



Opotiki District Council

Section 32 Evaluation Report

13. Landscapes and Vegetation

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September 2016

1. Introduction

The Ōpōtiki district has an abundance of outstanding natural features and landscapes and areas of significant indigenous flora and habitats of indigenous fauna. There has been historic and continuing loss of wetlands, indigenous vegetation and indigenous habitats, often exacerbated by land use practices and damaging plant and animal pests. The District Plan acknowledges that historical land use has contributed to a reduction in the number of areas of vegetation and habitat significance, but recognises that in some areas there have been concerted efforts made by land owners to protect and manage resources so that they are available for future use and enjoyment. There is an opportunity now for restoration and enhancement to reduce or avoid the biodiversity loss in the district.

Outstanding natural features and landscapes

Outstanding natural features and landscapes (ONFLs) are a significant natural resource of the Ōpōtiki district. Protecting the habitats and landscapes of the district contribute to soil conservation and the protection of water bodies. They sustain life through their roles in the cycling of nutrients, oxygen, carbon, and other chemicals. The management of the effects of land use activities on outstanding natural features and landscapes is a matter that the District Plan must address.

The District's coastal environment comprises many of the highly valued landscapes and features. These include:

- Areas of significant indigenous vegetation and habitats of indigenous flora
- Areas for recreational opportunities
- Links the land with the water,
- A place for people to reside
- Opportunities for commercial activity
- Places with cultural and historic associations.

Activities in the coastal environment need to be carefully managed to ensure that the natural character and ecological values are not adversely affected.

A study was commissioned from Boffa Miskell (Ōpōtiki Landscape Review Outstanding Natural Landscape Evaluation and Mapping, Prepared for Ōpōtiki District Council, 8th July 2016) to confirm the boundaries of ONFLs and provide information on which to base the methods used in the Plan to manage activities in ONFLs. This study is appended to this report.

Much of the coast line of the district can be described as sandy beaches or rocky shores which offer habitats to many bird species, both indigenous and introduced, and also provide habitats for whitebait and eel. The Ōhiwa Harbour is an important area prized for its landscape and conservation values, comprising spits, harbour beaches, estuarine areas, hills, flats, headlands, and streams. The Harbour's wetlands also have very high values having been recommended for international recognition and protection. The land areas and land uses surrounding the harbour are an integral part of the harbour in that they have a positive and negative impact on the landscape and ecological values of the harbour. Integrated

management of the harbour and its surrounds is essential to ensure that the internationally significant values of the harbour are preserved. The beach front along Waiotahi and the pohutukawa trees and 'tunnels' are other identifiable natural features associated with the coastal environment.

The other landscapes of the district include headlands and peninsulas, scarps and cliffs, rocky coast lines, bays, wetlands, dunelands and spits, outwash plains, estuaries and harbours, and areas of native vegetation, and very steep densely forested valley sides and narrow ridges. Most of the dunes and wetland areas are associated with the coast, with the wetlands also being related to the area where the sea and major river networks meet.

The pastoral landscape of the district comprises the farmed areas of Kutarere, Waiotahi, Waioeka Pa, Opotiki, Tablelands, Otara, Torere, Waihau, and Whangaparaoa. There are also areas of pasture lands located further east on land that adjoins the coast.

Major river systems cross the district, including small and large rivers valued for their recreation, conservation, and scenic worth. The Motu River catchment is largely covered by indigenous vegetation. The Motu River from Motu Falls to the State Highway 35 bridge has a National Water Conservation Order placed on it. The Waioeka Gorge is also of high scenic and landscape value. The land that adjoins the gorge is of 'high' or 'exceptional' botanical value. The majority of this land within the Opotiki district remains covered in indigenous vegetation. This includes the Waioeka Gorge Scenic Reserve and the Urutawa Conservation Area. The Haparapara River is of ecological importance within the district and region, as it is one of the few rivers of the area that remains free of introduced fresh water species.

The majority of the district comprises very steep and rugged hinterland country. A large percentage of this land is administered by the Department of Conservation. This includes the portions of the Te Urewera Conservation Park, the Raukumara Conservation Park, and the Waioeka Scenic Reserve. There are a number of Nga Whenua Rahui reserves in the district managed jointly by Maori Trustees and the Department of Conservation.

Indigenous vegetation and habitats of indigenous fauna

There are a number of lowland and coastal wetlands within the district. Those that do exist are significantly reduced through historic, and some current, land use practices. There has been almost total loss of lowland and coastal wetlands on a national level. Many in this district have the potential to be protected and enhanced

Many introduced plant and animal species can threaten natural ecosystems. Introduced species can adversely affect natural ecosystems, decrease biodiversity in areas, and can degrade the natural character of environments. Introduced species compete with indigenous species for space and nutrients, often to the detriment of indigenous flora and fauna.

Linked to the natural features and landscapes of the area are numerous habitats within the district. The district has an abundance of flora and fauna species that are important in terms of their botanical, scientific, ecological, and cultural value. The district is home to a number

of rare species including short and long tailed bats and Hochstetters frog. Those examples of indigenous vegetation that exist are a small portion of the biodiversity resource that the district possessed. There is a lack of protected indigenous vegetation and habitats in all but the hinterland of the district. Within the freshwater water bodies of the district there are known habitats for indigenous fish species such as the giant and short jawed kokopu. The Waiotahi and Waioeka Rivers are regionally important trout fisheries.

