of the activity has an existing slope of less than 20° (these are a permitted activity under Rule 12-1)</p> <p>(f) for the purposes of controlling pests pursuant to a pest management strategy prepared under the Biosecurity Act 1993 (these are a permitted activity under Rule 12-1).</p> <p>Land disturbance* on highly erodible land* pursuant to s 9 RMA in circumstances where either the affected area is more than 100 m<sup>2</sup>/y per property* or the volume of fill or excavation is more than 100 m<sup>3</sup>/y per property*.</p> <p>This rule does not apply to land disturbance* that is:</p> <p>(a) carried out in accordance with a whole farm business plan* (this is a permitted activity under Rule 12-1)</p> <p>(b) on land mapped as highly erodible land* in Schedule A, but where all land that is the subject of the activity has an existing slope of less than 20° (this is a permitted activity under Rule 12-1),</p> <p>(c) for the purposes of controlling pests pursuant to a pest management strategy prepared under the Biosecurity</p>	Controlled	<p>(d) in the event of an archaeological site, waahi tapu or koiwi remains being discovered or disturbed while undertaking the activity, the activity shall cease and the Regional Council shall be notified as soon as practicable. The activity shall not be recommenced without the approval of the Regional Council.</p> <p>(a) The activity shall not take place in any rare or threatened habitat* or any at risk habitat*.</p> <p>(b) The activity shall not take place on a coastal foredune or near a water body as regulated by Rule 12-5.</p> <p>(c) The activity shall not disturb any archaeological site, waahi tapu or koiwi remains as identified in any district plan, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.</p>	<p>(e) effects on riparian margins and water bodies</p> <p>(f) effects on rare and threatened habitats* and at risk habitats*</p> <p>(g) effects on existing structures</p> <p>(h) qualifications required of contractors</p> <p>(i) revegetation requirements</p> <p>(j) procedures in the event of discovering or disturbing an archaeological site, waahi tapu or koiwi remains</p> <p>(k) duration of consent</p> <p>(l) review of consent conditions</p> <p>(m) compliance monitoring.</p> <p>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p> <p>Control is reserved over:</p> <p>(a) the nature, scale, timing and duration of land disturbance</p> <p>(b) compliance with best management practices</p> <p>(c) measures to maintain slope stability</p> <p>(d) the method of sediment retention and control of sediment run-off</p> <p>(e) effects on riparian margins and water bodies</p> <p>(f) effects on rare and threatened habitats* and at risk habitats*</p>

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
12-4 Vegetation clearance	<p>Act 1993 (this is a permitted activity under Rule 12-1) for the purposes of recontouring or planting dunes to improve dune stability (this is a permitted activity under Rule 12-1, except activities on foredunes regulated under Rule 12-5)</p> <p>(e) for production forestry purposes (this is a permitted activity under Rule 12-1 or a controlled activity under Rule 12-2).</p> <p>Vegetation clearance* pursuant to s 9 RMA in the following circumstances:                      (a) in the case of coastal highly erodible land*, the affected area is more than 100 m<sup>2</sup>/y per property*                      (b) in the case of hillcountry highly erodible land*, the affected area is more than 1 ha/y per property*                      This rule does not apply to vegetation clearance* that is:                      (c) carried out in accordance with a whole farm business plan*                      (d) on land mapped as hillcountry highly erodible land* in Schedule A, but where all land that is the subject of the activity has an existing slope of less than 20° (this is a permitted activity under Rule 12-1)                      (e) for the purposes of controlling pests pursuant to a pest management strategy prepared under the Biosecurity Act 1993 (this is a permitted activity under Rule 12-1)                      (f) for production forestry purposes (this is a permitted</p>	Discretionary	(a) The activity shall not take place in any rare or threatened habitat*.	<p>(g) effects on existing structures                      (h) qualifications required of contractors                      (i) revegetation requirements                      (j) procedures in the event of discovering or disturbing an archaeological site, waahi tapu or kowhi remains                      (k) duration of consent                      (l) review of consent conditions                      (m) compliance monitoring.</p> <p>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
12-5 Vegetation clearance and land disturbance on-coastal foredunes and near water bodies	<p>activity under Rule 12-1 or a controlled activity under Rule 12-2);</p> <p>Vegetation clearance* or land disturbance*, including cultivation, pursuant to s.9 RMA in the following areas:</p> <p>(a) for coastal foredunes*, on any land along the west coast of the Region between the coastal marine area and the inland margin of the coastal foredune</p> <p>(b) for rivers, lakes and natural wetlands:</p> <p>(i) in areas where the land slope is between 0° and 15°, within 10 m of the bed of a river, lake or wetland</p> <p>(ii) in areas where the land slope is greater than 15°, within the strip of land bordered by the bed of a river, lake or wetland, and a setback distance (being not less than 10 m) at which the slope reduces to 15° or 100 m whichever is the lesser</p> <p>(c) for artificial water bodies, within 5 m of the wetted perimeter of the water body.</p> <p>This rule does not apply to vegetation clearance* and land disturbance* that is:</p> <p>(d) for the purposes of controlling pests pursuant to a pest management strategy prepared under the Biosecurity Act 1993 (this is a permitted activity under Rule 12-1)</p> <p>or</p> <p>(e) for production forestry purposes (this is a permitted activity under Rule 12-1 or a controlled activity under Rule 12-2);</p>	Discretionary	(a) The activity shall not take place in any rare or threatened habitat*.	
12-6 Vegetation clearance and land disturbance that do not comply with permitted and	<p>Any vegetation clearance* or land disturbance* pursuant to s.9 RMA that does not comply with one or more conditions, standards or terms of a permitted or controlled activity rule, but which is not expressly classified as a discretionary or non-complying activity.</p>	Discretionary		

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
controlled activity rules				

**12.2 Rules—Land-based Biodiversity Including Wetlands**

12-7 Activities within at risk habitats	<p>Any of the following activities within an at-risk habitat*:</p> <ul style="list-style-type: none"> <li>(a) vegetation clearance*</li> <li>(b) land disturbance*</li> <li>(c) discharges of contaminants into water, or into or onto land</li> <li>(d) diversions of water.</li> </ul> <p>This rule does not apply to the activities described in subsections (a) to (d) in circumstances where:</p> <ul style="list-style-type: none"> <li>(e) they are carried out for the purposes of controlling pests pursuant to a pest management strategy prepared under the Biosecurity Act 1993, or</li> <li>(f) they are carried out for the purposes of protecting or enhancing an at-risk habitat*, or</li> <li>(g) they are classified as a discretionary, non-complying or prohibited activity under another rule</li> </ul> <p>in which case the other rules of this Plan relevant to the activities apply.</p>	Discretionary		
12-8 Activities within rare and	<p>Any of the following activities within a rare or threatened habitat*:</p> <ul style="list-style-type: none"> <li>(a) vegetation clearance*</li> </ul>	Non-complying		

