

# ECO - Ecosystems and Indigenous Biodiversity

Biodiversity relates to the diversity of and within all living systems including the habitats of plants and animals. This section will focus on *significant indigenous vegetation, and significant habitats of indigenous fauna* in accordance with section 6(c) of the Resource Management Act 1991 (RMA).

For the purposes of this Plan *significant indigenous vegetation, and significant habitats of indigenous fauna* are grouped together into *ecological sites*, rare and threatened vegetation species, *key indigenous tree species* or *notable trees*. These features have been assessed, scheduled and/or mapped in the Plan.

In addition, general natural areas and features have provisions in this section which relate to the maintenance and enhancement of biodiversity values.

## Strategic Context

The primary Objectives that this chapter implements are:

- DO-O1 - *Tangata Whenua*;
- DO-O2 - Ecology and Biodiversity;
- DO-O3 - Development Management; and
- DO-O11 - Character *Amenity Values*.

### DO-O1 *Tangata Whenua*

To work in partnership with the *tangata whenua* of the District in order to maintain *kaitiakitanga* of the District's resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

### DO-O2 Ecology and Biodiversity

To improve indigenous biological diversity and ecological resilience through:

1. protecting areas of *significant indigenous vegetation, and significant habitats of indigenous fauna*;
2. encouraging restoration of the ecological integrity of indigenous ecosystems;
3. enhancing the health of terrestrial and aquatic ecosystems; and
4. enhancing the *mauri* of *waterbodies*.

### DO-O3 Development Management Amended 01 Sep 23 PC2

To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the *development* of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
  - a. that are in or near a *Centre Zone* or other area with many employment opportunities;

- or
- b. that are well serviced by existing or planned public or active transport; or
- c. where there is high demand for housing or for business land relative to other areas within the urban environment;

while accommodating *identified qualifying matters* that constrain development;

4. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
6. management of development in areas of special character or amenity in a manner that has regard to those special values;
7. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
8. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;
9. management of the location and effects of potentially incompatible land uses including any interface between such uses; and
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

**DO-011** Character and *Amenity Values*

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To recognise the unique character and *amenity values* of the District's distinct communities, while providing for character and *amenity values* to develop and change over time in response to the diverse and changing needs of people, communities and future generations, resulting in:

1. residential areas characterised by the presence of mature vegetation, a variety of built forms and *building* densities, the retention of landforms, and the recognition of unique community identities;
2. vibrant, lively *metropolitan* and *town centres* supported by higher density residential and mixed use areas;
3. *local centres*, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;
4. productive rural areas, characterised by openness, natural landforms, areas and corridors of *indigenous vegetation*, and *primary production activities*; and
5. well managed interfaces between different types of land use areas (e.g. between living, working and rural areas) and between potentially conflicting land uses, so as to minimise adverse *effects*.

The rules in this chapter apply to all *land* and activities in all *zones* unless otherwise specified. Provisions in other chapters of the Plan may also be relevant.

## Policies

**ECO-P1** Criteria For Identification Of Significant Biodiversity

*Indigenous vegetation* and habitats of indigenous fauna in the District will be considered significant if they meet one or more of the following criteria:

1. Representativeness: the ecosystems or habitats that are typical and characteristic examples of the full range of the original or current natural diversity of ecosystem and habitat types in the District or in the region, and:

- a. Are no longer commonplace (less than about 30% remaining); or
  - b. are poorly represented in existing protected areas (less than about 20% legally protected).
2. **Rarity:** the ecosystem or habitat has biological physical features that are scarce or threatened in a local, regional or national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.
  3. **Diversity:** the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.
  4. **Ecological context of an area:** the ecosystem or habitat:
    - a. enhances connectivity or otherwise buffers representative, rare or diverse indigenous ecosystems and habitats; or
    - b. provides seasonal or core habitat for protected or threatened indigenous species.
  5. **Tangata whenua values:** the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to *tangata whenua*, identified in accordance with *tikanga Māori*.

**ECO-P2**

## Management Approach to Biodiversity Protection

Adverse effects, including cumulative effects, from subdivision, use and development on significant indigenous vegetation, and significant habitats of indigenous fauna including aquatic ecosystems will be avoided, or where it cannot be avoided, remedied or mitigated in order to maintain the values and characteristics of the significant indigenous vegetation, and significant habitats of indigenous fauna, including by:

1. avoiding where practicable the modification of significant indigenous vegetation, in particular all indigenous vegetation within ecological sites;
2. managing land use activities resulting in increased sediment and contaminant levels of surface water, including storm water, to reduce the likelihood of aquatic ecosystems being detrimentally affected;
3. creating and maintaining appropriate buffers around ecological sites, key indigenous trees and rare and threatened vegetation species, significant habitats of indigenous fauna including aquatic ecosystems to ensure that wider ecological processes are considered when making decisions about applications for subdivision and land use consent;
4. preventing where practicable the introduction or spread of exotic weed species and pest animals both terrestrial and aquatic;
5. enabling pest and weed management and passive recreational activities within ecological sites including the associated construction and maintenance of tracks (where the biodiversity gains from pest control will outweigh the loss of significant indigenous vegetation from track construction) and the construction and maintenance of fences at the margins of ecological sites;
6. providing for appropriate trimming of indigenous vegetation while avoiding inappropriate trimming of significant indigenous vegetation.
7. ensuring that subdivision which creates allotments which are entirely within an ecological site or which necessitate modification of any key indigenous tree species or rare and threatened vegetation species protects the values and characteristics of those areas.
8. ensuring that subdivision which creates boundaries that cut through any ecological site, or any key indigenous tree species or rare and threatened vegetation species, protects the values and characteristics of those areas.