There are a number of native bird species that reside in the district including kokako, pukeko, North Island robin, kaka, kiwi, weka, parakeets, falcon, and whio (blue duck). The coastal areas of the district provide habitats for less common coastal and wading birds. These include New Zealand dotterels, caspian tern, reef heron, banded rail, spotless crake, fernbird, bittern, and the occasional white heron. Many of these species mentioned are nationally threatened, uncommon, or of limited geographic distribution.

Within the district there are many representative examples of indigenous vegetation predominantly in the district hinterlands. In other areas there are a small number of largely unprotected remnants. This includes small enclaves of vegetation highly susceptible to the effects of adjoining activities, coastal to inland vegetation sequences, and large tracts of intact indigenous forest areas. To provide for the protection of representative areas will not necessarily protect our biodiversity resource. There is a need to establish wildlife corridors, and to protect areas containing threatened or localised plant and animal species. Careful management of the indigenous vegetation and ongoing consultation with landowners is required to ensure sustainable management. Indigenous riparian vegetation is of importance in the district for its intrinsic, amenity, aquatic habitat protection, indigenous habitat, and natural character values. There is a need to protect and enhance remaining areas of indigenous riparian vegetation particularly in the lowland areas of the district.

The vegetation of the district includes coastal forests featuring kohekohe, puriri, karaka, tawa, tawaroa, whau, mangeao, and taraire; semi-coastal podocarp forests are also apparent and consist of rimu, rata, tawa, kamahi, puriri, and rewarewa. Within the district a historic puriri tree, Taketakerau, is located at Hukutaia domain. The tree is estimated to be over 2,000 years old and is of significant ecological, historical, and cultural importance. The pohutukawa is an important vegetation component of the district and the pohutukawa 'tunnels' along the Waiotahi beach front are an obvious feature example. There are also many examples of pohutukawa, individuals and groups, scattered along the coastal margin. Pohutukawa are a distinctive component of the natural character of the district's environment. Within the pastoral landscape of the district there are remnants of indigenous vegetation that have been protected through the good management of landowners. Some of these remnants remain highly susceptible to the effects of adjoining activities and need protection methods to ensure their continued existence.

Riparian management

Riparian management areas are those areas of land that are adjacent to streams, rivers, wetlands, and lakes. Activities undertaken within these areas have a direct impact on the land and water interface. Riparian areas assist in reducing sedimentation and discharge

effects into water bodies. They are a method for addressing Section 6(c) matters, and assist in protecting ecosystems and ecological processes. The Regional Council has responsibility for the management of water quality, while the District Council has the responsibility of managing the effects of activities undertaken on land. This includes activities undertaken in riparian management areas.

Riparian areas serve a number of functions including water management, access, landscape, and habitat management functions. They assist in improving stream conditions through stabilising stream banks and through the provision of shelter and shade. Riparian areas protect and enhance natural character and provide ecological corridors. In many cases riparian management areas also provide public access to and along water bodies of the district.

While riparian areas can be esplanade reserves or esplanade strips they encompass tracts of lands wider than esplanade areas. Esplanade reserves and esplanade strips are a formally recognised mechanism to provide for public rights adjoining water bodies. Riparian areas are areas of land that require management that may affect land within and outside esplanade areas. Riparian areas provide the following functions:

- Improved instream conditions by stabilising stream banks, and by providing shade, shelter and a supply of carbon.
- Improved water quality through decreasing concentrations of nutrients and sediment entering from non-point sources.
- Protecting and enhancing natural character and landscape and indigenous habitat values of river, coastal and wetland margins.
- Ecological corridors for movement of wildlife.
- Public access.
- The provision of vegetation for whitebait spawning.

Chapter 13 therefore applies to four groups of features: outstanding natural features and landscapes (ONFLs), natural heritage (indigenous vegetation and habitats of indigenous fauna), wetlands, and riparian management. These are all matters of national importance under section 6 of the RMA and section 31(1)(b) requires the Council to control the actual or potential effects of the use, development or protection of land and associated natural and physical resources of the district.

Section 32 of the RMA requires Council to carry out an evaluation before a plan is publicly notified and before making a decision on submissions. The evaluation must examine whether each objective is the most appropriate way to achieve the purpose of the RMA and whether, having regards to their efficiency and effectiveness, the policies and other methods including rules are most appropriate or achieving the objectives. The evaluation must take into account the benefits and costs of policies, rules or other methods, as well as the risk of acting or not acting if there is uncertain or insufficient information about the subject.

This report provides the required evaluation of the objectives, policies and methods including rules relating to these matters.

2. Legislative Framework

2.1. Resource Management Act 1991 (RMA)

Section 5 of the RMA sets out the purpose of the RMA as follows:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Section 6 of the RMA lists matters of national importance and these include: preservation of the natural character of the coastal environment, lakes and rivers and their margins and their protection from inappropriate subdivision, development and use; maintenance and enhancement of public access; protection of significant habitats of indigenous fauna; and relationship of Maori and their culture and traditions with ancestral water, waahi tapu and other taonga.

Section 7 requires that regard is given to a number of matters relevant to activities in the rural environment: kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, intrinsic values of ecosystems, maintenance and enhancement of the quality of the environment, and the protection of the habitat of trout and salmon.

