

**IN THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

**ENV- 2025-CHC-**

**I MUA I TE KOOTI TAIAO O AOTEAROA**

**IN THE MATTER**

of an appeal under Clause 14 of the  
First Schedule of the Resource  
Management Act 1991

**AND IN THE MATTER**

of the proposed Te Tai o Poutini Plan

**BETWEEN**

**THE ROYAL FOREST AND BIRD  
PROTECTION SOCIETY OF NEW  
ZEALAND INCORPORATED**  
**Appellant**

**AND**

**TE TAI O POUTINI COMMITTEE**  
**Respondent**

---

**NOTICE OF APPEAL BY THE ROYAL FOREST AND BIRD PROTECTION SOCIETY  
OF NEW ZEALAND INCORPORATED**

8 December 2025

---

To: The Registrar  
Environment Court  
Christchurch

**NOTICE OF APPEAL**

1. The Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) appeals against decisions of Te Tai o Poutini Plan Committee on the proposed Te Tai o Poutini Plan (the proposed plan).
2. Forest & Bird made a submission on and further submission on the proposed plan.
3. Forest & Bird is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. Forest & Bird received notice of the decision on or about 6 October 2025.
5. The decision was made by the Te Tai o Poutini Committee.
6. Forest & Bird is willing to participate in alternative dispute resolution.
7. The parts of the decision that Forest & Bird is appealing, the reasons and the relief are set out below, in Table 1 and in Appendix 1.
8. In addition to the reasons set out in the table below, the general reasons for Forest & Bird's appeal are that the provisions appealed against:

- a. do not give effect to the National Policy Statement for Indigenous Biodiversity (NPSIB);
  - b. do not give effect to the New Zealand Coastal Policy Statement (NZCPS);
  - c. do not give effect to relevant provisions of the West Coast Regional Policy Statement (WCRPS);
  - d. are not consistent with Part 2 of the Resource Management Act ('the Act');
  - e. do not implement the Councils' functions under s 31 of the Act;
  - f. do not represent best resource management practice; or
  - g. any combination of the above matters.
9. Where specific wording changes are proposed by way of relief, Forest & Bird seeks, in the alternative, any wording that would adequately address the reasons for its appeal.

### **Key issues**

#### *Indigenous Biodiversity*

10. Forest & Bird has significant concerns about the Ecosystems and Indigenous Biodiversity Chapter (the ECO chapter).
11. All effects on biodiversity must be dealt with in a way that gives effect to the WCRPS, including Chapter Seven, the NPSIB and the NZCPS. The decisions do not achieve this.
12. The objectives and policies do not appropriately achieve sustainable management or give effect to the NPSIB or WCRPS. They do not provide appropriate protection for areas of significant indigenous biodiversity.
13. The policies provide for a wide variety of activities to locate in areas of significant indigenous biodiversity. This includes

activities, such as mining, which have significant adverse effects on indigenous biodiversity.

14. The policies also allow for the clearance of improved pasture, but exclude the protections within the NPSIB to ensure that this activity does not have undue adverse effects.
15. The rules are poorly drafted and ambiguous. It is unclear how ECO-R1, which is now said to be a General Standard, operates. For example, ECO-R2, ECO-R4 and ECO-R6 do not refer to ECO-R1. It is not clear whether this ECO-R1 applies. If it is a General Standard, then it should apply. However, if it did apply, it would be expected the rules would be express about this, as ECO-R5 is.
16. If ECO-R1 does not apply, then:
  - a. ECO-R2 would allow unlimited indigenous vegetation clearance for the construction of new network utilities, renewable generation activities or the National Grid:
    - i. in Buller and Westland, including in areas of significant indigenous biodiversity.
    - ii. In Grey District, outside SNAs but in areas of significant indigenous biodiversity,
  - b. ECO-R4 would allow for unlimited vegetation within the specified zones, including in areas of significant indigenous biodiversity.
  - c. ECO-R6 would allow unlimited indigenous vegetation clearance for mining purposes in the mineral extraction zone and the Buller coalfield zone, where this is known to include areas of significant indigenous biodiversity.

17. It seems unlikely that this was intended. If it was intended, it would be inappropriate as it would not give effect to the NPSIB or the WCRPS.
18. ECO-R3 is also ambiguous. The title of ECO-R3 finishes with the words “not provided for in Rule ECO-R1”. It is not clear what this means. It could mean that, to be permitted, the activity must comply with ECO-R1. It could also be that there is no need for these activities to comply with Rule ECO-R1. The standards in ECO-R1 should apply to ECO-R3 and this needs to be made clear.
19. Forest & Bird’s other main concern is that the amounts of permitted clearance in ECO-R1 are too high. The failure to map SNAs in Buller and Westland and the reliance on a process that does not comply with the NPSIB in Grey means that this amount of clearance could occur within an area of significant indigenous biodiversity.
20. The amount of clearance of 500 m<sup>2</sup> in the coastal environment and 2,000 m<sup>2</sup> for Westland and Buller and 5,000 m<sup>2</sup> for Grey are too high. Permitting such a level of indigenous vegetation clearance in areas that may be significant is not appropriate. The clearance of these amounts in significant areas could result in significant adverse effects and should not be permitted. Smaller amounts of permitted clearance are required.
21. The matters are addressed in Table 1, and the relief sought by Forest & Bird in relation to the ECO Chapter is set out in Appendix 1.

### *Mining*

22. Forest & Bird seeks the deletion of the Buller Coalfield Zone (BCZ) and the mineral extraction zones (MINZ) and all related provisions. The vegetation clearance rules in the ECO chapter would apply.
23. Zoning maps would also be amended to remove these zones. This would occur by including areas of lawfully established mineral extraction and ancillary activities as:
  - a. General Rural Zone (GRUZ) where they occur on private land;
  - b. Natural Open Space Zone (NOSZ) if on conservation land or private land but with high natural values.
24. This would be subject to the proviso that other zoning may be appropriate where that is consistent with the adjacent land.

### **Attachments**

9. Attached to this Notice of Appeal are the following documents:
  - a. A copy of Forest and Bird's original and further submission;
  - b. A copy of the Te Tai o Poutini Committee's decision
  - c. A list of submitters to be served.

Dated: 8 December 2025



---

Erika Toleman / Peter Anderson  
Counsel for Royal Forest And Bird Protection Society of New Zealand Incorporated

Address for Service

Erika Toleman

Telephone 021 988 315

Email: [e.toleman@forestandbird.org.nz](mailto:e.toleman@forestandbird.org.nz)

Peter Anderson

Telephone 0212866992

Email: [peter@peteranderson.co.nz](mailto:peter@peteranderson.co.nz)

## **Advice to recipients of copy of notice of appeal**

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

### How to obtain copies of documents relating to appeal.

The copy of this notice served on you does not attach a copy of the appellant's submission or the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

### Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

**TABLE 1 – PART OF DECISION APPEALED, REASONS FOR APPEAL AND RELIEF SOUGHT**

	Plan section	Provision	Reasons	Relief Sought
1.	25.	All Chapter Overview sections	It is important to apply a consistent approach across the whole Plan to cross-referencing or referring to other chapters. This should include reference to entire chapters, rather than giving the impression that only certain provisions apply, as is currently the case (e.g., ‘overlay’ provisions only). For chapter overviews at least, base this on the approach taken in the Open Space Zone ‘Other relevant Te Tai Poutini Plan provisions’, which lists all relevant chapters, with an explanation of their effect.	Within all Chapter overview sections under the heading “ <b>Other relevant Te Tai o Poutini Plan provisions</b> ” where Overlay Chapters include “Ecosystems and Indigenous Biodiversity” also add the “Ecosystems and Indigenous Biodiversity chapter, under the “ <b>General District Wide Matters</b> ” heading. For example add this to the ENG, INF, TRN chapters.
2.	Maps		It is impossible to tell the different special purpose zones apart from those with labels.	Differentiate Special Purpose Zones by adding texture, such as hatching or lines
3.	Overlays	Significant Natural Area	The explanation of the overlay reads as is if there may be a discrepancy between the overlay and schedule four. It should be clarified that only the Significant Natural Areas listed in Schedule Four are shown on the overlay in the Planning maps	Amend the description of Significant Natural Area overlays: “Areas <del>listed in of significant indigenous vegetation and significant habitats of indigenous fauna. Only some of these areas have been identified on</del> Schedule Four <u>and shown as Significant Natural Areas on the planning maps. Not all areas of significant indigenous vegetation and significant habitats of indigenous fauna have been identified in Schedule Four at this time and the ECO Chapter includes provisions to address this</u> ”
	Interpretation			
4.	Interpretation	AREA OF SIGNIFICANT INDIGENOUS BIODIVERSITY	A minor amendment is required to clarify use of the plural “area(s)”, (for example, as used in ECO-P2) is needed to ensure that the term is linked to the correct definition when used in the singular and when the plural is used.	Amend the definition to read: “area(s) of significant indigenous biodiversity: means....”