**ECO-P3**

## Maintenance of indigenous biodiversity

Subdivision, land use and development shall be undertaken in a manner to maintain indigenous biodiversity within large areas of contiguous indigenous vegetation and riparian and coastal vegetation.

**ECO-P4**

## Enhancement

Where a subdivision or development is undertaken on land containing rare and threatened vegetation species, or an ecological site, enhancement of the ecological site or rare and threatened vegetation species will be encouraged.

<b>ECO-P5</b>	<i>Tangata Whenua</i>
To enable <i>tangata whenua</i> to maintain and enhance their traditional relationship with the natural environment, while: <ol style="list-style-type: none"> <li>1. supporting the enhancement of the <i>mauri</i> of aquatic environments; and</li> <li>2. having particular regard to the exercise of <i>kaitiakitanga</i> by <i>tangata whenua</i> in the management of the District's resources.</li> </ol>	
<b>ECO-P6</b>	Monitoring
Monitoring of levels of biodiversity in the District will be undertaken through: <ol style="list-style-type: none"> <li>1. periodic monitoring of the District's <i>indigenous vegetation</i> and habitats of indigenous fauna by desktop methods including aerial photography analysis, and site inspections;</li> <li>2. monitoring of compliance with <i>resource consent conditions</i> affecting the District's <i>significant indigenous vegetation, and significant habitats of indigenous fauna</i>;</li> <li>3. complementing monitoring work undertaken by other relevant authorities or suitably qualified persons on the state of <i>environment</i> in the Kāpiti Coast District;</li> <li>4. reviewing District Plan policies in response to <i>development</i> pressures, expressed community outcomes and environmental changes which may reduce the policies' effectiveness;</li> <li>5. requiring that data for monitoring purposes is collected and analysed in a scientifically defensible manner; and</li> <li>6. including monitoring and review <i>conditions</i> on <i>resource consents</i> where required for base level and performance monitoring and to implement adaptive management if unanticipated effects occur.</li> </ol>	

## Rules

<b>ECO-R1</b>	Any activity which is not otherwise specified as a <i>permitted, controlled, restricted discretionary, discretionary, or non-complying activity</i> in this chapter.
Permitted Activity	<b>Standards</b> <ol style="list-style-type: none"> <li>1. The activity complies with all <i>permitted activity</i> standards in this chapter.</li> </ol>
<b>ECO-R2</b>	<i>Trimming or modification</i> of any <i>indigenous vegetation</i> within the following zones and precincts, except for <i>indigenous vegetation</i> covered by ECO-R3, ECO-R6, ECO-R7, TREE-R2, TREE-R3, and TREE-R4 is a <i>permitted activity</i> : <ul style="list-style-type: none"> <li>• General Residential Zone</li> <li>• High Density Residential Zone</li> <li>• Ngārara Development Area</li> <li>• Waikanae North Development Area</li> <li>• Airport Zone</li> <li>• Town Centre Zone</li> <li>• Metropolitan Centre Zone</li> <li>• Hospital Zone</li> <li>• General Industrial Zone</li> <li>• Local Centre Zone</li> <li>• Mixed Use Zone</li> <li>• Rural Lifestyle Zone</li> <li>• Rural Eco-Hamlet Precinct</li> <li>• Future Urban Zone</li> <li>• Open Space Zone</li> </ul>
Permitted Activity	<b>Note 1:</b> For <i>trimming</i> and <i>modification</i> of <i>indigenous vegetation</i> listed in Schedules 1, 2, 3 and 8, and ECO-Table 1 see ECO-R3, ECO-R6, ECO-R7, TREE-R2, TREE-R3, and TREE-R4.
	<b>Note 2:</b> "Indigenous vegetation" (see <i>NESCF</i> definition) clearance associated with