Section 31 of the RMA gives Council the responsibility for:

“The establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District:”

And

“the control of any actual or potential effects of the use, development, or protection of land”.

2.2. National Policy Statements

The Council must give effect to National Policy Statements in the District Plan under sections 55 and 75(3)(a) of the RMA.

New Zealand Coastal Policy Statement (NZCPS)

The NZCPS provides guidance for addressing issues in the coastal environment. The Council must give effect to the provisions of the NZCPS under section 75(3)(b). The NZCPS contains seven objectives and 29 policies, of which the following are most relevant to Landscapes and Vegetation:

- Objective 1 which relates to the integrity, form, functioning and resilience of the coastal environment and its ecosystems, including marine and intertidal areas, estuaries, dunes and land.
- Objective 2, which relates to preserving the natural character of the coastal environment and protect natural features and landscape values.
- Objective 3, which relates to the principles of the Treaty of Waitangi, the role of tangata whenua as kaitiaki and tangata whenua involvement in the management of the coastal environment
- Objective 4, which relates to the maintenance and enhancement of public open space qualities and recreation opportunities of the coastal environment.

The NZCPS acknowledges that the coastal environment will vary from locality to locality. In the Ōpōtiki District, the coastal environment has been mapped in the Operative BOP Regional Policy Statement (RPS) and has been adopted for this plan.

2.3. National Environmental Standards

Section 44A of the RMA requires the Council to ensure that a rule in the district plan does not duplicate, or be in conflict with, a national environmental standard. There are five National Environmental Standards (NES).

2.4. Regional Policy Statement

Section 74 of the RMA requires that the District Plan must give effect to the Operative RPS. The RPS identifies regionally significant issues as relating to:

- Inadequate recognition and provision for matters of national importance
- Effects of growth and development pressures on access to the coast, lakes and rivers, ancestral sites and historic heritage
- Inadequate recognition of kaitiakitanga, the Maori environmental resource management system and Te Tiriti o Waitangi principles
- Insufficient protection of tangata whenua environmental values
- Degradation of mauri of land and water
- Effects of urban and rural subdivision on natural features and landscapes

Objective	RPS Objective	Policies	Relevance
2	Preservation, restoration, and, where appropriate, enhancement of the natural character and ecological functioning of the coastal environment	CE2B CE4A CE 6B	Managing adverse effects on natural character in the coastal environment and protecting and restoring natural coastal margins and indigenous biodiversity
10	Cumulative effects of existing and new activities are appropriately managed	IR3B IR5B	Adopting an integrated approach Assessing cumulative effects
16	Multiple-owned Maori land is developed and used in a manner that enables Maori to provide for their social, economic and cultural well-being and their health and safety, while maintaining and safeguarding its mauri.	IW 1B IW2B IW 5B	Enabling development of multiple-owned Maori land Recognising matters of significance to Maori Providing for and managing adverse effects on matters of significance to Maori
18	The protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development	IW 2B MN 1B	Recognising matters of significance to Maori Recognise and provide for matters of national importance in relation to rivers and their margins
19	The preservation of the natural character of the regional coastal environment (including coastal marine areas) wetlands, lakes and rivers and their margins	MN 1B	Recognise and provide for matters of national importance
20	The protection of significant indigenous habitats and ecosystems, having particular regards to their maintenance, restoration and intrinsic values	MN1B MN2B	Recognise and provide for matters of national importance Giving particular consideration to protecting significant indigenous habitats and ecosystems
21	Recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga	IW 1B IW2B IW 5B MN1B	Enabling development of multiple-owned Maori land Recognising matters of significance to Maori Providing for and managing adverse effects on matters of significance to Maori Recognise and provide for matters of national importance

3. Key Issues

3.1 The key issues to be addressed in relation to activities in the matters of national importance are as follows:

#	Issue	Commentary
13.1.1	Outstanding natural landscapes and features	
1	Inappropriate land use activities and subdivision can compromise the values of the outstanding natural features and landscapes of the District	ONFLs are sensitive to changes arising from new buildings and structures, land use and vegetation clearance
2	Tracking, roads, earthworks and the location of buildings and structures, including signs and network utilities, can modify outstanding natural features and landscapes	While the BOPRC has primary responsibility for earthworks, changes in landforms and prominent building sites can detract from landscape values and are controlled through the district plan
3	The location of new planting, such as production forestry, shelterbelts and cropping, can change the visual character of landscapes through loss of openness, screening, and planting near ridgelines and in patterns that are not sympathetic to natural contours	Production forests often follow lot boundaries, resulting in geometric patterns of planting and harvesting. This may contrast with natural contours of landscapes and features. Forests can also reduce outlook from roads and public places.
4	The clearance of areas of indigenous vegetation for conversion to other land uses can modify valued landscapes	Indigenous vegetation clearance can result in a change of character and also loss of habitat.
5	Enabling development of multiple-owned Māori land may conflict with the requirement to protect outstanding natural features and landscapes	Many of the ONFLs in the District are within Maori land. The aspirations of the landowners to develop their land need to be balanced with the requirement for protection of ONFLs.
13.1.2	Indigenous Vegetation and Habitats	
1	Modification, degradation and destruction of habitats of indigenous fauna through urbanisation, land development and drainage has led to a decline in biodiversity in the District, particularly in the lowlands	Historic land clearance and changes in land use have resulted in loss of biodiversity
2	All areas of indigenous vegetation are important to maintain indigenous biodiversity in the District and contribute to its unique character, and they need to be maintained or enhanced	Protection of indigenous vegetation and management of clearance is important to address in the district plan
3	Ecosystems are valuable for their intrinsic values and essential to the wellbeing of people and communities. They may be destroyed or degraded by inappropriate vegetation clearance, drainage, earthworks, pests, land use change, urban	Protecting ecosystems is central to achieving the purpose of the RMA.