5.	Interpretation	LAKE	The definition is inconsistent with the RMA definition.	Delete definition and rely on RMA definition
6.	Interpretation	MINERAL EXTRACTION MANAGEMENT PLAN	This definition only appears in provisions of the Buller Coalfield zone, which Forest & Bird opposes in its entirety. As such, this definition should be deleted.	Delete
7.	Interpretation	RENEWABLE ELECTRICITY GENERATION ACTIVITIES	The definition does not give effect to the NPS-REG as it includes a number of matters not covered by the NPS-REG.	Insert definition from NPS-REG:  Renewable electricity generation activities means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.
8.	Interpretation	RIPARIAN MARGIN	The addition at the end of the definition is uncertain and ambiguous and will render any rules that rely on it unenforceable.  The riparian margin should start from the edge of the bed of the river, lake or wetland.	Delete the last sentence of the definition “ <del>As measured from the point of annual fullest flow for a river or annual fullest flows for a lake or mean high water spring for a coastal wetland.</del> ”
	PART 2 District Wide Matters			
9.	Strategic Direction	Strategic Directions Overview	The decision changes “fostering” to “enable”. This is inconsistent with Part 2.	Amend clause 4 (now 6) to read: “ <del>Enabling the Managing</del> use and development of natural...”

10.	Strategic Direction	AG-O2 (now LBPP-03)	The word “enable” is particularly directive for support industries and services. As it is not clear what “support industries and services” they should not be enabled carte-blanche.	Amend to <u>“To recognise that support services and industries are needed to maintain land based primary production’s viability within rural areas”</u>
11.	Strategic Direction	CR-O4 (now CCR-P1)	It is not clear what the objective is seeking to achieve through enabling “development of greater infrastructure self-sufficiency”. Objective CR-O2 already addresses resilience of critical infrastructure.  It would not be appropriate to enable development of critical infrastructure in inappropriate locations, such as areas at risk or natural hazards or at the expense of significant and outstanding values.	Amend CCR-P1 by deleting “Regionally Significant” and replacing with “Critical”  Reinstate the notified definition for “Critical Infrastructure”: <u>means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants, defence facilities, telecommunications networks and electricity generation, transmission and distribution assets.</u>
12.	Strategic Direction	MIN - O2 (Now MIN-P1)	Enabling is not appropriate in the abstract without addressing adverse effects. Inconsistent with s5, s6 and s7 of the RMA.  It is also concerning that this would specifically enable extraction within zones that have significant natural values without any consideration of overlays or other significant values.	Delete MIN-P1
	Strategic Direction	Natural Environment		
13.	Strategic Direction	NENV- O1	The objective reflects s6 wording. However, this is not adequate to achieve s6 and give effect to the WCRPS without: 1. policy for protection of s6(c) matters set out in the ECO chapter; and 2. those provisions not being subservient to strategic direction provisions; and	Replace “necessary” with “degraded” Delete “outstanding”, “significant” and “that contribute to Te Tai o Poutini / the West Coast’s character and identity”

			3. all other chapters differing to/implementing the ECO provisions with respect activities affecting indigenous biodiversity.	
14.	Strategic Direction	NENV - O4 (now NENV-P1)	<p>The objective does not capture areas which may not be unique but are nevertheless important. If the terminology is intended to capture RMA s6(a), (b) and (c) matters it is somewhat inconsistent with the terms used in those sections and those used in the NZCPS.</p> <p>It is not clear if clause b. of the objective is referring to a zoning approach.</p>	<p>Delete or amend as follows:</p> <p>“To identify:</p> <p>a. Important, significant and outstanding areas and features which must be protected; and</p> <p>b. Areas where subdivision, use and development activities can be sustainably managed to provide community economic, cultural and social wellbeing”</p>
	Energy Infrastructure and Transport			
15.	Energy	Energy - Te Pūngao Overview	<p>It is important to ensure that the overview provides a relevant background, is consistent with the balance of the chapter and provides guidance on the scope and application of the chapter.</p> <p>The outcomes of the Forest &amp; Bird appeal may require amendment to the overview to ensure this is achieved</p>	<p>The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest &amp; Bird and other parties are resolved.</p>
16.	Energy	ENG all provisions	<p>The use of different approaches to effects management is inappropriate.</p>	<p>Where this chapters refers to managing biodiversity effects: rather than including a different standard of effects management (e.g., ‘minimising’), a specific requirement should be included to comply with the ECO chapter provisions.</p>
17.	Energy	ENG – O1	<p>The inclusion of the reference to “by providing” is not appropriate for “development” as this indicates that</p>	<p>Delete “by providing”</p>

			the development will be appropriate in any location regardless of effects	
18.	Energy	ENG – O2	‘Manage’ is not an appropriate effects management standard as it provides no guidance.	Delete or amend by changing “manage” to “avoid, remedy or mitigate in accordance with the Natural Environment and District Wide chapters of this Plan.”
19.	Energy	ENG - O3	This is too broad, and should be limited to electricity generation, distribution and supply and renewable energy generation.  The objective is also a blanket enabling provision and says nothing about the need to address adverse effects.	Delete, or amend so that it provides: To provide for the development, operation, maintenance and upgrade of electricity generation, distribution and supply and renewable energy generation <del>energy activities</del> where adverse effects can be appropriately avoided, remedied or mitigated in accordance with the Natural Environment and District Wide chapters of this Plan and to protect them from the adverse effects of incompatible subdivision and development.
20.	Energy	ENG - P1	Agree that it is appropriate to provide for these activities, but enable is too high as it implies that they can be undertaken in any location regardless of effects.  There needs to be clear direction as to how to address adverse effects.	Delete “and enable” and after infrastructure add “while addressing adverse effects of these activities in accordance with the Natural Environment and District Wide chapters of this Plan.”
21.	Energy	ENG - P2	There are areas where this provision could be improved to ensure it is consistent with Part 2	<ul style="list-style-type: none"> <li>• Add “maintain and upgrade” with respect to the existing</li> <li>• Delete “particular”</li> <li>• Add a new consideration <ul style="list-style-type: none"> <li>a. “opportunities to reduce environmental impacts”</li> </ul> </li> </ul>
22.	Energy	ENG - P4	This policy does is not consistent with Part 2 or the WCRPS as it provides that renewable energy projects can proceed in any location regardless of effects, which are only a matter to be had regard to.	Delete
23.	Energy	ENG - P5	This policy is difficult to understand. It is unclear how you avoid remedies or mitigate the adverse	Delete