	<i>plantation forestry</i> activities carried out under the <i>NESCF</i> is excluded from this rule.
<b>ECO-R3</b>	<p><i>Trimming</i> of significant <i>indigenous vegetation</i> that is:</p> <ol style="list-style-type: none"> <li>1. located within an <i>ecological site</i> listed in Schedule 1; or</li> <li>2. a <i>key indigenous tree species</i> listed in ECO-Table 1 and exceeds either of the maximum size criteria diameter or height (excluding <i>trees</i> planted by humans); or</li> <li>3. a <i>key indigenous tree</i> listed in Schedule 2; or</li> <li>4. a <i>rare and threatened vegetation species</i> listed in Schedule 3</li> </ol> <p>is a <i>permitted activity</i> within the following <i>zones</i> and precincts:</p> <ul style="list-style-type: none"> <li>• General Residential Zone</li> <li>• High Density Residential Zone</li> <li>• Ngārara Development Area</li> <li>• Waikanae North Development Area</li> <li>• Airport Zone</li> <li>• Town Centre Zone</li> <li>• Metropolitan Centre Zone</li> <li>• Hospital Zone</li> <li>• General Industrial Zone</li> <li>• Local Centre Zone</li> <li>• Mixed Use Zone</li> <li>• Rural Lifestyle Zone</li> <li>• Rural Eco-Hamlet Precinct</li> <li>• Future Urban Zone</li> <li>• Open Space Zone</li> </ul>
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <i>Trimming</i> must be undertaken as specified in a) and b) below: <ol style="list-style-type: none"> <li>a. Any <i>trimming</i> must be limited to the pruning of vegetation that: <ol style="list-style-type: none"> <li>i. achieves compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003; or</li> <li>ii. is broken, deadwood or chronically diseased; or</li> <li>iii. does not form part of the main structure (the trunk or a primary structural limb) and: <ol style="list-style-type: none"> <li>a. is pruned up to 3m from a window of a <i>habitable room</i> including those used for hospital recovery but excluding those used for <i>visitor accommodation</i> which is not <i>temporary residential rental accommodation</i>; or</li> <li>b. is pruned up to 2m from the wall or roof of an existing permanent <i>building</i> (excluding <i>minor buildings</i>); or</li> <li>c. is restricting access along an existing <i>access leg</i>, right of way or <i>driveway</i>; or</li> </ol> </li> <li>iv. is carried out in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1986 or Queen Elizabeth the Second National Trust Act 1977; or Reserve Management Plan approved under the Reserves Act 1977; or</li> <li>v. is necessary to avoid an imminent threat to the safety of persons or damage to lawfully established <i>building</i> (excluding <i>minor buildings</i>) and</li> <li>vi. is necessary to provide for the ongoing safe and efficient operation and maintenance of telecommunications, radio communication and other <i>network utility</i>; and</li> </ol> </li> </ol> </li> </ol>

	<p>b. All <i>trimming</i> must be undertaken to a growth point or branch union and in accordance with the New Zealand Arboricultural Association Incorporated Best Practice Guideline 'Amenity Tree Pruning' Version 3 dated April 2011 to avoid irreversible damage to the health of the <i>tree</i>.</p> <p><b>Note 1:</b> The <i>Council</i> recommends that <i>trimming</i> is carried out by an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification.</p> <p><b>Note 2:</b> For <i>trimming of indigenous vegetation</i> listed as a <i>notable tree</i> in Schedule 8 see the Notable Trees chapter.</p>
ECO-R4	<p><i>Trimming or modification of indigenous vegetation that is within the Rural Production Zone, Rural Dunes Precinct, Natural Open Space Zone or a River Corridor.</i></p>
Permitted Activity	<p><b>Standards</b></p> <p>1. <i>Trimming or modification of indigenous vegetation</i> must not be carried out on any <i>indigenous vegetation</i> that:</p> <ol style="list-style-type: none"> <li>is within an <i>ecological site</i> (Schedule 1);</li> <li>is a <i>rare and threatened vegetation species</i> (Schedule 3);</li> <li>is listed in the schedule of <i>key indigenous tree species</i> (ECO-Table 1) and exceeds either of the maximum size criteria (diameter or <i>height</i>) (excluding planted vegetation) except that ECO-Table 1 shall not apply to <i>indigenous vegetation</i> in the Rural Hills Precinct; or</li> <li>forms a contiguous areas of more than 100m<sup>2</sup> (excluding planted vegetation); except that this contiguous area provision of more than 100m<sup>2</sup> of <i>indigenous vegetation</i> shall not apply within the Rural Hills Precinct; or</li> <li>is within 20 metres of a <i>waterbody</i> (including within the <i>waterbody</i> itself) or the coastal marine area excluding planted vegetation) except where required to restore or maintain <i>river crossing structures</i> or culverts to a maximum track width of 10 metres.</li> </ol> <p>2. Except that Standard 1 of this rule does not apply where trimming or modification is:</p> <ol style="list-style-type: none"> <li>necessary to enable weed management and pest control within the area of significant <i>indigenous vegetation</i>. For the purposes of this rule <i>trimming</i> and <i>modification</i> is limited to that necessary for: <ol style="list-style-type: none"> <li>the placement of traps and bait stations and to enable foot access to and between traps and bait stations;</li> <li>to enable foot access for the removal or spraying / poisoning of plant pests;</li> <li>for weed clearance within <i>rivers</i> where authorised by Greater Wellington Regional Council;</li> <li>the maintenance of existing formed tracks used for pest and weed management purposes where <i>trimming</i> and <i>modification</i> may not extend beyond the formed width of the track;</li> <li>within K017 only, the formation and maintenance of tracks no wider than 1.5m to provide access to traps and bait stations (for the avoidance of doubt such tracks may only be formed and maintained where servicing active pest management programmes);</li> </ol> </li> <li>within the Rural Hills Precinct and necessary to enable fire control (provided that for fire control, <i>trimming</i> or <i>modification</i> does not extend</li> </ol>