	development and fragmentation through subdivision	
4	There is a need for education and incentive mechanisms to provide for the sustainable management and restoration of privately owned indigenous vegetation, including dunelands and wetlands which are individually important and contribute to ecological corridors, enhancing indigenous fauna and conservation values	Education and incentives are effective methods to use alongside the rules in the district plan
5	Plant and animal pests have contributed to the degradation of indigenous vegetation and ecosystems and the decline of indigenous biodiversity	BOPRC has primary responsibility for controlling plant and animal pests and the district plan can support the regional management plan where practical.
13.1.3	Wetlands	
1	There has been a significant decline in wetland extent and condition within the District through inappropriate drainage, modification, land use, and land development	Wetlands have not been valued adequately in the past and have been drained and filled for other uses.
2	Wetlands are affected by activities occurring in their catchments. Ecosystem restoration and environmentally sensitive land management practices need to be encouraged within the catchments of wetlands. It is also important to maintain and enhance connectivity among freshwater wetlands, and between wetlands and other ecosystem types such as terrestrial forests and estuaries	Wetlands can make a significant contribution to maintaining ecological corridors.
3	Wetlands need to be maintained to sustain ecosystem services including habitats of indigenous fauna, improving water quality by filtering of pollutants and sediments, and reducing flood flows	The role of wetlands needs to be given stronger recognition and protected through consent processes.
13.1.4	Natural Character	
1	Inappropriate management can lead to a decline in the natural character of the coastal environment, wetlands, lakes, and rivers, and their margins.	It is a matter of national importance to protect the natural character of the environment, especially in coastal areas.
2	Qualities and values of estuarine and coastal margins and riparian areas can be threatened by inappropriate access, land use and development	It is important to control land use and access near the margins of the coast and waterbodies. While access is identified as a matter of national importance over use by the public can damage these areas and may need to be controlled.
3	Some land use activities can adversely affect estuarine and coastal margins and riparian areas, and subsequently water quality, species habitats, and the margins of waterbodies, harbours, estuaries and	It is important to control land use near the margins of the coast and waterbodies to avoid or mitigate potential adverse effects.

	the open coast	
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4. Summary of Plan Provisions

The issues, objectives, policies, rules and other provisions and their relationship in the PDP are set out in the following table.

Issue	Objective	Policies	Rules	Other Methods
13.1.1.1 - 5	1	13.2.1.1-4	13.3.2.1-1, 6, 7, 7, 9, 11, 12, 13 13.3.2.1-2, 3 13.3.3.1-1, 5 13.3.4.1-3, 4, 5, 6, 7 13.4.1, 13.4.2, 13.4.3 13.5 13.6.2, 13.6.4	13.7.1- 2,
13.1.2.1-5	2	13.2.2.1-9	13.3.2.1-4, 6, 7, 13.3.3.1-2, 3 13.3.4.1-1, 2 13.5.1 13.6.3	13.7.1-1, 3, 4, 5
13.1.3.1-3	3	13.2.3.1-4	13.3.2.1-5 13.3.3.1-4, 5 13.3.4.1-8, 9 13.6.5	13.7.1-1, 6
13.1.4.1-3	4	13.2.4.1-2	13.3.2.1-2, 3, 4, 5, 6, 7 13.3.3.1-1, 2, 3 13.3.4.1-1, 2 13.3.5.1-1, 2 13.4.1 13.6.3, 13.6.5	13.7.1-1, 3, 4, 5, 6

5. Changes Made to ODP Approach

5.1 The ODP also had a section dedicated to the Habitats and Landscapes being Section 3. This general approach has been carried into this plan with only a few material changes made. Chapter 13 includes the following main amendments:

- To simplify and clarify the number of issues, objectives and policies to remove overlap and duplication.
- To clarify the intent that the Chapter applies to vegetation clearance throughout the District as well as imposing specific controls within identified ONFLs and other sites listed in Appendices 13.9.1 and 13.9.2 (previously Appendix 3).
- To confirm the intent of the Council in relation to identifying sites of significance and how incentives will be provided where feasible.

- To clarify and confirm the sites listed in Appendices 13.9.1 and 13.9.2 and shown on the Planning Maps, based on the Boffa Miskell study (2016).
- 5.2 A number of minor amendments have been made to the objectives, policies, rules and other methods to clarify provisions where unclear, delete unnecessary text and update references.
- 5.3 Rules are the principal method for managing the effects of activities on identified sites and the effects of indigenous vegetation clearance throughout the District and these are listed in the plan. The restricted discretionary category has been introduced where controls are required and it may be necessary to refuse consent where the purpose of the RMA will not be achieved. These rules are supported by other methods.

