

## 9. Natural Environment

### Explanatory Statement

The primary objective of the Natural Environment Section is to promote the sustainable management of the remaining natural environmental resources of the District (plants, animals, habitats and ecosystems).

The matter of the natural character of the coastal environment, wetlands, rivers and lakes and their margins is a combination of variables that are separately addressed in the Plan. In particular, issues relating to natural character are addressed in this Section (Natural Environment), Section 10 (Landscape), Section 12 (Natural Hazards) and Section 16.4 (Esplanades) and should be referenced accordingly.

Priorities generally focus on the four major habitat types with the most substantial remaining areas of native habitat: native forest, wetlands, stream/river margins (riparian), the coast. (However there are exceptions to this general pattern where a significant native habitat worthy of protection falls within other areas).

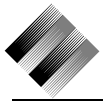
The emphasis on habitats and ecosystems rather than protection of individual species arises out of the land use related responsibilities of Council. It has to focus on the land based component; the habitat (the protection of habitats and ecosystems indirectly achieves the objective of species protection).

A formal study was undertaken by the Department of Conservation to identify all sites in the District considered to be of significant ecological value. The sites were assessed in terms of fauna (animal life) and flora (plant life). The sites have been categorised into:

- (a) those of significance and worthy of protection by rules in the Plan, and
- (b) those that have been identified as lesser significance and subject to landowner management.

The former are shown on the planning maps. All sites (both categories and any future sites brought to Council's attention) will be recorded on the Council's Geographical Information System for monitoring and general resource consent assessment.

The policies and methods of the District Plan focus on the protection of the identified sites and are also relevant in assessing other ecological sites that may be affected by activities that are subject to resource consents. The Planning Maps identify the sites in question and the Plan provides a register of the identified sites (Appendix 1). Further information is also contained in the supporting technical document and held on Council files.



Most development activities on or adjacent to the identified sites will require discretionary activity consent and the abovementioned ecological information will be referred to in decision making on development applications.

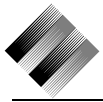
Existing use rights apply. In particular these relate to the management of stock by landowners. The rules in the Plan do not compulsorily require fencing by landowners.

Other agencies, notably Environment BOP and the Department of Conservation have significant roles in protecting the natural environment. The Regional Council Farm and Environment Plans are important as they fund water and soil conservation works with significant off-site benefits. The work undertaken has direct benefits for significant ecological areas through land retirement, fencing, protection of riparian areas/native bush areas, native vegetation planting and indirect benefit by improving quality for riparian, wetland, and harbour and coast related habitats and ecosystems downstream.

Other mechanisms are also involved with protection of the natural environment in a variety of ways. Where formal protection instruments are already in place, activities should be allowed as of right subject to the respective instrument, eg Environment BOP Farm and Environmental Plans, Tasman Accord.

## 9.1 Significant Issues

- 9.1.1 Significant remaining indigenous native forest, wetlands, riparian, and coastal habitats are under threat from human-induced activities.
- 9.1.2 The extent of indigenous habitats is diminishing and there is inadequate protection of the remaining areas. Lowland habitats tend to be under the greatest threat.
- 9.1.3 Inappropriate land management practices (rural and urban) often occur on or adjacent to important habitats. Examples include pollution from stormwater runoff, rubbish disposal, inadequate fencing of farming animals, and stock grazing.
- 9.1.4 Tourist and recreational activities can impact on the resource. In particular over-use can cause degradation of the quality of the environmental resource itself.
- 9.1.5 Frequently there is a lack of knowledge of the resource (ecological values, threats and interactions), resulting in inappropriate management practices.
- 9.1.6 Cross-boundary and inter-agency relationships, notably with the Regional Council and the Department of Conservation, require clarification.



