

# CL – Contaminated Land

## Introduction

Contaminated land can have adverse effects on human health if it is not appropriately managed. The subdivision, change of use, or disturbance of contaminated land can expose people to increased levels of contamination. It is important that land in the district that is contaminated, or potentially contaminated, is investigated and managed as required. This is to ensure that people are not exposed to substances that may endanger their health, and that property is not unduly affected by issues such as corrosion, which may threaten buildings and limit land use options.

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) provides a national standard for activities on land where soil is known to be or may be contaminated in such a way as to be a risk to human health. The NESCS requires that land affected by contaminants is identified and assessed before it is developed and if necessary, the land is remediated, or the contaminants are contained to make the area safe for human use. The NESCS applies when people want to:

- Remove a fuel storage system or replace it; and
- Sample soils; and
- Disturb soils; and
- Change land use or subdivide.

The methods to establish whether land is contaminated or potentially contaminated include determining whether an activity or industry listed in the Hazardous Activities and Industries List (HAIL) has or is likely to have been undertaken on the property. The HAIL list of activities can be found on the Ministry for the Environment website.

Under the NESCS, regional councils are required to investigate land for the purposes of identifying and monitoring contaminated land. District councils are responsible for applying and enforcing the provisions of the NESCS. To assist with identifying land that is contaminated or potentially contaminated, the Manawatū-Whanganui Regional Council maintains databases of sites where HAIL activities are or have been carried out. Tararua District Council has access to this information. If you are wanting to undertake an activity on contaminated or potentially contaminated land, you may require a resource consent under the NESCS. This chapter contains objective and policy direction for the assessment of any resource consent applications required under the NES-CS in accordance with the requirements of section 104 of the RMA.

## Objectives

**CL-01** Ensure risks to human health, land and property from contaminated land are appropriately managed.

## Policies

**CL-P1** Ensure contaminated land or potentially contaminated land is suitable for its intended use by enabling site investigations and requiring remediation or management as necessary, at the time of land use change, subdivision or re-development.

**CL-P2** Ensure any unacceptable risk to human health and the environment posed by the subdivision, use, development or redevelopment of contaminated land is avoided, remedied or mitigated.

## Rules

There are no rules in this plan with respect to contaminated land. The NESCS provides a complete framework of rules for managing subdivision, use, development or redevelopment of contaminated or potentially contaminated land. Under the provisions of the NESCS, a resource consent for these activities may be required. Tararua District Council must enforce the NESCS pursuant to section 44A(8) of the RMA. Tararua District Council and Manawatū-Whanganui Regional Council hold information that may assist applicants in establishing whether/which activities on the HAIL list currently or have previously taken place in or on land.

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# HS – Hazardous Substances

## Introduction

Hazardous substances are used throughout the Tararua District for many purposes and can include petroleum products, explosives and medical waste as well as industrial, agricultural and household chemicals. These substances pose potential threats to the health and safety of people and can have significant adverse effects on the environment.

There is a wide range of legislation and industry standards controlling hazardous substances however, the Hazardous Substances and New Organisms Act 1996 (HSNO) and its associated regulations is the primary management tool. WorkSafe New Zealand is also responsible for implementing the Health and Safety at Work Act 2015 (HSW). The rules in this chapter seek to avoid any duplication of regulation with HSNO and HSW and only apply to significant hazardous facilities which are defined in this plan. The provisions of this chapter are designed to manage the effects of use, storage, or disposal of hazardous substances, only to the extent that those effects are not within the ambit of existing legislation and regulations. This includes the location of significant hazardous facilities using or storing hazardous substances and the location of sensitive activities in relation to significant hazardous facilities.

Most existing significant hazardous facilities are located in the industrial and rural zones. The rules in this chapter provide an allowance for existing significant hazardous facilities, recognising both the role of HSNO and HSW in managing effects, and the significance of these industries to the district's economic and social wellbeing. Facilities which exceed this allowance will need to demonstrate through a resource consent process, that the expanded facility is appropriately located, designed and constructed. The increased sensitivity of the receiving environments in some zones means that no allowance has been made for the expansion of significant hazardous facilities in these locations.

A new significant hazardous facility proposing to locate within the district requires a resource consent. The level of consent is dependent on the zone the facility is proposing to locate within and whether the site is located within a coastal hazard or hazard area and/or close to a water body. New significant hazardous facilities within sensitive environments, or that could adversely affect sensitive environments are to be avoided.

There may be a number of rules that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

## Objectives

- HS-O1** To reduce levels of risk to people, property and the environment from significant hazardous facilities.
- HS-O2** Hazardous substance use, storage, and disposal activities are located, designed, constructed, and operated, so that:
1. The risk to people, property, and the environment from any significant hazardous facility is minimised and unacceptable risk to sensitive activities is avoided; and
  2. The risk to the natural environment is minimised; and
  3. The risk associated with moderate and high hazard areas is avoided.

## Policies

- HS-P1** Minimise risk to people, property, and the environment from any new significant hazardous facility, or any addition to a significant hazardous facility by:
1. Identifying risk to human and ecological health and safety, and to property, through a risk assessment of any proposed activity, including its site characteristics and any cumulative risk from the use, storage, and disposal of hazardous substances on other sites;
  2. Avoiding unacceptable risk to existing sensitive activities as identified in a risk assessment for the activity by ensuring the location provides sufficient separation from any existing sensitive activity;
  3. Ensuring the location, design, construction and operation minimise lesser risks to as low as reasonably practicable;
  4. Not locating in proximity to scheduled areas or features, and zones and overlays where sensitive activities predominate;
  5. Locating outside any moderate or high hazard area; and
  6. Locating outside any low hazard area unless risk associated with the hazard can be mitigated to protect human, and environmental, health and safety.

- HS-P2** Avoid locating any new sensitive activity in proximity to significant hazardous facilities to ensure they are:
1. Not exposed to an unacceptable level of risk from the existing significant hazardous facility; and
  2. Reverse sensitivity effects are avoided or mitigated.

## Rules

The rules that apply to Hazardous Substances are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

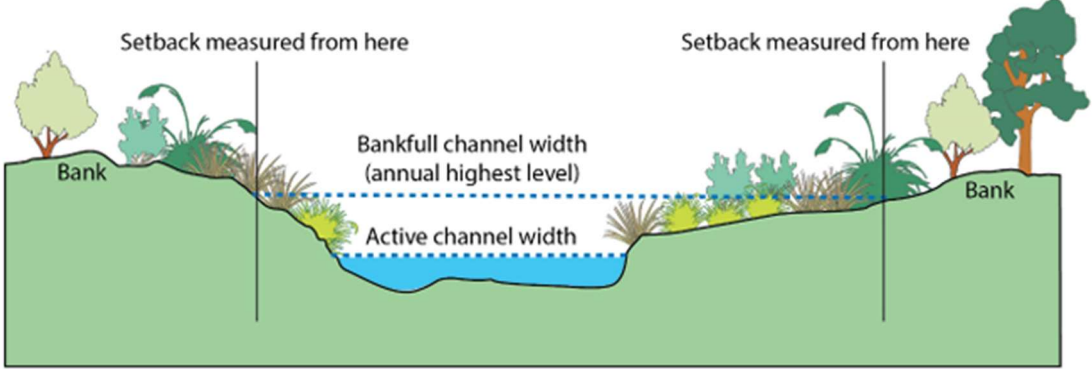
- HS-R1 to HS-R3 - Activities Rules; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities relating to Energy.

## HS – Activity Rules

HS-R1	Significant hazardous facilities existing at [DATE] which propose to increase the use, storage or handling of hazardous substances	
General Industrial and General Rural zones	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ol style="list-style-type: none"> <li>i. The use, storage, or handling of hazardous substances increases by no more than 20% from the base figure over a 5 year period; and</li> <li>ii. The use, storage, or handling of hazardous substances must be setback at least 50 m from the edge</li> </ol>	<p><b>Activity status where compliance is not achieved: DIS</b></p>

	of any water body as measured from the bankfull channel width (see HS – Figure 1).	
<b>All other zones</b>	<b>Activity status: DIS</b>	
<p>HS – Figure 1</p>  <p>The diagram shows a cross-section of a water body. The water is in the center, with a blue active channel and a wider bankfull channel. The banks are shown with vegetation and trees. Two vertical lines indicate the measurement points for setbacks from the bankfull channel width (annual highest level) and the active channel width.</p>		
<p>For the purposes of HS-R1 and HS-R2, a waterbody is:                  A perennial watercourse with a bankfull channel width of 2 m or more; or                  A lake equal to or larger than 0.25 ha.</p>		
<b>HS-R2</b>	<b>Significant hazardous facilities, including additions to significant hazardous facilities</b>	
<b>General Industrial and General Rural zones</b>	<p><b>Activity status: DIS</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>i. The activity is not located within a Area;</li> <li>ii. The activity is not located within any moderate or high hazard area;</li> <li>iii. The activity is not located within 25m of a significant waterbody or 10m of any other surface waterbody; and</li> <li>iv. The activity is not located within 250m of a sensitive activity.</li> </ul>	<b>Activity Status where compliance is not achieved: NC</b>
<b>All other Zones</b>	<b>Activity status: NC</b>	
<b>HS-R3</b>	<b>Sensitive Activities</b>	
<b>All zones</b>	<p><b>Activity Status: NC</b></p> <p><b>Where the following conditions are met:</b></p> <p>The sensitive activity is located within 250m of a significant hazardous facility.</p>	
<b>Advice notes</b>	<p><b>Calculation of the base figure</b></p> <p>The base figure is the average volume of hazardous substances used, stored or handled on-site between [insert calendar year dates].</p> <p><b>Other Legislation</b></p> <p>The use, storage, handling and transportation of hazardous substances is also controlled by the Hazardous Substances and New Organisms Act 1996 and the Health and Safety</p>	

	at Work Act 2015. All premises using, storing, handling and transporting hazardous substances hazardous facilities must comply with this legislation.
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## HS – Standards

There are no standards for this Chapter.

# NH – Natural Hazards

## Introduction

A natural hazard is the result of natural processes that shape, form, and alter the environment and potentially conflict with human activities. Tararua District is susceptible to a range of natural hazards, and in some areas these can pose significant risks. When natural hazards occur, they can result in damage to property and buildings, and lead to loss of human life or risk to human safety.

The District Plan contains provisions relating to the following hazards, as they present the greatest risk to people, property, and infrastructure, and their effects can be managed through appropriate land use planning:

- Flooding;
- Fault rupture;
- Liquefaction;
- Coastal inundation (including tsunami); and
- Coastal erosion.

The Natural Hazards chapter addresses the hazards identified above. These hazards are identified by the Manawatu-Whanganui Regional Council.