			effects of an activity by recognising its functional or operational need.	
24.	Energy	ENG - P6	The policy should provide direction on how adverse effects are managed.	Retain as specific to renewable energy generation, and amend to include: <u>‘where the adverse effects are avoided, remedied, or mitigated in accordance with the Natural Environment and District Wide chapters of this Plan.’</u>
25.	Energy	ENG - P7	Avoid, remedy, and mitigate needs to be in other policies for this policy to make sense.	Delete ENG – P7 or retain the policy and include <u>‘avoid, remedy and mitigate in accordance with the Natural Environment and District Wide chapters of this Plan’</u> in both this policy and other ENG policies.
26.	Energy	ENG - P8	This policy does not yet appropriately give effect to the WCRPS Chapter 7, Chapter 9 Coastal environment or the NZCPS. This is because P8 focuses on scheduled areas which do not adequately capture significant natural areas, many of which are unmapped SNAs and would not be considered under clause b or c.  Similarly Clause c. needs to be amended to give effect to the Policy 11, 13 and 15 requirements as many of these sites would not be on the schedules to avoid/avoid significant effects.  Clause e. does not refer to offsetting and compensation.	<ul style="list-style-type: none"> <li>• Amend b. and d. so that they include any area of significant indigenous biodiversity or any area meeting the criteria in Appendix 1 of the WCRPS and areas covered by Policy 11 of the NZCPS, not just those identified in the schedules.</li> <li>• Make a consequential amendment to d.</li> <li>• Add reference to offset and compensation to e.</li> <li>• Delete “to the extent practicable” from e.</li> </ul>
27.	Energy	ENG - R3	In the case of a new substation there needs to be standards to limit vegetation clearance and protect any significant values identified in accordance with the criteria in the WCRPS.	Ensure that the vegetation clearance rules apply to clearance for activities covered by this rule. This would be achieved by amending the definition of renewable energy activities above.

28.	Energy	ENG – R5	The provisions is flawed because there are no standards to address effects on biodiversity.	Add a clause stating that indigenous vegetation clearance complies with the relevant rules in the ECO chapter.
29.	Energy	ENG – R7	Support requirements for activities to be permitted in overlay, however not all SNAs have been identified and are therefore not included in ‘overlays’.	Add a clause stating that indigenous vegetation clearance complies with the relevant rules in the ECO chapter.
30.	Energy	ENG R-10	The provision is flawed because there are no standards to address effects on biodiversity.	Add a clause stating that indigenous vegetation clearance complies with the relevant rules in the ECO chapter.
31.	Energy	ENG - R11	The matters of discretion are inappropriate and fail to provide for biodiversity and other values that are required to be considered under Part 2.	Amend Clause a so that it provides “adverse effects on landscape and natural character values”.  Amend Clause f so that it provides indigenous biodiversity values, including in areas of significant indigenous biodiversity, and any areas meeting the significance criteria set out in the West Coast Regional Policy Statement, Appendix 1.
32.	Energy	ENG - R12	The matters of discretion are inappropriate and fail to provide for biodiversity and other values that are required to be considered under Part 2.	Add a new matter of discretion, adverse effects on landscape and natural character values.  Amend Clause d so that it provides indigenous biodiversity values, including in areas of significant indigenous biodiversity, and any areas meeting the significance criteria set out in the West Coast Regional Policy Statement, Appendix 1.
33.	Energy	ENG - R13	The matters of discretion are inappropriate and fail to provide for biodiversity and other values that are required to be considered under Part 2.	Add a new matter of discretion adverse effects on landscape and natural character values  Amend Clause b so that it provides adverse effects on indigenous biodiversity values, including in areas of significant indigenous biodiversity, and any areas meeting the significance

				criteria set out in the West Coast Regional Policy Statement, Appendix 1.
34.	Energy	ENG - R14	The matters of discretion are inappropriate and fail to provide for biodiversity and other values that are required to be considered under Part 2.	Add a new matter of discretion adverse effects on landscape and natural character values.  Amend Clause f so that it provides adverse effects on indigenous biodiversity values, including in areas of significant indigenous biodiversity, and any areas meeting the significance criteria set out in the West Coast Regional Policy Statement, Appendix 1.
35.	Energy	ENG - R15	It is unclear what is meant by ‘large scale’.  There is also no direction to protect natural values.	<ul style="list-style-type: none"> <li>• Add a definition of large-scale renewable generation activity</li> <li>• Delete the words “not meeting Permitted Activity standards” from the rule title</li> </ul>
36.	Energy	New ENG - R16	The rule needs direction to protect natural values.	Ensure that permitted activity rules appropriately protect indigenous
37.	Infrastructure	Overview	It is important to ensure that the overview provides a relevant background, is consistent with the balance of the chapter and provides guidance on the scope and application of the chapter.  The outcomes of the Forest & Bird appeal may require amendment to the overview to ensure this is achieved	The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.  Insert Note 4 to the Infrastructure Rules into the overview. Provisions relating to energy activities and associated infrastructure are contained in the Energy Chapter and provisions for transport infrastructure are contained in the Transport Chapter.
38.	Infrastructure	INF all provisions	Minimise implies an activity can proceed and is not an appropriate standard unless it relates to controlled activities.	The references to “minimise” do not apply to indigenous biodiversity. In relation to indigenous biodiversity, the requirements of the ECO chapter apply.

39.	Infrastructure	Infrastructure Rules - Note	This is not the appropriate location for Note 4. This should be in the overview.	Insert Note 4 above the rules into the overview. Provisions relating to energy activities and associated infrastructure are contained in the Energy Chapter and provisions for transport infrastructure are contained in the Transport Chapter.
40.	Infrastructure	INF - O1	The objective needs to protect natural values.	Amend as follows: “To enable the safe, efficient and sustainable development, operation, maintenance and upgrading of utilities and infrastructure, to meet the needs of the West Coast/Te Tai o Poutini, where adverse effects can be appropriately managed accordance with the Natural Environment and District Wide chapters of this Plan.”
41.	Infrastructure	INF – O5	Minimised is not sufficient to give effect to s5 of the RMA which requires adverse effects to be avoided, remedied, and mitigated on the environment as well as other matters including safeguarding the life supporting of ecosystems.  The objective does not give effect to the WCRPS.	The objective is amended as follows: <ul style="list-style-type: none"> <li>• The reference to minimise is deleted</li> <li>• The adverse effects of infrastructure on the environment are avoided, remedied, and mitigated in accordance with the Natural Environment and District Wide chapters of this Plan”, while recognising: <ol style="list-style-type: none"> <li>a. The functional and operational needs of infrastructure; and</li> <li>b. That positive effects of infrastructure may be realised locally, regionally, or nationally.</li> </ol> </li> </ul>
42.	Infrastructure	INF - P2	This provision needs amendment to properly provide for Part 2, particularly s 6(c) and to give effect to the WCRPS and NPSIB	Amend the provision as follows <ul style="list-style-type: none"> <li>• Add a new sub-clause <ol style="list-style-type: none"> <li>x. whether there are alternative locations or a functional need to locate within an Overlay area or area of significant indigenous biodiversity or any area meeting the criteria in West Coast Regional Policy Statement, Appendix 1</li> </ol> </li> <li>• f. The need to avoid, remedy, or mitigate adverse effects on the environment in accordance with the Natural Environment and District Wide chapters of this Plan”</li> </ul>

43.	Infrastructure	INF - P4	The policy lacks ability to ensure that constraints are considered prior to subdivision and development. Relevant constraints include where adverse effects on natural values can and should be avoided or cannot be adequately avoided, remedied, or mitigate.	Amend INF – P4 as follows: “Ensure that subdivision and development, <del>is</del> <u>can be</u> adequately serviced to meet the current and future needs including: <u>A. In site selection and design considerations, assessing the adverse effects of subdivision and development as well as adverse effects of services when determining whether the subdivision or development should occur in that location in the first place; and</u> <u>B. that adequate services includes:</u> a. Safe and efficient vehicle access; ...”
44.	Transport	Overview	It is important to ensure that the overview provides a relevant background, is consistent with the balance of the chapter and provides guidance on the scope and application of the chapter.  The outcomes of the Forest & Bird appeal may require amendment to the overview to ensure this is achieved	The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.
45.	Transport	TRN - O2	Managing adverse effects is inappropriate in an objective.	Replace “minimise” with “avoid, remedy or mitigate in accordance with the Natural Environment and District Wide chapters of this Plan.”
	Ecosystems and Indigenous Biodiversity	ECO		See attached tracked changes to decisions on ECO chapter in Appendix 1
46.	Ecosystems and Indigenous Biodiversity	Overview	There are a number of inaccuracies in the overview which detract from the utility of the introduction to provide a basis upon which to interpret the chapter. This includes:	<ul style="list-style-type: none"> <li>• Amend the Overview to clarify how the plan protects areas meeting RPS criteria that are not in Schedule Four.</li> <li>• Explain approach to protection prior to the district wide assessment that will use NPSIB criteria.</li> </ul>