- 9.1.7 Native forest habitat: bush clearance is undertaken for milling, firewood, mining, house sites, access roads and agricultural activities resulting in loss of the resource.
- 9.1.8 Riparian habitat: inappropriate management of riparian areas including vegetation clearance and stock management, resulting in the loss of ecological values, bank erosion and pollution of water with sediment and nutrients.
- 9.1.9 Wetland habitat: loss of wetlands and damage caused by drainage. Wetlands are stated in the Act as a matter of national importance, yet they have a low public profile and there is ignorance within the community about their value, sensitivity and rarity.
- 9.1.10 Coastal habitat: estuarine areas, dunes and pohutukawa are sensitive, particularly to development pressures and the impact of projected sea level rises.
- 9.1.11 Equity: The distribution of the costs and benefits of ecological protection and management between individual landowners and the community is often inequitable.

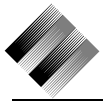
## 9.2 Objectives and Policies

### 9.2.1 Objectives

1. Protection of all significant native plant and animal habitats and ecosystems within the Western Bay of Plenty District.
2. Preservation of the natural character of the District's coastal environment, wetlands, rivers, lakes, and their margins.

### 9.2.2 Policies

1. Protection of ecological sites that have been scientifically identified as worthy of protection.
2. Protection of ecological corridors between significant native habitats and ecosystems.
3. Ensure protective measures account for the dynamics of water related effects on wetlands.
4. Recognise the off site contributions of riparian areas to the health of adjoining habitats (wetlands, rivers, the sea, estuaries and other associated land/water interfaces).
5. Provide for the likely changes in sea level in ways that allow for the natural inland migration of the coast and associated identified native habitats and ecosystems.



6. Recognise natural seasonal fluctuations in habitat character and sensitivity in protection measures.
7. Adopt an approach which is precautionary but responsive to increased knowledge where the management of the environment is hindered by lack of understanding about processes and the effects of activities.
8. Activities should not adversely affect any significant native plant and animal habitats and ecosystems.
9. Avoid as much as is practicable, or where this is not possible remedy or mitigate the adverse effects of inappropriate subdivision, use and development on the natural character of the coastal environment, wetlands, rivers, lakes, and their margins.
10. Control the farming of species which may threaten natural ecosystems through appropriate fencing standards.

### **9.3 Rules**

These rules apply to features of ecological significance. Refer to the planning maps for location and Appendix I for further details.

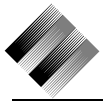
See also 9.4.6.

#### **9.3.1 Permitted Activities**

- (a) Those activities listed as permitted in the respective zone (or permitted by Rule 17.3.1) but excluding those listed in 9.3.3 or 9.3.4 below.
- (b) Activities in areas subject to and in accordance with specific covenants or other legal agreements entered into with the District Council, or Environment BOP, or Department of Conservation, or QEII Trust.
- (c) Clearance of exotic species subject to no native trees greater than 6 metres in height being felled for access.

#### **9.3.2 Controlled Activities**

Those activities listed as controlled in the respective zone but excluding those listed in 9.3.3 or 9.3.4 below.



### 9.3.3 Discretionary Activities

- (a) Native vegetation removal, destruction or clearance (including logging and burning)
- (b) Earthworks
- (c) Infilling (including dumping), drainage or piping of wetlands
- (d) Planting of exotic species
- (e) Visitor and outdoor recreational facilities and activities
- (f) Educational facilities
- (g) Accommodation facilities associated with (e) or (f) above
- (h) Dwellings and accessory buildings
- (i) Home enterprises
- (j) Subdivision
- (k) Minerals exploration, mining and quarrying
- (l) Works and utilities as provided for in Section 17.

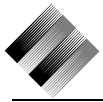
### 9.3.4 Prohibited Activities

- (a) Places of assembly not covered in 9.3.3.
- (b) Accommodation facilities not covered in 9.3.3.
- (c) Production forestry not covered in 9.3.3.
- (d) Rural Contractors Depots.
- (e) Kennels, Catteries.
- (f) Factory Farming.
- (g) Rural Selling Places.
- (h) Animal Saleyards.
- (i) Coolstores/Packhouses.