Flooding, coastal erosion, and sea level rise are influenced by climate change. It is predicted that rainfall events will become more intense, drought will increase, storm events will become more common, and sea levels that have already risen 0.2m over the past 100 years, exacerbated by regional tectonic subsidence, will continue to rise over the next 100 years. The flood and coastal hazard mapping, held by Manawatu-Whanganui Regional Council, also incorporates current climate change predictions.

Liquefaction and other hazards (such as ground shaking from earthquakes) are primarily managed by other statutory instruments, including the Building Act 2004, Civil Defence Emergency Management Act 2002, and the Local Government Act 2002.

### Risk-based approach

Risk is a product of both the likelihood and the consequences from a natural hazard. A risk-based approach to natural hazards balances allowing for people and communities to use their property and undertake activities, while also ensuring that their lives or significant assets are not harmed or lost as a result of a natural hazard event.

Natural hazards have been categorised according to the potential risk to people and property in a hazard event. Table NH-1 below sets out the hazard categories, and the types of mapped natural hazards that fall within each category.

Table NH-1: Hazard risk categories

Hazard Category	Hazard Type
High hazard area	Flood hazard – river corridors
Moderate hazard area	Flood hazard – overland flow path
Low hazard area	Flood hazard – ponding Possible liquefaction-prone area

Flood hazard areas are categorised as comprehensive flood hazard modelling and mapping has been undertaken for these areas. In other areas, more broad-scale flood hazard modelling and mapping has been undertaken which has not been categorised – flood mapping in these areas is called Flood Alert Area recognising the broad-scale nature of this modelling and mapping. Fault hazard areas are also not categorised due to the variable level of spatial definition of the active fault lines.

To assist with determining the consequences associated with natural hazards, buildings and activities have been categorised according to the potential consequences to life and property as a result of those activities occurring within a natural hazard area. Any activity that is not specifically listed below is considered a less hazard sensitive activity.

**Hazard sensitive activities comprise** the following:

- Community facilities;
- Marae;
- Healthcare facilities;
- Emergency service facilities;
- Educational facilities;
- Entertainment activities;
- Retirement villages;
- Residential activities and residential units; and
- Service stations.

**Potentially hazard sensitive activities** comprise the following:

- Buildings associated with primary production;
- Commercial activities;
- Industrial activities; and
- Rural industry activities.

**Less hazard sensitive activities** comprise the following:

- Accessory buildings used for non-habitable purposes;
- Parks facilities;
- Parks furniture; and
- Buildings and structures associated with temporary activities.

There may be a number of rules that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

## Objectives

**NH-O1** The risk and consequences from natural hazards on people, property, infrastructure, and the environment are not increased.

**NH-O2** Natural features are used to reduce the susceptibility of people, communities, property, and infrastructure to damage from natural hazards.

## Policies

**NH-P1** Identify and map areas affected by natural hazards and take a risk-based approach to the management of subdivision, use, and development based on:

1. the sensitivity of the activities to the impacts of natural hazards; and
2. the hazard posed to people's lives and wellbeing, and property, by considering the likelihood and consequences of differing natural hazard events.

**NH-P2** Avoid locating hazard sensitive activities and potentially hazard sensitive activities within high hazard areas unless the activity has an operational need or functional need to locate within the high hazard area.

**NH-P3** Only allow hazard sensitive activities and potentially hazard sensitive activities within



moderate hazard areas where:

1. benefits the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is low, and any damage to buildings is minimised;
2. people can safely evacuate the property during a natural hazard event; and
3. the risk to adjacent properties, activities, and people is not increased as a result of the activity proceeding.

**NH-P4** Provide for hazard sensitive activities and potentially hazard sensitive activities within low hazard areas where:

1. the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is low, and any damage to buildings is minimised, and
2. the risk to adjacent properties, activities, and people is not increased as a result of the activity proceeding.

**NH-P5** Allow less hazard sensitive activities within all hazard areas where:

1. they do not impede flood pathways;
2. the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, building damage is low, and any damage to buildings is minimised; and
3. the risk to other properties, activities, and people is not increased as a result of the activity proceeding.

**NH-P6** Discourage new buildings in flood hazard - overland flow path and ponding areas unless:

1. there is no increase in flood flow or level on adjoining sites;
2. risk to people's safety will be low;
3. the activity incorporates mitigation measures so that the risk of damage to buildings and structures is not significantly increased; and
4. people can safely evacuate the property during a natural hazard event.

**NH-P7** For new buildings and structures that contain habitable rooms and are located within fault hazard areas:

1. Allow buildings and structures to locate within Fault Hazard Area where it can be demonstrated that the fault hazard risk can be avoided or mitigated to prevent loss of life.
2. Avoid buildings and structures locating within the Fault Hazard Area where the risk to life cannot be avoided or mitigated via distance from the fault, building engineering solutions, or other means.

**NH-P8** Allow for the upgrade of existing infrastructure, and only allow new infrastructure to be established in hazard areas where:

1. it has an operational need or functional need for the location;
2. it will be designed to maintain its integrity and function during and after a natural hazard event, or it will be able to be immediately re-instated after a natural hazard event, and
3. the risk to properties, activities, and people is not increased.

**NH-P9** Provide for earthworks in flood hazard areas where:

1. they do not impede flood pathways; and
2. the risk to other properties, activities, and people is not increased as a result of the activity proceeding.

**NH-P10** Enable natural hazard mitigation or stream and river management works undertaken by a statutory agency or their nominated contractors or agents within hazard areas

where these will significantly decrease the existing risk to people’s safety and wellbeing, property, and infrastructure.

**NH-P11** Ensure a precautionary approach is taken in relation to planning for and adapting to the effects of natural hazards caused by climate change and sea level rise on both the natural environment and existing and future development.

**NH-P12** Only allow hazard sensitive activities and potentially hazard sensitive activities within flood alert areas where:

1. the activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is low, and any damage to buildings is minimised;
2. people can safely evacuate the property during a natural hazard event; and
3. the risk to adjacent properties, activities, and people is not increased as a result of the activity proceeding.

**NH-P13** Discourage new buildings in flood alert areas unless:

1. there is no increase in flood flow or level on adjoining sites;
2. risk to people's safety will be low;
3. the activity incorporates mitigation measures so that the risk of damage to buildings and structures is not significantly increased; and
4. people can safely evacuate the property during a natural hazard event.

## Rules

The rules that apply to Natural Hazards are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- NH-R1 to NH-R10 - Activities Rules; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities relating to Energy.

## NH – Activity Rules

<b>NH-R1</b>	<b>Flood mitigation or stream or river management works undertaken by a statutory agency or their nominated agent within any of the flood hazard areas</b>	
<b>All zones</b>	<b>Activity Status: PER</b>	
<b>NH-R2</b>	<b>Less hazard sensitive activities within all hazard areas</b>	
<b>All Zones</b>	<b>Activity status: PER</b>  <b>Where the following conditions are met:</b>  Any buildings must not be located in the overland flowpath or river corridor of the flood hazard areas as identified by Manawatu-Whanganui Regional Council.	<b>Activity status where compliance is not achieved: RDIS</b>  <b>Matters over which discretion is restricted:</b> a. The matters in Policy NH-P5.
<b>NH-R3</b>	<b>Any potentially hazard sensitive activity and associated buildings within moderate hazard areas and low hazard areas</b>	
<b>All zones</b>	<b>Activity status: PER</b>	<b>Activity status where compliance is not</b>

	<p><b>Where the following conditions are met:</b></p> <p>The activity or building is located within liquefaction-prone areas.</p>	<p><b>achieved: RDIS</b></p> <p><b>Where:</b></p> <p>Any building located in a flood hazard overlay has a finished floor level above the 1% AEP level; and</p> <p>The activity is located within a low to moderate fault hazard areas.</p> <p><b>Matters over which discretion is restricted:</b></p> <p>a. For activities in the moderate hazard area, the matters in Policy NH-P3.  b. For activities in the moderate hazard area, the matters in Policy NH-P4.</p>
<b>NH-R4</b>	<b>Additions to buildings within all hazard areas</b>	
<b>All Zones</b>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>i. The building addition is located within the possible liquefaction prone area; or</li> <li>ii. The additions do not increase the gross floor area of a hazard sensitive activity or potentially hazard sensitive activity by more than 20m<sup>2</sup>; and</li> <li>iii. Any building additions located in the identified overland flowpath or ponding area of the flood hazard overlay have a finished floor level above the 1% AEP level.</li> </ul>	<p><b>Activity status where compliance with is not achieved: RDIS</b></p> <p><b>Matter over which discretion is limited:</b></p> <ul style="list-style-type: none"> <li>a. For additions in the moderate hazard area, the matters in Policy NH-P3.</li> <li>b. For additions in the low hazard area, the matters in Policy NH-P4.</li> <li>c. For additions in the high hazard area, the matters in Policy NH-P2.</li> </ul>
<b>NH-R5</b>	<b>Earthworks within flood hazard areas</b>	
<b>All Zones</b>	<p><b>Activity status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>The earthworks are not located in a river corridor or overland flow path.</p>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The matters in Policy NH-P9.</li> </ul>
<b>NH-R6</b>	<b>New buildings and structures in Fault Hazard Area</b>	
<b>All zones</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>i. Building or structure contains habitable room(s); and</li> <li>ii. The subject site is located fully or partially within the Fault Hazard Area.</li> </ul> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The proximity to any identified fault as demonstrated supporting geotechnical evidence;</li> <li>b. Engineering measures incorporated into the building or structure to prevent loss of</li> </ul>	

	<p>life from anticipated effects of a seismic event; and</p> <p>c. The matters set out in NH-P1, NH-P8, and NH-P11.</p>	
<b>NH-R7</b>	<b>Any new potentially hazard sensitive activity or hazard sensitive activity and associated buildings within flood alert areas</b>	
<b>All zones</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>i. A supporting flood hazard assessment has been undertaken to determine the nature and scale of the flood hazard on the property;</li> <li>ii. The risk of flooding to people and property is not increased; and</li> <li>iii. The activity or building will not worsen the flood hazard.</li> </ul> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. For buildings, measures to avoid, remedy, or mitigate flooding effects on the building.</li> <li>b. For buildings and activities in flood alert areas, the matters in Policy NH-P12 and NH-P13.</li> </ul> <p>Note: Determining the flood hazard level applicable to a property and appropriate mitigation measures shall be determined in consultation between the relevant District Council and Manawatu-Whanganui Regional Council, as required.</p>	
<b>NH-R8</b>	<b>Infrastructure within hazard areas</b>	
<b>All zones</b>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Where:</b></p> <p>The infrastructure is located within a low hazard area.</p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The matters set out in Policy NH-P4, NH-P8, and NH-P11.</li> </ul>	<p><b>Activity status where compliance is not achieved: DIS</b></p>
<b>NH-R9</b>	<b>Any hazard sensitive activity and associated buildings within moderate hazard areas and low hazard areas</b>	
<b>All zones</b>	<b>Activity Status: DIS</b>	
<b>NH-R10</b>	<b>Any hazard sensitive activity or potentially hazard sensitive activity and associated buildings within high hazard areas</b>	
<b>All zones</b>	<b>Activity Status: NC</b>	

## **NH – Standards**

There are no standards for this Chapter.

