

Kapiti Coast District Council

Draft Plan Change 1E to the Kapiti Coast District Plan 2021:

Review of Development Incentive Provisions

Draft - Not Council Policy

November 2024

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2.0 How to Read this Document

The text in this section is for explanatory purposes and does not form part of the plan change.

The following formatting conventions are used to identify proposed changes to the District Plan:

1. Text that is struck through (~~example~~) is to be deleted from the District Plan.
2. Text that is underlined (example) is to be inserted into the District Plan.
3. Defined terms are in *italics*.
4. Explanatory text that does not form part of the plan change is shown in green text.

3.0 Draft Amendments to the Kapiti Coast District Council District Plan 2021: PC-1E – Review of Development Incentive Provisions

4.0 Definitions

Insert new definitions into the Interpretation section as follows:

<u>Balance allotment</u>	<u>for the purpose of SUB-RUR-P2 and SUB-RUR-R53 means an allotment created via subdivision in a rural zone which resulted in the registering on the title of the allotment a consent notice pursuant to s221 of the RMA, or an encumbrance or covenant, prohibiting the further subdivision of the balance allotment.</u>
<u>Buffer / Buffering</u>	<u>has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:</u> <u>refers to a defined space between core areas of ecological value and the wider landscape that helps to reduce external pressures; and buffering has a corresponding meaning.</u>
<u>Connectivity</u>	<u>has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:</u> <u>refers to the structural or functional links or connections between habitats and ecosystems that provide for the movement of species and processes among and between the habitats or ecosystems.</u>
<u>Degraded ecological site</u>	<u>means an ecological site where as at 30 June 2021¹:</u> <ul style="list-style-type: none"><u>(a) the description/significance/dominant habitat or vegetation of the ecological site (as described within SCHED1 – Ecological Sites) as having characteristics of degradation, including, but not limited to, stock or pest animal grazing or damage, pest plant infestation, changes to hydrology, or the result of natural processes such as storm, flood, fire, or land slippage; and</u><u>(b) the percentage cover of indigenous plant species is less than 50% of the density expected for that vegetation or habitat type.</u>

¹ The date the Kapiti Coast District Plan was made operative.

Ecological district

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means:

- (a) in relation to geothermal ecosystems in the Taupo Volcanic Zone, the Taupo Volcanic Zone; and
- (b) for all other areas, the *ecological districts* as shown in McEwen, W Mary (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation.

Ecological integrity

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means the extent to which an ecosystem is able to support and maintain its:

- (a) composition (being its natural diversity of indigenous species, habitats, and communities); and
- (b) structure (being its biotic and abiotic physical features); and
- (c) functions (being its ecological and physical processes).

Ecosystem

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means the complexes of organisms and their associated physical environment within an area (and comprise: a biotic complex, an abiotic environment or complex, the interactions between the biotic and abiotic complexes, and a physical space in which these operate).

Erosion prone land

has the same meaning as in the Natural Resources Plan for the Wellington Region 2022, as follows:

the pre-existing slope of the land exceeds 20 degrees.

Edge to area ratio

means the length of the circumference (in metres) of the *identified ecological area* divided by the total area of the *identified ecological area* in square metres expressed as a percentage. The circumference and area shall follow the same *identified ecological area* boundaries. For the purpose of calculating the *edge to area ratio*, planted areas carried

out in accordance with SUB-RUR-R53 – Table 1 may be included.

Habitat

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means the area or environment where an organism or ecological community lives or occurs naturally for some or all of its life cycle, or as part of its seasonal feeding or breeding pattern; but does not include built structures or an area or environment where an organism is present only fleetingly.

Highly productive land

has the same meaning as in 1.3 of the National Policy Statement for Highly Productive Land 2022 as follows:

means land that has been mapped in accordance with clause 3.4 (of the NPS-HPL) and is included in an operative regional policy statement as required by clause 3.5 of the NPS-HPL (but see clause 3.5(7) of the NPS-HPL for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) of the NPS-HPL for when land is rezoned and therefore ceases to be highly productive land).

Identified ecological area

Means the following:

- (a) an ecological site included in Schedule 1; or
- (b) an ecological area that has been assessed by a suitably qualified ecologist and confirmed by the Council as meeting one or more of the criteria within ECO-P1 - Criteria For Identification Of Significant Biodiversity; or
- (c) an ecological area that has been assessed by a suitably qualified ecologist and confirmed by the Council as meeting one or more of the attributes within Appendix 1 of the National Policy Statement for Indigenous Biodiversity - Criteria for Identifying Areas that Qualify as Significant Natural Areas (SNAs).

Indigenous biodiversity

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means the living organisms that occur naturally in New Zealand, and the ecological complexes of which they are part, including all forms of indigenous flora, fauna, and fungi.

and their *habitats*.

LUC 1, 2, or 3 land

has the same meaning as in the National Policy Statement for Highly Productive Land 2022, as follows:

means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.

Maintenance

has the same meaning as in clauses 1.6 and 1.7 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

(1) Maintaining *indigenous biodiversity* requires:

(a) the maintenance and at least no overall reduction of all the following:

(i) the size of populations of indigenous *species*:

(ii) indigenous *species* occupancy across their *natural range*:

(iii) the properties and function of *ecosystems* and *habitats* used or occupied by *indigenous biodiversity*:

(iv) the full range and extent of *ecosystems* and *habitats* used or occupied by *indigenous biodiversity*:

(v) *connectivity* between, and *buffering* around, *ecosystems* used or occupied by *indigenous biodiversity*:

(vi) the *resilience* and adaptability of *ecosystems*; and

(b) where necessary, the *restoration* and enhancement of *ecosystems* and *habitats*.

Natural Range

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means in relation to a *species*, refers to the geographical area within which that species can be expected to be found naturally (without human intervention).

Notice of intention

means a proposal that was submitted to and accepted by the Council prior to 31 October 2024 by a landowner or developer to obtain a planting-based incentive and prepare a planting plan and was prepared in accordance with the former APP1-Development Incentives Guidelines of the Operative Kapiti Coast District Plan 2021.

Resilience

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

in relation to an *ecosystem*, means the ability of the *ecosystem* to recover from and absorb disturbances, and its capacity to reorganise into similar *ecosystems*.

Restoration

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means the active intervention and management of modified or degraded *habitats, ecosystems, landforms, and landscapes* in order to *maintain* or reinstate indigenous natural character, ecological and physical processes, and cultural and visual qualities, and may include enhancement activities.

Species

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means a group of living organisms consisting of similar individuals capable of freely exchanging genes or interbreeding, including subspecies, varieties and organisms that are indeterminate.

Specified Māori land

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means land that is any of the following:

- (a) Māori customary land and Māori freehold land (as defined in Te Ture Whenua Māori Act 1993):
- (b) land set apart as a Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993 or its predecessor, the Māori Affairs Act 1953:
- (c) land held by or on behalf of an iwi or a hapū if the land was transferred from the Crown, a Crown body, or a local authority with the intention of returning the land to the

holders of mana whenua over the land:

- (d) land vested in the Māori Trustee that is constituted as a Māori reserve by or under the Māori Reserved Land Act 1955, and remains subject to that Act:
- (e) land that forms part of a natural feature that has been declared under an Act to be a legal entity or person (including Te Urewera land within the meaning of section 7 of the Te Urewera Act 2014):
- (f) the maunga listed in section 10 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014:
- (g) Treaty settlement land, being land held by a post-settlement governance entity (as defined in the Urban Development Act 2020) where the land was transferred or vested and held (including land held in the name of a person such as a tipuna of the claimant group, rather than the entity itself):
 - (i) as part of redress for the settlement of Treaty of Waitangi claims; or
 - (ii) by the exercise of rights under a Treaty settlement Act or Treaty settlement deed.

Suitably qualified ecologist

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

means a professional ecologist with a background and expertise in conducting terrestrial ecological assessments.

Threatened or At Risk, and Threatened or At Risk (declining)

has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 as follows:

have, at any time, the meanings given in the New Zealand Threat Classification System Manual (Andrew J Townsend, Peter J de Lange, Clinton A J Duffy, Colin Miskelly, Janice Molloy and David A Norton, 2008. Science & Technical Publishing, Department of Conservation, Wellington), available at:

<https://www.doc.govt.nz/globalassets/documents/science-and-technical/sap244.pdf> , or its current successor publication.

5.0 Strategic Direction – District Objectives

Objective DO-02

Amend as follows:

DO-02	Ecology and Biodiversity
To improve indigenous biological diversity and ecological <i>resilience</i> through:	
<ol style="list-style-type: none">1. protecting areas of <i>significant indigenous vegetation, and significant habitats of indigenous fauna</i>;2. encouraging <i>restoration</i> of the <i>ecological integrity</i> of indigenous <i>ecosystems</i>;3. encouraging <i>connectivity between areas of significant indigenous vegetation, and significant habitats of indigenous fauna</i>;4. enhancing the health of terrestrial and aquatic <i>ecosystems</i> and their margins; and5. enhancing the <i>mauri</i> of <i>waterbodies</i>.	

6.0 Policies and Rules

UFD - Urban Form and Development

Policy UEDI-P3

Amend as follows:

UEDI-P3	Incentives-Bonus allotments
To support and encourage development (including provide opportunities for the creation of a limited number of bonus allotments through <i>subdivision</i>) in Rural Zones while ensuring that:	
<ol style="list-style-type: none">1. there is significant enhancement or restoration of significant indigenous vegetation, and significant habitats of indigenous fauna in accordance with NE-P4;2. new areas of indigenous vegetation and existing areas of significant indigenous vegetation, and significant habitats of indigenous fauna are legally and physically protected on an ongoing basis;3. it avoids an inappropriate proliferation and dispersal of development that may adversely affect the role of the rural zones for primary production activities, or adversely affecting rural character, by limiting the number of additional allotments created;4. it avoids creating inappropriate subdivision or development within areas of outstanding and high natural character and outstanding natural features and landscapes;5. it does not compromise the values of historic heritage and places and areas of significance to Māori;	

6. it minimises adverse effects on the character and *amenity values* of the *zone* or precinct in which the *site* is located;
7. the *allotments* created are of a size and scale appropriate to the *zone* or precinct in which the *site* is located;
8. it avoids the *subdivision of LUC 1, 2 or 3 land* and/or *highly productive land*, unless it can be demonstrated that either:
 - a. the overall *productive potential* of the subject *land* will be maintained over the long term; or
 - b. the *subdivision* is on *specified Māori land*;
9. any potential cumulative loss of the availability and *productive potential* of *LUC 1, 2, or 3 land* located on General Rural or Rural Production Zoned *land*, or on *highly productive land* in the District is avoided if possible, or otherwise mitigated;
10. the *productive potential* of the parent *site* is maintained, where the *land* is not located on *LUC 1, 2, or 3 land* within the General Rural or Rural Production Zone or on *highly productive land*;
11. where located on *LUC 1, 2, or 3 land* within the General Rural or Rural Production Zone or on *highly productive land*, it avoids if possible, or otherwise mitigates, any actual or potential *reverse sensitivity effects* or *cumulative effects* on surrounding land-based *primary production* activities; and
12. where not located on *LUC 1, 2, or 3 land* located within the General Rural or Rural Production Zone, or on *highly productive land*, it avoids, remedies or mitigates potential *reverse sensitivity effects*, and *cumulative effects* on adjacent *sites*. that demonstrates a permanent net environmental benefit, in the areas of water quality, biodiversity, and renewable energy, and energy efficiency, significantly beyond the minimum levels required by this Plan.