### 9.3.5 Activity Performance Standards – Discretionary Activities

#### (a) Information Requirements

Any application must be accompanied by an Assessment of Environmental Effects (AEE). The degree of detail of the AEE should reflect the nature and effect of the proposal on the identified significant feature. The Assessment of Environmental Effects of proposed activities must take account of the values of the feature and its vulnerability. The relevant assessment sheet in the Schedule of Sites of Significant Conservation Value (held on Council file) should be referred to. The AEE shall contain the following information:

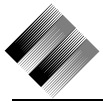


- (i) A plan of the property subject of the application indicating the location and dimensions of areas to be affected by the proposed works (must include the extent of any excavation, fill, water flow, watertable and vegetation clearance impacts where relevant).
- (ii) An assessment of the impact of the proposal on natural habitats and ecological values of the locality and how they will be managed for protection (including wetland and riparian impacts).
- (iii) Details of an appropriate rehabilitation programme or other mitigation measures for the area to be subject to the proposed activities.

**Explanatory Note (not a rule)**

There is a requirement under Part III of the Forests Act 1949 to consult with the Indigenous Forest Unit of the Ministry of Agriculture & Forestry before felling any indigenous forest on private land.

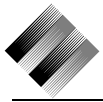
- (iv) The location and extent of any archaeological, cultural and historic sites within any allotment subject to the application and how they will be affected by the proposal.
  - (v) The likely impact of the proposal on natural landforms in terms of potential for subsidence or erosion (including stream banks).
  - (vi) The time period over which the work will take place.
  - (vii) The likely impact of noise generated from construction activity, the facilities and/or activities on natural habitats and ecosystems (including noise generated from modes of transport and/or recreation equipment, and including levels, times, and durations).
- (b) **Criteria**
- (i) The scale and intensity of the activity shall be tailored to ensure the sustainability of natural habitats and ecosystems associated with the site.
  - (ii) All existing native vegetation shall be retained except where removal is unavoidable for the following reasons:
    - to create a building platform
    - for access and parking
    - for the purposes of the proposed activity.



- (iii) Native vegetation removal must not adversely affect the sustainability of natural habitats and ecosystems.
- (iv) All earthworks necessary for building platforms, access or the activity shall be such that they create minimal disturbance to natural habitats and ecosystems.
- (v) The noise, light or glare impact generated from construction activity, the facility or the activity, must not adversely affect the sustainability of natural habitats and ecosystems.
- (vi) Development proposals shall ensure that any run-off or stormwater resulting from the establishment of the activity does not lead to siltation, sedimentation or a reduction of water quality in natural watercourses, wetlands and groundwater that leads to adverse effects on identified natural habitats and ecosystems.
- (vii) For Works and Utilities the proposal must demonstrate the necessity to locate within or adjacent to the significant ecological area concerned.

## 9.4 Other Methods

- 9.4.1 Regional Land Management Plan. This Plan, administered by Environment BOP, limits disturbance to natural habitats/ecosystems by controlling vegetation clearance, earthworks, and wetland modification in riparian, wetland, and indigenous forest habitats.
- 9.4.2 Financial incentives to landowners for environmental protection shall be by way of grants for fencing and maintenance (see Section 8.6). The District Council in applying these grants will work in consultation with Environment BOP and the application of their Farm and Environmental Plans.
- 9.4.3 Advisory function performed by the Department of Conservation and Environment BOP on management aspects of areas with ecological and/or soil and water conservation values.
- 9.4.4 Inclusion of all identified ecological areas on Council's GIS mapping system. This information forms part of the Land Information Memorandum and draws the landowners attention to the ecological values contained within the identified sites.
- 9.4.5 Queen Elizabeth II and other grants, for example the Natural Heritage Fund and Nga Whenua Rahui, for fencing in exchange for covenanting features.



- 9.4.6 In addition to those features identified on the planning maps, other features that have been identified and documented are contained on Council's Geographic Information System. This data base will be maintained and referred to for resource consents, monitoring, and land information systems.
- 9.4.7 Application fees shall be waived for resource consents for activities within identified ecological features that would otherwise be a permitted activity.