		<ul style="list-style-type: none"> <li>• Referring to the RMA as requiring that Te Tai o Poutini Plan manage indigenous biodiversity. The RMA requires councils to manage use, development and protection when carrying out their functions. Plans are to assist council in carrying out its functions.</li> <li>• Suggesting there is a priority between maintenance of indigenous biodiversity and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</li> <li>• Making it sound like identification of areas of significant indigenous vegetation and significant habitats of indigenous fauna using the criteria in the WCRPS is too difficult when in fact some assessment work has been undertaken but not yet included in the Plan.</li> </ul> <p>Various wording is used in the Plan and this chapter with respect to s6(c) areas. While the s6(c) wording is appropriate within ECO chapter objectives, consistency with the WCRPS would be clearer by using the terms defined in the WCRPS (and replicated in the interpretation section of the Plan, as sought above) for policies and rules in the Plan. We recognise that in some instances, because of the way the provisions are drafted, it is necessary to distinguish between scheduled/mapped areas included in the Plan and those that are not specifically identified in the Plan (for example, where rules only apply to scheduled SNAs).</p>	<ul style="list-style-type: none"> <li>• Amend the explanation stating that the “chapter includes specific rules that apply within significant natural areas, areas of high natural character, outstanding natural features and landscapes and the coastal environment”. Correct this to say “specific rule requirements” reflecting that there are not specific rules for all the areas listed.</li> <li>• Amend references to RPS to “WRPS” consistent with references with ECO and SUB provisions.</li> <li>• The wording “The WRPS is yet to be updated to give effect to the NPSIB” could be interpreted to suggest that the WRPS does not give effect, when in fact there is alignment on many matters already.</li> <li>• See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
--	--	---	---

			<p>On this basis we suggest that other than where s6(c) wording is appropriate, such as in ECO objectives, the wording of the Plan is amended to distinguish areas of significant indigenous vegetation and significant habitats of indigenous fauna which are scheduled and mapped in the Plan as “SNAs identified in Schedule Four”, those that are not specifically identified, as “unmapped significant natural areas” and where no distinction is required, as Significant Natural Areas or SNAs.</p> <p>The WCRPS also has a different term for Policy 11 NZCPS biodiversity which should also be used for consistency in this Plan.</p> <p>The amendments sought are intended to address these matters.</p>	
47.	Ecosystems and Indigenous Biodiversity	Overview - Plantation Forestry	<p>Explanation of the relationship with the NPS for Plantation Forestry is supported as is the inclusion of more stringent provisions in the Plan for protection of significant biodiversity. Some changes for clarification to this explanation is needed.</p>	<ul style="list-style-type: none"> <li>Amend the overview in relation to Commercial Forestry to recognise that more stringent provisions can also be applied to indigenous biodiversity meeting the WRPS Appendix 1 significance criteria. This is because areas identified by using the RPS significance criteria come within the meaning of significant natural area under the NES for Commercial Forestry.</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
48.	Ecosystems and Indigenous Biodiversity	Overview - Strategic Objectives	<p>It is not clear why this statement is only included in the ECO chapter overview and not the overview of other chapters.</p>	<p>Delete this statement or include it in other relevant chapters.</p> <p>Note that this change is not shown in changes to the ECO chapter in Appendix 1 given alternative options available.</p>

49.	Ecosystems and Indigenous Biodiversity	Overview - Wetlands on the West Coast	It would be helpful to explain that the National Environmental Standards for Freshwater, regulations, include setbacks which are different to those in this Plan, and which may require consent to be sought from the Regional Council.	<ul style="list-style-type: none"> <li>Amend the overview in relation to waterbodies to clarify that significant wetlands have been added into Schedule Four of this plan</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
50.	Ecosystems and Indigenous Biodiversity	ECO- O1 (now ECO-O5)	The reference to Significant Natural Areas makes no sense as they are already mapped	<ul style="list-style-type: none"> <li>Replace reference to “Significant Natural Areas” with “significant indigenous vegetation and significant habitat of indigenous fauna”</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
51.	Ecosystems and Indigenous Biodiversity	New ECO-O3	The reference to “managing” and “significant” are not appropriate, as they suggest an approach that does not give effect to s 6(c), the NPSIB, NZCPS and WRPS.	<ul style="list-style-type: none"> <li>Amend ECO-O3 to use wording “avoid, remedy or mitigate” rather than manage.</li> <li>Delete the word “significant” and amend to “indigenous biodiversity”</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
52.	Ecosystems and Indigenous Biodiversity	ECO - P1	<p>The TTPP committee improperly amended the Independent Hearing Panel Recommendation on P1.</p> <p>The policy should not exclude the identification of Significant Natural Areas through assessment processes in the future. Inadequacies with identification of schedule four areas with Grey District were discussed at the hearing. Surveys may not pick up all significant areas, including due to timing. Habitats can also change.</p> <p>Amendments are also needed to terminology consistent with the policy direction and areas meeting the WCRPS significance criteria as</p>	<ul style="list-style-type: none"> <li>Amend ECO-P1.2(a) to include Grey District in the SNA identification process under Appendix Thirteen.</li> <li>Add a new policy ECO-P2A providing for identification and protection of “area of significant indigenous biodiversity” using RPS criteria prior to the district wide mapping required by ECO-P1.</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> <li>Make any appropriate consequential changes to Appendix Thirteen.</li> </ul>

			explained in amendments to the ECO chapter overview.	
53.	Ecosystems and Indigenous Biodiversity	ECO - P2	<p>The decision adds provision for improved pasture in these areas. This needs to be defined and limited as in NPSIB 3.17.</p> <p>The decision adds construction and upgrade of RSI. This is not appropriate without effects management.</p>	<p>Amend policy ECO -P2 to include:</p> <ul style="list-style-type: none"> <li><b>i.</b> consideration of matters relevant to when provision for maintenance of improved pasture should be provided under clause 3.17 of the NPSIB</li> <li><b>ii.</b> reorder clause (d) so the same requirements apply to Poutini Ngāi Tahu land and specified Māori land.</li> <li><b>iii.</b> functional , operational need for the location and consideration of alterative in clause (e).</li> <li><b>iv.</b> to restate clause (f) limiting effects to no more than minor (original notified wording).</li> </ul> <p>See attached tracked changes to decisions on ECO chapter in Appendix 1.</p>
54.	Ecosystems and Indigenous Biodiversity	New ECO-P3	<ul style="list-style-type: none"> <li>• The decision adds ECO-P3 to provide for NPSIB clause 3.11 activities in Schedule 4 SNAs. However, ECO-P3 does not give effect to Clause 3.11, which does not require “provide for”.</li> <li>• Excluding ECO-P7 undermines consistency with the RPS, which requires provision for regionally significant infrastructure but not mineral or aggregate extraction. .</li> <li>• ECO-P3 risks conflicting with NZCPS and creates uncertainty by limiting application to Schedule 4 SNAs, potentially leaving other significant biodiversity areas unprotected until future plan changes.</li> <li>• As drafted, ECO-P3 does not give effect to the NPSIB, RPS and NZCPS .</li> </ul>	Delete ECO-P3