	<p>by more than 2 meters in width from the edge of an existing fire break not exceeding 30m in width);</p> <ul style="list-style-type: none"> <li>c. necessary for the safe and efficient operation of any formed public road, private access leg or driveway, right of way, walkway or to maintain existing farm tracks;</li> <li>d. trimming for the ongoing safe and efficient operation and maintenance of telecommunication, radio communication and other network utility structures, provided that all trimming must be undertaken to a growth point or branch union and in accordance with the New Zealand Arboricultural Association Incorporate Best Practice Guideline 'Amenity Tree Pruning' Version 3 dated 2011 to avoid irreversible damage to the health of the tree;</li> <li>e. necessary to enable to the maintenance of buildings (excluding minor buildings) where the trimming or modification of vegetation is limited to within 3m from a window of a habitable room (including those used for hospital recovery but excluding those used for visitor accommodation which is not temporary residential rental accommodation) or 2m from a wall or roof of a building (excluding minor buildings);</li> <li>f. trimming or modification to achieve compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003;</li> <li>g. for a new fence (including post holes), where the purpose of the fence is to exclude stock and/or pests from the areas referred to in Standard 1 or contain stock in, or exclude pests from, areas not referred to in Standard 1, and for the maintenance of existing fences provided that the trimming or modification does not exceed 2 metres in width either side of the fenceline;</li> <li>h. involves only indigenous vegetation specifically planted as amenity planting within K017;</li> <li>i. of dead, diseased or dying vegetation and vegetation modification; where imminent danger exists to life or property;</li> <li>j. by tangata whenua for traditional cultural practices that do not result in the removal, or death of any indigenous tree; or</li> <li>k. for flood protection, erosion control and natural hazard mitigation authorised as a permitted activity under NH-FLOOD-R6.</li> <li>l. maintenance of existing water pipes provided that the trimming or modification does not exceed 1.0 metre in width either side of the water pipe.</li> </ul> <p><b>Note 1:</b> For trimming and modification of indigenous vegetation listed in Schedules 1, 2, 3, and 8 and ECO-Table 1 see ECO-R3, ECO-R6, ECO-R7, TREE-R2, TREE-R3, and TREE-R4.</p>
	<p><b>Note 2:</b> "Indigenous vegetation" (see NESCF definition) clearance associated with plantation forestry activities carried out under the NESCF is excluded from this rule.</p>
<p><b>ECO-R5</b></p>	<p>Installation, maintenance and upgrading of underground network utilities within the drip line of significant indigenous vegetation in Schedules 1, 2 and 3 and ECO-Table 1.</p>
<p>Permitted Activity</p>	<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>1. Drilling must be a minimum of 1m below the root zone; or</li> <li>2. Hand dug trenches undertaken under the supervision of or by an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent arboricultural qualification.</li> </ul>
<p><b>ECO-R6</b></p>	<p>The modification of indigenous vegetation, that is:</p> <ul style="list-style-type: none"> <li>1. located within an ecological site listed in Schedule 1 excluding trees on an urban environment allotment that are not listed in</li> </ul>
	<p><b>Amended 01</b> Oct 24 PC1F</p>

	<p>Schedule 2; or</p> <ol style="list-style-type: none"> <li>2. a <i>key indigenous tree species</i> listed in ECO-Table 1 and exceeds either of the maximum size criteria diameter or <i>height</i> (excluding <i>trees</i> planted by humans; and excluding <i>trees</i> on an <i>urban environment allotment</i> that are not listed in Schedule 2); or</li> <li>3. a <i>key indigenous tree</i> listed in Schedule 2; or</li> <li>4. a <i>rare and threatened vegetation species</i> listed in Schedule 3; or</li> <li>5. in or within 20 metres of a <i>waterbody</i> or the coastal marine area where it is not within the <i>urban environment</i> (excluding planted vegetation);</li> </ol> <p>is a <i>controlled activity</i> within the following <i>zones</i> and <i>precincts</i>:</p> <ul style="list-style-type: none"> <li>• General Residential Zone</li> <li>• High Density Residential Zone</li> <li>• Ngārara Development Area</li> <li>• Waikanae North Development Area</li> <li>• Airport Zone</li> <li>• Town Centre Zone</li> <li>• Metropolitan Centre Zone</li> <li>• Hospital Zone</li> <li>• General Industrial Zone</li> <li>• Local Centre Zone</li> <li>• Mixed Use Zone</li> <li>• Rural Lifestyle Zone</li> <li>• Rural Eco-Hamlet Precinct</li> <li>• Future Urban Zone</li> <li>• Open Space Zone</li> </ul>	
Controlled Activity	Standards	Matters of Control
	<ol style="list-style-type: none"> <li>1. The <i>modification of indigenous vegetation</i> must be limited to:             <ol style="list-style-type: none"> <li>a. up to a maximum of two <i>indigenous vegetation trees</i> within a five year period on an <i>allotment</i>; and</li> <li>b. <i>modification of trees</i> that are damaged, dead or dying; or have sustained storm damage; or <i>are</i> fatally diseased such that:                 <ol style="list-style-type: none"> <li>i. the <i>tree(s)</i> present a demonstrable imminent <i>risk</i> of serious harm to people or a building(s);</li> <li>ii. the demonstrable imminent <i>risk</i> of serious harm to people or <i>buildings</i> cannot be addressed via <i>trimming</i> under rule ECO-R3; and</li> <li>iii. an arborist who has attained the New Zealand Qualifications Authority New Zealand Diploma in Arboriculture Level 6 or equivalent qualification has certified in writing that Conditions i. and ii. above are met; or</li> </ol> </li> <li>c. <i>modification of planted indigenous vegetation</i> where the applicant can demonstrate that it was not legally required to be planted for ecological restoration or enhancement purposes or as a <i>biodiversity offset</i>.</li> </ol> <p><b>Note 1:</b> For <i>notable trees</i> listed in Schedule 8 see TREE-R2, TREE-R3, and TREE-R4.</p> <p><b>Note 2:</b> For the avoidance of doubt, the Council has the discretion to seek confirmation that an application qualifies</p> </li> </ol>	<ol style="list-style-type: none"> <li>1. The necessity, extent and method of the proposed <i>modification of indigenous trees</i> to address the imminent demonstrated <i>risk</i>.</li> <li>2. The species, size, location, and timing of planting of replacement indigenous <i>vegetation</i> to</li> </ol>