NE – Natural Environment

Policy NE-P4

Amend as follows:

NE-P4

~~Incentives-Bonus allotments criteria~~

Subject to UEDI-P3, provide limited opportunities for the creation of bonus *allotments* in Rural Zones where:

1. it is demonstrated that the *subdivision* will result in:
 - a. the *restoration* and enhancement via new indigenous planting of *ecological sites* that are identified and described in Schedule 1 (Ecological Sites) as being any of the following:
 - i. in a degraded condition;
 - ii. a nationally critical, rare, *threatened*, endangered or vulnerable ecosystem;

- iii. a *habitat* type for nationally critical, rare, *threatened*, at risk, endangered or vulnerable indigenous species; or
 - b. the extension via new *indigenous vegetation* planting of *identified ecological areas*; or
 - c. the creation via new *indigenous vegetation* planting of new ecological connections between *identified ecological areas*, or *buffering around identified ecological areas*; or
 - d. new *indigenous vegetation* planting along a *waterbody* and landward of mean high water springs; or
 - e. new *indigenous vegetation* planting on areas of *erosion prone land*; or
2. A *notice of intention* was formally accepted by the *Council* before 31 October 2024 and the *subdivision* to which that *notice of intention* related has not been lodged with or approved by the *Council*.

Where new *development* can achieve permanent net benefits to the natural *environment* as a result of that *development*, over and above any requirements to avoid, remedy or mitigate (including off-setting as in [NE-P3](#)), *development* incentives may be granted. In determining the appropriateness of awarding *development* incentives to a given activity, the proposal must:

1.—exhibit a substantial net increase in one or more of the following:

- a.—protection and enhancement of *indigenous vegetation* or terrestrial habitats for indigenous fauna; or
- b.—protection and enhancement of *water* quality and/or improved habitats for indigenous fauna in aquatic ecosystems;

-
and

2.—provide sufficient information relating to:

- a.—whether or not permanent achievement of the benefit(s) can be realised and how, including descriptions of any legal instruments to be utilised to achieve those benefits; and
- b.—the extent to which the positive benefits are consistent with the scale, nature and type anticipated in Council’s Development Incentives Guidelines; and
- c.—the extent to which the net benefit of the total *development* achieved by the proposal offsets any increase in adverse *effects* generated by the *development* incentives applied for.

ENGY - Energy

Policy ENGY-P6

Delete as follows:

ENGY-P6

Incentives

New *developments* of any scale that exhibit permanent or long-term net benefits to the natural *environment* as a result of a substantial net increase in the use of exemplary methods to promote the efficient end use of energy and renewable electricity generation, may qualify for development incentives:

Proposals must provide sufficient information relating to:

- 1.—whether or not permanent achievement of the benefit(s) can be realised, and descriptions of any legal instruments to be utilised to achieve those benefits; and
- 2.—the extent to which the positive *effects* achieved by the proposal offsets any increase in adverse *effect* generated by the *development incentive(s)* in [Appendix 1](#), Development Incentives Guidelines, applied for:

SUB-RES – Subdivision in Residential Zones

Rule SUB-RES-R29

Delete as follows:

SUB-RES-R29	<i>Subdivision</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1	
Restricted Discretionary Activity	<p>Standards</p> <p>1.—<i>Subdivision</i> under this rule must comply with all other relevant <i>subdivision</i> standards unless otherwise specified in Appendix 1.</p> <p>Note: For development which is undertaken in accordance with the Development Incentives Guidelines, see GRZ-R15.</p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1.—The scale of biodiversity; energy or <i>water</i> quality benefits created by the proposal. 2.—The design, size, shape and location of reserves and <i>esplanade</i> reserves. 3.—Covenants, easements and other legal mechanisms required. 4.—The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>. 5.—Ecological or biodiversity <i>effects</i>; and <i>effects</i> on natural character values. 6.—Transport <i>effects</i>. 7.—Proposed mitigation, remediation or ongoing management measures. 8.—Cumulative <i>effects</i>. 9.—The matters of discretion set out under SUB-RES-R27.

SUB-RUR – Subdivision in Rural Zones

Rule SUB-RUR-R53

Amend as follows:

<p>SUB-RUR-R53</p>	<p><i>Development including Subdivision which creates one or more bonus allotments through creating areas of new indigenous vegetation planting, or the enhancement and restoration of ecological sites and identified ecological areas.</i></p> <p><i>degraded which is undertaken in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 1:-</i></p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <p>1. The amount of development proposed must not exceed or proceed earlier than the stipulations in the guideline.</p> <p>2. Subdivision must comply with all other relevant subdivision standards unless otherwise specified within Appendix 1.</p> <p>1. <i>Subdivision must comply with SUB-RUR-R51, except where modified by SUB-RUR-R53.</i></p> <p>2. <i>The subdivision must:</i></p> <p style="padding-left: 20px;">a. <i>comply with the minimum planting area and planting requirements for the relevant planting type for the creation of a bonus allotment set out in SUB-RUR-R53 – Table 1; or</i></p> <p style="padding-left: 20px;">b. <i>be subject to a notice of intention that was formally accepted by the Council before 31 October 2024 and the subdivision to which that notice of intention</i></p>	<p>Matters of Discretion</p> <p>1. The scale and value of positive biodiversity and energy benefits effects created by the proposal.</p> <p>2. Visual effects, rural character effects and amenity effects on amenity values.</p> <p>3. Ecological or and biodiversity effects.</p> <p>4. Traffic and transportation safety effects.</p> <p>5. Proposed mitigation, remediation or Measures to achieve ongoing monitoring and management measures in accordance with Appendix 1.</p> <p>6. Effects on natural character values in the coastal environment.</p> <p>7. Cumulative effects and reverse sensitivity effects, including those that may occur beyond the application site.</p> <p>8. The design and layout of the subdivision including earthworks, the clustering of nominated building areas and the suitability of the allotments for primary production activities.</p> <p>9. The degree of compliance with the Kāpiti Coast District Council Land</p>

related has not been lodged with or approved by the Council.

3. No more than three bonus allotments shall be created per site.
4. Any bonus allotment must comply with the minimum individual allotment area that applies to the zone or precinct as set out in SUB-RUR-R51, but is not required to comply with the minimum average allotment area for the zone or precinct.
5. Where a bonus allotment is created through new indigenous vegetation planting, the planting must be:
 - a. contiguous with an identified ecological area; or
 - b. contiguous with an existing wetland that is demonstrated to fall under the definition for identified ecological area; or
 - c. buffer planting around a wetland(s); or
 - d. riparian margins; or
 - e. on erosion prone land.
6. A bonus allotment must not be located within any part of the site:
 - a. identified as being Outstanding Natural Character or High Natural Character or an Outstanding Natural Feature and Landscape; or
 - b. identified as containing a scheduled historic building or

Development Minimum Requirements.

10. The imposition of financial contributions in accordance with the Financial Contributions chapter.
11. Vehicle access points onto legal road including the State Highway Network and any effects on the transport network.
12. The location of any allotment boundary and building area relative to natural hazards, historic heritage features, outstanding natural features and landscapes, ecological sites, identified ecological areas, and geological features.
13. The provision of walking, cycle pathways and bridleways.
14. Consistency with all relevant appendices and schedules to all chapters of this Plan.
15. Provision of an adequate water supply for firefighting purposes.
16. The location of sensitive activity building areas to avoid, remedy or mitigate potential adverse reverse sensitivity effects on lawfully established primary production activities and intensive farming activities on adjoining sites.
17. The location, timing, scale, form and type of planting, in accordance with Appendix 1.
18. Measures to achieve physical and legal protection, and ongoing maintenance of indigenous vegetation in perpetuity.
19. Whether one or more of the criteria of ECO-P1 or the criteria within Appendix 1 of the National Policy Statement for Indigenous Biodiversity are met.
20. The imposition of conditions with respect to the matters contained within Appendix 1 – Bonus Allotment Information Requirements.

structure, scheduled historic site, scheduled historic area, or waahi tapu and other places and areas of significance to Māori.

7. The subdivision must not be on LUC 1, 2, or 3 land within the General Rural Zone or Rural Production Zone, or on highly productive land unless it can be demonstrated that the subdivision is of specified Māori land.
8. Where a bonus allotment is created through the restoration and enhancement of an ecological site(s) the restored and enhanced ecological site(s) must be identified within SCHED 1 – Ecological Sites as:
 - a. being degraded; or
 - b. containing a nationally critical, rare, threatened, endangered or vulnerable ecosystem; or
 - c. containing a habitat type for nationally critical, rare, threatened endangered or vulnerable indigenous species.
9. The identified ecological area(s) on the site and any new indigenous vegetation planting that is to be carried out under this rule must be physically and legally protected in perpetuity.
10. An application for a bonus allotment(s) under this rule must address all the matters specified within Appendix 1 – Bonus Allotment Information

21. Commissioning an independent review of the information submitted in accordance with standard 11 by a suitably qualified ecologist.
22. The method(s) to ensure legal protection of areas of new indigenous vegetation planting, enhancement and restoration planting, ecological sites and identified ecological areas in perpetuity.

Requirements. This information must be prepared by, or reviewed and approved by a suitably qualified ecologist.

11. The subdivision must not be of a balance allotment created under a previous subdivision consent.

Note: For development which is undertaken in accordance with the Development Incentives Guidelines, see [GRUZ-R14](#), [RPROZ-R11](#), [RLZ-R10](#), or [FUZ-R10](#).

This rule applies in addition to the District-Wide Subdivision rules.