6. Evaluation – Appropriateness of Objectives

- 6.1 Objectives are to be assessed as to whether they are the most appropriate to achieve the purpose of the RMA. ‘Most appropriate’ has been interpreted to mean ‘suitable’.

	Objectives	Appropriateness
13.2.1	To protect outstanding natural features and landscapes from the adverse effects of inappropriate subdivision, use and development	Addresses Issues 13.1.1.1-5. Section 5: The objective will achieve the purpose of the RMA by managing the use, development and protection of natural and physical resources and managing adverse effects. Section 6: The objective recognises the need to protect outstanding natural features and landscapes (6(b)) and natural character (6(c)) Section 7: The objective provides for the management of activities to achieve the maintenance and enhancement of amenity values and the quality of the environment in accordance with sections 7 (c) and (f). Section 8: The objective is consistent with the principles of the Treaty. RPS: It gives effect to Objectives 2, 16, 18, and 19 of the RPS and associated policies.
13.2.2	The sustainable management of indigenous vegetation and habitats of indigenous fauna to maintain and, where appropriate, enhance biodiversity of the District	Addresses Issues 13.1.2.1-5. Section 5: The objective will promote the purpose of the RMA, with a focus on sustainable management of natural and physical resources. Section 6: The objective recognises the matters of national importance identified in

		<p>section 6(aa) and 6(c).</p> <p>Section 7: The objective recognises and provides for the management of activities in accordance with sections 7(a), (b), (f), (g) and (h).</p> <p>Section 8: The objective is consistent with the principles of the Treaty.</p> <p>RPS: It gives effect to Objectives 2 and 20 of the RPS and associated policies</p>
13.2.3	Wetlands within the District continue to support indigenous flora and fauna habitats as part of a wider ecological system and the natural character of the wetlands is maintained and enhanced	<p>Addresses Issues 13.1.3.1-3.</p> <p>Section 5: The objective will promote the purpose of the RMA, with a focus on maintaining and where appropriate enhancing natural and physical resources and ecosystems.</p> <p>Section 6: The objective recognises the matters of national importance identified in section 6(aa) and 6(c).</p> <p>Section 7: The objective recognises and provides for the management of activities in relation to wetlands in accordance with sections 7 (d), (f), and (g).</p> <p>Section 8: The objective is consistent with the principles of the Treaty.</p> <p>RPS: It gives effect to Objectives 2, 19, and 20 of the RPS and associated policies.</p>
13.2.4	Coastal and estuarine margins, wetlands and riparian areas within the District continue to support indigenous flora and fauna as part of a wider ecological system; and their natural character is maintained and enhanced	<p>Addresses Issues 13.1.4.1-3.</p> <p>Section 5: The objective will promote the purpose of the RMA, with a focus on maintaining and where appropriate enhancing ecosystems in coastal and riparian margins and wetlands.</p> <p>Section 6: The objective recognises the matters of national importance identified in sections 6(a) and 6(c).</p> <p>Section 7: The objective recognises and provides for the management of activities on the surface of water that is in accordance with sections 7(d), (f), (g) and (h).</p> <p>Section 8: The objective is consistent with the principles of the Treaty.</p> <p>RPS: It gives effect to Objectives 2, 19, and</p>

	20 of the RPS and associated policies.
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6.2 These objectives are considered to be the most appropriate methods of achieving the purpose of the RMA as they recognise the matters set out in Part 2 of the RMA, they give effect to the relevant objectives and policies in the RPS, and they will guide the appropriate management of outstanding landscapes and features, indigenous vegetation and habitats of indigenous fauna, wetlands and riparian and coastal margins, and wetlands.

7. Evaluation – Achieving the Objectives

7.1 Section 32(1)(b) Requirements

Section 32(1)(b) of the RMA requires examination of whether the provisions (being policies, rules and other methods) in the Proposed Plan are the most appropriate way to achieve the objectives. The appropriateness must be considered in relation to:

- “(i) identifying other reasonably practicable options for achieving the objectives; and*
- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) summarising the reasons for deciding on the provisions”.*

These are set out below.

The assessment must be at a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects of the Proposed Plan. The Operative District Plan contains an existing chapter, Chapter 3, to manage the effects of activities on outstanding landscapes and features, indigenous vegetation and habitats of indigenous fauna, wetlands and riparian and coastal margins, and wetlands. As set out in section 5 above, the approach taken in the Proposed District Plan is to amend the provisions only where necessary to:

- Clarify the provisions;
- Improve consistency across the Plan;
- Respond to new statutory requirements, such as through a national or regional policy statement;
- Delete unnecessary text;
- Update references.

Only where there are new statutory requirements through a national policy statement or regional policy statement have new provisions been introduced. A change in activities or the way they are managed requires examination of the provisions in more detail.

Therefore, as the plan provisions, being policies and rules, have not materially changed and are generally well understood and accepted as appropriate mechanisms to achieve

environmental outcomes sought through the district plan, a detailed re-examination of the plan provisions is not considered to be necessary.