# HH – Historic Heritage

## Introduction

### Heritage

Under the RMA, it is a matter of national importance to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development. Historic heritage is defined under the Act and includes sites, structures, places and areas, archaeological sites and sites of significance to Māori including wāhi tapu. Historic heritage is important as it provides a sense of identity and place for communities and a record of where we have come from.

For mana whenua, sites and areas carry deep levels of meaning and association. They provide a tangible connection to whenua (land), ancestors and to significant historical events. The sites and areas of significance to Māori chapter specifically focuses on these sites.

### Building and Structures

The stories and history behind buildings and structures provide present and future generations with an understanding of our past. The architecture and style of buildings and structures are also key visual reminders of how people lived, how buildings were constructed and used, the technology that existed, and what businesses and activities were important for communities. In the Tararua district there are a range of buildings and structures which have been identified as being of importance to our heritage. Some of these buildings and structures have also been identified and listed by HNZPT. The scheduled heritage buildings and structures are listed in HH-SCHED2 and are separated into two categories – Category 1 are those that are listed as being of special or outstanding historic or cultural significance by HNZPT. Category 2 buildings are of district historic or cultural importance, listed either by HNZPT or by Tararua District Council.

Subdivision, use or development of a site or its surroundings (including the placement of signs, modification of scheduled buildings or structures) can affect heritage values, resulting in a loss of knowledge and links to the past. However, development if carried out in an appropriate manner can assist in conserving heritage values. It is therefore important that buildings, items and sites with historic heritage values are identified and protected to encourage activities to be undertaken appropriately.

### Archaeological Sites

An archaeological site is any place (including buildings, structures or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. In most circumstances, archaeological sites are managed by HNZPT. This plan does not identify or contain rules relating to archaeological sites. However, some sites of significance to Māori may also be archaeological sites. The plan only manages archaeological sites at the time of subdivision (through assessment criteria), or where the site has been identified as a significant archaeological site.

If you discover a previously unknown archaeological site (e.g. when you are doing earthworks) you must stop any work that could affect it and contact NZHPT for advice on how to proceed.

Note: There may be a number of provisions that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

## Objectives

- HH-O1** Historic heritage is recognised as an important part of the District and its contribution is protected for future generations.
- HH-O2** Historic heritage is protected from inappropriate subdivision, use, and development.

## Policies

- HH-P1** To identify, map and schedule buildings, items, and precincts with significant historic heritage values.
- HH-P2** Protect scheduled historic heritage buildings and sites from inappropriate activities by:
1. Discouraging the demolition or relocation of scheduled historic heritage buildings and items; and
  2. Requiring activities on, in, or surrounding scheduled historic heritage buildings and items, or in heritage precincts, to avoid adverse effects on historic heritage values as much as practicable.
- HH-P3** Retain the relationship between heritage buildings and structures, and their sites and surroundings, including the view of the identified heritage building or structure from public places.
- HH-P4** Provide for additions and external alterations to buildings and structures where they are:
1. Consistent with the scale, detailing, style, materials and character of the heritage item; and
  2. Retain cultural and heritage values; and
  3. Do not unduly compromise the site or surroundings of the building or structure including the contribution the building or structure makes to the streetscape.
- HH-P5** Recognise benefits from earthquake strengthening, fire protection and accessibility upgrades whilst ensuring the appearance including views of and through windows, and external heritage features and values of the buildings and structures are not unduly compromised. Designs which consider complementary materials and detailing and do not screen architectural features are preferred.
- HH-P6** Discourage demolition of scheduled heritage buildings and items unless it can be demonstrated that there are no reasonable alternatives, and having regard to the following matters:
1. Effects on historic heritage values;
  2. The importance attributed to the heritage item by the wider community;
  3. Feasibility of adaptive re-use;
  4. Cost of maintenance or repair;
  5. Building safety; and
  6. Appropriateness, compatibility, and appearance of any replacement building in relation to heritage values.
- HH-P7** Consider the adverse effects on historic heritage values through the resource consent process, designation process, or plan change process, where the proposed subdivision, use, or development is located near known archaeological sites. Determine the significance of the historic heritage values of the archaeological sites and demonstrate how the adverse effects will be avoided,

remedied, or mitigated.

- HH-P8** Recognise and provide for signs in a manner that does not compromise the heritage values of the buildings and structures. Signs should not cover or partially cover architectural features and should complement the values of the heritage building or structure.
- HH-P9** The site or surroundings (as applicable) of any heritage building or structure must be protected to the extent that it contributes to the heritage values.
- HH-P10** Avoid the relocation of scheduled heritage buildings or items within the existing site, or onto another site, except where it can be demonstrated that:
1. The work is necessary to:
    - i. Reduce risk from natural hazards; or
    - ii. Provide for a significant public benefit that could not otherwise be achieved;
  2. The proposed site for relocation is appropriate and would not detract from identified heritage values of the scheduled heritage building or item; and
  3. The work would enhance the physical condition of the scheduled heritage building or item and its heritage values.
- HH-P10** Ensure activities on or adjoining significant archaeological sites avoid adverse effects on the site in the first instance, and where avoidance is not possible, remedy or mitigate adverse effects, having regard to:
1. Protecting the cultural, and archaeological values present and their setting; and
  2. Reducing the potential to lose or damage cultural and archaeological values; and
  3. Providing the ability to interpret the place and its relationship with other scheduled features; and
  4. The site's sensitivity to change or capacity to accommodate change without compromising any cultural and archaeological values; and
  5. Any opportunities to enhance interpretation of the significant archaeological site.

## Rules

The rules that apply to Historic Heritage are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- HH-R1 to HH-R6 - Activities Rules;
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities relating to Energy.



## HH – Activity Rules

<b>HH-R1</b>	<b>Maintenance and repair of a heritage building or item listed in SCHED2 Heritage Buildings and Items</b>	
<b>All zones</b>	<b>Activity Status: PER</b>	
<b>HH-R2</b>	<b>Demolition of a non-scheduled building or structure within heritage curtilage of a heritage building or item listed in SCHED2 Heritage Buildings and Items</b>	
<b>All Zones</b>	<b>Activity status: PER</b>	
<b>HH-R3</b>	<b>Additions, alterations, and partial demolition of a heritage building or item listed in SCHED2 Heritage Buildings and Items</b>	
<b>All zones</b>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>The alterations are only undertaken in the interior of the scheduled heritage building or item where the interior is not specifically listed in SCHED1 Heritage Buildings and Items.</p>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <p>a. The relevant matters listed in the HH-Policies above.</p>
<b>HH-R4</b>	<b>Heritage upgrade works to a heritage building or item listed in SCHED2 Heritage Buildings and Items</b>	
<b>All Zones</b>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>The work is not visible from the exterior of the scheduled heritage building or item.</p>	<p><b>Activity status where compliance with is not achieved: CON</b></p> <p><b>Matter over which discretion is limited:</b></p> <p>a. The relevant matters listed in the HH-Policies listed above.</p>
<b>HH-R5</b>	<b>Relocation of any heritage building or item listed in SCHED2 Heritage Buildings and Items within a site or to another site</b>	
<b>All Zones</b>	<b>Activity Status: DIS</b>	
<b>HH-R6</b>	<b>Demolition of any heritage building or item listed in SCHED2 Heritage Buildings and Items</b>	
	<b>Activity Status: DIS</b>	

## HH – Standards

There are no standards for this Chapter.

# SASM — Sites and Areas of Significance to Māori

## Introduction

The RMA contains specific obligations in relation to mana whenua. It identifies as a matter of national importance the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.

Sites and areas of significance to Māori are sites, places, features, and things that are of historical, cultural, and/or spiritual significance to Māori. They may include: urupā (Māori burial sites); historic pā and kāinga sites; battle grounds (ngā kauhanga riri); mountains and mountain ranges (ngā maunga me ngā pae maunga); rivers (ngā awa); wetlands (ngā repo) and lakes (ngā roto); symbolic and legendary landscape features; mauri stones and trees; tauranga waka (canoe landing sites); natural, clean sources of water for baptism or other ceremonial rites; mahinga kai (food gathering areas); and taonga raranga and rongoā (plants prized for weaving, medicine, and healing). Taonga, or “treasure”, is a term that carries deep spiritual meaning and can include things that cannot be seen or touched, such as Te Reo Māori (the Māori language) and spiritual beliefs and practices. Sites and areas of significance to Māori carry deep meaning and associations for mana whenua. They provide a tangible connection to the whenua (land), significant historical events, and urupā. Even where such sites no longer exist physically, their memory remains an important part of the cultural landscape.

A small number of sites have historically been identified in the schedules of former District Plans. However, Council acknowledges that there are a great number of sites that have not been identified. Further research, evaluation and engagement between Council and mana whenua is necessary to accurately identify, understand, document and map this resource. SASM-SCHED is not currently representative of these sites, therefore effective engagement with mana whenua is necessary to ensure the ongoing protection and security of sites of significance that are not listed in the District Plan. In some cases there is a reluctance by mana whenua to identify the exact location of some Wāhi Tapu sites because of the need to protect their sacredness. Accordingly, it is only those sites that have been identified which are protected by the provisions of the District Plan.

Sites include:

- Old pa sites, excavations and middens (pā tawhito)
- Old burial grounds and caves (ana tūpāpaku)
- Current cemeteries (urupā)
- Battlefields (wāhi pakanga)
- Sacred rocks, trees or springs (ngā toka, rākau tapu)
- Watercourses, swamps, lakes and their edges (waipuna, awa, roto)

Activities that disturb the ground pose a significant threat to sites and areas of significance to Rangitāne o Tamaki nui a Rua, Rangitāne o Wairarapa and Ngāti Kahungunu ki Tāmaki-nui-a-Rua and Ngāti Kahungunu ki Wairarapa. In some cases, the original features of a site may have been lost or damaged through exposure to weather, earthworks, or coverage of a site by buildings or impermeable surfaces, but subsurface features may still remain. Even where these sites no longer exist physically, they still hold cultural significance to local iwi groups. To ensure that the sites are not further damaged or compromised, this chapter contains provisions that seek to protect the sites, and to manage activities on, or in proximity to the sites to ensure that the effects of these activities can be assessed. Where development has already taken place and the site's features have been destroyed or damaged, recognition of the site's existence may still be desirable through signs, planting, or some other method.