SUB-RUR-R53 – Table 1

Insert new table as follows:

SUB-RUR-R53 – Table 1

SUB-RUR-R53 - Table 1 is part of rule SUB-RUR-R53:

	<u>Indigenous Vegetation Planting Type</u>	<u>Minimum Area - Other Rural Precincts</u>	<u>Minimum area - Rural Hills Precinct</u>	<u>Number of bonus allotments that may be created per minimum area of Planting Type</u>	<u>Other requirements</u>
1	<u>Buffer planting around a wetland(s)</u>	1 hectare	1 hectare	1	(a) There must be a 20 metre wide planted terrestrial <i>buffer</i> around the <i>wetland</i> . (b) There must be a maximum <i>edge to area ratio</i> of 5.0%
2	<u>Rare or threatened ecosystem or habitat types</u>	1 hectare	1 hectare	1	(a) The area must include all of the <i>threatened ecosystem</i> or <i>habitat type</i> . (b) There must be a 20 metre wide planted <i>buffer</i> around the <i>ecological site</i> or <i>identified ecological area</i> . (c) There must be a maximum <i>edge to area ratio</i> of 5.0%

	<i>Indigenous Vegetation Planting Type</i>	Minimum Area - Other Rural Precincts	Minimum area - Rural Hills Precinct	Number of bonus allotments that may be created per minimum area of Planting Type	Other requirements
3	<u>Ecological corridors including riparian margins</u>	2 hectares	4 hectares	1	(a) <u>The ecological corridor must have a minimum width of 20 metres.</u> (b) <u>The ecological corridor must directly connect <i>identified ecological areas</i>.</u> (c) <u>There must be a maximum <i>edge to area ratio</i> of 5.0%</u>
4	<u>Enlarge existing terrestrial area of an <i>identified ecological area</i>.</u>	2 hectares	4 hectares	1	(a) <u>The enlarged area must directly adjoin the <i>identified ecological area</i>.</u> (b) <u>There must be a maximum <i>edge to area ratio</i> of 5.0%</u>
5	<u>Enhancement of degraded <i>ecological site(s)</i>.</u>	1 hectare	3 hectares	1	(a) <u>There must be a <i>buffer</i> planted around the <i>ecological site(s)</i> to close any edges, which may include planting up to a natural or existing edge such as a cliff, foot of a slope, waterbody or fence.</u> (b) <u>There must be a maximum <i>edge to area ratio</i> of 5.0%</u>
6	<u>Restoration and enhancement of coastal dunes landward of mean high water springs.</u>	1 hectare	N/A	1	(a) <u>The area of <i>restoration</i> and enhancement must extend the full width of the <i>site</i> parallel to coast and either:</u> i <u>for the full depth of dune sub-habitat (fore, mid or hind dune); or</u> ii <u>a swath of no less than 30 metres wide.</u>
7	<u>Planting of <i>erosion prone land</i>.</u>	3 hectares	5 hectares	1	(a) <u>There must be a 20 metre wide planted area around any areas where erosion is occurring on the <i>site</i>. The area (m²) of planting around areas where erosion is occurring can be included in the minimum planted area calculation.</u> (b) <u>There must be a maximum <i>edge to area ratio</i> of 5.0%</u>
8	<u>Natural regeneration of <i>indigenous vegetation</i> of <i>erosion prone land</i>.</u>	5 hectares	8 hectares	1	iv. <u>There must be a 20 metre wide planted area or naturally regenerating area around any areas where erosion is occurring on the <i>site</i>. The area (m²) of planting around areas where erosion is occurring on the <i>site</i> can be included in the minimum area calculation.</u> v. <u>There must be a maximum <i>edge to area ratio</i> of 5.0%</u>

Rule SUB-RUR-R58

Insert as follows:

SUB-RUR-R58	<i>Subdivision in any Rural Zone which does not comply with restricted discretionary activity subdivision standard 9 in Rule SUB-RUR-R53.</i>
Non-Complying Activity	

GRZ – General Residential Zone

Rule GRZ-R15

Delete as follows:

GRZ-R15	<i>Development, which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1.</i>	
Restricted Discretionary Activity	<p>Standards</p> <p>1.–The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline.</p> <p>Note: For <i>subdivision</i> which is undertaken in accordance with the Development Incentives Guidelines, see SUB-RES-R29.</p>	<p>Matters of Discretion</p> <p>1.–The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal.</p> <p>2.–Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>):</p> <p>3.–Covenants, easements and other legal mechanisms required.</p> <p>4.–The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>:</p> <p>5.–Ecological or biodiversity <i>effects</i>, and <i>effects</i> on natural character values:</p> <p>6.–Transport <i>effects</i>:</p> <p>7.–Proposed mitigation, remediation or ongoing management measures.</p> <p>8.–Cumulative <i>effects</i>.</p>

GRUZ - General Rural Zone

Policy GRUZ-P9

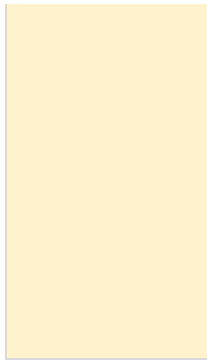
Amend as follows:

GRUZ-P9	<i>Residential Units and Buildings (excluding minor buildings)</i>
<p>New residential units (excluding visitor accommodation which is not temporary residential rental accommodation) and other buildings (excluding minor buildings) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental effects (including cumulative effects) on the productive potential and landscape character of the rural area, including:</p> <ol style="list-style-type: none"> 1. limiting the number of residential units and minor residential units to one of each per subject site, except for papakāinga and where Development Incentive Guidelines are complied with; 2. managing the location and scale of buildings (excluding minor buildings); and 3. recognising the operational requirements for buildings (excluding minor buildings) that are ancillary to primary production activities. 	

Rule GRUZ-R14

Delete as follows:

GRUZ-R14	<i>Development which is undertaken in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 1</i>	
Restricted Discretionary Activity	<p>Standards</p> <p>1.—The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline.</p> <p>Note: For <i>subdivision</i> which is undertaken in accordance with the Development Incentives Guidelines, see SUB-RUR-53.</p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1.—The scale of biodiversity and energy benefits created by the proposal. 2.—Layout, size, design and location of proposed <i>building and structures</i> 3.—Visual, character and <i>amenity effects</i>. 4.—Ecological or <i>biodiversity effects</i> 5.—Traffic effects. 6.—Proposed mitigation, remediation or ongoing management measures. 7.—Effect on <i>natural character values</i>. 8.—Cumulative effects. 9.—The degree of compliance with the Kāpiti Coast District Council <i>Land Development Minimum Requirements</i>. 10.—The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter. 11.—Vehicle access points onto legal road including the State



Highway Network and any effects on the transport network.

12. *The location of any building area relative to natural hazards, historic heritage features, outstanding natural features and landscapes, ecological sites, geological features.*

13. *The provision of walking, cycle pathways and bridleways.*

RPROZ – Rural Production Zone

Policy RPROZ-P9

Amend as follows:

RPROZ-P9	<i>Residential Units and Buildings (excluding minor buildings)</i>
<p>New residential units (excluding visitor accommodation which is not temporary residential rental accommodation) and other buildings (excluding minor buildings) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental effects (including cumulative effects) on the productive potential and landscape character of the rural area, including:</p> <ol style="list-style-type: none"> 1. limiting the number of residential units and minor residential units to one of each per subject site, except for papakāinga and where Development Incentive Guidelines are complied with; 2. managing the location and scale of buildings (excluding minor buildings); and 3. recognising the operational requirements for buildings (excluding minor buildings) that are ancillary to primary production activities. 	

Rule RPROZ-R11

Delete rule as follows:

RPROZ-R11	<i>Development which is undertaken in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 1</i>	
Restricted Discretionary Activity	<p>Standards</p> <p>1. The amount of development proposed must not exceed or proceed earlier than the stipulations in the guideline.</p> <p>Note: For subdivision which is undertaken in accordance with the</p>	<p>Matters of Discretion</p> <p>1. The scale of biodiversity and energy benefits created by the proposal.</p> <p>2. Layout, size, design and location of proposed building and structures.</p> <p>3. Visual, character and amenity effects.</p> <p>4. Ecological or biodiversity effects.</p>

Development Incentives Guidelines, see [SUB-RUR-R53](#).

- 5.—Traffic effects.
- 6.—Proposed mitigation, remediation or ongoing management measures.
- 7.—Effect on *natural character* values.
- 8.—Cumulative effects.
- 9.—The degree of compliance with the Kāpiti Coast District Council Land Development Minimum Requirements.
- 10.—The imposition of *financial contributions* in accordance with the [Financial Contributions chapter](#).
- 11.—Vehicle access points onto legal road including the State Highway Network and any effects on the transport network.
- 12.—The location of any *building area* relative to *natural hazards, historic heritage features, outstanding natural features and landscapes, ecological sites, geological features*.
- 13.—The provision of walking, cycle pathways and bridleways.

RLZ – Rural Lifestyle Zone

Policy RLZ-P8

Amend as follows:

RLZ-P8	<i>Residential Units and Buildings (excluding minor buildings)</i>
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New *residential units* (excluding *visitor accommodation* which is not *temporary residential rental accommodation*) and other *buildings* (excluding *minor buildings*) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental effects (including *cumulative effects*) on the *productive potential* and landscape character of the rural area, including:

- a. limiting the number of *residential units* and *minor residential units* to one of each per *subject site*, except for *papakāinga* where ~~Development Incentive Guidelines~~ are complied with;
- b. managing the location and scale of *buildings* (excluding *minor buildings*); and
- c. recognising the operational requirements for *buildings* (excluding *minor buildings*) that are *ancillary* to *primary production* activities.

Rule RLZ-R10

Delete as follows:

RLZ-R10- <i>Development</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 1		
Restricted Discretionary Activity	<p>Standards</p> <p>1.-The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline.</p> <p>Note: For <i>subdivision</i> which is undertaken in accordance with the Development Incentives Guidelines, see SUB-RUR-53.</p>	<p>Matters of Discretion</p> <p>1.—The scale of biodiversity and energy benefits created by the proposal.</p> <p>2.—Layout, size, design and location of proposed <i>building</i> and <i>structures</i>.</p> <p>3.—Visual, character and amenity effects.</p> <p>4.—Ecological or biodiversity effects.</p> <p>5.—Traffic effects.</p> <p>6.—Proposed mitigation, remediation or ongoing management measures.</p> <p>7.—Effect on <i>natural character</i> values.</p> <p>8.—Cumulative effects.</p> <p>9.—The degree of compliance with the Kāpiti Coast District Council <i>Land Development Minimum Requirements</i>.</p> <p>10.—The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</p> <p>11.—<i>Vehicle</i> access points onto <i>legal road</i> including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</p> <p>12.—The location of any <i>building area</i> relative to <i>natural hazards, historic heritage features, outstanding natural features and landscapes, ecological sites, geological features</i>.</p> <p>13.—The provision of walking, cycle pathways and <i>bridleways</i>.</p>

FUZ – Future Urban Zone

Policy FUZ-P10

Amend as follows:

FUZ-P10	<i>Residential Units and Buildings (excluding minor buildings)</i>
<p>New residential units (excluding visitor accommodation which is not temporary residential rental accommodation) and other buildings (excluding minor buildings) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental effects (including cumulative effects) on the productive potential and landscape character of the rural area, including:</p>	

1. limiting the number of *residential units* and *minor residential units* to one of each per *subject site*, except for *papakāinga* where Development Incentive Guidelines are complied with;
2. managing the location and scale of *buildings* (excluding *minor buildings*); and
3. recognising the operational requirements for *buildings* (excluding *minor buildings*) that are *ancillary to primary production* activities.