55.	Ecosystems and Indigenous Biodiversity	ECO - P5 (now ECO-P6)	There is no reason to limit this provision to significant indigenous vegetation.	Amend so that it is not limited to “significant values” and refers to “indigenous”  See attached tracked changes to decisions on ECO chapter in Appendix 1
56.	Ecosystems and Indigenous Biodiversity	ECO - P6 (now ECO-P7)	The policy does not give effect to the West Coast Regional Policy Statement	Amend ECO-P7 to apply when consideration is given to whether to enabling or provide for an activity. This could be amended by amending the chapeau as follows:” In relation to all indigenous biodiversity, when considering subdivision, use and development, including in resource consent applications, avoid activities will:...”  Amend clause (d) to capture areas also meeting WRPs Significance criteria and clause 3.10(2)(a) of the NPSIB  See attached tracked changes to decisions on ECO chapter in Appendix 1
57.	Ecosystems and Indigenous Biodiversity	New ECO policy	<ul style="list-style-type: none"> <li>• The Plan does not give effect to Chapter 7 WCRPS, in particular policies 2-5.</li> <li>• RPS policy 2 is captured by ECO-P7 which is to avoid activities that will have the effects listed in RPS Policy 2. RPS policies 3-5 set out an effects management hierarchy.</li> <li>• ECO-P8 and new ECO-P3 refer to “the effects management hierarchy”,</li> <li>• However, no effects management hierarchy is set out in the ECO policies. see definitions</li> </ul>	<ul style="list-style-type: none"> <li>• Add a new policy ECO-P8A setting out effects management hierarchy</li> <li>• See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
58.	Ecosystems and Indigenous Biodiversity	ECO - P7 (now ECO-P8)	The policy does not give effect to s 6(c) the WRPS or the NPSIB.	Amend ECO-P8: <ul style="list-style-type: none"> <li>• Clause (a) change back to critical infrastructure.</li> <li>• Delete clause (b) and (k)</li> <li>• Retain “or adjacent to” in clause (f).</li> </ul>

				<ul style="list-style-type: none"> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
59.	Ecosystems and Indigenous Biodiversity	ECO - P8 (now ECO-P9)	The policy does not give effect to s 6(c) the WRPS or the NPSIB.	<p>Amend ECO-P9</p> <ul style="list-style-type: none"> <li>Add RPS Policy 8(a) wording.</li> <li>Remove new sentence excluding the National Grid and REG from the policy requirements.</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
60.	Ecosystems and Indigenous Biodiversity	ECO - P10	ECO-P10 does not give effect to the NZCPS.	<ul style="list-style-type: none"> <li>Amend ECO-P10 clause (c) to use directive terms from Policy 11(b) NZCPS wording and capture matters listed under 11(b) (vi): Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on indigenous vegetation, dunes, estuaries, coastal wetlands, habitats and species within the coastal environment, ecological corridors and areas important for linking or maintaining biological values.</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
61.	Ecosystems and Indigenous Biodiversity	New ECO-P11	This policy almost duplicates policies in the ENG but in a way that is not entirely consistent. There should only be one National Grid policy	Delete ECO-P11
62.	Ecosystems and Indigenous Biodiversity	Note:	The relationship between the map overlays and Schedule Four should be clarified.	<p>Add a note at the start of the ECO rule section to clarify that <u>Significant Natural Areas listed in Schedule Four are shown in the Significant Natural Area overlay on the planning maps.</u></p> <p>See attached tracked changes to decisions on ECO chapter in Appendix 1</p>

63.	Ecosystems and Indigenous Biodiversity	Decision new ECO-R1	<p>New ECO-R1 contains General Standards for permitting activities outside significant natural areas. There are several issues with ECO-R1. These are discussed under the heading “indigenous biodiversity” in the notice of appeal. These issues include:</p> <ul style="list-style-type: none"> <li>• It is not clear if this is a rule or standards that apply to other permitted rules.</li> <li>• The definition of significant natural area and reliance on ECO-P1 prior to district-wide assessment doesn’t work as it leaves large areas of significant indigenous biodiversity without appropriate protection.</li> <li>• The clearance limits are too high to protect areas of significant indigenous biodiversity outside SNAs, which are only mapped in Grey District and even then, it was not done in accordance with the NPSIB and WCRPS.</li> <li>• Standard 4 doesn’t make sense as a permitted standard and could result in loss of significant values.</li> <li>• The exceptions are not appropriate as standards and are better located in the permitted rule itself</li> </ul>	<p>Amend new ECO-R1</p> <ul style="list-style-type: none"> <li>• to clarify that these are standards and not a rule.</li> <li>• to clarify the standards apply to all permitted indigenous vegetation clearance rules outside Significant Natural Areas listed in Schedule Four.</li> <li>• Reduce clearance limits and set a clear limit that does not rely on a significance assessment.</li> <li>• remove the exceptions from the general standards.</li> <li>• Move the exceptions for natural hazard mitigation and planted vegetation to ECO-R6 and permitted activity conditions.</li> <li>• See attached tracked changes to decisions on ECO chapter. Specific relief set out in Appendix 1</li> </ul>
64.	Ecosystems and Indigenous Biodiversity	Decision new ECO-R2	<p>There are no clearance limits for most of the listed activities. This creates ambiguity about whether ECO-R1/S1 applies to the activities covered by this rule.</p> <p>The standards in ECO-R1/S1 should apply.</p>	<p>Amend ECO-R2</p> <ul style="list-style-type: none"> <li>• Clarify that Significant Natural Areas are those listed in Schedule <b>Four</b></li> <li>• Make the rule subject to compliance with the ECO – R1/S1</li> <li>• Delete ECO-R2.4, relating to construction of new infrastructure, REG and National Grid.</li> </ul>

			The matters covered in ECO-R2.4, relating to construction of new infrastructure, REG and National Grid are not appropriate at the permitted level when it is not certain whether they could be located within an area of significant indigenous biodiversity.	<ul style="list-style-type: none"> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
65.	Ecosystems and Indigenous Biodiversity	Decision new ECO-R3	<p>There are no clearance limits, and the provisions providing for or the maintenance of improved pasture do not give effect to the NPSIB.</p> <p>Clause 3.17(2) of the NPSIB includes provisions that limit when the clearance for maintaining improved pasture must be allowed. These provisions are not given effect to in ECO-R3.</p>	<p>Amend ECO-R3</p> <ul style="list-style-type: none"> <li>Make the rule subject to compliance with the ECO – R1/S1</li> <li>Include the <b>provisions</b> on the maintenance of improved pasture as set out in Clause 3.17(2)(a) to (e) of the NPSIB.</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1</li> </ul>
66.	Ecosystems and Indigenous Biodiversity	Decision new ECO-R4	<p>The title of the rule is ambiguous as it is not clear what is meant by “not provided for in ECO-R1 or ECO-R2,</p> <p>There are no clearance limits, which should be included.</p>	<p>Amend ECO-R4</p> <ul style="list-style-type: none"> <li>Delete “not provided for in ECO-R1 or ECO-R2” from the title</li> <li>Make the rule subject to compliance with the ECO – R1/S1</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
67.	Ecosystems and Indigenous Biodiversity	Decision new ECO-R5	Consequential amendment to reflect the approach taken to ECO-R1/S1.	<p>Amend ECO-R5</p> <ul style="list-style-type: none"> <li>Clarify rule with respect to schedule four and general standards in ECO – R1/S1</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
68.	Ecosystems and Indigenous Biodiversity	Decision new ECO-R6	<p>See discussion in Notice of Appeal under the heading indigenous biodiversity.</p> <p>There are no clearance limits for most activities listed. Includes activities within the coastal</p>	<p>Amend ECO-R6</p> <ul style="list-style-type: none"> <li>Clarify that Significant Natural Areas are those listed in Schedule 4</li> <li>Make the rule subject to compliance with the ECO – R1/S1</li> </ul>