<p>threatened habitats including wetlands</p>	<p>(b) <del>land disturbance*</del>                  (c) <del>discharges of contaminants into water, or into or onto land</del>                  (e) <del>diversions of water, including for the purpose of wetland drainage.</del>                  This rule does not apply to the activities described in subsections (a) to (d) in circumstances where:                  (e) they are carried out for the purposes of controlling pests pursuant to a pest management strategy prepared under the Biosecurity Act 1993, or                  (f) they are carried out for the purposes of protecting or enhancing a rare or threatened habitat*, or                  (g) they are classified as a non-complying or prohibited activity under another rule in which case the other rules of this Plan relevant to the activities apply.</p>
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Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
12-1 <u>Large-scale land disturbance* including earthworks</u>	<p>Except as provided for by Rules 12-4 and 12-6, any land disturbance* pursuant to s9(3) RMA of a total area greater than 2,500m<sup>2</sup> per property* per 12-month period and any ancillary:</p> <p>(a) <u>diversion of water^ pursuant to s14(1) RMA, or</u>                      (b) <u>discharge^ of sediment or other contaminants^ pursuant to s15(1) RMA.</u></p>	Permitted	<p>(a) <u>The activity shall not take place on land^ that is within a coastal foredune*.</u>                      (b) <u>The activity shall be undertaken in accordance with an Erosion and Sediment Control Plan* which shall be submitted to the Regional Council upon request.</u>                      (c) <u>The Regional Council shall be notified at least 48 hours prior to the activity commencing.</u></p>	
12-2 <u>Forestry*</u>	<p>Except as provided for by Rule 12-6, any forestry* pursuant to s9(3) RMA, and any ancillary:</p> <p>(a) <u>disturbance of the bed^ of a river^ or lake^ pursuant to s13(1) RMA, or</u>                      (b) <u>diversion of water^ pursuant to s14(1) RMA, or</u>                      (c) <u>discharge^ of sediment or other contaminants^ pursuant to s15(1) RMA.</u></p>	Permitted	<p>(a) <u>The activity shall not take place on land^ that is within a coastal foredune*.</u>                      (b) <u>Any planting or replanting of forestry* trees shall not occur on land that is within 5 m of:</u>                      (i) <u>the bed^ of a river^ that is permanently flowing or has an active bed* width greater than 2 m</u>                      (ii) <u>the bed^ of a lake^</u>                      (iii) <u>a wetland^ that is a rare habitat* or a threatened habitat*.</u>                      (c) <u>Any area of forestry* that is harvested (other than firebreaks, tracks* or landing sites) shall be planted or replanted to protect from erosion as soon as practicable and no later than 18 months from the date of the harvesting, unless the area is left to revegetate naturally.</u>                      (d) <u>Water run-off controls shall be installed and maintained for tracks* and landing sites.</u>                      (e) <u>Batters, cuts and side castings shall be established by methods that prevent slumping.</u>                      (f) <u>Vegetation shall be felled away from any water body^ listed in condition (b), other than where this would endanger the health and safety of workers.</u>                      (g) <u>Felled vegetation shall not be dragged through</u></p>	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
12-3 <u>Cultivation*</u>	<p>Except as provided for by Rule 12-6, any cultivation* pursuant to s9(3) RMA within 5 m of:</p> <p>(a) the bed* of a river* that is permanently flowing or has an active bed* width greater than 2 m, or</p> <p>(b) the bed* of a lake*, or</p> <p>(c) a wetland* and any ancillary;</p> <p>(d) diversion of water* pursuant to s14(1) RMA, or</p> <p>(e) discharge* of sediment or other contaminants* pursuant to s15(1) RMA.</p>	Permitted	<p>any water body* listed in condition (b).</p> <p>(h) Harvesting shall be planned and carried out so as to minimise the amount of slash* entering any water body* listed in condition (b).</p> <p>(i) Slash* shall be removed from within the water bodies* and adjacent areas listed in condition (b)(i) where it is blocking river* flow, is diverting river* flow and causing bank erosion, or has the potential to be moved by river* flows.</p> <p>(j) Slash* shall not be left in a position where it may fall down any slope.</p> <p>(k) The activity shall be undertaken in accordance with an Erosion and Sediment Control Plan* which shall be submitted to the Regional Council upon request.</p>	
12-4 <u>Specified vegetation clearance* and land disturbance* in a Hill Country Erosion</u>	<p>Except as provided for by Rule 12-6, any vegetation clearance* or land disturbance* pursuant to s9(3) RMA undertaken within a Hill Country Erosion Management Area*:</p> <p>(a) within 5 m of the bed* of a river* that is permanently flowing or has an active bed* width greater than 2 m, or</p>	Restricted Discretionary	<p>(a) The activity shall not take place on land that is within a coastal foredune*.</p>	<p>Discretion is restricted to:</p> <p>(a) the location, nature, scale, timing and duration of the activity</p> <p>(b) effects* of the activity and associated sediment run-off on soil conservation, surface water quality and aquatic ecology</p>

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p><u>Management Area*</u></p>	<p>(b) <u>within 5 m of the bed^ of a lake^, or</u>                      (c) <u>5 m of a wetland^, or</u>                      (d) <u>involving the clearance of 1 ha or greater per property^ per 12-month period of woody vegetation* where the canopy* cover of woody vegetation* in the area to be cleared is greater than 70%, or</u>                      (e) <u>involving new tracking* and any ancillary;</u>                      (f) <u>diversion of water^ pursuant to s14(1) RMA, or</u>                      (g) <u>discharge^ of sediment or other contaminants^ pursuant to s15(1) RMA.</u></p>			<p>(c) <u>effects^ on existing structures^</u>                      (d) <u>effects^1 of ancillary diversions or discharges^ on historic heritage^</u>                      (e) <u>the principles and erosion and sediment control measures set out in Chapters 3-9 of the "Erosion and Sediment Control Guidelines for the Wellington Region" dated September 2002</u>                      (f) <u>duration of consent and review of consent conditions^</u>                      (g) <u>compliance monitoring.</u>                      Resource consent^ applications under this rule^ shall not be notified and written approval of affected persons shall not be required (notice of applications need not be served on affected persons).</p>
<p><u>12-5</u>  <u>Vegetation clearance*, land disturbance*, cultivation* or forestry* that does not comply with Rules 12-1 to 12-4</u></p>	<p>Any vegetation clearance*, land disturbance*, cultivation* or forestry* pursuant to s9(3) RMA that does not meet the conditions^, standards or terms of Rules 12-1, 12-2, 12-3 or 12-4 and any ancillary.                      (a) <u>diversion of water^ pursuant to s14(1) RMA, or</u>                      (b) <u>discharge^ of sediment or other contaminants^ pursuant to s15(1) RMA.</u></p>	<p><u>Discretionary</u></p>		
<p><u>12-6</u>  <u>Activities within rare habitats*, threatened habitats* and at-risk habitats*</u></p>	<p>Any of the following activities within a rare habitat*, threatened habitat* or at-risk habitat*:                      (a) <u>vegetation clearance*, land disturbance*, cultivation* or forestry* pursuant to s9(3) RMA, or</u>                      (b) <u>discharge^ of contaminants^ into water^, or into or onto land^, pursuant to s15(1) RMA, or</u></p>	<p><u>Discretionary</u></p>		

1 Matter of discretion 12-4(d) refers to the effects^ of diversions or discharges^ as the Regional Council is unable to promulgate s9(3) rules^ relating to the protection of historic heritage^.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	(c) diversion of water <sup>^</sup> pursuant to s14 RMA including for the purpose of wetland <sup>^</sup> drainage			

The following definitions from the Glossary are deleted:

- (a) Coastal Highly Erodible Land
- (b) Highly Erodible Land
- (c) Hillcountry Highly Erodible Land
- (d) Land disturbance
- (e) Vegetation clearance
- (f) Whole Farm Business Plan.

The definition of coastal foredune is as notified with no changes.

The following definitions are to be inserted into the Glossary:

**Accelerated erosion** means erosion which is caused or accelerated by human activity.

**Active bed** means, for the purpose of the *rules*<sup>^</sup> in Chapter 12, the *bed*<sup>^</sup> of a *river*<sup>^</sup> that is intermittently flowing and where the *bed*<sup>^</sup> is predominantly unvegetated and comprises sand, gravel, boulders or similar material.

**Cultivation** means preparing *land*<sup>^</sup> for growing pasture or a crop and the planting, tending and harvesting of that pasture or crop, but excludes:

- (a) direct drilling of seed
- (b) no-tillage practices
- (c) recontouring *land*<sup>^</sup>
- (d) *forestry*<sup>\*</sup>
- (e) the clearance of *woody vegetation*<sup>\*</sup> and *new tracking*<sup>\*</sup> in a Hill Country *Erosion Management Area*<sup>\*</sup>.

**Erosion and Sediment Control Plan** means a plan prepared in accordance with the “Erosion and Sediment Control Guidelines for the Wellington Region” dated September 2002.

**Forestry** means all soil conservation forestry or *production forestry*<sup>\*</sup> activities including tracking, earthworks, *land*<sup>^</sup> preparation, planting, pruning, thinning, clearing understorey (indigenous and exotic species), and harvesting.