	<p>for consideration under this rule, including via obtaining an independent review by a suitably qualified and experienced person of the arborist findings and certification provided by the applicant in accordance with standard 1.b.i and ii.</p> <p><b>Criteria for notification</b> The written approval of persons will not be required and applications under this rule will not be served on any person or notified.</p>	<p>remedy the loss of indigenous tree(s).</p> <p>3. Any remedial work necessary to restore the site after the <i>modification</i> activity is complete.</p> <p>4. Public safety.</p> <p>5. Measures to avoid, remedy or mitigate <i>effects</i> on <i>tangata whenua</i> values.</p> <p>6. Methods and activities to ensure the maintenance of indigenous biodiversity.</p> <p>7. Methods and activities to ensure positive ecological contributions of the modified <i>trees</i> on the application <i>property</i>.</p>
<p><b>ECO-R7</b></p>	<p><i>Trimming or modification of any indigenous vegetation that is:</i></p> <ol style="list-style-type: none"> <li>1. within an <i>ecological site</i> (Schedule 1);</li> <li>2. a <i>key indigenous tree species</i> (ECO-Table 1) (excluding <i>trees</i></li> </ol>	<p><b>Amended 01</b> Sep 23 PC2</p>

	<p>planted by humans);</p> <ol style="list-style-type: none"> <li>3. a <i>key indigenous tree</i> (Schedule 2);</li> <li>4. a <i>rare and threatened vegetation species</i> (Schedule 3);</li> <li>5. in or within 20 metres of a <i>waterbody</i> or the coastal marine area where it is not within an <i>urban environment</i> (excluding planted vegetation);</li> </ol> <p>and does not meet the <i>permitted activity</i> standards in ECO-R3, and is not a <i>controlled activity</i> under ECO-R6, is a <i>restricted discretionary activity</i> within the following zones and precincts:</p> <ul style="list-style-type: none"> <li>• General <i>Residential Zone</i></li> <li>• High Density <i>Residential Zone</i></li> <li>• Ngārara Development Area</li> <li>• Waikanae North Development Area</li> <li>• Airport <i>Zone</i></li> <li>• <i>Town Centre Zone</i></li> <li>• <i>Metropolitan Centre Zone</i></li> <li>• Hospital <i>Zone</i></li> <li>• <i>General Industrial Zone</i></li> <li>• <i>Local Centre Zone</i></li> <li>• Mixed Use <i>Zone</i></li> <li>• Rural Lifestyle <i>Zone</i></li> <li>• Rural Eco-Hamlet Precinct</li> <li>• Future Urban <i>Zone</i></li> <li>• <i>Open Space Zone</i></li> </ul>	
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <p><b>Note:</b> For <i>trees</i> listed as a <i>notable tree</i> in Schedule 8 see TREE-R2, TREE-R3, and TREE-R4.</p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on:             <ol style="list-style-type: none"> <li>a. biodiversity values;</li> <li>b. visual, urban character and <i>amenity values</i>;</li> <li>c. the <i>natural character</i> of the <i>coastal environment</i>;</li> <li>d. public safety;</li> <li>e. any vegetation loss.</li> <li>f. <i>Tangata whenua</i> values.</li> </ol> </li> <li>2. The degree to which</li> </ol>

		<p>the trimming or removal of affected vegetation will provide for the health and safety of people, property and the environment through the management of fire risk.</p>
<b>ECO-R8</b>	<p>Modification of any significant <i>indigenous vegetation</i> to provide for a <i>residential building, minor residential unit</i> and associated <i>accessory buildings</i> (excluding <i>minor buildings</i>) on a <i>site</i> where K017 covers more than 90% of the total area of that <i>site</i>, within a single <i>building platform</i> (one <i>building platform</i> per <i>allotment</i>).</p>	
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <p>1. This rule shall only be applicable to the following <i>properties</i>:</p> <ul style="list-style-type: none"> <li>• LOT 1 DP 79075</li> <li>• PT SEC 4 BLK III KAITAWA SD</li> <li>• PT SEC 15 BLK I AKATARAWA SD</li> <li>• NGARARA WEST C 18 SEC 2 BLKS II III AKATARAWA</li> <li>• LOT 2 DP 79075</li> <li>• PT LOT 1 DP 58689</li> <li>• LOT 4 DP 419643</li> <li>• SEC 6 DP 500 BLK VII KAITAWA SD</li> <li>• LOT 2 DP 91308 BLK I TAUNGATA SD</li> <li>• NGARARA WEST C4 BLK XIII KAITAWA SD</li> <li>• PT SECS 14 &amp; 15 BLK IV KAITAWA SD LOT 1 DP 84368</li> <li>• NGARARA WEST C 20 BLK II AKATARAWA SD</li> <li>• SUBDIVISION B PT SECS 41 NGARARA WEST C BLOCK LOT 1 DP 3433</li> <li>• LOT 2 DP 3433</li> <li>• SECTIONS 9 10 BLK VII KAITAWA SD</li> <li>• SEC 7 DP 500 BLK VII KAITAWA SD</li> <li>• PT SEC 7 BLK VIII KAITAWA SD</li> </ul>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects</i> biodiversity values;</li> <li>2. <i>Effects</i> on <i>tangata whenua</i> values;</li> <li>3. <i>Effects</i> on <i>indigenous vegetation</i> and habitat loss, with regard given to:</li> </ol>