Rule FUZ-R10

Delete as follows:

FUZ-R10	<i>Development</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 1 :	
Restricted Discretionary Activity	<p>Standards</p> <p>1. The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline.</p> <p>Note: For subdivision which is undertaken in accordance with the Development Incentives Guidelines, see SUB-RUR-R53.</p>	<p>Matters of Discretion</p> <p>1. The scale of biodiversity and energy benefits created by the proposal.</p> <p>2. Layout, size, design and location of proposed <i>building</i> and <i>structures</i>.</p> <p>3. Visual, character and amenity effects.</p> <p>4. Ecological or biodiversity effects.</p> <p>5. Traffic effects.</p> <p>6. Proposed mitigation, remediation or ongoing management measures.</p> <p>7. Effect on <i>natural character</i> values.</p> <p>8. Cumulative effects.</p> <p>9. The degree of compliance with the Kapiti Coast District Council <i>Land Development Minimum Requirements</i>.</p> <p>10. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</p> <p>11. Vehicle access points onto <i>legal road</i> including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</p> <p>12. The location of any <i>building area</i> relative to <i>natural hazards, historic heritage features, outstanding natural features and landscapes, ecological sites, geological features</i>.</p> <p>13. The provision of walking, cycle pathways and bridleways.</p>

LCZ – Local Centre Zone

Rule LCZ-R14

Delete as follows:

LCZ-R14	<i>Development</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1	
Restricted Discretionary Activity	<p>Standards</p> <p>1.—The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline.</p>	<p>Matters of Discretion</p> <p>1.—The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal.</p> <p>2.—Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>).</p> <p>3.—Visual, character and amenity <i>effects</i>.</p> <p>4.—Ecological or biodiversity <i>effects</i>.</p> <p>5.—Traffic and transport <i>effects</i>.</p> <p>6.—Proposed mitigation, remediation or ongoing management measures.</p> <p>7.—<i>Effect</i> on natural character values.</p> <p>8.—Cumulative <i>effects</i>.</p> <p>9.—The imposition of financial contributions in accordance with the Financial Contributions chapter.</p>

MUZ – Mixed Use Zone

Rule MUZ-R12

Delete as follows:

MUZ-R12	<i>Development</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1 .	
Restricted Discretionary Activity	<p>Standards</p> <p>1.—The amount of <i>development</i> proposed must not exceed or proceed earlier than the</p>	<p>Matters of Discretion</p> <p>1.—The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal.</p> <p>2.—Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>).</p> <p>3.—Visual, character and amenity <i>effects</i>.</p>

stipulations in the guideline:	<ul style="list-style-type: none"> 4.—Ecological or biodiversity <i>effects</i>; 5.—Traffic and transport <i>effects</i>; 6.—Proposed mitigation, remediation or ongoing management measures; 7.—<i>Effect on natural character values</i>; 8.—Cumulative <i>effects</i>; 9.—The relevant matters in the <i>Centres Design Guide</i> in Appendix 25.
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TCZ – Town Centre Zone

Rule TCZ-R13

Delete as follows:

TCZ-R13	<i>Development</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1 .	
Restricted Discretionary Activity	Standards	Matters of Discretion
	<ul style="list-style-type: none"> 1.—The amount of development proposed must not exceed or proceed earlier than the stipulations in the guideline. 	<ul style="list-style-type: none"> 1.—The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal; 2.—Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>); 3.—Visual, character and amenity <i>effects</i>; 4.—Ecological or biodiversity <i>effects</i>; 5.—Traffic and transport <i>effects</i>; 6.—Proposed mitigation, remediation or ongoing management measures; 7.—<i>Effect on natural character values</i>; 8.—Cumulative <i>effects</i>; 9.—The relevant matters in the <i>Centres Design Guide</i> in Appendix 25.

GIZ – General Industrial Zone

Rule GIZ-R12

Delete as follows:

GIZ-R12	<i>Development</i> that exceeds the <i>permitted</i> and <i>controlled activity</i> standards and is in accordance with the Development Incentive Guidelines.
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Restricted Discretionary Activity	Standards	Matters of Discretion
	1.—The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline.	<ol style="list-style-type: none"> 1.—The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal. 2.—Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>). 3.—Visual, character and amenity <i>effects</i>. 4.—Ecological or biodiversity <i>effects</i>. 5.—Traffic and transport <i>effects</i>. 6.—Proposed mitigation, remediation or ongoing management measures. 7.—<i>Effect</i> on <i>natural character</i> values. 8.—Cumulative <i>effects</i>.

HOSZ – Hospital Zone

Rule HOSZ-R9

Delete rule as follows:

HOSZ-R9	<i>Development</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1 .	
Restricted Discretionary Activity	Standards	Matters of Discretion
	1.—The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline.	<ol style="list-style-type: none"> 1.—The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal. 2.—Layout, size, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>). 3.—Visual, character and amenity <i>effects</i>. 4.—Ecological or biodiversity <i>effects</i>. 5.—Traffic and transport <i>effects</i>. 6.—Proposed mitigation, remediation or ongoing management measures. 7.—<i>Effect</i> on <i>natural character</i> values. 8.—Cumulative <i>effects</i>. 9.—The relevant matters in the Centres Design Guide in Appendix 25.

7.0 Appendix 1 - Development Incentive Guidelines

Delete all content of Appendix 1, but retain the “Appendix 1” heading as follows:

Appendix 1

Development Incentives Guidelines

1.0 Introduction

1.1 Purpose of this Appendix

The Kāpiti Coast District Plan sets out objectives, policies and methods that seek to reward landowners who carry out substantial enhancement activities to restore and enhance their local *environment* or who carry out sustainable development activities.

The purpose of this appendix is to explain how the *development* incentive tool works, the information requirements that need to accompany *resource consent* applications and likely *conditions of consent*.

The *development* incentives adopted in the Plan involve a mixture of reduced activity standards for certain activities and enabling additional *development* activities on a *site*. As such, they are incorporated into the plan rules and require a *resource consent* application to be granted.

1.2 Reasons for adopting incentives in the District Plan

As part of the plan review process, the *Council* sought to incorporate incentives for *environmental* sustainability (in particular *water*, biodiversity and energy) into the District Plan. The *Council* is keen to support those landowners and land developers who are prepared to go ‘above and beyond’ standard levels of resource management practice in carrying out activities. The *Council* considers that such actions should be recognised with additional *development* rights. While the *Council* already provides some non-regulatory financial incentives for some activities (e.g. heritage fund, rates relief etc), the *Council* considers there is scope to use regulatory-based incentives as well.

1.3 Development Incentive Provisions in the District Plan

The Plan sets up the *development* incentives tool with DO-02 - Ecology and Biodiversity and DO-018 - Renewable Energy, Energy Efficiency and Conservation:

In addition, these policies have been identified:

- Natural Environment Chapter: NE-P4 - Incentives
- Ecosystems and Indigenous Biodiversity Chapter: EGO-P4 - Enhancement
- Energy Chapter: ENGY-P6 - Incentives

The policies indicate that incentives such as additional lots or dwellings within a *subdivision*, or increased *height* or *coverage* for *buildings* and *structures*, may be available provided a *development* includes an improvement over what would otherwise be required by the rules of the plan.

The policies note a number of parameters to this opportunity:

- There needs to be a net benefit (the benefit of the enhancement / improvement outweighs the cost of the additional *development*)

- The net benefit should be "substantial", relative to the base case (being the *development* complying with standard rules and provisions)
- The benefit should be located in the area of the *development* (not transferred elsewhere)
- The benefit needs to be on-going, long term.

The types of enhancements sought by the policies are:

- protection and enhancement of a local area of *indigenous vegetation* or terrestrial habitat for indigenous fauna;
- protection and enhancement of *water* quality (including quantity management that affects *water* quality) and/or improved habitats for indigenous fauna in aquatic ecosystems;
- use of exemplary methods to promote the efficient end-use of energy and renewable energy generation.

2.0 Development Incentives

2.1 Overview of the Development Incentives

Incentives are provided across a number of key activities that are likely to create a benefit for the *environment* in the three focus areas for *the Council*, being biodiversity, *water* quality and energy efficiency and generation.

The incentives also recognise that significant benefits can occur for the *environment* at a range of scales. First and foremost, *the Council* is keen to recognise those *development* activities that go 'above and beyond' current *development* practices in the District. However, in recognition that there is also the possibility of cumulative benefits for the *environment* from many individuals doing *environmental* enhancement activities (albeit on a smaller scale), incentives are also provided for smaller scale activities.

In most cases, a *restricted discretionary activity resource consent* will be required to ensure that the *effects* of the proposed activity, including any *effects* resulting from a *development* incentive, can be properly assessed by *the Council* to ensure it still meets the requirements of the RMA. Accordingly, the plan rules contain the 'triggers' for the *development* incentives.

Only one incentive can be earned for any *land* which is held as a single lot at the date of notification of the District Plan, in a ten year period, so it is not possible to earn an incentive for biodiversity and another separate one for *water* quality however an incentive can be made up of multiple benefits as set out in section 2.5 of the guideline. The incentives will be recorded against each lot using the incentive earned. The exception is for rural zoned *land* which is of sufficient area to be subdivided into two or more new lots as a *restricted discretionary activity*. In that case more than one incentive is available if multiples of 100 points are earned, for example by the creation of 4 or 6 hectares of ecological corridor, but with an upper limit of twice the density (or half of the minimum average lot size) for the *zone*

2.2 Biodiversity related activities and incentives

The following four packages are available within the biodiversity incentive. They apply in the Rural Zones, Residential Zones and Working Zones.

1. Restoration and enhancement of natural *wetlands*, in priority areas for enhancement, including an *indigenous vegetation* buffer of at least 20m wide, making a new planted area greater than 1ha (100 points). Smaller areas of restoration and enhancement of natural *wetlands* including indigenous planting buffer may earn up to 20 points.