**Hill Country Erosion Management Area** means any area of *land*<sup>^</sup> with a pre-existing slope\* of 28° or greater on which *vegetation clearance\**, *land disturbance\* forestry\** or *cultivation\** is being or is to be undertaken.

**Land disturbance** (see *Vegetation clearance\**)

**New tracking** means the formation of a *new track\** but excludes:

- (a) the installation of water table drains and *cross-track\** culverts for an existing *track\**
- (b) tracking undertaken to link existing *tracks\** or access ways provided the length of linkage tracking is less than 100 m.

**Slash** means any discarded vegetation resulting from *forestry\** pruning, thinning, clearing understorey, or harvesting.

**Track** means a formed route for the movement of people, animals or vehicles and includes a *road*<sup>^</sup> but excludes any route formed solely by the walking of people or animals.

**Vegetation clearance** means the cutting, crushing, spraying, burning, or other means of removal or destruction of vegetation, including indigenous and exotic plants (including trees). **Land disturbance** means the disturbance of the *land*<sup>^</sup> surface by any means including by blading, blasting, contouring, cutting of batters, filling, excavating, ripping, root raking, recontouring, or moving or removing soil or earth. *Vegetation clearance\** and *land disturbance\** excludes:

- (a) *cultivation\**
- (b) *forestry\**
- (c) clearance or disturbance by animals including grazing
- (d) activities undertaken for the sole purpose of establishing a fence line and not located within a *rare habitat\**, *threatened habitat\** or *at-risk habitat\**
- (e) the *maintenance\** or *upgrade\** of existing *tracks\**, *structures*<sup>^</sup> (including fences), or *infrastructure*<sup>^</sup>
- (f) maintaining shelterbelts (including cutting of shelterbelt roots)
- (g) activities undertaken for the purpose of protecting, maintaining or enhancing areas of *rare habitat\**, *threatened habitat\** or *at-risk habitat\**
- (h) clearance of vegetation that is fallen or dead and not located within a *rare habitat\**, *threatened habitat\** or *at-risk habitat\** that is *forest\** or *scrub\** in Schedule E
- (i) activities undertaken within the boundaries of any area of *land*<sup>^</sup> held or managed under the Conservation Act 1987 or any other Act specified in Schedule 1 to that Act (other than *land*<sup>^</sup> held for administrative purposes) that is consistent with a conservation management strategy, conservation management plan, or management plan established under the Conservation Act 1987 or any other Act specified in Schedule 1 to that Act
- (j) activities undertaken within the boundaries of the New Zealand Defence Force Waiouru Military Training Area, provided that those activities are undertaken in accordance with a management plan that has the same or similar outcome as an *Erosion and Sediment Control Plan\**
- (k) clearance of thistles, ring ferns, carpet ferns, rushes, ink weed, briar rose, barberry, introduced pampas grass (other than toetoe), mingimingi, wilding pinus species, Japanese poplar, Japanese walnut, and pest plants referred to in the Regional Council's Regional Pest Plant Management Strategy May 2007.

**Woody vegetation** means perennial vegetation that has hard lignified tissues.



## Appendix 3

Schedule E of the Proposed One Plan is deleted. The deleted material is not shown here in strikethrough, but will be shown in the decision. The following Schedule E is inserted.

### **SCHEDULE E: INDIGENOUS\* BIOLOGICAL DIVERSITY\***

**A rare habitat\*, threatened habitat\* or at-risk habitat\*** is an area of vegetation or physical substrate which:

- a) is a habitat type identified in Table E.1 as being "Rare", "Threatened" or "At-risk" respectively, and
- b) meets at least one of the criteria described in Table E2(a) for the relevant habitat type, and
- c) is not excluded by any of the criteria in Table E.2(b).

Unless otherwise stated, the habitat types in Table E.1 comprise vegetation that is indigenous\*. Indigenous\* is defined in the Glossary of the Plan and for the purposes of Schedule E means vegetation comprised predominantly of indigenous species, but which may include scattered\* exotic species.

It is recommended that a suitably qualified expert is engaged for assistance with implementing Schedule E. This could be:

- a) a consultant ecologist

b) The Regional Council staff, who currently provide this service free of charge, including advice and a site visit where required in the first instance. It may be that following this initial provision of information, the proposal will require an Assessment of Ecological Effects to be provided as a component of the consent application. In such instances it is recommended that a consultant ecologist be engaged to conduct the assessment.

The Regional Council can in all cases, provide any spatial data and existing information where available as relevant to the habitat and the proposed activity.

**Interpreting Schedule E:**

**Do I need a resource consent?**

**YES IF:**

The area of vegetation or physical substrate is determined to be habitat type classified as "Rare", "Threatened" or "At-risk" in Table E.1 **AND** it meets any of the criteria in Table E.2(a) **AND** it is not excluded by any of the criteria in table E.2(b).

**NO IF:**

The area of vegetation or physical substrate is determined to be habitat type that is not classified in Table E.1.

**OR**

The area of vegetation or physical substrate is determined to be habitat type classified as "Rare", "Threatened" or "At-risk" in Table E.1 but **does not** meet any of the criteria in Table E.2(a).

**OR**

The area of vegetation or physical substrate meets any criteria in Table E.2(b).

**Table E.1:**

Table E.1 describes characteristics of habitat types as they are expressed at the regional scale. The "Habitat Type Label" column is intended as a label only and is not intended as a habitat description. The "Defined As" column defines the meaning of the habitat type set out in the "Habitat Type Label" column. The "Further Description" column is to assist Plan users and is not definitive. Patches of any given habitat type may not exhibit all elements considered characteristic of that habitat type. Some species listed may not be present, or be present in different abundances than indicated. Other species not listed can also be present. Sites of the same habitat type can exhibit differences from each other. Further, there may be differences in predicted composition and actual composition on the ground, particularly as a result of site modification and pest impacts. Unless otherwise stated, the habitat types listed in Table E.1 comprise vegetation that is *indigenous*\*

Water Management Zones and Sub-zones are described in Schedule D.

Habitat Type Label	Defined As	Classification	Further Description
Forest* and Treeland* Hardwood/broadleaved forest or treeland	Habitat Types Classified as Threatened Tawa forest* in association* with other indigenous* broadleaved* species, or tawa dominated* treeland*	Threatened	Kamahi, hinau and black maire are likely to be common*. Podocarp* species such as kahikatea, rimu or totara may be emergent above the canopy*. Titoki, rewarewa or northern rata may also be a feature. The subcanopy is likely to comprise common* indigenous* broadleaved* species.  This habitat type is found in hill country north of Wanganui and the east coast at elevations of 0 - 150 m asl.
Kahikatea-pukatea-tawa forest or treeland	Kahikatea dominated* forest* or treeland* on lowland alluvium and floodplains commonly found in association* with pukatea and tawa.	Threatened	This habitat type is likely to be characterised by the presence of the swamp forest* species kahikatea and pukatea. Tawa will be common* on the drier, better drained or raised areas. Matai, rimu and totara can be present but are restricted to areas of better-drained soils. Titoki is also likely to be common*.  Kahikatea-pukatea-tawa forest is found on alluvial soils throughout the Region predominantly at elevations between 0 - 350 m but also up to 650 m asl.
Podocarp forest or treeland	Podocarp* forest* or treeland* dominated* by matai, kahikatea or totara.	Threatened	The dominance of any of these species is dependent on the drainage capability of the soil and history of past disturbance. Totara and matai are likely to be more abundant* on free-draining soils, with kahikatea likely to be dominant* on poorly-drained soils. Indigenous* broadleaved* species (for example titoki, tawa, maire and fuchsia) are likely to be found in association* with the podocarp* species, but will be less abundant* than the podocarp* species.  Podocarp forest is mostly confined to the Wanganui, Rangitikei and Ruapehu Districts from sea level to 900 m asl.
Podocarp/broadleaf-fuchsia forest or treeland	Podocarp* dominated* forest* over a subcanopy of broadleaf and fuchsia, or podocarp* dominated* treeland*.  The podocarp* species matai, totara, kahikatea or rimu, will be present at varying levels of abundance*.	Threatened	This habitat type tends to favour adequately drained and reasonably fertile soils. Although typically a feature of this habitat type, fuchsia is favoured by possums and may be uncommon in many areas. Broadleaf (Griselinia), and indigenous* climbers and epiphytes are also likely to be common*. Kamahi may also be present but typical indigenous* broadleaved* species may be lacking.  This habitat is largely confined to small isolated areas in high rainfall areas of the hill country in Ruapehu, Wanganui, Tararua and Manawatu Districts from 400 - 900 m asl.