7.2 Reasonably Practicable Options

In terms of reasonably practicable options, as discussed above, the plan provisions have been generally carried forward. The reasonably practicable options are therefore considered to be:

Options	Response
Do nothing	<ul style="list-style-type: none"> ▪ No policy or rule in the plan. ▪ Rely on other non-statutory methods as set out in the chapter ▪ BOPRC plan provisions address the issue and duplication is unnecessary
Status Quo	<ul style="list-style-type: none"> ▪ Carry forward the policy or rule without change or with only minor amendment
New policy or provision	<ul style="list-style-type: none"> ▪ Address an issue that is not addressed or is ineffective in the operative plan ▪ Give effect to a new requirement in a NPS or RPS ▪ Align with plans or other statutory documents

7.1.5 The plan provisions have been generally carried forward with amendments to clarify and improve consistency across the plan and with other documents. the status of activities and standards to be applied are well known to the community and well understood.

The “Do Nothing” option has not been selected as it is not acceptable where a policy or rule is required to achieve the purpose of the RMA and the objectives set out above. Either the status quo (with or without minor amendments for clarification) or a new provision have been assessed as reasonably practicable options. The proposals are concluded to be the only reasonably practicable options to evaluate.

7.3 Policies and methods

7.3.1 Efficiency and Effectiveness

In assessing the efficiency and effectiveness of the proposed provisions, the RMA requires the Council to “*identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for:*

- (i) *economic growth that are anticipated to be provided or reduced; and*
- (ii) *employment that are anticipated to be provided or reduced”.*

If practicable, the benefits and costs referred should be quantified.

7.3.2 Efficiency

The proposed policies will be efficient in achieving the objectives as they give clear direction for potential activities and guidance for decision makers.

7.3.3 Effectiveness

Objective 13.2.1

Issue relationship	Issues 13.1.1.1-5
Objective 13.2.1	To protect outstanding natural features and landscapes from the adverse effects of inappropriate subdivision, use and development
Policies	
13.2.1.1	The adverse effects of inappropriate subdivision, use, and development, including buildings, structures and earthworks, on the values of outstanding natural features are avoided.
13.2.1.2	Adverse effects of inappropriate subdivision, use, and development, including buildings, structures and earthworks, on the values of outstanding natural landscapes are avoided, and where avoidance is not practicable, remedied or mitigated.
13.2.1.3	Continuation of existing rural production activities is recognised and provided for.
13.2.1.4	Change in vegetation patterns as a result of land use change associated with new activities such as production forestry or other crops is managed to minimise adverse effects on natural contours and avoid straight lines to maintain or enhance the landscape values of identified natural features and landscapes.
13.2.1.5	Development of multiple-owned Māori land is enabled through compliance with performance standards to protect outstanding natural features and landscapes
Methods	<p>Methods to give effect to the policies relate to:</p> <ul style="list-style-type: none"> ▪ Identification of outstanding natural features and landscapes on the planning maps and in Appendices 13.9.1 and 13.9.2. ▪ Identify the values for each identified ONFL to assist with future evaluation. ▪ Distinguish between outstanding features and outstanding natural landscapes to enable more permissive status for activities within ONLs where the landscape is more resilient to minor changes. ▪ Recognise as permitted activities established rural production activities in ONFLS. ▪ Provide for agriforestry as a permitted activity in ONLs. ▪ Require resource consent for changes of use, vegetation clearance and earthworks within ONFs. ▪ The use of the restricted discretionary classification to allow activities to be considered in relation to relevant potential effects on ONFLs. ▪ Sets criteria for assessing applications in relation to identified values.

Benefits	
Environmental Economic Social Cultural	<ul style="list-style-type: none"> ▪ Clear identification of ONFLs in the appendices and on the planning maps to enable management of activities and protect environmental values. ▪ Provides clear guidance from the objective, through policies, and rules with the primary purpose of protecting ONFLs ▪ Recognises that there may be different expectation for managing activities within ONFLs depending on their values and the scale of activities ▪ Gives certainty that established rural production activities can continue but makes it clear that new activities will be managed in ONFLS ▪ Enables new agriforestry in ONLs to support employment especially on Maori land in multiple ownership and consequential economic benefits from productive use ▪ Enables a range of small scale activities in ONFLs without the need for resource consent, saving costs for land managers and developers. ▪ Protects ONFLs which comprise a significant part of the District and hence its attractiveness as a place to live or a destination for visitors. ▪ Uses the hierarchy of other activity status to manage activities according to their effects to minimise costs of consent processes where appropriate. ▪ Enables continuation of rural production activities and the communities supported. ▪ Allows agriforestry as a permitted activity which will support local employment opportunities and allow people to return to the local area. ▪ Enables residential development subject to specified restrictions relating to effects on landscape values ▪ Provides for development of Maori land for agriforestry ▪ Well understood approach which achieves the purpose of managing activities in a way that is consistent with the objectives
Costs	
Environmental Economic Social Cultural	<ul style="list-style-type: none"> ▪ Risk of adverse environmental effects arising from minor activities allowed as permitted activities ▪ Some opportunity remains for activities to adversely affect the environment ▪ May be increased application costs activities within ONFLs that would otherwise be permitted. ▪ Requires resource consent for new production forestry ▪ May result in higher operating costs for land managers through compliance with standards ▪ Some residential activities may be limited where they would compromise the values of the ONFL
Risk of Acting or Not Acting	Risk is a factor of potential consequences and the likelihood of a consequence occurring.
	The risk of not acting would not promote the purpose of the RMA or a

	<p>matter of national importance. There may be consequentially loss of social and economic opportunities.</p> <p>The risk of not acting is not consistent with achieving the purpose of the RMA, and especially section 6 and 7.</p> <p>There is sufficient information known about the consequences</p>
Overall Assessment	The inclusion of the provisions above is supported as enabling the purpose of the RMA to be achieved including sections 6 and 7 matters.