There may be a number of objectives, policies and rules that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

## Archaeological Authority Process

Under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act), it is unlawful to destroy, damage, or modify an archaeological site (regardless of whether the site is scheduled in the District Plan or not) without obtaining an archaeological authority from Heritage New Zealand Pouhere Taonga before works begin

## Objectives

- SASM-O1** Recognise and provide for wāhi tapu, wāhi taonga, and sites of significance in the District as being of cultural significance to mana whenua through whakapapa, and ensure their protection from damage, modification or destruction from land use or other activities.
- SASM-O2** Recognise the customary practices of mana whenua in support of the protection of wāhi tapu, wāhi taonga, and sites of significance.
- SASM-O3** Develop partnership between the Council, landowners and mana whenua in the management of wāhi tapu, wāhi taonga, and sites of significance.
- SASM-O4** Mana whenua can exercise kaitiakitanga in relation to sites and areas of significance to them in the Tararua District.

## Policies

- SASM-P1** To continue to identify, in partnership with mana whenua and landowners, land within the District which contains wāhi tapu, wāhi taonga, and sites of significance.
- SASM-P2** To avoid, remedy or mitigate any adverse effects of activities on the values of wāhi tapu, wāhi taonga, and sites of significance.
- SASM-P3** To promote a greater awareness and understanding of wāhi tapu, wāhi taonga, and sites of significance to mana whenua.
- SASM-P4** To actively involve with mana whenua on applications received by the Council for subdivision consents and resource consents relating to proposals affecting or potentially affecting a wāhi tapu, wāhi taonga or site(s) of significance, including but not limited to sites identified in SASM-SCHED3 and shown on the Planning Maps.
- SASM-P5** Allow the following activities to occur on, or in proximity to sites and areas of significance to Māori, while ensuring their design, scale, and intensity will not compromise cultural, spiritual, and historical values, interests, or associations of importance to mana whenua:
1. land disturbance;
  2. demolition or removal of existing buildings and structures where the structure is not or does not form part of the site or area;
  3. alterations to existing buildings and structures;
  4. operation, maintenance, and repair of existing network utility structures; and
  5. erection of signs.
- SASM-P6** Only allow any other use and development on, or in proximity to sites and areas of significance to Māori where it can be demonstrated that the cultural, spiritual, and historical values, interests, or associations of importance to mana whenua of the site or area are protected and maintained, having regard to:
1. whether there are alternative methods, locations, or designs that would avoid or reduce the impact on the values, interests, or associations of importance to

- mana whenua associated with the site or area of significance;
- 2. outcomes articulated by mana whenua through an assessment of environmental effects, cultural impact assessment, or iwi planning documents;
- 3. the protection and maintenance or potential enhancement of the values, interests, or associations of importance to mana whenua of the site or area of significance and the relationship of mana whenua with their taonga, commensurate with the scale and nature of the proposal;
- 4. how values of significance to mana whenua, including tikanga, kaitiakitanga, and mātauranga Māori may be incorporated; and
- 5. for subdivision, ensure sufficient land is provided around the site or area of significance to Māori to protect values, interests, or associations of importance to mana whenua and the remainder of the site is of a size which continues to provide it with a suitable setting to the values, interests, or associations of importance to mana whenua of the site or area.

- SASM-P7** Promote the provision or development of access for mana whenua to sites and areas of significance to Māori, including through:
- 1. formal arrangements, such as co-management, joint management, relationship agreements, easements, land covenants, or access agreements; or
  - 2. informal arrangements or understandings between landowners and local mana whenua, iwi, hapū, or marae.

## Rule Overview Table

The rules that apply to Sites and Areas of Significance to Māori are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- SASM-R1 to SASM-R8 - Activities Rules; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may also be relevant.

## Rules

SASM-R1	Maintenance and repair of a site or area of significance to Māori listed in SCHED3 Sites and Areas of Significance to Māori	
All Zones	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>i. No activity is to destroy, damage or modify a wāhi tapu, wāhi taonga or site of significance, including any excavation, modification or disturbance of the ground containing the wāhi tapu, wāhi taonga or site of significance.</li> <li>ii. Works are confined to conservation, reassembly, reinstatement, repair, or</li> </ul>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. SASM-AM1.</li> </ul>

	<p>stabilisation of the original character, fabric, or detailing of the site or area; and</p> <p>iii. Works are carried out to the same design, using original or similar materials to those originally used and do not detract from the form, character, and appearance of the site or area.</p>	
<b>SASM-R2</b>	<b>Earthworks and land disturbance within a site or area of significance to Māori identified in SASM-SCHED3</b>	
<b>All Zones</b>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>The earthworks/land disturbance is for;</p> <ul style="list-style-type: none"> <li>i. burials within an existing urupā; or</li> <li>ii. the installation of fence posts, water troughs and water pipes, provided the area, extent and volume of land disturbed is limited to that which is necessary to maintain an existing fence or water troughs and water pipes along its existing alignment or location; or</li> <li>iii. gardening; or</li> <li>iv. cultivation (excluding any associated land disturbance that permanently alters the profile, contour or height of the land); or</li> <li>v. riparian planting; or</li> <li>vi. planting to prevent erosion; or</li> <li>vii. grazing of livestock; or</li> <li>viii. the maintenance or repair of existing tracks and culverts provided the area, extent and volume of land disturbed is limited to that which is necessary to maintain an existing track and culvert along its existing alignment;</li> <li>ix. authorised works and within an approved area by an existing legal instrument (such as consent notice or local authority covenant) for the site.</li> </ul>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. SASM-AM1.</li> </ul>
<b>SASM-R3</b>	<b>Alterations to an existing building or structure within a site or area of significance to Māori listed in SCHED3 Sites and Significance to Māori</b>	
<b>All Zones</b>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is</b></p>

	<ul style="list-style-type: none"> <li>i. The works do not involve any land disturbance (except where the land disturbance is permitted by SASM-R2); and</li> <li>ii. For alterations, there is no change to the size or location of the foundation or footprint of the existing building or structure.</li> </ul>	<b>restricted:</b> <ul style="list-style-type: none"> <li>a. SASM-AM1.</li> </ul>
<b>SASM-R4</b>	<b>Demolition or removal of an existing building or structure within a site or area of significance to Māori listed in SCHED3 Sites and Significance to Māori where the building or structure is not or does not form part of the site or area of significance to Māori in SCHED3.</b>	
<b>All Zones</b>	<b>Activity Status: PER</b>  <b>Where the following conditions are met:</b> <ul style="list-style-type: none"> <li>i. The works do not involve any land disturbance (except where the land disturbance is permitted by SASM-R2); and</li> <li>ii. For alterations, there is no change to the size or location of the foundation or footprint of the existing building or structure.</li> </ul>	<b>Activity status where compliance is not achieved: RDIS</b>  <b>Matters over which discretion is restricted:</b> <ul style="list-style-type: none"> <li>a. SASM-AM1.</li> </ul>
<b>SASM-R5</b>	<b>Maintenance and repair of an existing network utility structure and existing primary production structures within a site or area of significance to Māori listed in SCHED3 Sites and Significance to Māori</b>	
<b>All Zones</b>	<b>Activity Status: PER</b>  <b>Where the following conditions are met:</b> <ul style="list-style-type: none"> <li>i. The works do not involve any land disturbance (except where the land disturbance is permitted by SASM-R2); and</li> <li>ii. There is no change to the size or location of the foundation or footprint of the existing building or structure; or</li> <li>iii. Is for the trimming of trees or vegetation, providing it is required for the purpose of protecting the integrity of a structure or is otherwise undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003.</li> </ul>	<b>Activity status where compliance is not achieved: RDIS</b>  <b>Matters over which discretion is restricted:</b> <ul style="list-style-type: none"> <li>a. SASM-AM1.</li> </ul>
<b>SASM-R6</b>	<b>New buildings or structures including network utility structures, or extension of the footprint of an existing building or structure including network utility structures on a site or area of significance to Māori listed in SCHED3 Sites and Areas of Significance to Māori</b>	
<b>All Zones</b>	<b>Activity Status: PER</b>  <b>Where the following conditions are met:</b>	<b>Activity status where compliance is not achieved: RDIS</b>  <b>Matters over which discretion is</b>

	i. The new building or structure is authorised by and is located within an approved area in an existing legal instrument (such as consent notice or local authority covenant) for the site.	<b>restricted:</b> a. SASM-AM1.
<b>SASM-R7</b>	<b>Modification or destruction of any site or area of significance to Māori listed in SCHED3 Sites and Areas of Significance to Māori</b>	
	<b>Activity Status: DIS</b>	<b>Activity status where compliance is not achieved: N/A</b>
<b>SASM-R8</b>	<b>Any other activity within a site identified in SASM-SCHED3 not otherwise provided for</b>	
	<b>Activity Status: PER</b>  <b>Where the following conditions are met:</b>  i. No activity is to destroy, damage or modify a wāhi tapu, wāhi taonga or site of significance, including any excavation, modification or disturbance of the ground containing the wāhi tapu, wāhi taonga or site of significance.  ii. The activity does not involve offal pits, burial of dead stock or plant waste, or effluent storage or disposal fields.	<b>Activity status where compliance is not achieved: RDIS</b>  <b>Matters over which discretion is restricted:</b> a. SASM-AM1.

## Standards

There are no standards in this chapter.

## Assessment Matters

### **SASM-AM1**      **General Assessment Matters for Wāhi Tapu, Wāhi Taonga or Sites of Significance**

1. The values of the wāhi tapu, wāhi taonga, or site of significance including its value to mana whenua.
2. Whether the proposed activity may destroy, damage, modify or adversely affect the wāhi tapu, wāhi taonga, or site of significance, particularly in relation to:
  - a. the nature and scale of the proposed activity;
  - b. the design, layout or location of the activity on the site, including associated building platforms, vehicle access and services on the site;
  - c. whether there are alternatives that do not involve destruction, damage, modification or adverse effects.
3. Methods to protect the wāhi tapu, wāhi taonga, or site of significance, including any recommendations from consultation with mana whenua and (where appropriate) Heritage New Zealand *Pouhere Taonga*.
4. Whether the proposed activity respects the significant values of the wāhi tapu, wāhi taonga, or site of significance and will not dominate or detract from the wāhi tapu, wāhi taonga, or site of significance.
5. Whether the contents of a site contribute towards its significance as wāhi tapu, wāhi taonga, or site of significance and whether regard should be had to conserving those

- contents.
6. The outcomes and recommendations from any impact assessment undertaken on the effects of the activity on the wāhi tapu, wāhi taonga, or site of significance.
  7. When assessing applications Council will have regard to a Māori values assessment or cultural impact assessment prepared for the site of significance.