Habitat Type Label	Defined As	Classification	Further Description
<u>Podocarp/tawa-mahoe forest or treeland</u>	Tawa and mahoe dominated* forest* or treeland* with scattered* emergent podocarp* species.	Threatened	Kahikatea or matai trees are likely to be present in the canopy* or as emergent trees. Rimu and totara may also be present in low numbers. Titoki, hinau, maire or pukatea may also be present. The subcanopy is likely to comprise common* indigenous* broadleaved* species.  This habitat type is found on dry dune land and low hill country (from sea level to 750 m asl)
<u>Rimu/tawa-kamahi forest or treeland</u>	Tawa and kamahi dominated* forest* or treeland* with scattered* emergent rimu.	Threatened	Hinau, rewarewa or mahoe are likely to be common*. Rimu may be a feature of this habitat type, although its frequency will be dependent on the history of disturbance of the site. Miro and totara may also be present with kahikatea and matai likely to be less common*. Pukatea is commonly likely to be present, particularly in valleys. Black beech may be locally common* on dry ridges in hill country (e.g. inland from Wanganui). Common* indigenous* broadleaved* species are also likely to be present in the understorey.
<u>Podocarp/red beech-kamahi-tawa forest or treeland</u>	Red beech, kamahi and tawa dominated* forest* or treeland* occurring between 400 – 700 m asl.	Threatened	Rimu/tawa-kamahi forest can be found in all Districts of the Region from sea level to 800 m asl. Podocarp* species such as rimu, Hall's totara, and miro may be present scattered* through the canopy, or as emergent trees. Indigenous* broadleaved* species may also be present in the subcanopy and understorey. At the higher altitudes of the range of this habitat type, silver beech becomes increasingly dominant*.
<u>Podocarp/black beech/mountain beech forest or treeland</u>	Black beech and mountain beech dominated* forest* or treeland* occurring between 400 – 1250 m asl.	Threatened	Podocarp/red beech-kamahi-tawa forest is largely confined to the Rang. 2b Water Management Sub-zone. Emergent podocarp* species (e.g. matai, totara, kahikatea, rimu or miro) can be present as emergent trees, but are not dominant*. Small indigenous* broadleaf trees are also likely to be present.
<u>Hall's totara/silver beech-kamahi forest or treeland</u>	Silver beech dominant* forest* or treeland* in association* with abundant* kamahi occurring between 750 – 1400 m asl.	Threatened	This habitat type is found in dry climates, on free-draining, relatively fertile soils. Indigenous* conifer species such as Hall's totara, pahautea, totara, rimu and miro are likely to be emergent at lower elevations where silver beech is less dominant*. Northern rata may be scattered* throughout, although its relative abundance* is strongly influenced by the effects (current or historic) of possum.  This habitat type is found in the montane areas of the Rangitikei and Manawatu Districts.

Habitat Type Label	Defined As	Classification	Further Description
Kowhai-broadleaved forest or treeland	<p>Forest* or treeland* dominated* by kowhai on river terraces, river risers or cliffs and bluffs associated with rivers.</p> <p>This habitat type is found in the central area of the Region, within the following Water Management Sub-zones: Akit_1a, Akit_1b, Akit_1c, Mana_1a, Mana_1b, Mana_1c, Mana_7a, Mana_7b, Mana_7c, Mana_7d, Mana_12d, Rang_2b, Rang_2e, Rang_2f, Rang_2g, Rang_3a, Rang_3b, Rang_4c, Whai_6, Whai_7a, Whai_7c, Whai_7d, Whau_2, Whau_3a, Whau_3e, Tura_1a, Tura_1b.</p>	Threatened	<p>Kowhai-broadleaved forest is typically low-growing forest* or treeland*, often with a mixture of small tree* species and shrubs* including lacebark, ribbonwood, kanuka and indigenous* divaricating shrubs*.</p> <p>The absence of a dense canopy* of tawa or kamahi from this habitat type is notable.</p>
Kanuka forest or treeland	<p>Kanuka forest* or treeland* is dominated* by almost pure stands of well-developed kanuka. This habitat type is differentiated from kanuka scrub* by size (greater than 4.5 m tall or 20 cm diameter measured at 1.4 metres above the ground).</p>	Threatened	<p>Manuka and typical indigenous* broadleaved* species can also be present scattered* through the canopy* or understorey but will not be dominant*.</p>
<b>Forest*, Treeland*, Scrub* or Shrubland* Habitat Types Classified as At-risk</b>			
Podocarp/kamahi forest or treeland	<p>Podocarp* forest* or treeland* dominated* by rimu, miro, kahikatea, matai or totara in varying dominance over abundant* kamahi.</p>	At-risk	<p>The degree of dominance of each of the podocarp* species will be dependent on soil drainage and past disturbance history. Totara, miro and matai are likely to be more abundant* on free-draining soils, with kahikatea likely to be dominant* on poorly-drained soils. Rimu will likely be dominant* in areas of high rainfall. Tawa, northern rata, hinau, black and white maire, fuchsia and/or mahoe may also be present.</p> <p>Podocarp/kamahi forest can be found throughout the region, excluding the western lowland area, predominately at elevations between 150 – 900 m asl. However, Podocarp/kamahi forest can also be found between 50 – 1100 m asl.</p>

Habitat Type Label	Defined As	Classification	Further Description
Hall's totara/broadleaf forest or treeland	Hall's totara and broadleaf dominant* forest* or treeland* in montane sites lacking beech.	At-risk	<p>Pahautea can be co-dominant* in this habitat type, but is absent from the northern Tararua Ranges, where mountain tootao is likely to be locally common*. Matai and miro can be present at the lower altitudes in this habitat type. Kamahi can also be a component of this habitat type, and will be more common* in wetter climates. Rimu is not a feature of this habitat type as Hall's totara/broadleaf forest is mostly found above the altitudinal limit of rimu.</p> <p>Hall's totara/broadleaf forest is the dominant* habitat type above 800 m asl where beech is absent, but can also be found to elevations as low as 450 m asl.</p>
Mountain beech forest or treeland	Mountain beech dominated* forest* or treeland*.	At-risk	<p>This habitat type often occurs without many other tree* species, although upland conifers (e.g. Hall's totara, pahautea, and mountain tootao) and other species (e.g. silver beech, broadleaf) may be present (but not common*) in places, especially at lower elevations or where rainfall is higher. The understory of mountain beech forest* is typically sparse. Mountain beech can tolerate cold temperatures, dry winds, and low fertility soils.</p> <p>Mountain beech forest can be the predominant habitat type at higher altitudes (650 – 1450 m asl), especially on eastern sites and in areas with harsh environmental conditions.</p>