Objective 13.2.2

Issue relationship	Issues 13.1.2.1-5
Objective 13.2.2	The sustainable management of indigenous vegetation and habitats of indigenous fauna to maintain and, where appropriate, enhance biodiversity of the District
Policies	
13.2.2.1	To protect significant indigenous vegetation and habitats of indigenous fauna, where significance is assessed in accordance with the criteria in Appendix 13.9.3, by avoiding adverse effects of inappropriate subdivision, land use, or development and, where avoidance is not practicable, adverse effects are remedied or mitigated.
13.2.2.2	Where appropriate, to require restoration and rehabilitation of significant indigenous vegetation and habitats of indigenous fauna on or off the site, where avoidance of adverse effects is not possible, giving priority to the sites listed in 13.9.4 and by reference to the criteria in Appendix 13.9.3.
13.2.2.3	To encourage the restoration and rehabilitation of degraded indigenous vegetation through plant and animal pest control and revegetation, using genetically suitable indigenous flora where appropriate and considering the habitat requirements of indigenous fauna.
13.2.2.4	To encourage the protection, restoration and management of ecosystems that are rare and threatened at a local (ecological district), regional or national level.
13.2.2.5	To avoid, or, where this is not practicable, remedy, mitigate or offset the adverse effects of activities on indigenous biodiversity, including protecting indigenous ecosystems, rare, at risk, or threatened species and their habitats.
13.2.2.6	To encourage landowners through the use of a variety of methods including advocacy, education and, where possible, incentives, to recognise natural values and to protect areas of significant indigenous vegetation and habitats of indigenous fauna.
13.2.2.7	To promote the restoration of ecosystems that have been damaged or degraded to ensure their continued viability.
13.2.2.8	To use riparian management areas to protect and restore whitebait

<p>13.2.2.9</p>	<p>spawning habitats.</p> <p>To encourage the restoration and enhancement of riparian margins to support indigenous flora and fauna habitats.</p>
<p>Methods</p>	<p>Methods to give effect to the policies relate to:</p> <ul style="list-style-type: none"> ▪ Permitted activity status for minor disturbance of indigenous vegetation up to specified limits throughout the District ▪ Provision for indigenous vegetation clearance such as for the continuation of farming activities, house sites and access, and infrastructure as a permitted activity ▪ Maintenance of pohutukawa as a permitted activity, with resource consent required for other works ▪ Require resource consent for indigenous vegetation clearance within more sensitive environments including the Coastal, Coastal Settlement and Ohiwa Harbour Zones ▪ The use of the restricted discretionary classification to allow activities to be considered in relation to relevant potential effects on ONFLs. ▪ Sets criteria for assessing applications in relation to identified values.
<p>Benefits</p>	
<p>Environmental Economic Social Cultural</p>	<ul style="list-style-type: none"> ▪ Provides clear guidance from the objective, through policies, and rules with the primary purpose of sustainably managing indigenous vegetation and habitats of indigenous fauna ▪ Recognises that there may be different expectation for managing vegetation clearance within ONFLs depending on their values and the scale of activities ▪ Gives certainty to ongoing activities such as house sites and access and farming and other rural production activities, that are no in ONFLs. ▪ Enables a range of small scale vegetation clearance without the need for resource consent, saving costs for land managers and developers. ▪ Uses the hierarchy of activity status to manage activities according to their effects to minimise costs of consent processes where appropriate. ▪ Allows conditions of consent to secure protection or rehabilitation or offsetting. ▪ Recognises that other methods such as education or advocacy will achieve positive outcomes. ▪ Well understood approach which achieves the purpose of managing activities in a way that is consistent with the objectives
<p>Costs</p>	
<p>Environmental Economic Social Cultural</p>	<ul style="list-style-type: none"> ▪ Risk of adverse environmental effects arising from minor activities allowed as permitted activities ▪ Some opportunity remains for activities to adversely affect the environment ▪ May be increased application costs for activities that would otherwise be permitted. ▪ Requires resource consent for larger scale indigenous vegetation clearance across the District ▪ May result in higher operating costs for land managers through compliance with standards

Risk of Acting or Not Acting	Risk is a factor of potential consequences and the likelihood of a consequence occurring.
	The risk of not acting may lead to loss of indigenous vegetation, with consequential loss of habitats of indigenous fauna and biodiversity. This would be contrary to the requirement to promote sustainable management of natural and physical resources and would not achieve protection as a matter of national importance. There may be consequentially loss of social and economic opportunities. The risk of not acting is not consistent with achieving the purpose of the RMA, and especially section 6 and 7. There is sufficient information known about the consequences
Overall Assessment	The inclusion of the provisions above is supported as enabling the purpose of the RMA to be achieved including sections 6 and 7 matters.