			<p>environment. This creates ambiguity about whether ECO-R1/S1 applies to the activities covered by this rule. The standards in ECO-R1/S1 should apply and this should be made express.</p> <p>The rule incorrectly includes mineral extraction. This is contrary to the decision. At para 876 of the decision on ECO provisions, the panel says “The Panel considers indigenous vegetation clearance for mineral extraction activities in the BCZ and MINZ should not be permitted and should be assessed through a resource consent process.” The inclusion of condition 12 is contrary to the decision.</p> <p>Clause 14 allows for clearance for any purpose. effectively permitting activities that are not specified or anticipated as appropriate within areas which may have significant biodiversity values.</p>	<ul style="list-style-type: none"> <li>• Delete condition 12 relating to mineral extraction and prospecting</li> <li>• Delete condition 14 relating to clearance for any other purpose.</li> <li>• See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
69.	Ecosystems and Indigenous Biodiversity	Decision new ECO-R7	<p>New ECO-R7 New rule permitting indigenous vegetation clearance within a Significant Natural Area.</p> <p>Rule needs some minor clarification to specify schedule four and to connect the limits in condition 1.ii, with the was is provided for in the first part of the condition.</p>	<p>Amend ECO-R7</p> <ul style="list-style-type: none"> <li>• Clarify that Significant Natural Areas are those listed in Schedule 4</li> <li>• Include reference to structures in condition 1.ii</li> <li>• See attached tracked changes to decisions on ECO chapter in Appendix 1.</li> </ul>
		Controlled Activities		

70.	Ecosystems and Indigenous Biodiversity	ECO - R3 (now ECO-R8)	<p>The removal of the requirement that this activity not be undertaken within SNAs is not consistent with the NPSIB.</p> <p>The advice note should be included as a condition of entry into the controlled activity rule.</p> <p>It is not appropriate to have unlimited clearance within areas which may meet the WRPS Appendix 1 criteria or the coastal environment. the General standards ECO-S1 should apply.</p>	<p>Amend ECO-R8</p> <ul style="list-style-type: none"> <li>reinstated the restriction on clearance to being outside schedule four SNA except for existing forest at time of NPSIB commencement.</li> <li>Replace advice note 1 with a condition to comply with general standard ECO-S1.2</li> <li>include General standards ECO-S1 should as a condition so that clearance limits apply.</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1</li> </ul>
71.	Ecosystems and Indigenous Biodiversity	ECO - R5 (now ECO-R9)	<p>Now ECO-R9</p> <p>The decision makes it clear that the rule is only to apply in the Grey District, but this is not clear from the rule itself.</p> <p>In particular, paragraph 885 of the decision seeks to limit this rule to the Grey District outside SNA to recognise that some areas are protected in this district. They say that “a rule such as this ‘<i>outside an SNA</i>’ cannot be applied to Buller and Westland at this time.” - see Rule ECO-R10 (previously R7).</p> <p>The decision at paragraph 892 agrees to a matter of discretion including adverse effects on natural character, landscape and features in respect of the Forest and Bird submission (S560.32). This is not shown on the tracked version be in matters of discretion.</p>	<p>Amend ECO-R9</p> <ul style="list-style-type: none"> <li>Clarify that the rule only applies within Grey District by amending the heading so that it provides: “In the Grey District Indigenous vegetation clearance not meeting Permitted or Controlled Activity rules outside of a Significant Natural Area in Schedule Four</li> <li>Add matter for discretion: Effects on natural character, natural landscape and natural features in the coastal environment.</li> <li>See attached tracked changes to decisions on ECO chapter in Appendix 1</li> </ul>
72.	Ecosystems and Indigenous Biodiversity	ECO - R7 (now ECO-R10) and new rule ECO-R11)	<p>Elements of this rule are inappropriate as they involve subjective assessments, which are not appropriate and could suggest that meeting the rule conditions replaces a policy assessment. This</p>	<p>Amend ECO-R10</p> <ul style="list-style-type: none"> <li>to ensure the rule provides for consideration of Regionally Significant Infrastructure, Renewable Energy Generation or</li> </ul>

			<p>includes ECO-R10.4.a and b as to whether there are national or regional benefits and consistency with ECO provisions is more appropriate as a non-complying activity.</p> <p>It may be clearer to include Indigenous vegetation clearance for regionally significant infrastructure, the National Grid and renewable electricity generation activities within this rule and delete new ECO-R11</p>	<p>the National Grid as a discretionary activity (replacing new ECO-R11).</p> <ul style="list-style-type: none"> <li>• delete ECO-R11</li> <li>• delete condition 2 and the requirement under condition 4 to apply the effects management hierarchy.</li> <li>• remove condition 3 relating to WRPS Appendix 1 criteria and NPSIB clause 3.10(2) matters.</li> <li>• delete condition 4(a) and (b) relating to mineral and aggregate extraction so that these activities become non-complying where condition 1 is not met.</li> <li>• Add new ECO-P2A to provide direction relating to WRPS Appendix 1 criteria. Amend ECO-P7 to capture the NPSIB clause 3.10(2) matters.</li> </ul> <p>See attached tracked changes to decisions on ECO chapter in Appendix 1</p>
73.	Ecosystems and Indigenous Biodiversity	ECO - R10 (now ECO-R13)	The activities covered by this rule should never be allowed so prohibited activity status is appropriate.	<p>Amend ECO – R13 so that it is a prohibited activity.</p> <p>See attached tracked changes to decisions on ECO chapter in Appendix 1</p>
74.	Ecosystems and Indigenous Biodiversity	ECO - R11 (now ECO-R14)	The activities covered by this rule should never be allowed so prohibited activity status is appropriate.	<p>Amend ECO – R14 so that it is a prohibited activity.</p> <p>See attached tracked changes to decisions on ECO chapter in Appendix 1</p>
	Natural Features and Landscapes			
75.	Natural Features and Landscapes	NFL R6, R8, R10, R11, R11(now R12), R12 (now R13), 15	This rule needs the reference included in other rules that any vegetation clearance associated with the EW will comply with ECO chapter provisions.	Amend to include provision that requires compliance with the ECO provisions for any associated vegetation clearance.

	Natural Character and Margins of Waterbodies			
76.	Natural Character and Margins of Waterbodies	NC Overview	<p>There needs to be a much clearer statement about the relationship between this chapter and the regulations for wetlands in the NESFM. A description of the activities that are regulated in the NESFM, as well as the distances within which they are regulated, should be included, so that Plan users are put on notice that those regulations will apply.</p> <p>The Overview needs to be clearer about the relationship between the provisions in this chapter and those in the ECO and EW chapters.</p>	The overview section is amended to ensure that it is consistent with the balance of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.
77.	Natural Character and Margins of Waterbodies	NC-O3	<p>Activities that have a functional need are not necessarily appropriate; these activities still need to be managed so that the natural character is preserved.</p> <p>‘Minimising’ adverse effects is not an appropriate approach to effects management.</p>	Amend NC – O2 as follows: “To <u>consider</u> providing for activities that have a functional need to locate in the margins of lakes, rivers, and wetlands, where they can be undertaken in a way that preserves natural character <del>are minimised</del> .”
78.	Natural Character and Margins of Waterbodies	NC – P2	This policy is contrary to the requirements of s6(a) and (c).	Delete
79.	Natural Character and Margins	NC-P3	This policy is contrary to s6(a) and (c).	Delete

	of Waterbodies		There should not be policy direction enabling activities within the riparian margins of waterbodies.	
80.	Natural Character and Margins of Waterbodies	NC-R2	These activities are not appropriate in the margins of waterbodies. There are no standards, which means that permitted activities under this rule will not achieve the objectives and policies of the chapter and ensure that the natural character (or the biodiversity values) of the waterbody and its margins will be preserved and protected.	Delete
81.	Natural Character and Margins of Waterbodies	NC-R3	The matters of control are inadequate to achieve the objectives and policies of the chapter.	Change activity status to discretionary
	Financial Contributions			
82.	Financial contributions	FC-P1	The reference to “remedy or mitigate adverse effects” is inappropriate as it is not a proper use of financial contributions	Delete the words “”to remedy or mitigate adverse effects created by the need to create”
83.	Financial Contributions	FC-P2	The reference to “reflects the adverse effects” is inappropriate as it is not a proper use of financial contributions	Delete the words “the adverse effects and”
	Subdivision			
84.	Subdivision	Overview	It is important to ensure that the overview provides a relevant background, is consistent with the balance of the chapter and provides guidance on the scope and application of the chapter.	The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.