Habitat Type Label	Defined As	Classification	Further Description
<p>Indigenous forest, treeland or scrub on alluvial terraces, floodplains, shingle fans or sand dunes supporting divaricating plant species</p>	<p>Indigenous* forest*, treeland*, or scrub* on alluvial terraces or floodplains in areas prone to summer drought, and water-logging and frost during winter that provides habitat for any of the following:  <u>Gardners tree daisy (Olearia Gardnerii)</u>,  <u>heart-leaved kohuhu (Pittosporum obcordatum)</u>,  <u>Coprosma obconica</u>,  <u>Coprosma wallii</u>,  <u>Meliclytus flexuosus</u>,  <u>fierce lancewood (Pseudopanax ferrox)</u>,                      OR  <u>Indigenous* forest*, treeland*, or scrub* on freely draining shingle fans, river terraces and sand dunes that provides habitat for matagouri (Discaria toumatou)</u>.</p>	<p>At-risk</p>	<p><u>This habitat type supports threatened or regionally uncommon divaricating plant species.</u></p> <p><u>This habitat type may be the result of disturbance (naturally or human induced), contain exotic species, or other indigenous* divaricating species than those listed here, or be found in association* with another habitat type (e.g. Podocarp-broadleaf forest).</u></p> <p><u>Although these species may occur together or in isolation throughout the Region, this habitat type is mostly found in the Middle Rangitikei Water Management Zone (Rang_2), with matagouri mostly found on sand country of the west coast of the Region, the East Coast Management Zone (East_1) and the Upper Whangapehu (Whau_1).</u></p>
<p>Indigenous forest or scrub containing Powelliphanta land snails</p>	<p>Indigenous* forest* or scrub* habitat containing Powelliphanta traversi traversi or Powelliphanta traversi tararuaensis land snails.</p> <p>This habitat type is found in Lake Papatonga (West_8), Lake Horowhenua (Hoki_1a), Kahuterawa (Mana_11c) and Mangaore (Mana_13d) Water Management Sub-zones.</p>	<p>At-risk</p>	<p><u>Powelliphanta traversi traversi may be found under leaf litter of forest* comprising pukatea, kahikatea and maire tawake in wet sites, and tawa, kohekohe, karaka, and totara in drier sites located in the water management sub-zones referred to which are found on the Horowhenua Plains.</u></p> <p><u>Powelliphanta traversi tararuaensis may be found under leaf litter and bush rice grass in forest* comprising rimu and miro with rewarewa and pigeonwood in sites with seepages, and where fertile alluvial soils or litter have accumulated, or scrub* dominated* by wheki.</u></p> <p><u>Either species of land snail may be present in even small and modified fragments of this habitat type.</u></p>

Habitat Type Label	Defined As	Classification	Further Description
Riparian margin	Any indigenous* or exotic woody vegetation* that is forest*, treeland*, scrub*, or shrubland*, that is not classified elsewhere in Schedule E as rare* or threatened*, within 20 m of a site identified in Schedule D as being a Site of Significance-Aquatic.	At-risk	Riparian margin vegetation comprises indigenous* woody vegetation*, exotic woody vegetation*, or a combination of both indigenous* and exotic woody vegetation*. This habitat type varies greatly between sites in both structure and composition, and might be highly modified, contain artificial assemblages of species or include deliberately planted woody species (indigenous* or exotic).
<b>Tussockland* Habitat Type Classified as At-risk</b>			
Indigenous tussockland below the treeline	Red tussock ( <i>Chionochloa rubra</i> subsp. <i>rubra</i> var. <i>rubra</i> ) dominated tussockland* below the treeline in areas with natural or human induced disturbance regimes, high water tables or temperature inversions.  This habitat type is found in Rang. 1, Rang. 2a, Rang. 2b, Rang. 2c, Rang. 2d, Rang. 2e, and Rang. 2f, Water Management Sub-zones.	At-risk	Red tussock is particularly dominant* in humid climates on moist soils. Other tussock species that can be present include silver tussock and blue tussock. Silver tussock will be more important on higher fertility disturbed areas. Blue tussock may be uncommonly present as an inter-tussock species amongst red tussock.  Indigenous* and exotic woody species (e.g. heather, monoa, Hebe, manuka and kanuka) are likely to be increasingly present as natural successional processes advance.
<b>Wetland^ Habitat Types Classified as Rare or Threatened</b>			
Dune slack wetland	Dune slack wetlands^ support low-growing indigenous* herbfield* and occur in topographically low sites where wind has eroded hollows or depressions in raw sand, or where water is permanently or seasonally ponded.	Rare	Dune slack wetlands^ are found close to the sea on sand country, and can comprise a mosaic of indigenous* vegetation and bare sand. Exotic species are frequently present.
Ephemeral wetland	Ephemeral wetlands^ support indigenous* turf (<3 cm tall) species, indigenous* rushland* and indigenous* scrub*. are most frequently found in depressions lacking a surface outlet, and are characterised by a marked seasonal ponding and drying.	Rare	Ephemeral wetlands^ are of moderate fertility, neutral pH and fed by ground water or an adjacent water body. Seasonal variations in rainfall and evaporation result in seasonal variation in water level. Ephemeral wetlands^ may experience complete drying in summer months or dry years.  Ephemeral wetlands^ are found on sand country (although they also occur elsewhere), and may comprise a mosaic of indigenous* vegetation and bare sand. Fluctuations between aquatic and terrestrial plant species often occur and exotic species are frequently present.

Habitat Type Label	Defined As	Classification	Further Description
<p><u>Bog and fen wetland</u></p>	<p>Bog wetlands<sup>^</sup> support indigenous* mosses, lichens, cushion plants, sedges, grasses, restiads, ferns, shrubs* and trees* and are formed on peat with rainwater the only source of water.</p> <p>Fen wetlands<sup>^</sup> support indigenous* restiads, sedges, ferns, tall herbs, tussock grasses and scrub* and are on predominantly peat. Fen wetlands<sup>^</sup> receive inputs from ground water and nutrients from adjacent mineral soils.</p>	<p><u>Threatened</u></p>	<p><u>Bog wetlands<sup>^</sup> can be found on relatively level or gently sloping ground including hill crests, basins, terraces and within other wetland<sup>^</sup> classes. Bog wetlands<sup>^</sup> are nutrient poor, poorly drained and aerated, and usually acid. The water table is often close to or just above the ground surface.</u></p> <p><u>Fen wetlands<sup>^</sup> can be found on slight slopes (e.g. fans), toes of hillsides, or on level ground where peat hasn't accumulated much. Fen wetlands<sup>^</sup> can grade into swamp wetland<sup>^</sup>. Fen wetlands<sup>^</sup> are of low to moderate acidity and fertility and the water table is usually close to or just below the surface.</u></p> <p><u>Bog wetlands<sup>^</sup> and fen wetlands<sup>^</sup> are often found in association* with each other, and are dominated* by indigenous* species but exotic species can also be present.</u></p>
<p><u>Pakihī wetland</u></p>	<p>Pakihī wetlands<sup>^</sup> support indigenous* restiads, sedges, fernland*, shrubland* and heathland*. Pakihī wetlands<sup>^</sup> are rain-fed systems on mineral or peat, or mature, skeletal soils.</p>	<p><u>Rare</u></p>	<p><u>Pakihī wetlands<sup>^</sup> can be found on level to rolling or sloping land in areas of high rainfall. Pakihī wetlands<sup>^</sup> are of very low fertility and low pH and are frequently saturated but can be seasonally dry.</u></p> <p><u>Pakihī wetlands<sup>^</sup> are often found in association* with bog and fen wetlands<sup>^</sup>. Exotic species can also be present.</u></p>
<p><u>Seepage and spring wetland</u></p>	<p><u>Seepage wetlands<sup>^</sup> support indigenous* sedge/land*, cushionfield*, mossfield* or scrub*, occur on slopes, and are fed by groundwater.</u></p> <p><u>A spring wetland<sup>^</sup> occurs at the point that an underground stream emerges at a point source.</u></p>	<p><u>Rare</u></p>	<p><u>Seepage and spring wetlands<sup>^</sup> can be found at the point of change of slopes and places where the water table is raised. Seepage wetlands<sup>^</sup> are often also fed by surface water including where groundwater has percolated to the surface. Substrates (ranging from raw or well-developed mineral soil to peat), nutrient levels and pH vary from site to site.</u></p> <p><u>Seepage and spring wetlands<sup>^</sup> are often small and can occur as isolated systems or in association* with other wetland<sup>^</sup> types. The volume of water within a seepage system is less than that within a spring system.</u></p> <p><u>Seepage and spring wetlands<sup>^</sup> are dominated* by indigenous* species but exotic species can also be present.</u></p>