- 2.—Linking up areas of fragmented native bush to create ecological corridors, in priority areas for enhancement. New indigenous planting must be at least 2ha in area and create a link between identified bush fragments in recognised corridors (100 points). Smaller areas of planting contributing towards linkage of ecological corridors may earn up to 20 points.
- 3.—Entargement of existing areas of indigenous bush where they remain unconnected to an ecological corridor. New planting must be at least 3ha (100 points). Smaller areas of new indigenous planting may earn up to 20 points.
- 4.—For coastal areas: in the Rural Zones with a coastal *boundary*, re-shaping and re-planting restoration of the dune environment for the full width of the *site* and a depth of 30m. *Development* must also meet all other District Plan requirements, including *yards* and *building set-backs* from the seaward *boundary* (Zero points, full provision required for incentive)

For each of the *wetland*, ecological corridor and indigenous bush enhancement planting activities the following incentives are available:

- 1 additional *subdivision* lot with the minimum lot size of the *zone* in which it is located, and not counted towards the average lot size, available three years after the planting has occurred (100 points required), or
- Ability to create additional *residential unit* on site (100 points required), or
- 5% additional *building coverage* on site (20 points required).

In respect of the coastal dune restoration activity, the following incentive applies:

- For the Rural Zone dune restoration, the creation of an additional lot, or
- Ability to create additional *residential unit* on the *site*.

2.3—Water quality activity and incentives

The following three packages are available within the *water* quality incentive. They apply to *land* in the Rural and *Working* Zones and are in addition to any other *Council* requirements:

- 1.—Enhancement planting of at least 2ha along riparian margins in rural areas that helps to link isolated areas of bush together (100 points)
- 2.—Retirement of erosion-prone rural *land* (mapped) through enhancement planting of at least 2ha (100 points)
- 3.—New or existing *commercial* and industrial *developments* that achieve removal of at least 75% of *contaminants* (suspended solids) from *stormwater* on site, using a constructed *wetland*, or infiltration system, or re-vegetation, or sand filter, or bio-filtration (20 points for each 200m² of *site* treated, up to a maximum of 100 points).

For both of the enhancement planting-based activities the following incentive is available:

- 1 additional *subdivision* lot with the minimum lot size of the *zone* in which it is located, and not counted towards the average lot size, available three years after the planting has occurred (100 points required), or
- Ability to create additional dwelling on site, (100 points required), or

In respect of *stormwater* management activities on business zoned *land* (retail, *commercial* and industrial *sites*), the following incentive is available:

- For *industrial activities*, for every 200m² of *yard* or outdoor *car parking* area treated to remove at least 75% of *contaminants* (suspended solids), on-site *car parking* requirements can be reduced by 2 *car parking* spaces, up to a maximum of 10 *car parking* spaces for 100 points
- For *commercial activities*, for every 200m² of *yard* or outdoor *car parking* area treated to remove at least 75% of *contaminants* (suspended solids), *car parking* may be reduced by 2 *car parking* spaces up to a maximum of 10 *car parking* spaces for 100 points, or alternatively
- *Building height* increase by up to 1.5m over the *height* limit for *commercial buildings* in the *Working Zones* (*Centres, Civic and Community Zones* only, and not available in the *Airport Zone* or the *Paraparaumu Metropolitan Centre*). 200m² of treated site equals 25 points and earns the 1.5m *height* increase.

2.4 Energy Efficiency and renewable energy generation activity and incentives

The following nine packages of energy efficient and renewable energy *development* components each contribute points to the incentive rating. *Water* management efficiency is also included as, even with no or relatively low energy efficiency value (reduced hot *water* volumes used), it supports the sustainability of the *building* and the public *infrastructure* required. These nine packages all apply to residential *development* in the *Residential Zones*, although some are also available for *commercial* (packages 1, 2, 7, 8 and 9) and *industrial development* (packages 2, 8 and 9).

1. Shower heads and dual-flush toilets and at least 70% of other taps and all *water*-using appliances (washing machine and dishwasher) shall be *water*-efficient, no incandescent lights and less than 5 ceiling down-lights in the house unless LED and insulated, and energy star rated refrigerator and freezer (10 points)
2. For *Working Zones sites*, rainwater collection and re-use plumbed into the *building* (supplying more than half of the *water* required by the land use) and *hydraulic neutrality* of *site* for up to the 1 in 10 year rainfall event, that is *stormwater* run-off at no greater rate than if the *site* was vacant and fully vegetated (20 points)
3. Solar *water* heating installed, and hot *water* cylinder no older than 2004, and insulation wrap to hot *water* cylinder and accessible hot *water* piping. Alternatively, a hot *water* heat pump installed (20 points)
4. Thermal insulation in roof (R4.6), walls (R2.6) and floor (R2.0), above Building Code requirement, draught-stopping to external doors and windows, all windows double-glazed (20 points)
5. Green roofs, being a *building* roof covered with vegetation and a growing medium, planted over a waterproof membrane. It may also include additional layers such as a root barrier and drainage and irrigation system, depending on the type of planting. It will absorb and use rainwater, delay the rate of rainwater run-off, remove some *contaminants* and improve insulation (20 points)
6. Efficient heat pump or log-burner or pellet fire as the main heating source (20 points)
7. Correct solar orientation, internal high thermal mass, a concrete slab ground floor with insulation beneath and around slab edges, and natural cross-ventilation (30 points)
8. 60% of electrical and heat energy used on the *site* is generated on-site by renewable sources such as solar, small scale hydro or biomass and wind power (space heating, *water* heating, electricity generation by photo-voltaic panels or wind turbine) (40 points)
9. For residential *development*, a Homestar rating of 8 or more stars. For *commercial* or *industrial development*, a Green Star rating of 4 or more stars. (100 points)

As an incentive for the energy efficiency and on-site generation initiatives, the following incentives are offered within the *Residential Zones* and *Beach Residential Zone*, (but excluding the *Waikanae Garden Precinct*, and other low density housing precincts) where 40 points or more are gained by the application of packages above:

- *Building coverage* may be increased from 35% to 40% for *Beach Residential Zone* and 40% to 45% for *Residential Zones*, and
- *Height* limit may be increased to 9m (from 8m *permitted* standard), and
- Minimum *site size* of 450m² of one house is excluded from the calculation of minimum average *site size* (for each new dwelling that has the 40 or more points from sustainability packages applied):

Note that the incentive is also available for *alterations* and *additions* to existing dwellings, to ensure that existing houses as well as new houses have access to a *development* incentive for sustainability initiatives:

For *commercial buildings* in the *Working Zones* (*Centres* or *Civic* and *Community Zones* only, and excluding the *Airport Zone* and the *Paraparaumu Metropolitan Centre*) if any of the packages 1, 2, 3, 5, 8 and 9 above are provided, the *height* limit for the *site* may be increased by a maximum of 1.5m or an additional store, whichever is the lesser, where 40 or more points are earned:

In the *Rural*, *Residential* and *Working Zones* the energy efficiency packages may also be used in combination with the *water* quality or biodiversity incentives to top-up those activities to earn a *development* incentive.

2.5 — Providing flexibility in the incentives scheme

2.5.1 — Flexibility to ‘top-up’ a development activity to reach the threshold for a development incentive

The Council considers that some flexibility should be provided in the *development* incentives system. There may be times where a landowner, for a variety of reasons, cannot quite reach the threshold needed to qualify for an incentive. Where an activity falls short of reaching a given points threshold by less than 30%, by way of *restricted discretionary activity* it may be increased to earn the incentive by adding at least 20 points earned in other incentive categories (*Biodiversity*, *Water Quality Enhancement*, or *Energy Efficiency and On-Site Generation*). The activity selected will need to relate as much as possible to the proposed *development* occurring on the *site*. In applying its discretion, *the Council* will consider the reasons for the inability to obtain the thresholds and the degree to which the failure to meet the threshold affects the net *environmental* benefits:

For example, a landowner who has carried out enhancement planting may find after 3 years that only 85% of the area planted is healthy. Rather than having to wait a further 3 years for new planting to become established, the landowner could ‘top-up’ the contribution by proposing 60% of electrical and heat energy used on site is to be generated on-site by renewable sources (space heating, *water* heating, electricity generation by photo-voltaic panels or wind turbine) for the additional dwelling that is being built under the *development* incentive.

There is some overlap between the areas seeking incentivised behaviour. *Water* quality and biodiversity are mutually beneficial, and *water* conservation will involve energy efficiency in marginal new *water* supply capacity as well as the cost of domestic *water* heating. This supports

the topping-up approach to overall sustainability initiatives and also the inclusion of *stormwater* management and re-use within the energy efficiency activities

2.5.2— Alternatives

A proposed activity may be able to contribute to achieving the purpose of DO-O2 and DO-O18 and the three related policies, i.e. likely to create a benefit for the *environment* in terms of biodiversity, *water* quality or energy efficiency and generation, but does not qualify for any of the particular incentives specified. Such a proposal would be a *discretionary* or *non-complying activity*, but would also gain some support from Policy NE-P4 – Incentives, which encourages benefits to the natural environment by rewarding them with *development* incentives.

3.0— Implementing the development incentives

The incentives outlined above need to be supported by a number of procedural practices to ensure the effective and efficient delivery of the incentives tool. These areas of guidance can be grouped under the following headings:

- Application procedures
- Consideration of proposals seeking to obtain a *development* incentive
- Securing permanent *environmental* benefits
- Monitoring

3.1— Application processes

i) Eligibility

Any landowner may use the incentives, provided they can provide evidence of carrying out the specified activities according to the *conditions* set out in the plan rules.

The incentives cannot be applied retrospectively to work carried out before the plan provisions become operative.

However, *the Council* will accept any ‘notices of intention’ (see below) lodged once the plan has been notified. This will only occur on the understanding that the landowner accepts the *risk* that the *development* incentive provisions may, as a result of submission, decisions and appeals process, be altered or even removed from the finalised plan provisions.

ii) Pre-application meeting

A pre-application meeting is necessary for applicants wishing to take advantage of a *development* incentive provided in the Plan. The meeting will provide the opportunity for *the Council* to discuss with the applicant the *development* incentive being sought, to check that the proposed activity will be eligible and to outline the nature of additional information that may be required in any *resource consent* application. This meeting will also provide *the Council* the opportunity to ask the applicant to consider what actions they will take to ensure that the benefits purported to occur from the activity will in fact occur.

iii) Lodging a ‘notice of intention’ to obtain a planting-based incentive & preparing a planting management plan

This process will be necessary where a landowner or developer proposes to take advantage of any *development* incentive that involves planting. The requirements of the planting-based incentives are that the planting needs to have been established for a period of at least three years before *the Council* will ‘accept’ it for the purposes of obtaining an incentive. Any additional lot (or

other incentive) will only be considered by *the Council* once the planting is established and evidence is provided that it is self-sustaining:

Accordingly, any potential applicant needs to notify *the Council* that it is starting a planting programme with a view to having it accepted at a future time under the incentives programme. A letter will be sufficient, to be followed up by a meeting with *the Council* to confirm that the planting management plan will meet the criteria needed for the incentive.