*Note: An archaeological authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, may also be required for activities within Sites and Areas of Significance to Māori. Such an authority is not automatically granted, and can be declined under certain circumstances, even when an activity is permitted in the District Plan or by resource consent. Heritage New Zealand Pouhere Taonga should be contacted for guidance if any activity such as earthworks, fencing or landscaping may modify or destroy any archaeological site.*



## NT – Notable Trees

### Introduction

Notable trees are those that have been identified and assessed as being of significant value for botanical and/or for historic, cultural, spiritual, landmark, or other community reasons. Trees may be identified as an individual stand-alone tree or a small group of trees where each tree within the group is protected. Notable trees include both exotic and indigenous species and have significance to the community.

Notable trees have been assessed using the Standard Tree Evaluation Method (STEM) from the publication Flook, R.R. (1996) STEM A Standard Tree Evaluation Method, Nelson, New Zealand. STEM assesses trees based on condition (health) and amenity (community benefit) as well as notability (distinction).

Street trees (trees where the trunk is located within the road reserve) play an important role in terms of green cover in the districts, contributing to streetscape amenity, landscape, cultural, and ecological values. This chapter contains rules to protect street trees and ensure any works are undertaken in accordance with best arboricultural practice.

There may be a number of rules that apply to an activity, building, structure, or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach section in the How the Plan Works chapter.

### Objectives

**NT-O1** Notable trees that contribute to amenity, landscape, historical, cultural, or botanical values are recognised, identified, and protected.

### Policies

**NT-P1** To identify notable trees using the Standard Tree Evaluation Method (STEM) and schedule trees (in SCHED4 Notable Trees) where they are assessed as having significant values, having regard to:

1. Botanical and ecological values;
2. Cultural, landscape, amenity, and heritage (including tangata whenua) values;
3. Ongoing management of the tree and proximity to surrounding structures and infrastructure; and
4. Appearance and health of the tree.

**NT-P2** Provide for the minor trimming of notable trees and activities in their root protection areas where the works are necessary to:

1. Improve or maintain tree health;
2. Do not compromise the values of the notable tree described in SCHED4 Notable Trees;
3. Prevent damage to property or infrastructure or improve public safety;
4. Enable installation of underground network utilities of a minor nature using methods that avoid adverse effects on the notable tree.

**NT-P3** Manage subdivision of sites containing a notable tree to ensure any adverse effects on the tree are avoided, remedied, or mitigated, considering:

1. The specific significance and values of the tree(s);
2. The extent that the subdivision provides for protection of the tree(s) including

- consideration of lot size, configuration, and layout and the location of potential building platforms and accessways;
- 3. The location of any necessary network utilities; and
- 4. The likelihood of any serious threat to people or property from the tree(s).

**NT-P4**

- Discourage the removal, partial removal, or destruction of a notable tree, unless:
1. It is necessary to prevent serious imminent threat to the safety of people or property; or
  2. The tree is dead or is in terminal decline as assessed and certified by a qualified arborist.

**Rules**

The rules that apply to Historic Heritage are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- NT-R1 to NT-R3 - Activities Rules;
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities relating to Energy.

**NT – Activity Rules**

NT-R1	Trimming of any notable tree listed in SCHED4 Notable Trees	
All zones	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ol style="list-style-type: none"> <li>i. The activity does not result in more than minor trimming of any notable tree, where minor trimming means:               <ol style="list-style-type: none"> <li>a. the removal of broken branches, deadwood, or diseased vegetation;</li> <li>b. the removal of branches interfering with buildings or structures, but only to the extent that the branches are touching those buildings, or structures;</li> <li>c. the trimming is required by statute or regulations, including the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001;</li> <li>d. the trimming is required to address an imminent danger to an electricity line; or</li> </ol> </li> </ol>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>a. The relevant matters listed in the NT-Policies above.</li> <li>b. The disposal of removed vegetation.</li> </ol>

	<ul style="list-style-type: none"> <li>e. other trimming necessary to maintain the health of a listed tree, certified by a qualified arborist;</li> <li>ii. All trimming is undertaken or supervised by a qualified arborist;</li> <li>iii. Notice is provided to Council in writing at least 10 days prior to the trimming being undertaken, specifying the location, nature, and purpose of the trimming works and the details, including qualifications, of the arborist who is to undertake or supervise the works; and</li> <li>iv. The minor trimming of any tree shall not adversely affect the health or appearance of the tree.</li> </ul>	
<b>NT-R2</b>	<b>Any activity within the root protection area of any notable tree listed in SCHED4 Notable Trees</b>	
<b>All Zones</b>	<p><b>Activity status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>The activity does not involve or result in:</p> <ul style="list-style-type: none"> <li>i. the destruction, removal, or partial removal of the notable tree;</li> <li>ii. earthworks, except for: <ul style="list-style-type: none"> <li>a. earthworks for the purpose of installing underground network utilities, including customer connections, provided these are: <ul style="list-style-type: none"> <li>a. no shallower than 1m below ground level;</li> <li>b. installed by hand-digging or trenchless means (such as air spade, hydro vac or directional drilling methods); and</li> <li>c. have an entry point either outside of the root protection area or that has an area of less than 1m<sup>2</sup>;</li> </ul> </li> </ul> </li> <li>iii. the covering of the ground by any building or structure or the storage of goods, including the parking of vehicles;</li> <li>iv. the laying of any impervious surface; or</li> <li>v. the discharge of any toxic substance hazardous to the tree, unless a qualified arborist certifies that the health of the tree will not be adversely affected.</li> </ul>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The relevant matters listed in the NT-Policies above.</li> <li>b. The options for the tree's management, including protection.</li> <li>c. Replacement planting in the event the works result in loss of the tree.</li> </ul>
<b>NT-R3</b>	<b>Removing or altering any notable tree listed in SCHED4 Notable Trees, other than provided for by TREE-R1</b>	
<b>All zones</b>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p>	

	<ul style="list-style-type: none"><li>a. The relevant matters listed in the NT-Policies above.</li><li>b. Options for the tree's management, including relocation or protection.</li><li>c. Disposal of removed vegetation.</li><li>d. Archival recording.</li><li>e. Replacement planting.</li></ul>	
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## **NT – Standards**

There are no standards for this Chapter.

## ECO – Ecosystems and Indigenous Biodiversity

### Introduction

The RMA requires district councils to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna. In addition, a function of district councils under the RMA is the control of any effects of the use, development, or protection of land, for the purpose of maintaining indigenous biological diversity (abbreviated to 'biodiversity').

Today, while little deliberate modification takes place, the main threats to indigenous forests are stock browsing and plant and animal pest infestation. These pressures mean it is important to protect the remaining areas of significant indigenous vegetation and fauna on a long-term sustainable basis where indigenous species can regenerate naturally.

Subdivision, use and development can contribute to the continued loss and reduction of indigenous biodiversity resulting in:

- Loss of resilience and increased vulnerability of ecosystems and species.
- A decline in extent, connection, health and quality of ecosystems and species.
- Cumulative loss or degradation of ecosystem services or species.
- Loss of amenity and cultural values.
- Loss of economic opportunities.
- Loss of choices for future generations.
- Consequential effects on water quality.

Many landowners are aware of the value of indigenous vegetation on their property, and most do what they can to protect and maintain these areas. Indeed, many landowners highly value the remnant indigenous forest and natural inland wetland areas within their property and regard them as heritage assets for future generations. However, the costs of fully protecting and maintaining such areas can be large, and support, both in terms of expertise and resources, is often required to ensure effective ongoing management.

The Ecosystems and Indigenous Biodiversity chapter seeks to protect, maintain and enhance indigenous biodiversity values through a combination of regulatory and non-regulatory methods. The regulatory methods are outlined in provisions of this chapter and other relevant chapters of the District Plan. Non-regulatory methods include:

- Information and education on the value of Tararua's biodiversity and its areas, including the need to consider their values when planning an activity or development.
- Incentives and information as appropriate to encourage landowners to protect natural habitats, such as rates relief, support with fencing and pest control, funding sources, and assistance with applications for protective covenants.
- Use of other statutory functions and powers to promote biodiversity such as the Reserves Act 1977.
- Cooperation with landowners, organisations, groups and interested parties involved in conservation management.
- Support of local conservation care groups and programmes.
- As appropriate, use Heritage Orders to protect specific areas, particularly significant areas under immediate threat.

This plan must also maintain or enhance indigenous biodiversity that is not identified as an SNA. In order to do this, there are rules in the general rural zone, coastal environment and natural character chapters designed to promote positive indigenous biodiversity outcomes and to maintain the full range of ecosystem types. Areas of indigenous forest, shrublands and wetlands can also contribute to the visual amenity of the district's landscapes. So there are also rules in the natural features and landscapes chapter about how much non-SNA indigenous vegetation can be cleared over the period of a calendar year. It is the Regional Council's function to provide for the protection of indigenous biodiversity and SNAs. This is managed through the regional plan.

In relation to natural inland wetlands, the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (“NES-F”) provides a national environmental standard for activities on or near natural inland wetlands. The NES-F contains a set of planning controls that directs the requirement for consent or otherwise for activities on or near natural inland wetlands. Regional councils are responsible for applying and enforcing the provisions of the NES-F. Therefore, the District Plan and district councils do not manage natural inland wetlands.

## Objectives

- ECO-01** The biological diversity of indigenous species and habitats within Tararua is maintained and enhanced, or restored where degraded.
- ECO-02** Areas of significant indigenous vegetation and significant habitats of indigenous fauna within Tararua are protected from inappropriate subdivision, use, and development.

## Policies

- ECO-P1** Coordinate with other agencies and organisations in identifying risks, requirements, opportunities, and effective methods for protecting and enhancing indigenous biodiversity and restoring indigenous biodiversity where it has been degraded.
- ECO-P2** Collaborate with other agencies and organisations in undertaking joint initiatives and in supporting landowners’ initiatives in the protection and enhancement of indigenous biodiversity and restoring indigenous biodiversity where it has been degraded.
- ECO-P3** Identify those areas that are habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna in the District.
- ECO-P4** Protect those areas that are habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna in the District from inappropriate subdivision, land use, and development by:
1. Only providing for activities that demonstrate an operational need or functional need to be located in this area;
  2. Ensuring areas are not removed in whole or part;
  3. Requiring activities within or directly adjacent to these areas to avoid, remedy, or mitigate the adverse effects on the values of the area; and
  4. Managing effects of vegetation modification within the margins of any natural inland wetlands and rely upon Resource Management (National Environmental Standards for Freshwater) Regulations 2020 in all other cases.
- ECO-P5** Enable the following activities relating to habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna in the District where they contribute to the protection, maintenance, and enhancement of the areas:
1. Removal of broken branches, deadwood, diseased vegetation, or exotic species;
  2. Maintenance of the safety and efficiency of network utilities;
  3. Maintenance of existing access tracks for network utilities;
  4. Maintenance of existing access tracks, fencelines, and firebreaks and the construction of new fencelines and firebreaks;
  5. Customary activities; and
  6. Conservation activities.
- ECO-P6** Manage the effects of subdivision, use, and development of significant indigenous vegetation and significant habitats of indigenous fauna by:

1. Avoiding the loss or degradation of areas of significant indigenous vegetation and significant habitats of indigenous fauna in preference to remediation or mitigation;
2. Avoiding the loss of habitat that supports or provides a key life function for Threatened or At Risk indigenous species; and
3. Requiring that any unavoidable more than minor adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna are remedied or mitigated.