Habitat Type Label	Defined As	Classification	Further Description
Swamp and marsh wetland	<p>Swamp and marsh wetlands<sup>^</sup> support indigenous<sup>*</sup> sedges, rushes, reeds, flaxland<sup>*</sup>, tall herbs, herbfield<sup>*</sup>, shrubs<sup>*</sup>, scrub<sup>*</sup> and forest<sup>*</sup>.</p> <p>Swamp wetlands<sup>^</sup> are generally of high fertility, receiving nutrients and sediment from surface runoff and groundwater.</p> <p>Marsh wetlands<sup>^</sup> are mineral wetlands<sup>^</sup> with good to moderate drainage that are mainly groundwater or surface water fed and characterised by fluctuation of the water table.</p>	Threatened	<p>Substrates within swamp and marsh wetlands<sup>^</sup> are generally a combination of peat and mineral substrates. Standing water and surface channels are often present, with the water table either permanently, or periodically, above much of the ground surface.</p> <p>Swamp and marsh wetlands<sup>^</sup> can usually be found on plains, valley floors and basins. Marsh wetlands<sup>^</sup> can be differentiated from swamp wetlands<sup>^</sup> by having better drainage, generally a lower water table and usually a more mineral substrate and higher pH. Exotic species are frequently present in both wetland<sup>^</sup> types.</p>
Saltmarsh wetland	Saltmarsh wetlands <sup>^</sup> support herbfield <sup>*</sup> , rushland <sup>*</sup> and scrub <sup>*</sup> , form within areas of tidal intertidal zones, and are fed from groundwater and estuary waters. Saltmarsh wetlands <sup>^</sup> occur in association <sup>*</sup> with mudflats.	Threatened	<p>Water within a saltmarsh wetland<sup>^</sup> can be saline or brackish. Substrates are typically mineral.</p> <p>Saltmarsh wetland<sup>^</sup> can comprise a mosaic of indigenous<sup>*</sup> species and bare substrate (mudflats). Exotic species can be present. In some places the mudflats can be extensive and are characteristic of estuarine wetland<sup>^</sup> systems.</p>

Habitat Type Label	Defined As	Classification	Further Description
Lakes and lagoons and their margins	<p>Lakes and lagoons support indigenous* aquatic plants (emergent, floating, submerged or rafted), and indigenous* rushes, reeds, sedges, seageland*, flaxland*, reedland* turf (&lt; 3 cm tall), herbfield*, scrub* and shrubs* on the margins. Indigenous* terrestrial vegetation (such as scrub* shrub* species, shrubland*, treeland* and forest*) can also be found in association* with lake and lagoon margins.</p> <p>Lakes are areas of standing (non-flowing) water. Lagoons are shallow lakes, connected to, or independent of, a river^, lake or the sea.</p>	Threatened	<p>Lakes and lagoons in the Region are associated with dune, river^, and volcanic landforms and include dune lakes, ox-bow lakes and tarns.</p> <p>Lakes and lagoons can exist in isolation, or entirely within, or have elements of, other wetland^ habitat types.</p> <p>Exotic species (aquatic, wetland or terrestrial) may also be present.</p>
Naturally Uncommon Cliffs, scarps and tors	<p>Habitat Types Classified as Rare</p> <p>Where bare substrate, or indigenous* lichenfield*, tussockland*, herbfield*, shrubland* or scrub*, occurs on cliffs (including coastal cliffs), scarps or tors of any rock type.</p> <p><u>OR</u></p> <p>Where bare substrate or herbfield* dominated* by indigenous* species occurs on flat land at the top of coastal cliffs.</p>	Rare	<p>Vegetation types typically found in this habitat include indigenous* lichen species, non-woody or low-growing semi-woody herbs, tussocks, shrubs* and scrub*. Species characteristic of these vegetation types include, for example, Pimelea, sea primrose, Selliera, Myosotis, shore puha, flax, toetoe, Astelia, Hebe, daisy species, kawakawa, mahoe and broadleaf. Exotic species may also be present.</p>
Karst systems	<p>Bare substrate or indigenous* shrubland*, tussockland*, flaxland*, or herbfield*, occurring in sinkholes, cave entrances, caves and cracks in karst systems.</p>	Rare	<p>Karst systems are found on limestone, marble, dolomite or calcareous rock, and can be subterranean or semi-subterranean.</p> <p>Karst systems provide habitat for highly specialised indigenous* species (often endemic*) that are adapted to subterranean environments.</p> <p>Karst systems are known in the Region from the Whanganui and Pohangina Valleys.</p>

Habitat Type Label	Defined As	Classification	Further Description
Scree and boulderfields	Bare substrate or indigenous* lichenfield*, shrubland*, scrub* or forest* occurring on scree or boulderfields* of any rock type.	Rare	Includes slopes covered in shingle, cobbles or rock (of any rock type) which may or may not support vegetation. Bare substrate is a characteristic feature of this habitat type.  Scree and boulderfields* are often found associated with a larger cliff or slope. They provide habitat for lizards including the threatened small scaled skink ( <i>Oligosoma microlepis</i> ).  Exotic species may also be present.
Active duneland	Indigenous* grassland* or sedgeland* occurring on active duneland* formed on raw coastal sand.	Rare	Active duneland* is characterised by unstable sands. This continual instability of sand prevents the formation of soil and therefore the vegetation type that an active duneland* can support is limited. Examples are Spinifex grassland* and pingao sedgeland*. Other indigenous* species can also be present e.g. sand convolvulus and sand Carex. Exotic species will also be present.  The instability of the sand provides constant disturbance and therefore creates environments within which species can establish. Continual change of the mosaic of bare sand and vegetation is an important component of active duneland*.
Stable duneland	Indigenous* grassland*, tussockland*, herbfield* (including <i>Pimelea actea</i> and <i>P. arenaria</i> ), or shrubland* occurring on stable duneland* formed on recent coastal sand.	Rare	Vegetation types typically occurring on stable duneland* include tussocks, low-growing or semi-woody herbs and shrubs*. These vegetation types characteristically support, for example, toetoe, <i>Selliera rotundifolia</i> , sand Gunnera, native spinach, sand Coprosma, sand daphne, coastal tree daisy, pohuehue, tauhinu, Coprosma species and hangehange. Exotic invasive species are also a feature of stable duneland*.  The threatened species <i>Pimelea actea</i> is known from the Tura 1b, West 5, and Whau 4 Water Management Zones.
Inland duneland	Indigenous* scrub*, tussockland*, herbfield* or forest* occurring on inland duneland* formed on raw or recent sands inland.	Rare	Vegetation types typically found on inland duneland* include tussock, low-growing or semi-woody herbs, shrubs* and trees*. These vegetation types characteristically support, for example, toetoe, flax, native spinach, manuka, kanuka, mahoe, lancewood, five-finger, hangehange, cabbage trees, titoki, akeake, ngalo, tawa, pigeonwood and mahoe. Exotic species may also be present.

**Table E.2(a):**

An area of any habitat type described in Table E.1 must meet at least one of the following criteria that apply to the relevant habitat type before it qualifies as a *rare habitat\**, *threatened habitat\** or *at-risk habitat\** for the purposes of this Plan.

Forest\*, Treeland\*, Scrub\* or Shrubland\* Habitat Types Classified as Threatened or At-risk

- i. Areas of continuous\* indigenous\* vegetation where:
  - a) if it is habitat type classified as Threatened then the habitat must cover at least 0.25 ha, or
  - b) if it is habitat type classified as At-risk then the habitat must cover at least 0.5 ha where:
    1. it supports indigenous\* understorey vegetation, or
    2. it is present within a gully system, or
  - c) if it is habitat type classified as At-risk the habitat must cover at least 1 ha unless b) above applies.

Or
- ii. Areas of discontinuous\* indigenous\* vegetation where:
  - a) if it is habitat type classified as Threatened where it occurs as treeland\* it covers at least 1 ha, or
  - b) if it is habitat type classified as At-risk where it occurs as treeland\* it covers at least 2 ha, or
  - c) if it is habitat type classified as either Threatened or At-risk other than treeland\* it covers at least 1 ha except if it is present within 50m of an area of continuous\* indigenous\* vegetation it covers at least 0.5 ha.