A planting management plan should be prepared by a suitably qualified person, and address the following:

Site characteristics, such as:

- i.—The ecological district of the *site*
- ii.—The characteristics of the soil (i.e. clay, silt, loam etc)
- iii.—Soil drainage
- iv.—Topography and aspect of the area to be planted
- v.—Exposure of the *site* to wind, frost, *sunlight* and salt spray
- vi.—Extent of existing bush or native vegetation on the *site* and its species composition
- vii.—Distance from established bush and the state of the established bush if there is none on the *site*:

A Planting Plan, which should detail the following:

- i.—Purpose of the planting, including hill country erosion control, stream bank erosion, habitat control, habitat restoration, ecological corridor creation, buffer planting to protect the edges of existing bush, *water* quality enhancement
- ii.—Location and extent of planting on a plan
- iii.—*Site* preparation for planting, including stock-proof fencing of areas, weed and *animal* pest control
- iv.—*Site* planting, including species to be planted, size of plants and where they are to be planted, density of planting, timing of planting, sourcing of plants and *fertilisers*
- v.—Maintenance of planting, including *fertiliser*, replacement of dead plants, *animal* and plant pest control, and mulching, and covenants or consent notices protecting the planting in the long-term:

iv) Water Quality development incentive

In order to confirm the benefits arising from a *water* quality incentive that does not involve replanting (covered above), *the Council* will need to review a *Stormwater* Management Report, which provides the following information:

- a.—Location and size of lawfully established existing and proposed impervious areas on the *site*
- b.—Location, design, performance and maintenance of existing and proposed *stormwater* quality management techniques taking into account:
 - i.—The natural drainage patterns of the *site* to be retained
 - ii.—Bio-retention to be incorporated into *landscaping* requirements wherever practicable and to be connected to accessways and parking areas:
 - iii.—Plant species appropriate to the *site* and the proposed method of mitigation:

- iv.—~~Sub-surface conditions and appropriate design of retention areas to maximise infiltration and minimise hazards.~~
- c.—Detailed design and calculations for 10% and 50% AEP events
- d.—A maintenance schedule for any on-site *stormwater* devices proposed.

v) Energy Efficiency

The *Council* will identify the nature of the information likely to be required at any pre-application meeting.

For residential dwellings, information requirements should generally be as for a *building* consent, with details of the size and location of the solar panels, solar hot *water* heating and how they are to be installed and incorporated into the *building's* electricity / *water* heating systems.

Additional insulation should be specified on the *building* plans.

For *commercial developments* and *comprehensive developments*, a more in-depth analysis of design performance will be required, generally involving a suitably qualified person. Detailed design calculations will need to be submitted covering the design performance of the *building(s)*; and how design is to maximise the benefits of natural light and ventilation, while controlling solar gain. Alternative energy generation systems will require performance information. Specific design calculations for green roofs are also to be submitted.

vi) Using the development incentive

There is no time limit on the use of the *development* right obtained from carrying out a *development* incentive activity.

vii) The development site

In most cases, the *development site* where the *development* incentive activity takes place will be the same *site* where the *development* incentive rights will be used up. For example, an incentive lot created through enhancement planting will be created from the primary lot where the planting took place. A *site* containing a *commercial building* where solar panels are proposed will be the *site* where additional *height* is provided for.

There will be some exceptions though and it will be within the discretion of *the Council* to identify early on where it is appropriate to carry out activities beyond the *development site*. These mainly relate to planting of riparian margins or planting of coastal dunes. In these situations it is conceivable that the planting will occur adjacent to the *development site*. In these cases, a clear relationship must exist between the *site* of the planting and the *development site*. For example, the coastal dune is directly adjacent to the *development property*, or a stream where riparian planting will occur runs through or is adjacent to the *development property* (i.e. within a distance of 500m). In instances where the destination *site* for planting is not owned by the applicant, approval for the planting must be obtained from the relevant landowner(s) and provided to *the Council*. The planting will need to be protected by a covenant or other long-term legal mechanism.

3.2 — Consideration of proposals seeking to obtain a development incentive

3.2.1 — Council assessment of proposals

The *Council* will need to assess proposals for *resource consent* that seek to take advantage of a *development* incentive in the same way that it would consider an application for a *resource consent*.

That is, it must consider whether there are any adverse *effects* on other parties. The activity will generally be non-notified. It is expected that the involvement of third parties in these types of applications will however be limited, as reducing the likelihood of third party involvement was a consideration in selecting the type of incentives to be offered in the Plan.

In making the substantive decision, *the council* will need to expand its usual considerations, by assessing whether the activity carried out meets the criteria for the incentive *development* activity.

This consideration will fulfil the need to assess whether the Plan's incentive objective and policies are met by a proposed *development*.

The pre-application process should have identified the information required to be submitted with the application to demonstrate compliance. *The Council* will need to independently assess the information and establish whether the benefits that are expected to have accrued from carrying out the activity have in fact occurred (in the case of enhancement planting), or whether the proposed activities are designed in such a way as to be sure that the benefits will occur (e.g. water quality treatment devices).

Applications that have identified (or volunteered) mechanisms to ensure that the benefits will be permanent will have a greater likelihood of success against the relevant policies.

3.2.2 — Transferable development rights not provided for

The *development* incentive scheme does not provide for transferable development rights.

The *development* incentive right must be used on the '*development site*' which relates to the activity being carried out, with limited exceptions where it can extend onto adjacent *land* if that *land* can better achieve the intent of the incentive provision, for example a connection into an existing ecological corridor.

3.3 — Securing permanent environmental benefits

3.3.1 — Consent conditions

In considering consent *conditions*, *the Council* will need to identify the best mechanism to ensure that planned activities (to obtain a *development* incentive) are actually carried out in order to secure the net benefits. *Conditions* of consent will relate to:

- Activities to be undertaken in accordance with application (e.g. installation of devices)
- Ongoing legal protection and maintenance of any restored or enhanced area (pest control, weed control, fencing) including implementation of *management plans*
- Ongoing maintenance and operation of any device required to qualify for incentive — e.g. solar panels, *stormwater* treatment devices. This may involve surrendering easements to *the council*, in some situations, so as to allow for inspection and monitoring.

The applicant will be responsible for meeting all costs involved in complying with the *conditions* of consent.

3.3.2 — Ongoing legal protection

Appropriate legal mechanisms will be required to ensure permanent benefits are achieved. All legal agreements shall be prepared by a solicitor at the applicant's expense. The type of legal agreement to be used can be discussed at the pre-application meeting and the outcomes achieved by the legal instrument will inform the consideration of the consent application.

i) Covenants

Restoration and enhancement areas

Any area restored or enhanced which has been used to qualify for a *development* incentive must be subject to physical and legal protection in perpetuity.

A covenant shall be registered against the title under the *Land Transfer Act 1952* which requires that the fencing of the restoration area is maintained to a stock-proof standard and remains undisturbed from any *earthworks* or *structures*; that restoration planting and ongoing maintenance occurs in accordance with the approved planting plan; that weeds and pests are controlled; and that all existing *trees* and any re-vegetation of the area shall be protected.

Water quality treatment devices

A covenant shall be registered against the title as to the location and purpose of the *water* quality treatment device, the required maintenance schedule and that the device can only be removed with *Council's* approval. The effect of such covenant shall be to ensure the efficient future functioning and ongoing maintenance of the on-site *stormwater* management system.

Energy efficiency and generation

A covenant shall be registered against the title under the *Land Transfer Act 1952* as to the location and purpose of the energy efficiency feature, the required maintenance schedule (if applicable) and that the feature can only be removed with *Council's* approval. This would only apply to solar *water*-heating, and solar or wind electricity generating systems. It would not apply to other appliances or fixtures and fittings. The effect of such covenant shall be to ensure the efficient future functioning and ongoing maintenance of the on-site energy feature.

ii) Consent notices

Where the applicant seeks to utilise a *development* incentive through carrying out a *subdivision*, including comprehensive *site* redevelopment, a consent notice may be used in order to secure the same outcomes as a covenant. Consent notices shall also be used to prohibit any further *subdivision* of the new lots or existing lot with additional dwelling, either for an agreed period or in perpetuity. The consent notice shall be in place before the issue by *the Council* of a Certificate of Compliance for the *subdivision* pursuant to Section 224(c) of the *RMA*.

iii) Bonds

A bond may be payable instead of a consent notice or a covenant without bond. This will generally apply if there are elements of uncertainty regarding the continued operation and effectiveness of any measures taken, or the financial implications of rectifying failures in operation and maintenance are significant. Any bond will need to be registered under the *Land Transfer Act 1952*; i.e. it will be registered on the Record of Title and bind all subsequent owners of the *land*. Bonds may be given for the performance of consent *conditions* including:

- *Conditions* relating to the *alteration* or removal of *structures* (e.g. photo-voltaic panels)
- *Conditions* relating to remedial, restoration or maintenance work (e.g. *wetland* restoration, maintenance of *stormwater* treatment devices)
- *Conditions* relating to ongoing monitoring of long-term *effects* (e.g. success of planting, energy usage figures).

A bond may not be required if long term outcomes are considered to be more certain or the financial implications of rectifying failures in operation and maintenance are not significant (however a covenant will still be required). Examples may include:

- Planting has been established for 3-5 or more years, is considered to be self-sustaining, has eliminated pests and has 75% canopy closure
- Features requiring little or no ongoing maintenance e.g. insulation, ventilation, *sunlight* access, some *stormwater* devices.

3.4 — Monitoring Programme

3.4.1 — Ecological Restoration

Monitoring needs to be undertaken at 3 and 5 years, as it takes between 3-5 years before native replanting is well established and certainty of survival is assured. The following needs to be monitored by the applicant and reported to *the Council*:

- Survival rates: this is because *the Council* requires a 90% survival rate which is thought to be appropriate to ensure that the replanting will become ecologically viable.
- Size of plants: this is an indication of the health of the plantings. The greater the growth, the healthier the planting and therefore the more likely a planting is to survive.
- Canopy closure: if a planting is healthy, canopy closure should occur at year 3, although it can take to year 5 if the *conditions* of the *site* are particularly harsh. Therefore, this is an important indication of the health of the planting.

Replacement of plants which do not survive is important to ensure that gaps are not created which could allow weeds to enter the planting and to ensure that there is an adequate canopy cover in the long term.

3.4.2 — Water Quality

Monitoring of effectiveness is not needed due to the difficulties of assessing performance. However consent *conditions* will still be monitored e.g. the devices are operating as consented and maintained adequately. As part of this, a maintenance plan should be prepared and submitted as part of the application.

The long-term effective operation of on-site *contaminant* reduction measures depends not only on sound design and construction, but also on applying routine operation and maintenance practices. Maintenance is typically not onerous in respect to either the amount of effort involved or the frequency.

Typical maintenance actions may involve:

- Frequently, check for and rectify any problems evident during/after heavy rain
- Regularly, about every 2–3 months, check state of repair of the device and remove growths, repair leaks, clear blockages, etc
- Periodic (e.g. once or twice a year): inspect pipes, remove sediment, etc
- Every 2 years: inspection and maintenance programme by a qualified contractor.