- SEC 59 BLK X KAITAWA SD
- SEC 13 BLK I AKATARAWA SD
- LOT 2 DP 54995; and
- LOT1 DP 80188

2. The *building* platform created must involve no more than 500m<sup>2</sup> of *indigenous vegetation modification*.
3. Unless access is provided by an existing access track, the *building* platform must be located within 500m of the *formed vehicle access* or right of way to the *site*.

- a. locating the *building* platform and aligning the access track so that the comparatively most significant (in the context of the *site*) vegetation and habitats are avoided;
- b. minimising the width of the access track and associated *indigenous vegetation modification* to the extent necessary to provide safe vehicular access between the *road* and *building* platform.

4. Ecological values, with regard to minimising the

			<p>extent of <i>earthworks</i> required to form the <i>building</i> platform and access track.</p>
<p><b>ECO-R9</b></p>	<p><i>Plantation forestry harvesting-on land within ecological sites.</i></p>	<p><b>Amended 01</b> Sep 23 PC2</p>	
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. No more than 10ha of any contiguous area used for <i>plantation forestry</i> shall be harvested in any one calendar year.</li> <li>2. No harvesting of <i>plantation forestry</i> shall be undertaken within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the forestry plantation.</li> <li>3. Each <i>site</i> containing a <i>plantation forest</i> activity shall have a <i>vehicle access</i> designed and built for the entry and exit of fire fighting vehicles and shall meet the following minimum requirements:             <ol style="list-style-type: none"> <li>a. 2.5 metres in width</li> <li>b. 2.8 metres in height clearance (i.e. clear from vegetation, <i>buildings</i> and structures.)</li> </ol> </li> <li>4. A fire plan shall be completed for all forestry blocks prior to harvesting by the forest owner or harvesting company and certified by the Council's Rural Fire Officer prior to commencing any <i>plantation forest</i> harvesting.</li> </ol> <p><b>Note:</b> <i>Council</i> will accept, as compliance with this standard, activities which are demonstrated to be consistent with the New Zealand Environmental Code of Practice for Plantation Forestry.</p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The degree of compliance with the Kapiti Coast District Council <i>Land Development Minimum Requirements</i>.</li> <li>2. <i>Effects</i> on <i>historic heritage</i> and landscape values.</li> <li>3. Ecological <i>effects</i>.</li> <li>4. Visual and amenity <i>effects</i>.</li> <li>5. Traffic and transportation <i>effects</i>.</li> <li>6. Noise and nuisance <i>effects</i>.</li> </ol>	
<p><b>ECO-R10</b></p>	<p><i>Trimming or modification of indigenous vegetation that is within the Rural Production Zone, Rural Dunes Precinct, Natural Open Space Zone or a River</i></p>		

Corridor that does not comply with one or more of the <i>permitted activity</i> standards in ECO-R4.		
Restricted Discretionary Activity	Standards	Matters of Discretion
		<ol style="list-style-type: none"> <li>1. Consideration of the <i>effects</i> of the standard not met.</li> <li>2. <i>Effects</i> on the <i>indigenous vegetation</i> and/or habitats of indigenous fauna including:                             <ol style="list-style-type: none"> <li>a. habitat loss;</li> <li>b. biodiversity values;</li> <li>c. visual and <i>amenity values</i>;</li> </ol> </li> <li>3. Measures to avoid, remedy or mitigate adverse <i>effects</i>.</li> </ol>
<b>ECO-R11</b>	Installation, maintenance and upgrading of underground <i>network utilities</i> within the drip line of <i>indigenous vegetation</i> in Schedules 1, 2, 3 or ECO-Table 1 that does not comply with one or more of the <i>permitted activity</i> standards in ECO-R5.	
Restricted Discretionary Activity	Standards	Matters of Discretion
		<ol style="list-style-type: none"> <li>1. Consideration of the <i>effects</i> of the standard not</li> </ol>