Or
- iii. Areas containing Olearia gardnerii, Pittosporum obcordatum, Coprosma obconica, Coprosma wallii, Melicytus flexuosus, Pseudopanax ferox or Discaria toumatou covering at least 0.1 ha. Or
- iv. An area of indigenous\* vegetation of any size containing Powelliphanta land snails. Or
- v. An area of woody vegetation\* of any size or species composition (including exotic vegetation) within 20 m of an area identified in Schedule D as being a Site of Significance – Aquatic. Or
- vi. Areas of indigenous\* vegetation that have been established for the purpose of habitat manipulation including habitat creation, restoration and buffering, where such an area covers at least 1 ha as a discrete site or at least 0.5 ha where it is adjacent to an existing area of indigenous\* habitat. Or

Tussockland\* Habitat Type Classified as At-risk

- vii. An area of indigenous\* tussockland\* covering at least 0.5 ha.

Wetland^ Habitat Types Classified as Threatened

- viii. Areas of naturally occurring indigenous\* wetland^ habitat covering at least 0.1 ha. Or
- ix. Areas of indigenous\* vegetation that have been established in the course of wetland^ habitat restoration. Or
- x. Areas of artificially created indigenous\* wetland^ habitat covering at least 0.5 ha. Or

Naturally Uncommon Habitat Types and Wetland^ Habitat Types Classified as Rare

- xi. Habitat type that is classified as Rare that covers at least 0.05 ha. Or
- xii. Areas of indigenous\* habitat created at some time in the course of dune habitat restoration (including dune stabilisation).

**Table E.2(b):**

<p>If an area of any habitat type described in Table E.1 meets any of the following criteria it shall not be <i>rare habitat*</i>, <i>threatened habitat*</i> or <i>at-risk habitat*</i> for the purposes of this Plan.</p>	
<p><b>Forest*, Treeland*, Scrub*, or Shrubland* Habitat Types Classified as Threatened or At-risk</b></p>	
i.	<u>Areas of <i>indigenous* tree*</i> species planted for the purposes of timber harvest. Or</u>
ii.	<u><i>Indigenous*</i> vegetation planted for landscaping, horticultural, shelter belts, gardening or amenity purposes. Or</u>
iii.	<u>Habitat areas 1 ha or less located within areas of existing <i>forestry*</i> provided that there is compliance with an <i>operational plan*</i> prepared for the habitat area and that such plan is submitted to the Regional Council upon request.</u>
<p><b>Wetland^ Habitat Types Classified as Rare or Threatened</b></p>	
iv.	<u>Damp gully heads, or paddocks subject to regular ponding, <i>dominated*</i> by pasture or exotic species in <i>association*</i> with wetland sedge and rush species. Or</u>
v.	<u>Ditches or drains supporting raupo, flax or other wetland species (e.g. <i>Carex</i> sp., <i>Isolepis</i> sp.), or populations of these species in drains or slumps associated with road reserves or rail corridors. Or</u>
vi.	<u>Areas of wetland^ habitat specifically designed, installed and maintained for any of the following purposes:</u>
a)	<u>stock watering (including stock ponds), or</u>
b)	<u>water storage for the purposes of fire fighting or irrigation (including old gravel pits), or</u>
c)	<u>treatment of animal effluent (including pond or barrier ditch systems), or</u>
d)	<u>waste water treatment, or</u>
e)	<u>sediment control, or</u>
f)	<u>any hydroelectric power generation scheme. Or</u>
vii.	<u>Areas of wetland habitat maintained in relation to the implementation of any resource consent conditions or agreements relating to the operation of any hydroelectric power scheme currently lawfully established. Or</u>
viii.	<u>Open water and associated vegetation created for landscaping purposes or amenity values where the planted vegetation is predominately exotic, or includes assemblages of species not naturally found in <i>association*</i> with each other, on the particular landform, or at the geographical location of the created site.</u>
ix.	<u>Habitat areas 0.1 ha or less located within areas of existing <i>forestry*</i> provided that there is compliance with an <i>operational plan*</i> prepared for the habitat area and that such plan is submitted to the Regional Council upon request.</u>

## Appendix 4

The following revised or new definitions are to be included in the Glossary.

**Abundant** means, for the purposes of Schedule E and this Glossary, species that contribute more than most other species to the composition of an area of interest, but are not the *dominant*\* species. This is a measure of the contribution to an area of interest (e.g. the same habitat type or forest tier) of a species in relation to other species in the same area, and is not simply a frequency count as both biomass and density of a given species are considered.

**Association** means, for the purposes of Schedule E, a species, or group of species, landform or soil type occurring in space together. Associations can be observed in geographical pattern across the landscape, or in distinctive community groupings.

**At-risk habitat** means: an area determined to be an at-risk habitat in accordance with Schedule E and, for the avoidance of doubt, excludes any area in Table E.2(b).

- ~~(a) — an area of indigenous vegetation of a type identified in Table E1 as being at-risk, and which meets the criteria described in Table E2 for determining whether an area of indigenous vegetation constitutes a habitat for the purposes of this plan~~
- ~~(b) — any vegetation (whether indigenous or not) within 20 metres of an area identified in Schedule D as being a site of significance – aquatic~~
- ~~(c) — any vegetation (whether indigenous or not, and including No Threat category habitat types identified in Table E1) that contains, or could be reasonably known to contain, threatened plant and/or animal species as identified in Table E3.~~

**Boulderfield** means, for the purposes of Schedule E, land in which the area of unconsolidated bare boulders (greater than 200 mm diameter) exceeds the area covered by any one class of plant growth form. Boulderfields are named from the leading plant species when plant cover is 1% or greater.

**Broadleaved** means, for the purposes of Schedule E, woody *tree*\* and *shrub*\* species which flower, excluding the beech species. Common examples of species referred to as broadleaved include, but are not limited to, kamahi, titoki, fuchsia, maire, hinau, tawa, mahoe, and *Coprosma* species. Broadleaved includes the term 'broadleaf', which is specific and refers to *Griselina littoralis* or *Griselina lucida*.

**Canopy** means, for the purposes of Schedule E and this Glossary, the highest level of foliage within an area of habitat type excluding any emergent individuals. The height of the canopy layer will vary with the structure of the vegetation.

**Common** means, for the purposes of Schedule E and this Glossary, species that contribute more to the composition of an area of interest than species that are *scattered*\* or *occasional*\*, but less than species that are *abundant*\* or *dominant*\*. This is a measure of the contribution to an area of interest (e.g. the same habitat type or forest tier) of a species in relation to other species in the same area, and is not simply a frequency count as both biomass and density of a given species are considered.

**Continuous** means, for the purposes of Schedule E and this Glossary, that an area of habitat type has no interruption of continuity or conspicuous gaps, allowing for small, infrequent *canopy\** gaps (e.g. *tree\** fall gaps).

**Cushionfield** means, for the purposes of Schedule E, an area of vegetation in which the cover of cushion plants in the *canopy\** is 20-100% and in which the cushion plant cover exceeds that of any other growth form or bare ground. Cushion plants include *herbaceous\**, semi-woody and woody plants with short densely-packed branches and closely-spaced leaves that together form dense hemispherical cushions. The growth form occurs in all species of *Donatia*, *Gaimardia*, *Hectorella*, *Oreobolus*, and *Phyllachne* as well as in some species of *Achiphylla*, *Celmisia*, *Centrolepis*, *Chionohebe*, *Colobanthus*, *Dracophyllum*, *Kelleria*, *Haastia*, *Leucogenes*, *Luzula*, *Myosotis*, *Poa*, *Raoulia*, and *Scleranthus*.

**Discontinuous** means, for the purposes of Schedule E and this Glossary, that an area of habitat type is not *continuous\** and has distinct interruptions or conspicuous gaps, excluding those gaps created by *tree\** fall.

**Dominant (or dominated)** means, for the purposes of Schedule E and this Glossary, species that contribute more than any other species to the composition of an area of interest. Dominant species are the most characteristic species of the area of interest or habitat type. This is a measure of the contribution to an area of interest of a species in relation to other species in the same area, and is not simply a frequency count as both biomass and density of a given species are considered.