More than minor residual adverse effects on significant indigenous vegetation and significant habitats of indigenous fauna, outside the Coastal Environment, that cannot be avoided, remedied, or mitigated in accordance with clauses 1 - 3 above shall be offset, or if biodiversity offsetting cannot be reasonably achieved, shall be addressed through environmental compensation.

**ECO-P7** Provide for the modification of vegetation outside of habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna where:

1. The indigenous vegetation is kanuka, manuka, or tauhinu;
2. Other indigenous vegetation where loss of mature indigenous vegetation is minimised;
3. Timber is for reasonable personal use of up to 50m<sup>3</sup> over any 10-year period;
4. Modification is undertaken in accordance with an approval under Part IIIA of the Forests Act 1949;
5. The naturally occurring indigenous vegetation has grown under the canopy of a plantation forest or as a consequence of the harvesting of plantation forest;
6. The plantation forestry and other vegetation has been planted and managed for horticulture or agriculture purposes;
7. Necessary for the avoidance of imminent danger to human life or property;
8. Activities are carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Greater Wellington Regional Council, or Department of Conservation, or QEII Trust; and
9. It is necessary for the construction or maintenance of a firebreak.

**ECO-P8** Manage the modification of indigenous vegetation outside of habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna to ensure any adverse effects on the biological diversity of indigenous species and habitats are avoided, remedied, or mitigated, considering:

1. The significance and values of the vegetation and habitat;
2. The extent of modification, including measures to avoid or minimise the loss, damage, or disruption to ecological processes, functions, and integrity of the vegetation and habitat; and
3. The effects of the modification on the significance and values of the vegetation and habitat, including potential cumulative effects.

**ECO-P9** Support and encourage the protection of natural habitats on private land, including restoring and protecting linkages and ecological corridors.

**ECO-P10** Increase public awareness of the natural values within the District and encourage community support for the protection and conservation of biodiversity.

**ECO-P11** Restrict the keeping or farming of goats near areas of significant indigenous vegetation and significant habitats of indigenous fauna to protect their natural values.

**ECO-P12** Provide for conservation lots to be created during land subdivision to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.

## Rules

The rules that apply to Ecosystems and Indigenous Biodiversity are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- ECO-R1 to ECO-R3 - Activities Rules; and
- ECO-S1 and ECO-S2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities relating to Energy.

## ECO – Activity Rules

ECO-R1	Modification of indigenous vegetation	
All zones	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b> The modification of indigenous vegetation is for one or more of the following:</p> <ol style="list-style-type: none"> <li>i. associated with a conservation activity or a customary activity;</li> <li>ii. trimming that is required to comply with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001;</li> <li>iii. carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Manawatu-Whanganui Regional Council, or Department of Conservation, or QEII Trust;</li> <li>iv. a pest plant species identified in Appendix ECO-1;</li> <li>v. required to remove or trim branches of vegetation to the extent necessary to avoid them interfering with lawfully established structures, buildings, fencelines, network utilities, existing roads or access tracks;</li> <li>vi. required to remove or trim branches of vegetation to the extent necessary to erect a fenceline around the perimeter of the Area;</li> <li>vii. The modification is required in accordance with Section 43 and 64 of the Fire and Emergency New Zealand Act 2017; or</li> </ol>	<p><b>Activity status where compliance is not achieved: DIS</b></p>



	viii. The modification is required to remove vegetation infected by an unwanted organism under the Biosecurity Act 1993.	
<b>ECO-R2</b>	<b>Modification of indigenous vegetation outside of an Area</b>	
<b>All Zones</b>	<p><b>Activity status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>Where one or more of the following applies:</p> <ul style="list-style-type: none"> <li>i. The modification is associated with conservation activities or customary activities;</li> <li>ii. Compliance is achieved with ECO-S1;</li> <li>iii. No more than 50m<sup>3</sup> of timber harvested for reasonable personal use over any 10-year period;</li> <li>iv. The harvesting of indigenous timber undertaken in accordance with an approval under Part IIIA of the Forests Act 1949;</li> <li>v. The operation and/or maintenance and repair of existing pasture, fences, drains, structures, network utilities, and infrastructure, fire breaks including existing roads or tracks (including walking or cycling tracks);</li> <li>vi. Trimming that is required to comply with the Electricity (Hazards from Trees) Regulations 2003;</li> <li>vii. Activities carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Manawatu-Whanganui Regional Council, or Department of Conservation, or QEII Trust;</li> <li>viii. The trimming or removal of indigenous vegetation that has been planted and managed specifically for commercial horticulture, plantation forestry, or agricultural purposes; or</li> <li>ix. For the avoidance of loss of life, injury, or serious damage to property;</li> <li>x. The modification is required in accordance with Section 43 and 64 of the Fire and Emergency New Zealand Act 2017;</li> <li>xi. The modification is required to remove vegetation infected by an unwanted organism under the Biosecurity Act 1993.</li> </ul>	<p><b>Activity Status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <p>a. The relevant matters in ECO-Policies listed above.</p>
<b>ECO-R3</b>	<b>Keeping of Goats</b>	
<b>All zones</b>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is</b></p>

	<ul style="list-style-type: none"> <li>i. The site(s) on which the goats are kept is not located within 2km of the Natural Open Space Zone; and</li> <li>ii. Compliance is achieved with ECO-S2.</li> </ul>	<p><b>restricted:</b></p> <ul style="list-style-type: none"> <li>a. The effect of non-compliance with any relevant standard and the matters of discretion of any standard that is not met.</li> <li>b. The area and location of the activity.</li> <li>c. The risk of reinvasion should goats escape from the site (i.e. proximity to conservation land, or features that act as natural corridors to invasion).</li> <li>d. The suitability of fencing for effectively containing goats within the property, having regard to both the goat proof fencing standard ECO-S1 and the nature of the terrain.</li> <li>e. The method of disposing of the goats in the event of the activity being discontinued.</li> <li>f. Potential effect on indigenous vegetation and habitat for indigenous fauna on the site or in the adjacent conservation area.</li> <li>g. Reporting and inspection requirements.</li> <li>h. Methods of stock identification.</li> <li>i. Whether the proposed alternative fence design or other means of containment (by enclosure or tether) will adequately contain the keeping of goats within the site.</li> </ul>
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## ECO – Standards

<b>ECO-S1 Modification of indigenous vegetation</b>	
<b>All zones</b>	<ul style="list-style-type: none"> <li>1. Indigenous vegetation is not within 20m of a natural inland wetland;</li> <li>2. The indigenous vegetation is kanuka, manuka, or tauhinu; and</li> <li>3. Any other indigenous vegetation species where:                             <ul style="list-style-type: none"> <li>a. the vegetation height is less than 4m and trunk diameter is less than 30cm as measured 1.4m above ground; and</li> <li>b. all other cases, there is no more than 10% of the total area of vegetation and no more than 200m<sup>2</sup> of vegetation is modified in any 5-year period.</li> </ul> </li> </ul>
<b>ECO-S2 Fencing requirements for the keeping of goats</b>	
<b>All zones</b>	<ul style="list-style-type: none"> <li>1. All goats shall be contained within fenced areas, with fencing that meets the following requirements:                             <ul style="list-style-type: none"> <li>a. wire post-and-batten fence with no internal or external stays and with a minimum of high tensile 2.5mm diameter galvanised steel, and either:                                     <ul style="list-style-type: none"> <li>i. nine wires, with the bottom wire placed no higher than 80mm above ground level and, above that, wires placed at the following intervals: 100, 100, 100, 110, 120, 135, 150, and 165mm. The top wire should be approximately 50mm below the top of the post; or</li> <li>ii. seven wires, with the bottom wire barbed, and no higher than 80mm above ground level and, above that, wires placed at the following intervals 100, 120, 140, 160, 210, and 250mm. The top wire should be approximately 50mm below the top of the post. An electric wire on an outrigger shall also extend for the full</li> </ul> </li> </ul> </li> </ul>

	<p>length of the fence.</p> <p>b. posts must be at the following intervals:</p> <ol style="list-style-type: none"> <li>i. less than 30 degrees ground slope: 5m;</li> <li>ii. 30 degrees to less than 45 degrees: 4m; and</li> <li>iii. 45 degrees or more: 3m;</li> </ol> <p>c. battens must be at 1m intervals; and</p> <p>b. fences across water bodies shall also require a floodgate to be constructed of H3 treated 100mm x 50mm timber suspended from an overhead wire or rail in such a way that the spacings will allow the passage of water but will not allow stock including goats to pass through. A cross-bar shall be positioned in the top third of the floodgate. Wire netting will not be used in floodgate construction. Flood gates across culverted watercourses shall be on the downstream side of the culvert.</p>
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## Appendix ECO – 1: Pest Plant Species

Common Name	Species
African club moss	<i>Selaginella kraussiana</i>
African feather grass	<i>Pennisetum macrourum</i>
African fountain grass	<i>Pennisetum setaceum</i>
Apple of Sodom	<i>Solanum linnaeanum</i>
Artemisia	<i>Artemisia</i> spp
Artillery plant	<i>Galeobdolon luteum</i>
Arum lily	<i>Zantedeschia aethiopica</i>
Asiatic knotweed	<i>Reynoutria japonica</i>
Australian sedge	<i>Carex longebrachiata</i>
Barberry Berberis	<i>Berberis glaucocarpa</i>
Bathurst bur	<i>Xanthium spinosum</i>
Blackberry	<i>Rubus</i> spp. barbed cultivars
Blue morning glory	<i>Ipomoea indica</i>
Bomarea	<i>Bomarea caldasii</i> , <i>B. multiflora</i>
Boxthorn	<i>Lycium ferocissimum</i>
Broom	<i>Cytisus scoparius</i>
Brush wattle	<i>Paraserianthes lophantha</i>
Buddleia	<i>Buddleja davidii</i>
Californian arrowhead	<i>Sagittaria montevidensis</i>
Californian bulrush	<i>Schoenoplectus californicus</i>
Cape honey flower	<i>Melianthus major</i>
Cape ivy	<i>Senecio angulatus</i>
Cape tulip	<i>Moraea flaccida</i> (syn. <i>H omeria collina</i> )
Chilean flame creeper	<i>Tropaeolum speciosum</i>
Chinese pennisetum	<i>Pennisetum alopecuroides</i>
Chocolate vine	<i>Akebia quinata</i>
Climbing asparagus	<i>Asparagus scandens</i>
Climbing dock	<i>Rumex sagittatus</i>
Cotoneaster	<i>Cotoneaster franchetii</i> , <i>C. horizontalis</i>
Crack willow	<i>Salix fragilis</i>