Objective 13.2.3

Issue relationship	Issues 13.1.3.1-4
Objective 13.2.3	Wetlands within the District continue to support indigenous flora and fauna habitats as part of a wider ecological system and the natural character of the wetlands is maintained and enhanced
Policies	
13.2.3.1	To protect the natural character and habitat values of wetlands, including maintaining their extent and ability to sustain indigenous species.
13.2.3.2	To promote the restoration and enhancement of riparian management areas and best practice land use as a means of reducing and mitigating the adverse effects of activities on wetlands.
13.2.3.3	To avoid, remedy or mitigate, or offset adverse effects of inappropriate activities on wetlands, including maintaining the overall extent of wetlands.
13.2.3.4	To require the restoration and rehabilitation of wetlands on or off sites, where the avoidance of adverse effects is not possible
Methods	Methods to give effect to the policies relate to: <ul style="list-style-type: none"> ▪ Allowing rehabilitation of wetlands as a permitted activity ▪ Requiring resource consent as a restricted discretionary activity for any modification, infilling or drainage of a wetland up to 100m². ▪ Requiring resource consent as a discretionary for any modification, infilling or drainage of a wetland over 100m². ▪ Setting assessment criteria to require consideration of site management, effects on ecological values, mitigation including off site rehabilitation.
Benefits	
Environmental Economic Social Cultural	<ul style="list-style-type: none"> ▪ Provides clear guidance from the objective, through policies, and rules for the protection of wetlands and associated vegetation from clearance, infilling and modification. ▪ Gives certainty in relation to wetland modification that any change is not acceptable

	<ul style="list-style-type: none"> ▪ Uses the hierarchy of activity status to manage activities according to their potential effects. ▪ Allows conditions of consent to secure protection or rehabilitation or offsetting. ▪ Well understood approach which achieves the purpose of managing activities in a way that is consistent with the objective
Costs	
Environmental Economic Social Cultural	<ul style="list-style-type: none"> ▪ Risk of adverse environmental effects arising from lack of awareness of rules ▪ Some opportunity remains for activities to adversely affect the environment ▪ Increased application costs for activities that could otherwise be permitted. ▪ May result in higher operating costs for land managers through compliance with standards and consent conditions
Risk of Acting or Not Acting	Risk is a factor of potential consequences and the likelihood of a consequence occurring.
	<p>The risk of not acting may lead to loss of wetlands and their associated values. There may be consequentially loss of social and economic opportunities.</p> <p>The risk of not acting is not consistent with achieving the purpose of the RMA, and especially section 6 and 7.</p> <p>There is sufficient information known about the consequences</p>
Overall Assessment	The inclusion of the provisions above is supported as enabling the purpose of the RMA to be achieved including sections 6 and 7 matters.

Objective 13.2.4

Issue relationship	Issues 13.1.4.1-3
Objective 13.2.4	Coastal and estuarine margins, wetlands and riparian areas within the District continue to support indigenous flora and fauna as part of a wider ecological system; and their natural character is maintained and enhanced
Policies 13.2.4.1 13.2.4.2	<p>To manage the effects of land use activities adjoining and within coastal and estuarine margins and riparian areas of the District so that natural character of waterbodies, harbours and estuaries and their margins are not degraded.</p> <p>To preserve indigenous riparian vegetation areas and coastal and estuarine margins within the District for their natural character, ecological, biodiversity, historical, and cultural character and value</p>
Methods	<p>Methods to give effect to the policies relate to:</p> <ul style="list-style-type: none"> ▪ Rules relating to indigenous vegetation clearance in general and within ONFLs. ▪ Encouraging conservation planting, revegetation and enhancement as permitted activities ▪ Controlling clearance of coastal dune vegetation over specified limits and any clearance of indigenous estuarine vegetation as discretionary

	<p>activities</p> <ul style="list-style-type: none"> ▪ Enabling controls to be imposed through the consent process for activities that may result in loss of natural character ▪ Setting assessment criteria to require consideration of loss of ecological, biodiversity, historical and cultural values, mitigation including off site rehabilitation
Benefits	
Environmental Economic Social Cultural	<ul style="list-style-type: none"> ▪ Provides clear guidance from the objective, through policies, and rules for the maintenance of natural character and the ecological values of land near the coast and water bodies. ▪ Relies on rules relating to vegetation clearance and land use in ONFLs and indigenous vegetation clearance in the District. ▪ Uses the hierarchy of activity status to manage activities according to their potential effects. ▪ Allows conditions of consent to secure protection or rehabilitation or offsetting. ▪ Well understood approach which achieves the purpose of managing activities in a way that is consistent with the objective ▪ Enables consideration of ecological, biodiversity, historical and cultural character and values
Costs	
Environmental Economic Social Cultural	<ul style="list-style-type: none"> ▪ Risk of adverse environmental effects arising from lack of awareness of rules ▪ Some opportunity remains for activities to adversely affect the environment ▪ Increased application costs for activities that could otherwise be permitted. ▪ May result in higher operating costs for land managers through compliance with standards and consent conditions
Risk of Acting or Not Acting	Risk is a factor of potential consequences and the likelihood of a consequence occurring.
	<p>The risk of not acting may lead to loss of natural character of coastal and estuarine margins, wetlands and riparian areas and their associated values. There may be consequentially loss of social and economic opportunities.</p> <p>and its values to the community. There may be consequentially loss of social and economic opportunities.</p> <p>The risk of not acting is not consistent with achieving the purpose of the RMA, and especially section 6 and 7.</p> <p>There is sufficient information known about the consequences</p>
Overall Assessment	The inclusion of the provisions above is supported as enabling the purpose of the RMA to be achieved including sections 6 and 7 matters.