**Duneland** means, for the purposes of Schedule E, areas where the landform is characterised by sand dunes (active or stable).

**Endemic** refers to means a species that is indigenous only to a certain area – eg., the Manawatu-Wanganui Region of New Zealand.

**Fernland** means, for the purposes of Schedule E, an area of vegetation in which the cover of ferns in the *canopy\** is 20-100% and in which the fern cover exceeds the cover of any other growth form or bare ground. Tree ferns 10 cm diameter or greater at 1.4m above the ground are excluded from this definition and are *trees\**.

**Flaxland** means, for the purposes of Schedule E, a subclass of *tussockland\** where species of *Phormium* are *dominant\**.

**Forest** means, for the purposes of Schedule E and this Glossary, an area of woody vegetation in which the *canopy\** cover of *trees\** and *shrubs\** is more than 80% and in which *tree\** cover exceeds *shrub\** cover. ~~Trees are woody plants with a diameter at breast height (dbh) of more than 10 centimetres. Tree ferns with a dbh of more than 10 cm are treated as trees.~~

**Grassland** means, for the purposes of Schedule E, an area of vegetation in which the cover of grass in the *canopy\** is 20-100% and in which grass cover, excluding tussock grasses, exceeds the cover of any other growth form or bare ground. ~~Tussock grasses are excluded from the grass growth form.~~

**Heathland** means, for the purposes of Schedule E, an area of vegetation *dominated\** by species that are slow-growing, stunted, with small, hard, scale-like or needle-like leaves with a thick waxy cuticle, and foliage that is flammable, resistant to decay, and produces acid litter. Heathland which occurs on wet substrates (e.g. pakihī) comprises a mixture of *shrubland\** or *treeland\** with rush-like species, wire rush and ferns.

**Herbaceous** means, for the purposes of Schedule E and this Glossary, ~~refers to~~ plant species that do not form woody tissue. Herbaceous species can be annual or perennial.

**Herbfield** means, for the purposes of Schedule E, an area of vegetation in which the cover of herbs in the *canopy*\* is 20-100% and in which the herb cover exceeds the cover of any other growth form or bare ground. Herbs include all *herbaceous*\* species.

**Indigenous** means, for the purposes of Schedule E, vegetation comprised predominantly of indigenous species, but which may include *scattered*\* exotic species.

**Lichenfield** means, for the purposes of Schedule E, an area of vegetation in which the cover of lichens in the *canopy*\* is 20-100% and in which the lichen cover exceeds the cover of any other growth form or bare ground.

**Mossfield** means, for the purposes of Schedule E, an area of vegetation in which the cover of mosses in the *canopy*\* is 20-100% and in which the moss cover exceeds the cover of any other growth form or bare ground.

**Occasional** means, for the purposes of Schedule E and this Glossary, species that contribute more than *scattered*\* species, but less than species which are *common*\*, *abundant*\* or *dominant*\* and are encountered infrequently within the area of interest. This is a measure of the contribution to an area of interest (e.g. the same habitat type or forest tier) of a species in relation to other species in the same area, and is not simply a frequency count as both biomass and density of a given species are considered.

**Operational plan** means, for the purposes of Schedule E, an operational plan to minimise any potential adverse effects on any *rare habitat*\*, *threatened habitat*\* or *at-risk habitat*\* within an area of *forestry*\*. The operational plan shall be prepared in accordance with Part 3, take into account the Ecological values in Part 2 Section 5, and comply with the Best Environmental Management Practices in Part 1, of the New Zealand Environmental Code of Practice for Plantation Forestry Version 1.

**Podocarp** means, for the purposes of Schedule E, southern hemisphere conifer species which have cones modified into fleshy berry-like structures but do not have flowers. Podocarp species include, but are not limited to, the totara species, matai, miro, kahikatea and rimu.

**Rare habitat** means an area determined to be a rare habitat in accordance with Schedule E and, for the avoidance of doubt, excludes any area in Table E.2(b).

~~**Rare and threatened habitat** means an area of indigenous vegetation of a type identified in Table E1 as being rare or threatened respectively, and which meets the criteria described in Table E2 for determining whether an area of indigenous vegetation constitutes a habitat for the purposes of this Plan.~~

**Rushland** means, ~~refers to~~ for the purposes of Schedule E, an area of vegetation in which the cover of rushes in the *canopy*\* is 20-100% and in which the rush cover exceeds the cover of any other growth form or bare ground. ~~Included in the rush growth form are~~ Rush species include, but are not limited to, some species of *Juncus*, *Apodasmia*, and all species of *Sporadanthus* and *Empodisma*, ~~but exclude tussock rushes, are excluded.~~

**Scattered** means, for the purposes of Schedule E and this Glossary, species that contribute less than species which are *occasional*\*, *common*\*, *abundant*\* or

*dominant\** and can be expected to be encountered infrequently, and with a sparse distribution within the area of interest. This is a measure of the contribution to an area of interest (e.g. the same habitat type or forest tier) of a species in relation to other species in the same area, and is not simply a frequency count as both biomass and density of a given species are considered.

**Scrub** means, for the purposes of Schedule E and this Glossary, an area of ~~refers~~ woody vegetation in which the cover of *trees\** and *shrubs\** in the *canopy\** is greater than 80% and in which the *shrub\** cover exceeds that of *trees\**. ~~Shrubs are woody plants less than 10 cm diameter at breast height.~~

**Sedgeland** means, for the purposes of Schedule E, an area of vegetation in which the cover of sedges in the *canopy\** is 20-100% and in which the sedge cover exceeds that of any other growth form or bare ground. Sedge species include, but are not limited to, many species of *Carex*, *Uncinia* and *Bolboschoenus*. Tussock-sedges and reed forming sedges are excluded from this definition of sedgeland.

**Shrub** means, for the purposes of Schedule E and this Glossary, a woody plant less than 10 cm diameter at 1.4 above ground.

**Shrubland** means, ~~refers to~~ for the purposes of Schedule E and this Glossary, an area of woody vegetation in which the cover of *shrubs\** in the *canopy\** is 20-80% and in which the *shrub\** cover exceeds the cover of any other growth form or bare ground.

**Threatened habitat** means an area determined to be a threatened habitat in accordance with Schedule E and, for the avoidance of doubt, excludes any area in Table E.2(b).

~~**Threatened habitat** means a habitat that since human settlement has been reduced to 20% or less of the likely land area covered by the habitat prior to human settlement. Threatened habitats are identified in accordance with Schedule E.~~

**Tree** means, for the purposes of Schedule E and this Glossary, a woody plant with a diameter of 10 cm or greater at 1.4 m above ground and includes a tree fern with a diameter of 10 cm or greater at 1.4 m above ground.

**Treeland** means, for the purposes of Schedule E and this Glossary, an area of ~~refers to~~ vegetation in which the cover of *trees\** in the *canopy\** is 20-80%, with *tree\** cover exceeding the cover of any other growth form, and in which the *trees\** form a *discontinuous\** upper canopy above either a lower canopy of predominantly non-woody vegetation or bare ground. (Note: An area of vegetation consisting of *trees\** above *shrubs\** is classified as either *forest\** or *scrub\** depending on the proportion of *trees\** and *shrubs\** in the *canopy\**).

**Tussockland** ~~refers to~~ means, for the purposes of Schedule E and this Glossary, an area of vegetation in which the cover of tussocks in the canopy is 20-100% and in which the tussock cover exceeds the cover of any other growth form or bare ground. Tussocks include all grasses, sedges, rushes and other herbaceous plants with linear leaves (or linear non-woody stems) that are densely clumped and are greater than 10 cm in height. ~~Examples of the growth form occur in all species of~~ This includes, but is not limited to, all species of *Cortaderia*, *Gahnia* and *Phormium* (see also *Flaxland\**) and in some species of *Chinochloa*, *Poa*, *Festuca*, *Rytidosperma*, *Cyperus*, *Carex*, *Uncinia*, *Juncus*, *Astelia*, *Aciphylla* and *Celmisia*.