Darwin's barberry	<i>Berberis darwinii</i>
Delta arrowhead	<i>Sagittaria platyphylla</i>
Didymo	<i>Didymosphenia geminata</i>
Elaeagnus	<i>Elaeagnus x reflexa</i>
Evergreen buckthorn	<i>Rhamnus alaternus</i>
German ivy	<i>Senecio mikanioides</i>
Giant knotweed	<i>Reynoutria sachalinensis</i> and hybrids
Giant Hogweed	<i>Heracleum mantegazzianum</i>
Gorse	<i>Ulex europaeus</i>
Great bindweed	<i>Calystegia silvatica</i>
Gunnera	<i>Gunnera tinctoria</i>
Hawaiian arrowhead	<i>Sagittaria sagittifolia</i>
Hawthorn	<i>Crataegus monogyna</i>
Hemlock	<i>Conium maculatum</i>
Himalayan honeysuckle	<i>Leycesteria Formosa</i>
Hornwort	<i>Ceratophyllum demersum</i>
Houttuynia	<i>Houttuynia cordata</i>
Hydrilla	<i>Hydrilla verticillata</i>
Japanese honeysuckle	<i>Lonicera japonica</i>
Japanese spindletree	<i>Euonymus japonicus</i>
Johnson grass	<i>Sorghum halepense</i>
Lagarosiphon	<i>Lagarosiphon major</i>
Madeira vine	<i>Anredera cordifolia</i>
Manchurian wild rice	<i>Zizania latifolia</i>
Marram grass	<i>Ammophila arenaria</i>
Mexican daisy	<i>Erigeron karvinskianus</i>
Mile-a-minute	<i>Dipogon lignosus</i>
Mist flower	<i>Ageratina riparia</i>
Monkey apple	<i>Acmena smithii</i>
Montbretia	<i>Crocasmia x crocosmiiflora</i>
Nasturtium	<i>Nasturtium officinalis</i>
Nodding thistle	<i>Carduus nutans</i>
Noogoora bur	<i>Xanthium occidentale</i>
Pampas grass	<i>Cortaderia jubata</i> , <i>C. selloana</i>
Parrot's feather	<i>Myriophyllum aquaticum</i>
Perennial nettle	<i>Urtica dioica</i> (subsp.)
Periwinkle	<i>Vinca major</i>
Phragmites	<i>Phragmites australis</i>
Plectranthus	<i>Plectranthus ciliatus</i>
Polypodium (common polypody)	<i>Polypodium vulgare</i>
Purple ragwort	<i>Senecio glastifolius</i>
Pussy willow	<i>Salix cinerea</i>
Pyp grass	<i>Ehrharta villosa</i>
Ragwort	<i>Senecio jacobaea</i>

Saffron thistle	<i>Carthamus lanatus</i>
Salvinia	<i>Salvinia molesta</i>
Silver poplar	<i>Populus alba</i>
Smilax	<i>Asparagus asparagoides</i>
Spanish heath	<i>Erica lusitanica</i>
Stinking iris	<i>Iris foetidissima</i>
Sweet pea shrub	<i>Polygala myrtifolia</i>
Sycamore	<i>Acer pseudoplatanus</i>
Tradescantia	<i>Tradescantia fluminensis</i>
Tuber ladder fern	<i>Nephrolepis cordifolia</i>
Variegated thistle	<i>Silybum marianum</i>
Velvet groundsel	<i>Senecio petasitis</i>
Water hyacinth	<i>Eichhornia crassipes</i>
White bryony	<i>Bryonia cretica</i> subsp. <i>dioica</i>
White edged nightshade	<i>Solanum marginatum</i>
Wild ginger	<i>Hedychium, gardnerianum, H. flavescens</i>
Wild onion	<i>Allium vineale</i>

# NATC – Natural Character

## Introduction

District plans must recognise and provide for matters of national importance identified in the Act. The preservation of the natural character of wetlands, and lakes and rivers and their margins is a matter of national importance, which means that this plan must protect their values from inappropriate subdivision, use and development. Water bodies are of particular spiritual and intrinsic significance to mana whenua and are also enjoyed by the community for a range of commercial and recreational uses.

Riparian margins have natural character values and provide access to surface waterbodies and contribute to amenity, recreation, hazard management, and ecological values.

Surface waterbodies that require additional special protection from inappropriate use, subdivision, and development are identified as Significant Waterbodies. These surface waterbodies have been identified due to a number of significant values within their riparian margins, including those associated with natural character, public access, cultural significance, indigenous biodiversity, and natural hazard values. Significant waterbodies are identified based on the following criteria:

- the surface waterbody and/or its margins have high natural character and ecology values, including natural aquatic habitats that support the presence of threatened, at risk, or regionally distinctive indigenous species;
- the surface waterbody is of a nature and magnitude that creates a risk for natural hazards;
- use of the surface waterbody and/or its margins for recreational and public access purposes including walking, surface water activities, fishing, hunting, and tramping;
- cultural, spiritual, or heritage associations of tangata whenua to the surface waterbody, including ability to undertake customary activities; and/or
- importance of water quality, including for urban water supplies, and in relation to the above values.

This chapter addresses the natural character of freshwater environments, including rivers, lakes, natural inland wetlands, and their margins. Natural character of coastal areas is addressed in the Coastal Environment chapter. Resource Management (National Environmental Standards for Freshwater) Regulations 2020 manage vegetation removal, earthworks, natural hazards works, infrastructure, and public access structures within 10m of natural inland wetlands. As such, the provisions outlined in this chapter do not duplicate any requirements for these activities and they are not managed through this chapter.

## Objectives

**NATC-O1** The natural character of Tararua’s rivers, lakes, and natural inland wetlands and their margins is preserved, and enhanced where appropriate, and protected from inappropriate subdivision, use, and development.

## Policies

**NATC-P1** Manage the design, location, and scale of subdivision, use, and development adjoining surface waterbodies so they preserve the special qualities and natural character of surface waterbodies.

**NATC-P2** Provide for and encourage the restoration and/or enhancement of the natural character of surface waterbodies and their margins.

**NATC-P3** Allow earthworks within 25m of Significant Waterbodies where they are for the purpose of maintenance works on infrastructure, such as maintaining drains, man-made dams, access tracks or roads, for approaches to bridges and culverts or for water supply infrastructure, including irrigation.

- NATC-P4** Only allow other earthworks within 25m of Significant Waterbodies where:
1. Natural character values of Significant Waterbodies are preserved or enhanced; and
  2. Significant adverse effects on the values of Significant Waterbodies are avoided and all other adverse effects are avoided, minimised, or remedied.

- NATC-P5** Discourage buildings and structures within 10m of surface waterbodies within the General Rural Zone, 5m of any surface waterbody in any other zone, and 25m of Significant Waterbodies across all zones and only allow buildings and structures within these setbacks where:
1. There is a functional need or operational need for their location within the setback;
  2. The location, intensity, scale, design, and form of the building or structure preserves natural character values; and
  3. Any potential cumulative effects on natural character values are minimised.

- NATC-P6** Allow modification of vegetation within 25m of Significant Waterbodies where it involves pest plant species or is associated with primary production, and only allow other modification of vegetation when:
1. Natural character values of Significant Waterbodies are preserved or enhanced; and
  2. Significant adverse effects on the values of Significant Waterbodies are avoided and all other adverse effects are avoided, minimised, or remedied.

## Rules

The rules that apply to Natural Character are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- NATC-R1 and NATC-R2 - Activities Rules; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities relating to Energy.

## NATC – Activity Rules

NATC-R1	Earthworks within 25m of a Significant Waterbody	
All zones	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>The earthworks are for the purpose of:</p> <ol style="list-style-type: none"> <li>i. the maintenance of drains, man-made dams, access tracks, existing infrastructure or roads;</li> <li>ii. the maintenance of water supply infrastructure, including irrigation;</li> <li>iii. construction or maintenance of a bridge or culvert; or</li> </ol>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>a. The location, extent, timing, and duration of the activity.</li> <li>b. Effects on the risks from natural hazards, including erosion and flooding.</li> <li>c. Effects on natural character and landscape values.</li> </ol>

	<p>iv. park management activities in the Open Space Zone.</p>	<p>d. Effects on ecological values, including the aquatic values of the surface waterbody.</p> <p>e. Effects on recreational values and public access.</p> <p>f. Effects on areas of significance to tangata whenua and archaeological sites.</p> <p>g. Methods to avoid, remedy, or mitigate the adverse effects.</p> <p>h. Rehabilitation measures, including recontouring and revegetation.</p>
<b>NATC-R2</b>	<b>Modification of vegetation and associated earthworks within 25m of a Significant Waterbody</b>	
<b>All Zones</b>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>The earthworks are for the purpose of:</p> <ul style="list-style-type: none"> <li>i. the modification of vegetation only involves pest plant species identified in Appendix ECO-1; or</li> <li>ii. the modification of vegetation associated with an existing primary production activity and there is no modification of indigenous vegetation.</li> </ul>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The location, extent, timing, and duration of the activity.</li> <li>b. Effects on the risks from natural hazards, including erosion and flooding.</li> <li>c. Effects on natural character and landscape values.</li> <li>d. Effects on ecological values, including the aquatic values of the surface waterbody.</li> <li>e. Effects on recreational values and public access.</li> <li>f. Effects on areas of significance to tangata whenua and archaeological sites.</li> <li>g. Methods to avoid, remedy, or mitigate the adverse effects.</li> <li>h. Rehabilitation measures, including recontouring and revegetation.</li> </ul>

## NATC – Standards

There are no standards for this Chapter.



# NFL – Natural Features and Landscapes

## Introduction

The RMA requires the protection of Outstanding Natural Features and Landscapes in the district from inappropriate subdivision, use, and development. These are the features and landscapes that are outstanding due to a range of factors, e.g. scientific matters, and aesthetic, transient, and cultural values.

The Natural Features and Landscapes chapter comprises identified areas of Outstanding Natural Features and Landscapes throughout the district. These are district-wide overlays which apply across all zones containing these landscapes and features.

The landscapes within Tararua define the characteristics and unique identity of the area, incorporating rugged and rolling hills, ridgelines, lowland valleys, and coastal escarpments. Some features remain strongly natural while others have been modified through human activity over time. Together these provide a distinct natural identity and amenity unique to Tararua that is valued by the community.