		met. 2. <i>Effects</i> on the <i>indigenous</i> <i>vegetation</i> or habitats of <i>indigenous</i> <i>fauna</i> . 3. Measures to avoid, remedy or mitigate adverse <i>effects</i> .
<b>ECO-R12</b>	Any activity which is identified as a <i>restricted discretionary activity</i> which does not comply with one or more of the relevant standards.	
Discretionary Activity	Note: This Rule does not apply to <i>earthworks</i> associated with activities <i>permitted</i> under NH-FLOOD-R4, NH-FLOOD-R6 and NH-FLOOD-R7.	
<b>ECO-R13</b>	<i>Buildings</i> (excluding <i>minor buildings</i> ) in and within 5 metres of an <i>ecological site</i> which are not a <i>restricted discretionary activity</i> under ECO-R8.	
Discretionary Activity		
<b>ECO-R14</b>	Planting of <i>shelter belts</i> within <i>ecological sites</i> , or <i>geological feature</i> .	
Discretionary Activity		
<b>ECO-R15</b>	Planting of <i>plantation forestry</i> within <i>ecological sites</i> except replanting within 2 calendar years from completing harvesting of a plantation forest existing at the time of notification of this District Plan.	
Discretionary Activity		

**See also** - EW-R8 for *earthworks* within an *ecological site*.

ECO-Table 1 applies to *land* within all *zones* except for urban *environment allotments*.

ECO-Table 1 - Key Indigenous Tree Species by Size	Common Name	Species	Māori Name	Dimensions That Relate to Rules		
				Diameter (circumference (m) in cm)	Height (m)	
	Black maire	<i>Nestegis cunninghamii</i>	Maire rau nui	15.0 (47)	4	
	Black pine	<i>Prumnopitys taxifolia</i>	Mataī	15.0 (47)	4	
	Broadleaf	<i>Griselinia lucida</i>	Puka	15.0 (47)	4	
	Brown pine	<i>Prumnopitys</i>	Miro	15.0 (47)	4	

		ferruginea				
	Cabbage Tree	Cordyline australis	Ti kōuka	30.0 (95)	4	
	Coastal Kānuka	Kunzea amathicola	Rawiritoa, kānuka	5.0 (15)	1	<b>Amended 1</b> Oct 24 PC1F
	Cork Tree	Entelea arborescens	Whau	15.0 (47)	4	
	Hīnau	Elaeocarpus dentatus	Hīnau	15.0 (47)	4	
	Kaikōmako	Pennantia corymbosa	Kaikōmako	15.0 (47)	3	
	Kāmahi	Weinmannia racemosa	Kāmahi	15.0 (47)	4	
	Kānuka	Kunzea robusta	Rawirinui, kānuka	15.0 (47)	3	<b>Amended 1</b> Oct 24 PC1F
	Kohekohe	Dysoxylum spectabile	Kohekohe	15.0 (47)	4	
	Kōwhai	Sophora microphylla	Kōwhai	30.0 (95)	4	
	Lacebark	Hoheria sextylosa	-	15.0 (47)	4	
	Large leaved milk tree	Stebulus banksii	Turepo	15.0 (47)	4	
	Marbleleaf	Carpodetus serratus	Putaputaweta	15.0 (47)	4	
	Narrow leaved lacebark	Hoheria angustifolia	-	15.0 (47)	4	
	Narrow-leaved maire	Nestegis montana	Maire kōtae or rōroro	15.0 (47)	4	
	New Zealand honeysuckle	Knightia excelsa	Rewarewa	15.0 (47)	4	
	New Zealand myrtle	Lophomyrtus bullata	Ramarama	15.0 (47)	4	
	New Zealand myrtle	Lophomyrtus obcordata	Rōhutu	15.0 (47)	4	
	Nīkau	Rhopalostylis sapida	Nīkau	15.0 (47)	4	
	Northern Rātā	Metrosiderous robusta	Rātā	15.0 (47)	4	
	Pigeonwood	Hedycarya arborea	Porokaiwhiri	15.0 (47)	4	
	Poataniwha	Melicope simplex	Poataniwha	15.0 (47)	4	
	Pōkākā	Elaeocarpus hookerianus	Pōkākā	15.0 (47)	4	
	Pukatea	Laurelia novaezealandiae	Pukatea	15.0 (47)	4	



Red mapou	Myrsine australis	Matipo	15.0 (47)	3
Red Pine	Dacrydium cupressinum	Rimu	15.0 (47)	4
Ribbonwood	Plagianthus regius	Mānatu	15.0 (47)	4
Small leaved milk tree	Streblus heterophyllus	Turepo	15.0 (47)	4
Swamp maire	Syzygium maire	Maire tawake	15.0 (47)	4
Tawa	Beilschmiedia tawa	Tawa	15.0 (47)	4
Tea tree	Leptospermum scoparium	Mānuka	15.0 (47)	3
Thin-leaved coprosma	Coprosma areolata	-	15.0 (47)	3
Tītoki	Alectryon excelsus	Tītoki	15.0 (47)	4
Toro	Myrsine salicina	Toro	15.0 (47)	4
Tōtara	Podocarpus tōtara	Tōtara	30.0 (47)	4
Tree fuchsia	Fuchsia excorticata	Kōtukutuku	15.0 (47)	4
Wharangi	Melicope ternata	Wharangi	15.0 (47)	3
White maire	Nestegis lanceolata	Maire rauriki	15.0 (47)	4
White Pine	Dacrycarpus dacrydioides	Kahikatea	15.0 (47)	4
Whiteywood	Melicytus ramiflorus	Māhoe	30.0 (95)	4
Wire netting brush	Corokia cotoneaster	Korokio tāra	15.0 (47)	3