3.4.3 — Energy Efficiency

For residential, *commercial* and industrial *buildings*' energy efficiency, monitoring should not be required. Once the systems are installed, to achieve consent compliance, the capital costs have been incurred and there will be substantial energy cost savings to the owner if the systems are maintained and continue to perform.

3.4.4 — Council to maintain records

The *Council* will maintain a register of all incentives granted. The register will assist *the council* to monitor the uptake of the *development* incentives and to monitor the effectiveness of the incentives tools. This information will need to be made available on *Land* Information Memorandums for prospective purchasers to inform them of the *development* opportunities (and responsibilities) for a given *property*.

3.4.5 — Review of Development Incentives

The *Council* anticipates that it will carry out at least a 5-yearly review of the *development* incentive programme. This review will include, among other things, an assessment of:

- ☒ the uptake of the programme;
- ☒ the degree to which the *environmental* benefits are being achieved as expected;
- ☒ the transaction costs involved in obtaining an incentive;
- ☒ usability of the system.

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8.0 Appendix 1 – Bonus Allotment Information Requirements

Retain ‘Appendix 1’ heading, and insert new Appendix 1 content as follows:

Appendix 1 – Bonus Allotment Information Requirements

Appendix 1 is part of rule SUB-RUR-R53 and sets out specific information requirements for the creation of bonus *allotments* that must be addressed as part of the preparation of a *subdivision* consent application under rule SUB-RUR-R53 (Standard 13). All of the information requirements must be prepared by or reviewed and approved by an experienced *suitably qualified ecologist*. The Council retains discretion over the imposition of conditions with respect to the matters contained within Appendix 1.

A. Protection of existing *indigenous vegetation and habitats*

- 1) All *subdivision* plans must show all of the following features that exist on, or on the *boundary* of, the *site* being subdivided:
 - a) Any areas identified as an *ecological site* or *identified ecological area*.
 - b) Any other areas that meet one or more of the criteria in Policy ECO-P1.
 - c) Any other areas that meet one or more of the attributes within Appendix 1 of the National Policy Statement for Indigenous Biodiversity - *Criteria for Identifying Areas that Qualify as Significant Natural Areas (SNAs)*.
 - d) Any areas that meet the definition of a natural inland wetland as per the National Policy Statement for Freshwater Management 2020 and/or the Natural Resources Plan for Greater Wellington 2022.
 - e) Any other areas of *indigenous vegetation, wetlands, and other waterbodies*.
- 2) All applications must include details on how monitoring the success of planting will be carried out, and details of how three-yearly monitoring of the critical determinants for the health of any *ecological site* or *identified ecological area* by an independent *suitably qualified ecologist* will be undertaken, which may include, but not be limited to, all of the following:
 - a) Effectiveness of fencing and other forms of physical protection.
 - b) Presence of animal and plant pests.
 - c) Ecological health of the area listed in 1) above.
 - d) Presence of pollutants or other threats.
 - e) Vegetation *trimming* or *modification*.
 - f) Effectiveness of managing animal and plant pests; and
- 3) Information must demonstrate that the monitoring results will be forwarded to Council for audit upon completion of each three-yearly monitoring exercise.

B. Legal and physical protection mechanism to protect *indigenous vegetation, wetland or revegetation/restoration* planting

- 1) The application must specify the intended legal protection mechanism and must include all of the following:

- a) The methods to achieve permanent legal and physical protection of all *ecological site(s)*, *identified ecological area(s)*, planted areas, and *wetland(s)* on the *site*.
- b) A management and maintenance plan specifying how permanent physical protection, livestock exclusion, and pest management activities will be implemented in perpetuity; and
- c) Permanent exclusion of all livestock and non-wild grazing or browsing animals from the protected area(s).

Note: Animal pests' and 'plant pests' are those species listed as 'Organisms declared as pests', 'Other harmful organisms', 'Unwanted organisms' and/or included in any of the five pest management programmes: 'Exclusion programme', 'Eradication programme', 'Progressive containment programme', 'Sustained control programme', and 'Site-led pest programme' in the Greater Wellington Regional Pest Management Plan 2019-2039.

2) Legal protection mechanisms under B.(1)(a) above, must include the following:

- a) Legal protection of *ecological site(s)*, *identified ecological area(s)*, *wetland(s)* and any area of required revegetation or *restoration* plantings in perpetuity.

Note: The Council retains discretion over the method(s) to achieve legal protection as a matter of discretion within SUB-RUR-R53. An agreement to the satisfaction of the council regarding an encumbrance, a bond, a consent notice under s221 of the RMA, a covenant, or vesting as reserve may be required before the issue of the section 224(c) certificate for the subdivision under the Resource Management Act 1991. Applicants are encouraged to discuss methods and options to achieve legal protection with the Council as part of the preparation of a subdivision consent application under SUB-RUR-R53.

- b) Where applicable the legal protection mechanism must be in accordance with the relevant terms of the Reserves Act 1977, Conservation Act 1987, or the Queen Elizabeth II National Trust Act 1977. The legal instrument must provide protection in perpetuity and must include enforcement and penalty provisions.

3) All planting must be completed prior to the issuing of the section 224(c) certificate for the subdivision.

4) Applications must include details of how the *indigenous vegetation*, *ecological site*, *identified ecological area*, or *wetland* and any area of required revegetation, or *restoration* or enhancement planting is to be protected and maintained free of livestock and any other non-wild grazing and/or browsing animals through appropriate stock proof fencing, or via alternative methods if livestock access and access by other non-wild grazing and/or browsing animals to the *indigenous vegetation* is prevented by topographical or natural features.

C. Revegetation planting

1) A planting plan for any revegetation planting must be provided with the application and must identify the following:

- a) The purpose of the planting, which could include: hill country erosion control, *river bank erosion*, *wetland buffering*, *habitat restoration*, ecological corridor creation, or *buffer planting* to protect or extend the edges of the *ecological site(s)* or *identified ecological area(s)*.
- b) The *ecological district* of the *site*.
- c) The characteristics of the soil (i.e. clay, silt, loam etc.).
- d) Soil drainage, including any artificial methods present.

- e) Topography and slope of the area(s) to be planted.
- f) Location and extent of the area(s) to be planted.
- g) Whether part or all of the part of the *site* where planting is proposed is subject to flooding or high water-tables (note: some species are intolerant of wet soils).
- h) Exposure of the part of the *site* where planting is proposed to wind, frost, drought, or salt spray.
- i) Aspect of the part of the *site* where revegetation planting is proposed relative to the sun. (note: this is to inform decisions about whether to use shade-tolerant or sun loving species).
- j) Presence and location of pest plants and animals.
- k) Presence and location of any nationally critical, rare, *threatened*, endangered, or at risk species and if necessary, the process for the translocation of *threatened* species.
- l) Stock-proof fencing (where required as per B - Legal and physical protection mechanism to protect *indigenous vegetation, wetland* or revegetation planting) that should be at least a full seven wire, post and batten fence.
- m) Planting areas, weed and animal pest control methods and timing schedule.
- n) Extent and species composition of any *ecological site(s)* or *identified ecological area(s)* and any other *indigenous vegetation and habitats*, as per A - Protection of existing *indigenous vegetation, on the application site*.
- o) Distance to any other *ecological site(s)* and *identified ecological area(s)* and any other *indigenous vegetation and habitats* as per A - Protection of existing *indigenous vegetation and habitats*.
- p) Methods to prepare the area for planting, including stock-proof fencing of areas, weed and animal pest control.
- q) Any necessary restrictions on planting, such as existing infrastructure, safety or existing access issues.
- r) How revegetation planting will be ecologically linked to an area of contiguous *ecological site(s)*, *identified ecological area(s)*, any other *indigenous vegetation and habitats*, as per A - Protection of existing *indigenous vegetation and habitats*, and any other existing ecological corridors or connections.
- s) How revegetation planting will provide robust and high value ecological connections without gaps to the *ecological site(s)* and *identified ecological area(s)*.
- t) How revegetation planting will *buffer* the *ecological site(s)* and *identified ecological area(s)* and ensure long term viability and *resilience* of the *ecological site(s)* and *identified ecological area(s)*.
- u) Planting details, including:
 - i) the species to be planted;
 - ii) sourcing of the plants;
 - iii) plant size²;
 - iv) spacing of plants;

² Note: Very small plants and very large plants can struggle to establish in some areas. The most appropriate sizes for planting out are considered to be root trainers, PB3/4 or PB2s and PB5s.

- v timing of planting;
- vi location of where specific plants are to be planted; and
- vii the replacement of pest plants with appropriate indigenous species and measures to minimise reinvasion of pest plants.

Note: Timing of planting. For terrestrial planting this is generally during the autumn to early spring months while there is good rainfall. For *wetland* areas planting is best done when the roots of the plants are actively growing during spring and early summer before the dry season.

- v) Measures for the maintenance of planting, including:
 - i releasing plants;
 - ii fertiliser³ and mulching⁴;
 - iii plant and animal pest control; and
 - iv replacement of plants which do not survive.
- w) Protective measures proposed to ensure the *ecological site(s), identified ecological area(s), any other indigenous vegetation and habitats* as per A - Protection of existing *indigenous vegetation and habitats*, and any proposed planting remain protected in perpetuity.
- x) Details confirming that revegetation planting is only to be carried out contiguous to the *ecological site(s), or identified ecological area(s).*

Note 1: The location and species composition of the *restoration* planting is to achieve the following:

- a) To provide necessary protection and *restoration* of the *ecological site(s)* and *identified ecological area(s)* to ensure its long-term ecological viability, health, and significance.
- b) To facilitate the use of natural regeneration processes to ensure that in the long term these natural regeneration processes take over.
- c) To provide for the protection and *restoration* of the area of planting and provide robust linkages between ecological features.
- d) To provide a sustainable, potentially significant forest, *wetland* or shrubland.

Note 2: Confirmation that the assessment of whether the maintenance of plantings has been achieved should be undertaken by an independent *suitably qualified ecologist* according to a quantitative monitoring programme.

- 2) Details and methods to achieve the following matters must be provided. The matters below must be implemented and confirmed prior to the issuing of the section 224(c) certification for the subdivision:

³ Note: In some but not all circumstances fertiliser can help establish indigenous plant species. However, it can also result in more vigorous growth of pest plant species and too much fertiliser can be toxic to plants. In many cases the ground in Rural Zones will already be quite fertile and support good growth, and some areas such as dunes and *wetlands* can be adversely affected by fertiliser application. Use slow-release fertilisers if required.

⁴ Note: Mulching can help retain moisture, insulate the soil and suppress pest plant growth. Mulch can also be a source of pest plants and disease; some mulches are toxic to plants or can leach nutrients through decomposition. Mulching will increase the cost of the planting.