Outstanding Natural Features and Landscapes are dominated by natural landscape components and are identified on the basis of their characteristics and values. Outstanding Natural Features and Landscapes include both outstanding natural features and the broader outstanding landscapes. The District Plan avoids distinguishing between 'features' and 'landscapes' and instead identifies any outstanding areas collectively as Outstanding Natural Features and Landscapes. All of the identified Outstanding Natural Features and Landscapes within Tararua are identified in SCHED6 Outstanding Natural Features and Landscapes.

## Objectives

**NFL-O1** The identified Outstanding Natural Features and Landscapes are protected from the adverse effects of inappropriate subdivision, use, and development.

## Policies

**NFL-P1** Outstanding Natural Features and Landscapes within the Tararua have been identified as being natural features and landscapes where:

1. They are exceptional or out of the ordinary; and
2. Their natural components dominate over the influence of human activity.

While taking into account the following criteria:

- i. natural science factors;
- ii. sensory factors; and
- iii. shared or recognised features.

**NFL-P2** Only allow subdivision, use, and development within an identified Outstanding Natural Feature and Landscape where it:

1. avoids significant adverse effects and avoids, remedies, or mitigates any other adverse effects on the identified characteristics and values of the Outstanding Natural Feature and Landscape;
2. is demonstrated it is appropriate by:
  - i. having an operational need or functional need to be located in this area;
  - ii. minimising earthworks and changes to the landform;
  - iii. reducing the scale and prominence of any buildings or structures, including any proposed building platforms, and integrating landform and context into the design and through the use of naturally occurring building platforms and sympathetic materials;

- iv. avoiding or minimising the removal of any indigenous vegetation;
- v. enabling the repair, maintenance, and removal of existing infrastructure; and
- vi. enabling the continuation, or enhancing, of tangata whenua cultural and spiritual values and customary activities.

**NFL-P3** Avoid adverse effects from subdivision, use, and development on the identified characteristics and values of the Outstanding Natural Features and Landscapes located within the Coastal Environment.

**NFL-P4** Allow subdivision, use, and development within an Outstanding Natural Features and Landscapes where it is associated with conservation activities or:

- 1. it relates to the maintenance, repair, or removal of existing infrastructure;
- 2. there is a functional need or operational need for the activity to be located in the Outstanding Natural Features or Landscapes;
- 3. the form, scale, and nature of the activity will not detract from the characteristics and values of the Outstanding Natural Features and Landscapes by:
  - i. integrating landform and context into the design and through the use of naturally occurring building platforms and sympathetic materials;
  - ii. limiting the prominence or visibility of built form, including by integrating it into the natural landform; and
  - iii. restoring or reinstating areas of earthworks and replanting areas of modification of vegetation; and d. the activity is consistent with Policies NFL-P3 and NFL-P4.

**NFL-P5** Increase public awareness of landscape values and their importance and encourage the community and landowners to support protection of Tararua’s Outstanding Natural Features and Landscapes.

**NFL-P6** Provide support and incentives as appropriate to landowners in the protection of Outstanding Natural Features and Landscapes.

## Rules

The rules that apply to Natural Features and Landscapes are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- NFL-R1 and NFL-R2 - Activities Rules; and
- NFL-S1 to NFL-S3 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity. Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities relating to Energy.

## NFL – Activity Rules

<b>NFL-R1</b>	<b>Earthworks, modification of indigenous vegetation, or buildings and structures (including construction, additions, and alterations) within Outstanding Natural Features and Landscapes</b>
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<p><b>All zones</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>i. Compliance is achieved with: <ul style="list-style-type: none"> <li>a. NFL-S1;</li> <li>b. NFL-S2; and</li> <li>c. NFL-S3; or</li> </ul> </li> <li>ii. Earthworks, modification of indigenous vegetation, or buildings and structures are associated with conservation activities;</li> </ul> <p>And</p> <ul style="list-style-type: none"> <li>iii. The Outstanding Natural Features and Landscapes is not located within the Coastal Environment; and</li> <li>iv. Is not associated with plantation forestry.</li> </ul>	<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>1. Compliance is not achieved with NFL-R1(1)(iii); and</li> <li>2. Compliance is achieved with NFL-R1(1)(i).</li> </ul> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The degree of change to the natural landform.</li> <li>b. The effects of activity on the identified characteristics and values of the Outstanding Natural Features and Landscapes.</li> <li>c. The effects of activity on the identified characteristics and values of the Coastal Environment.</li> <li>d. Whether the activity has an operational need or functional need for the location.</li> <li>e. The effect of the reflectivity and colour of external materials on the identified characteristics and values of the Outstanding Natural Features and Landscapes.</li> </ul>
		<p><b>Activity status where compliance is not achieved: RDIS</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>1. Compliance is not achieved with NFL-R1(1)(i);</li> <li>2. The Outstanding Natural Features and Landscapes is not located within the Coastal Environment;</li> <li>3. The maximum area of earthworks within an Outstanding Natural Features and Landscapes does not exceed 500m<sup>2</sup> per site;</li> <li>4. The maximum area of any modification of vegetation does not exceed 500m<sup>2</sup> per site; and</li> <li>5. Any building or structure does not exceed: <ul style="list-style-type: none"> <li>i. a gross floor area of 200m<sup>2</sup> per site; and</li> <li>ii. a maximum height of 5m.</li> </ul> </li> </ul> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The effect of non-compliance with any relevant standard and the matters of discretion of any standard that is not met.</li> </ul>
		<p><b>Activity Status: NC</b></p> <p><b>Where:</b></p> <p>Earthworks, modification of vegetation, or buildings and structures is not otherwise</p>

		provided for by Rule NFL-R1(i), NFL-R1(ii), or NFL-R1(iii).
<b>NFL-R2</b>	<b>Plantation Forestry within an Outstanding Natural Feature or Landscape</b>	
<b>All Zones</b>	<b>Activity status: NC</b>	

## NFL – Standards

<b>NFL-S1 Earthworks</b>		
<b>All zones</b>	<p>Earthworks must not exceed:</p> <ol style="list-style-type: none"> <li>1. a maximum cut or fill height greater than 1.5m above ground level; and</li> <li>2. a maximum area of 50m<sup>2</sup> per site.</li> </ol> <p>This standard does not apply to:</p> <p>Earthworks associated with maintaining existing farm tracks, fence lines, water supply infrastructure and access ways are exempt from the above area standards but must comply with NFL-S1(1)(a).</p>	<p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>a. The degree of change to the natural landform.</li> <li>b. The effect of the earthworks on the identified characteristics and values within an Outstanding Natural Features and Landscapes.</li> </ol>
<b>NFL-S2 Modification of indigenous vegetation</b>		
<b>All zones</b>	<p>Modification of indigenous vegetation must not exceed, in total area, 50m<sup>2</sup> in any 12-month period.</p> <p>This standard does not apply to modification of indigenous vegetation that is:</p> <ol style="list-style-type: none"> <li>1. 3m either side of, or within, an existing formed road, stock crossing, or accessway;</li> <li>2. 3m either side of a fence, or other lawfully established structure; or</li> <li>3. within 10m of an existing lawfully established residential unit.</li> </ol>	<p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>a. The scale of the indigenous vegetation modification.</li> <li>b. The effect of the vegetation modification on identified values and characteristics within an Outstanding Natural Features and Landscapes.</li> </ol>
<b>NFL-S3 Buildings and structures</b>		
<b>All zones</b>	<p>Buildings and structures within an Outstanding Natural Features and Landscape must meet the following standards:</p> <ol style="list-style-type: none"> <li>1. the gross floor area of any building or structure on a site must not exceed 50m<sup>2</sup> per site;</li> <li>2. the building or structure must not exceed one storey and must not exceed a maximum height of 5m;</li> <li>3. maximum of one residential unit per site;</li> <li>4. any roof cladding must be of matt finish in a natural range of browns, greens, and greys to complement the tones found in the natural surroundings, with the colour having a light reflectivity value (LRV) percentage between 5 and 25%; and</li> <li>5. cladding is limited to natural materials and/or recessive colours with light reflectivity value (LRV) of 35% or less.</li> </ol>	<p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>a. Whether the building or structure is integrated into the landform to limit prominence and protect the identified characteristics and values within an Outstanding Natural Features and Landscapes.</li> <li>b. The effect of the scale and location on the identified characteristics and values within an Outstanding Natural Features and Landscapes.</li> <li>c. The effect of the reflectivity and colour of external materials on the identified characteristics and values within an Outstanding Natural Features and Landscapes.</li> </ol>

# PA – Public Access

## Introduction

The District has an extensive coastline and numerous freshwater bodies that are important natural features and highly valued for cultural and recreation uses. Therefore, public access to these surface waterbodies contributes to the cultural, social, and economic wellbeing of Tararua.

The maintenance and enhancement of public access to and along the Coastal Marine Area, lakes, and rivers is a matter of national importance under section 6 of the RMA. Public access to and along the coastal environment is a key consideration of the New Zealand Coastal Policy Statement.

The District Plan has an important role in providing for public access to and along surface waterbodies and the Coastal Marine Area throughout Tararua. This role includes the provision of esplanade reserves or esplanade strips when land is subdivided. Waterbodies that are of particular significance for public access within their margins are identified as Significant Waterbodies. The associated rules to manage inappropriate use and development within the margins of these Significant Waterbodies is located within the Natural Character chapter.

This Public Access chapter contains objectives and policies relating to public access. Rules relating to esplanade reserves and esplanade strips are contained in the Subdivision Chapter. These provisions align with the Subdivision Chapter and are considered at the time of any subdivision consent or any land use consent within the margins of the Coastal Marine Area or surface waterbody.

## Objectives

- PA-O1** Public access to and enjoyment of the coast, rivers, lakes, and natural inland wetlands and their margins is maintained and enhanced in a manner that:
1. Preserves their natural character, indigenous biodiversity, landscape, historic heritage, and cultural values; and
  2. Minimises incompatibility of providing public access with adjoining activities.

## Policies

- PA-P1** Require, where appropriate, any subdivision of land to provide esplanade reserves or esplanade strips to form a connected series of esplanade reserves/strips of minimum width of 10 m along surface waterbodies and the Coastal Marine Area where:
1. The subdivision of land adjoins a surface waterbody or the Coastal Marine Area and access is necessary to protect natural character, indigenous biodiversity, landscape, historic heritage, recreational, and cultural values; and
  2. The subdivision of land adjoins or can provide improved access to Significant Waterbodies.
- PA-P2** Enable activities within the coast, rivers, lakes, and wetlands and their margins that do not restrict or prevent public access to, or adjacent to the coast and surface waterbodies.
- PA-P3** Ensure use, subdivision, and development of the coastal environment provides for, or enhances, public access to and along the Coastal Marine Area. Access should only be restricted for the following reasons:
1. To protect natural habitats;
  2. To protect sites and activities of cultural value to Māori;

3. To protect historic heritage features and areas; or
4. To protect public health and safety.

## **Rules**

There are no rules for this chapter.

## **Standards**

There are no standards for this chapter.