<b>ECO-Table 2 - Principles to be Applied When Proposing and Considering Biodiversity Offsets</b>	<b>Principles to be Applied When Proposing and Considering Biodiversity Offsets</b>	
	1	<p><b>Adherence to the mitigation hierarchy:</b></p> <p><i>Biodiversity offsets</i> will only be considered where they are used to offset the anticipated significant residual adverse biodiversity <i>effects</i> of activities on <i>significant indigenous vegetation, and significant habitats of indigenous fauna</i> after appropriate avoidance, minimisation and mitigation actions have occurred in accordance with the following mitigation hierarchy set out in Policy NE-P3:</p>

	<p>a. avoiding as far as practicable, and where total avoidance is not practicable, minimising adverse <i>effects</i>;</p> <p>b. requiring remediation where adverse <i>effects</i> cannot be avoided;</p> <p>c. requiring mitigation where adverse <i>effects</i> on the areas identified above cannot be avoided or remediated; and</p> <p>d. where residual adverse <i>effects</i> remain that are more than minor, consider the appropriateness of using of <i>biodiversity offsets</i> through protection, restoration and enhancement actions to achieve <i>no net loss</i> and preferably a net gain in indigenous biodiversity values.</p> <p>Any proposal will:</p> <p>a. document the appropriate measures taken to avoid, remedy or mitigate any adverse <i>effects</i> of the activity on biodiversity; and</p> <p>b. demonstrate that the <i>biodiversity offset</i> addresses the residual adverse <i>effects</i> of the activity.</p>
2	<p>No net biodiversity loss:</p> <p>Any proposals for <i>biodiversity offsets</i> will provide measurable positive <i>effects</i> on biodiversity at the <i>subject site</i>, or where appropriate, close to the <i>subject site</i> or within the ecological district, which can reasonably be expected to result in <i>no net loss</i> and preferably a net gain of biodiversity.</p> <p><i>No net loss</i> of biodiversity is determined with respect to species composition (e.g. individual species or species groups), habitat structure (e.g. vegetation tiers), ecosystem health (e.g. nutrient cycling rates), and cultural use values (e.g. valued habitats or species).</p> <p>The offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost.</p> <p>Any proposals for <i>biodiversity offset</i> will demonstrate that:</p> <p>a. an explicit calculation of loss and gain has been undertaken and that demonstrates the manner in which <i>no net loss</i> or a net gain of biodiversity can be achieved; and</p> <p>b. the <i>biodiversity offset</i> design and implementation should include provisions for addressing sources of uncertainty and risk of failure in delivering the biodiversity offset.</p>
3	<p>Additional conservation outcomes:</p> <p>Any proposal for <i>biodiversity offset</i> will demonstrate that actions undertaken as a <i>biodiversity offset</i> are additional to what would otherwise occur, including that they are additional to any remediation or mitigation undertaken in relation to the adverse <i>effects</i> of the activity.</p>
4	<p>Limits to what can be offset:</p> <p>Biodiversity offsetting is inappropriate when an activity has the potential to cause adverse <i>effects</i>, or residual adverse <i>effects</i>, on an area:</p> <p>a. where the biodiversity values of that area are highly vulnerable or irreplaceable; or</p> <p>b. where there is no appropriate <i>site</i>, knowledge, proven methods, expertise or mechanism available to design and implement an adequate <i>biodiversity offset</i>.</p>
5	<p>Landscape context:</p> <p>Any proposals for <i>biodiversity offsets</i> will:</p>

	<ul style="list-style-type: none"> <li>a. be designed and implemented in a landscape context, i.e. with a demonstrated understanding of both the donor and recipient sites role, or potential role in the ecological context of the area.</li> <li>b. take into account available information on the full range of biological, social and cultural values of biodiversity and supports an ecosystem-scale approach; and</li> <li>c. take into account other likely future <i>developments</i>, such as competing <i>land</i> use pressures, within the landscape. Long- term outcomes:</li> </ul>
6	<p>The positive ecological outcomes of the offset last at least as long as the impact of the activity, and preferably in perpetuity. Adaptive management responses should be incorporated into the design of the offset, as required to ensure that the positive ecological outcomes are maintained over time.</p> <p>Any proposal for biodiversity offsetting will include a <i>biodiversity offset management plan</i> that:</p> <ul style="list-style-type: none"> <li>a. sets out baseline information on biodiversity that is potentially impacted by the proposal at both the donor and recipient sites; and</li> <li>b. demonstrates that management arrangements, legal arrangements (e.g. covenants) and financial arrangements (e.g. bonds) are in place that allow the positive <i>effects</i> to endure as long as the adverse <i>effects</i> of the activity, and preferably in perpetuity; and</li> <li>c. is able to be implemented and enforced in line with any <i>resource consent conditions</i> associated with the activity, including: <ul style="list-style-type: none"> <li>i. specific, measurable and time-bound targets, and</li> <li>ii. mechanisms for adaptive management using the results of periodic monitoring and evaluation against identified thresholds to determine whether the mitigation or <i>biodiversity offset</i> is on track and how to rectify if necessary; and</li> </ul> </li> <li>d. establishes roles and responsibilities for managing, governing, monitoring and enforcing the <i>biodiversity offset</i>.</li> </ul>