- a) The establishment of secure stock exclusion that is at least a full seven wire, post and batten fence (as required per B - Legal and physical protection mechanism).
 - b) The planting of *indigenous vegetation* at a density detailed below:
 - i. An average density for initial planting of 1.0 metre centres (10,000 stems per hectare) reducing to 0.75 metre centres (13,333 stems per hectare) in kikuyu and *wetland* and riparian margins.
 - ii. An average density of supplementary⁵ and canopy⁶ species planted at 5.0 metre centres (2,000 stems per hectare) within five years of the initial planting.
Note: These could potentially be planted where plants have previously died.
 - iii. Sourced from the *ecological district* and to be appropriate for the soil, aspect, exposure and topography; and
 - iv. Reflect the composition of former *indigenous vegetation* likely to have occupied the *site* and include appropriate indigenous species that will enable the natural processes of succession.
 - c) Methods to ensure that the maintenance of any plantings occurs until the plantings have reached a sufficient maturity to be self-sustaining, and have reached 80% canopy closure. The survival rate must ensure a minimum 90% of the original density and species.
 - d) The maintenance of any plantings must include the ongoing replacement of plants that do not survive.
 - e) The maintenance of any plantings must ensure that all invasive plant pests are eradicated from each planting site at the time of planting, and managed on an on-going basis at each planting site and the wider area. Plants must be released from kikuyu as necessary to ensure adequate growth; and
 - f) The maintenance of any plantings must ensure animal and plant pest control occurs.
- 3) The planting plan must be prepared and confirmed by, or reviewed and approved by an independent *suitably qualified ecologist*.

D Monitoring Programme

- 1) A monitoring and maintenance plan must be prepared and must at a minimum address the matters set out in (2) – (4) below.
- 2) Monitoring must be undertaken annually for five years after planting occurs. The following must be monitored and recorded in a monitoring report:
 - a) Plant survival rates. A 90% plant survival rate is required; and
 - b) Size of plants; and
 - c) Canopy closure. An 80% canopy closure is required after five years.

Note 1: A 90% plant survival rate is to ensure that the replanting will become ecologically viable)

⁵ Note: Supplementary *species* are those *species* that prefer shade or dappled light but will not become significant canopy components. This includes nikau, vines, ferns, and smaller understorey *species*.

⁶ Note: Canopy *species* often prefer dappled light and can be frost intolerant, hence these should be planted once the canopy is almost closed. This includes *species* such as tawa, kohehohe, maire, beech, and many of the podocarp *species*.

Note 2: If a planting area is healthy, canopy closure should occur at year three to five, although it can take to year ten if the conditions of the planting area are particularly harsh. Therefore, this is an important indication of the health of the planting.

Note 3: It takes between three to five years before indigenous planting areas are well established and the certainty of plant survival is assured.

Note 4: this is an indication of the health of the plantings. The greater the growth, the healthier the planting and therefore the more likely a planting is to survive.

- 3) Replacement of plants which do not survive must be carried out to ensure that gaps are not created which could allow weeds to enter the planting and to ensure that there is an adequate canopy cover in the long term.
- 4) The annual monitoring results including any identified necessary interventions to ensure a 90% plant survival rate and an 80% canopy closure after five years must be forwarded to Council for audit upon completion of the annual monitoring.

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9.0 Consequential amendments regarding new defined terms:

Make minor consequential amendments across the District Plan as follows:

Provision	Amendment	Reason
<ol style="list-style-type: none"> 1. GRZ-R9, standards 4 and 5. 2. GRUZ-R13, standards: <ul style="list-style-type: none"> • 2.a; • 2.i.(i), and (ii). 3. Policy DEV1-P1, clause 1.a. 4. DEV1-R8, standards 1 and 2.a. 	<p>Italicise all references to "buffer" to identify it as a defined term as follows:</p> <p>buffer <u>buffer</u></p>	<p>To give effect to new definition for <i>buffer</i>, which has the same meaning as that used within these provisions.</p>
<ol style="list-style-type: none"> 1. ECO-P1, clause 4.a. 2. DEV1-P1, clause b. 	<p>connectivity <u>connectivity</u></p>	<p>To give effect to new definition for <i>connectivity</i>, which has the same meaning as that used within these provisions.</p>
<ol style="list-style-type: none"> 1. GRZ-R9, standard 5. 2. GIZ-R9, standard 6. 3. SCHED1 – Ecological Sites: <ol style="list-style-type: none"> a. Descriptions of K018, K055, and K061. 4. APP4 – Ferndale Area Structure Plan, clause 11.j.ii. 5. APP14 – PekaPeka North Rural Residential Development Area, clause 13.c. – last bullet point. 6. APP16 – Meadows Precinct Design Guidelines, "Landscape" section, clause 6, third bullet point. 	<p>ecological district <u>ecological district</u></p>	<p>To give effect to new definition for <i>ecological district</i>, which has the same meaning as that used within these provisions.</p>
<ol style="list-style-type: none"> 1. Objective DO-02, clause 2 within the following chapters: <ul style="list-style-type: none"> • Coastal Environment. • Earthworks. • Natural Open Space Zone. • Ngārara Development Area. 2. Objective DO-O3, clause 6 – within all relevant chapters. 	<p>ecological integrity <u>ecological integrity</u></p>	<p>To give effect to new definition for <i>ecological integrity</i>, which has the same meaning as that used within these provisions.</p>
<ol style="list-style-type: none"> 1. Definition of <i>wetland</i>. 	<p>ecosystem <u>ecosystem</u></p>	<p>To give effect to new definition for</p>

<p>2. INF-MENU-P18, clause 6.</p> <p>3. Policy ECO-P1, clauses 1, 2, 3, 4, and 5.</p> <p>4. Policy CE-P4, clause 6.</p>		<p><i>ecosystem</i>, which has the same meaning as that used within these provisions.</p>
<p>1. Policy ECO-P1, clauses 1, 2, 3, 4(b), and 5.</p> <p>2. Rule ECO-R8, matter of discretion 3.</p> <p>3. Rule ECO-R10, matter of discretion 2.a.</p> <p>4. CE- Coastal Environment:</p> <ul style="list-style-type: none"> • third paragraph of introduction. • 4.1 – Coastal Environment, first bullet point beneath second paragraph. • Policy CE-P1, clause 1. <p>5. Rule GRUZ-R13, matter of discretion 1.</p> <p>6. Rule LCZ-R10, standard 6.a.</p> <p>7. APP4 – Ferndale Area Structure Plan and Notations, additional matter 11.h.ii.B.</p> <p>8. APP7 – Ngarara Development Area Structure Plan:</p> <ul style="list-style-type: none"> • Heading titled <i>Open Space and Conservation</i>, first bullet point beneath subheading titled <i>protection of natural edges</i>. • Totara Dunes Neighbourhood: <ul style="list-style-type: none"> ○ first paragraph beneath subheading titled <i>Anticipated Form</i>. ○ Final bullet point beneath subheading titled <i>Built Form</i>. ○ First bullet point beneath subheading titled <i>Protection of Natural Edges</i>. • Kanuka Ridge Neighbourhood: <ul style="list-style-type: none"> ○ First bullet point beneath subheading titled <i>Protection of Natural Edges</i>. <p>9. APP8 – Ngarara Development Area Management Principles:</p>	<p>habitat <i>habitat</i></p>	<p>To give effect to new definition for <i>habitat</i>, which has the same meaning as that used within these provisions.</p>

<ul style="list-style-type: none"> • Principle 6: Manage Public and Open Space: <ul style="list-style-type: none"> ○ Table beneath subheading titled <i>Open Space Conservation Wetlands Management Principles</i>, 5th bullet point within column titled <i>Key Management Principles</i>. ○ Table beneath subheading titled <i>Open Space Forest Management Mechanisms</i>, 3rd paragraph within the column titled <i>Management Area & Vision</i>. <p>10. APP11 – Ngarara Precinct Management Principles:</p> <ul style="list-style-type: none"> • Beneath principle 6. <i>Manage Public and Open Spaces</i>: <ul style="list-style-type: none"> ○ Table beneath subheading <i>Open Space Conservation Wetlands Management Mechanisms</i>, 5th bullet point within column titled <i>Key Management Principles</i>. ○ Table beneath subheading titled <i>Open Space Forest Management Mechanisms</i>, 3rd paragraph within the column titled <i>Management Area & Vision</i>. <p>11. APP14 – Peka-Peka North Rural Residential Development Area, clause 9.a, first bullet point beneath subheading titled <i>a. Kowhai Stream</i>.</p>		
<ol style="list-style-type: none"> 1. Within the definitions for <i>Biodiversity offsets</i>, and <i>No net loss</i>. 2. Policy NE-P3 – Biodiversity Off-setting. 3. Policy INF-GEN-P4, clause 4. 4. Infrastructure chapter beneath heading titled <i>Policies – Infrastructure – Managing Effects on Network Utilities</i>, within eighth paragraph. 5. Policy ECO-P3 – Maintenance of Indigenous Biodiversity. 	<p>indigenous biodiversity <u>indigenous biodiversity</u></p>	<p>To give effect to new definition for <i>indigenous biodiversity</i>, which has the same meaning as that used within these provisions.</p>

<p>6. Policy NOSZ-P6 – Indigenous Biodiversity.</p> <p>7. Policy OSZ-P6 - Indigenous Biodiversity.</p>		
<p>1. ECO – Ecosystems and Indigenous Biodiversity:</p> <ul style="list-style-type: none"> • Final paragraph of introductory text beneath chapter heading. • ECO-P3 – Maintenance of indigenous biodiversity. 	<p>maintenance <u><i>maintenance</i></u></p>	<p>To give effect to new definition for <i>maintenance</i>, which has the same meaning as that used within these provisions.</p>
<p>1. Objective DO-02 – Ecology and Biodiversity (within all relevant chapters).</p>	<p>resilience <u><i>resilience</i></u></p>	<p>To give effect to new definition for <i>resilience</i>, which has the same meaning as that used within these provisions.</p>
<p>1. Objective DO-02 – Ecology and Biodiversity, clause (2) (within all relevant chapters).</p> <p>2. Rule ECO-R6 – standard 1.b.</p>	<p>restoration <u><i>restoration</i></u></p>	<p>To give effect to new definition for <i>restoration</i>, which has the same meaning as that used within these provisions.</p>
<p>APP14 – Peka-Peka North Rural Residential Development Area:</p> <ul style="list-style-type: none"> • clause 9.a Kowhai Street, second and third bullet points; • clause 9.b. Lakes. 	<p>Suitably qualified ecologist <u><i>suitably qualified ecologist</i></u></p>	<p>To give effect to new definition for <i>suitably qualified ecologist</i>, which has the same meaning as that used within these provisions.</p>