			The outcomes of the Forest & Bird appeal may require amendment to the overview to ensure this is achieved	
85.	Subdivision	SUB -R5	<p>The reference to Significant Natural Area is inconsistent with SUB-R7, which refers to areas of significant indigenous biodiversity.</p> <p>The reference to “subject to SUB – R7” is ambiguous and requires clarification.</p>	<p>Amend Condition 1 as follows: “This is not within a Significant Natural Area <u>listed in Schedule Four</u> or an area of significant <u>indigenous biodiversity</u> subject to Rule SUB – R7”</p> <p>Clarify the meaning of “subject to SUB – R7”</p>
86.	Subdivision	SUB -R6	The reference to “and subject to SUB – R7” is ambiguous and requires clarification.	<p>Amend Condition 1 as follows: “This is not within a Significant Natural Area <u>listed in Schedule Four</u> or an area of significant indigenous biodiversity ...”</p> <p>Clarify the meaning of “ and subject to SUB – R7”</p>
87.	Subdivision	SUB - R7/ECO - R4 (now SUB – R7)	<p>The drafting of SUB-R7.2 could be improved.</p> <p>Amendments are required to R7.4 for consistency with using the defined term “area of significant indigenous biodiversity”.</p>	<p>Amend SUB-R7.2 as follows: "...unless the site has already been identified as a Significant Natural Area <u>listed in Schedule Four</u> <del>as part of a district-wide Significant Natural Area assessment process</del>; and”</p> <p>Amend SUB – R7.4 as follow “...the need for clearance within the area of significant indigenous <u>biodiversity</u> <del>vegetation</del> to provide...”</p>
88.	Subdivision	SUB - R9/ECO - R6 (now SUB – R9)	<p>The drafting of SUB-R9.2 could be improved.</p> <p>Amendments are required to R9.4 for consistency with using the defined term “area of significant indigenous biodiversity”.</p>	<p>Amend SUB-R9.2 as follows: "...unless the site has already been identified as a Significant Natural Area <u>listed in Schedule Four</u> <del>as part of a district-wide Significant Natural Area assessment process</del>; and”</p>

				Amend SUB – R9.4 as follow “...the need for clearance within the area of significant indigenous <u>biodiversity</u> <del>vegetation</del> to provide...”
89.	Subdivision	SUB – R11	Amendments are required to R11.2 for consistency with using the defined term “area of significant indigenous biodiversity”.	Amend SUB-R11.2 as follows: “The area has not been identified as an Area of Significant <u>indigenous</u> Biodiversity subject to....”
90.	Subdivision	SUB - R15/ECO - R8 (now SUB – R16	<p>Use of “SNA” is inconsistent with full words used elsewhere. The addition of SNA in condition 2 is unnecessary as significant natural areas in schedule four are included within the definition of “area of significant indigenous biodiversity”.</p> <p>The problem with this rule is that condition 2 is to apply the effects management hierarchy which would skip or exclude consideration of ECO policies giving effect to Policy 11 NZCPS, Policy 2 of the RPS and clause 3.10(2) NPSIB.</p> <p>Condition 3 brings in 3.10(2) NPSIB but this is without the ECO policy context.</p>	<ul style="list-style-type: none"> <li>Amend Rule SUB-16.1 as follows: “...unless the site has already been identified as an <u>Significant Natural Area listed in Schedule Four</u> <del>as part of a district-wide Significant Natural Area assessment process using the NPSIB Appendix 1 criteria;</del> and”</li> <li>Delete Rule SUB-16.2</li> <li>Amend condition 3 to add that the subdivision must also achieve policy ECO-P7 and ECO-P10(a)</li> </ul>
91.	Subdivision	SUB – S2	It is not certain that the location of building platforms and access will remain outside of significant natural areas once subdivision is completed.	Amend SUB-S2 to provide that building platforms and access have to be outside areas of significant indigenous biodiversity
92.	Subdivision	SUB - S9	The esplanade strips need a clearer calculation. Width should be determined either over the length of the river adjacent to the subdivision and as relevant to the width of the river.	Change “or 20 m in width ” to “of 20 m In width”

	General District Wide Matters			
	Coastal Environment			
93.	Coastal Environment	CE - Overview	<p>It is important to ensure that the overview provides a relevant background, is consistent with the balance of the chapter and provides guidance on the scope and application of the chapter.</p> <p>The outcomes of the Forest &amp; Bird appeal may require amendment to the overview to ensure this is achieved</p>	The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.
94.	Coastal Environment	CE-O2	This objective does not give effect to the NZCPS	Delete
95.	Coastal Environment	CE – O3 (now CE-O4)	The Objective is worded inappropriately to give effect to the NZCPS.	Amend so that it provides “To consider providing for activities which have a functional need to locate in the coastal environment where the impacts on significant indigenous biodiversity, outstanding natural character and outstanding natural features and landscapes are avoided, and other effects are avoided, remedied or mitigated.
96.	Coastal Environment	CE – P1	The policy does not capture all relevant aspects of Policy 1 NZCPS. And while the proposed policy includes “the built environment and infrastructure which have modified the coastal environment,” urban areas appear to have been excluded from the coastal environment map layer.	Amend to include urban areas that meet the policy in the coastal environment
97.	Coastal Environment	CE – P3	The wording “only allow” also suggests that the matters in this policy are the only requirements needed to be met to allow an activity. There are other requirements in the Plan that will also need	Amend the start of the policy so that it starts “Only consider allowing for ...”

			to be met and other considerations, for example natural hazards and the need to avoid, remedy or mitigate other adverse effects, where it may be appropriate to not allow an activity. This policy should be clearer that these matters are able to be part of those considerations, while also being a direction to avoid effects to protect matters in Policy 11, 13 and 15 of the NZCPS.	
98.	Coastal Environment	CE -P5	The direction to “provide” needs to be moderated to a consideration in these circumstances.	Amend the start of the policy so that it provides “Consider providing for”
99.	Coastal Environment	CE – P6	While some development will be appropriate and may be preferable in these locations rather than creating sprawl, the current policy wording could be read to provide for activities in a way which is inconsistent with the NZCPS.	Amend the policy so that it provides “Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini including parts of Westport, Greymouth and Hokitika, which are already modified by built development where new subdivision, buildings, and structures and expansion of towns and settlements may be appropriate.
100.	Coastal Environment	New policy	The Plan does not give effect to Policy 20 of the NZCPS.	Include policy that gives effect to Policy 20 of the NZCPS
101.	Coastal Environment	CE-P7	The policy does not give effect to the NZCPS	Delete
102.	Coastal Environment	CE – P8	The policy duplicates policy already set out in the ENG chapter specific to the National Grid and does not give effect to the NZCPS.	Delete
103.	Coastal Environment	CE-R17	The drafting of the matter of discretion relating to indigenous biodiversity could be improved to ensure that it properly provides for indigenous biodiversity.	Amend CE-R17.f so that it provides “adverse effects on indigenous biodiversity”
	Earthworks			
104.	Earthworks	EW Overview	It is important to ensure that the overview provides a relevant background, is consistent with the	The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments

			<p>balance of the chapter and provides guidance on the scope and application of the chapter.</p> <p>The outcomes of the Forest &amp; Bird appeal may require amendment to the overview to ensure this is achieved</p>	will depend on how the appeal points from Forest & Bird and other parties are resolved.
105.	Earthworks	EW – R1	<p>The general standards should include a requirement that any vegetation clearance that is caused by, or associated with, the earthworks, must be permitted by the ECO chapter.</p> <p>This cannot be limited to ‘overlays’ as it is not clear that this would protect all SNAs, given the lack of an appropriate SNA schedule and identification of all areas meeting significance criteria.</p>	<p><u>Add a new condition</u>  <u>8. Any <b>vegetation clearance</b> that is caused by the earthworks, or by the associated works (e.g., smothering by the excavated materials) must meet the Permitted Activity Standards of the ECO chapter.</u></p>
106.	Earthworks	EW – R6	<p>For reasons set out with respect to the BCZ and MINZ, those zones are sought to be deleted. The decision has struck through the title of the rule but left the balance of the rule there. It appears the intention is to delete the rule because the number in the rule is duplicated.</p>	Delete EW-R6 (the one with the struck through title)
	Light			
107.	Light Section	LIGHT – O2	<p>There is a mismatch between Light – O2 and Light P1, in that the policy refers to significant indigenous biodiversity in the coastal environment but the objective does not.</p>	Add significant indigenous biodiversity to Light- O2.f
108.	Light Section	LIGHT - Rules	<p>The rules need to be amended to protect the fauna, in particular the Westland Black Petrel. Consent should be required for any industrial activity (e.g., mining, truck movements) outside of daylight hours in the coastal environment at least.</p>	Amend LIGHT-R5 to ensure adequate protection for indigenous wildlife, including the Westland Black Petrel Colony near Punakaiki

			<p>A check needs to be done as to whether the areas in which the rules require consent adequately protect fauna habitats, in particular the Westland Black Petrel. If not, consent must be required.</p> <p>It is not clear that the rules adequately provide for the significant habitats of fauna. The rules provide some extra standards in the Outstanding Coastal Natural Character Overlay, but this will not necessarily capture all areas where biodiversity would be adversely affected by artificial light.</p>	
	PART 3 - AREA-SPECIFIC MATTERS			
109.	Open Space and Recreation Zones	OSRZ Overview	<p>Forest &amp; Bird is concerned with the approach set out in the Energy chapter which suggests that the Open Space and Recreational zone provisions do not apply to activities addressed in that chapter. Both the district wide and specific zone chapter provisions should also apply in all cases/for all chapters.</p> <p>The statement regarding the Department of Conservation is also not completely accurate. Section (4)(3) RMA provides that DOC is only exempt under the RMA if the work or activity is consistent with a conservation management strategy, conservation management Plan, or management Plan established under the Conservation Act or other relevant Act.</p>	The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.
110.	Open Space and	OSRZ - P2	Not all open space will have a purpose and classification under an Act to provide guidance to	Add the words “and protects natural values” at the end of the policy.

	Recreation Zones		activities that may be appropriate within the zoning. Even where such information is available it may not be designed or adequate for the purpose of policy direction in this Plan.	
111.	Open Space and Recreation Zones	OSRZ - P4	The addition of the last sentence clause is inappropriate.	Delete: 'or where it has a link with the open space and recreation resource'.
112.	Open Space and Recreation Zones	OSRZ - P12 (now P13) and P13 (now P14)	These policies are not appropriate to apply to PCL.	All PCL is zoned as NOSZ. Include in both OSRZ - P12 (now P13) and P13 (now P14) that the activities "protect the character, natural environment, indigenous biodiversity values and amenity values of the site and surrounding area"
113.	Open Space and Recreation Zones	OSRZ - P19	It is not clear how the 'intended purpose, character, and qualities' of the NOSZ will be ascertained to a level that would assist in consent decision making.  A blanket enabling approach in particularly inappropriate in this zone.	<ul style="list-style-type: none"> <li>• Amend to include more clarity on what is to be achieved by a.</li> <li>• Replace 'enable' with 'consider providing for'</li> </ul>
114.	Natural Open Space Zone	NOSZ Overview	Include in the first sentence "and includes all public conservation land".  Amend wording of last sentence "have regard" to "be consistent with" Add National Parks Act 1980  Include a clause to phase out existing mining on public conservation land.	The overview section is amended to ensure that it is consistent with the balance of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.
115.	Residential Zones	RESZ – P13	An amendment is required for consistency with using the defined term "area(s) of significant indigenous biodiversity".	Amend RESZ – P13 as follows: "...and areas of significant <u>indigenous biodiversity</u> unless adverse effects..."

116.	RURZ Objectives and policies	RURZ O5	This blanket support is inappropriate given the requirements of the RMA.	Delete.
117.	RURZ Objectives and policies	New objective	There is no objective recognising the need to protect natural values while providing for rural uses.	Include a new objective requiring the maintenance and protection of natural values in these zones.
118.	RURZ	RURZ- P2	The deletion of reference to significant natural features in the policy is contrary to sustainable management	Reinsert the reference to significant natural features
119.	RURZ Objectives and policies	New policy or amend existing policies	The policies are almost silent on the need to maintain and protect natural values in these zones.	Include a new policy requiring the maintenance and protection of natural values in these zones.
120.	GRUZ	GRUZ - R12	Mining is not appropriate as a permitted activity given the significant adverse effects that can occur.	Delete
121.	GRUZ	GRUZ - R18	Mineral Extraction and Mineral Prospecting and Exploration not meeting Permitted Activity standards.	Amend GRUZ-R18.g (now R17) so that it provides “effects on indigenous biodiversity.
	SPZ - Special Purpose Zones Section			
122.	Buller Coalfield Zone	BCZ – whole chapter	This zone is inappropriate, for the reasons set out in the notice of appeal.	Delete the Buller Coalfield Chapter and Zone and all related provisions and rezone the affected land as follows: <ul style="list-style-type: none"> <li>• GRUZ for private land in pasture</li> <li>• NOSZ for private land that has high natural values</li> <li>• NOSZ for all public conservation land</li> <li>• In other cases, zone consistently with adjacent land zone as appropriate.</li> </ul>

123.	Mineral Extraction Zone Section	MINZ – whole chapter	This zone is inappropriate for the reasons set out in the notice of appeal.	Delete the Mineral Extraction Chapter and Zone and all related provisions and rezone the affected land as follows: <ul style="list-style-type: none"> <li>• GRUZ for private land in pasture</li> <li>• NOSZ for any private land that has high natural values</li> <li>• NOSZ for all public conservation land</li> <li>• In other cases, zone consistently with adjacent land zone as appropriate.</li> </ul>
	PART 5: APPENDICES			
124.	Appendices	Appendix Seven	Management Plans only feature in the BCZ chapter, in one rule. As we have sought the deletion of the BCZ, we also seek the deletion of this appendix. A Management Plan is not an appropriate replacement for rules.	Delete
125.	New Appendix	Appendix 13	Appendix 13 needs to be consistent with the objective, policies and rules, particularly in the ECO.	Any consequential amendments necessary to achieve the other outcomes sought in the appeal.

\*\*\*

ECO

## Ecosystems and Indigenous Biodiversity - Ngā Pūnaha Rauoro me te Kanorau Koiora

### Overview

Biological diversity, or biodiversity, describes the variety and diversity of all life forms and the ecosystems they inhabit. Indigenous biodiversity is ~~biodiversity~~ living organisms that is native to New Zealand/Aotearoa occur naturally in Aotearoa me Te Waipounamu/New Zealand, and ~~relates to individual birds~~ the ecological complexes of which they are part, plants including all forms of indigenous flora, insects fauna and other species fungi, and their habitats and also includes the ecosystems where these ~~species~~ living organisms live, such as forests and sand dunes.

~~The West Coast/Te Te~~ Tai o Poutini ~~contains~~ the West Coast contains a significant amount of intact natural diversity by comparison with other parts of ~~New Zealand/Aotearoa~~ Aotearoa me Te Waipounamu/New Zealand. Continuous tracts of lowland and coastal forests and freshwater as well as coastal wetlands cover large areas. In ~~many~~ places indigenous ecosystems and habitats extend unbroken from the mountains to the sea. ~~84~~ Approximately 84% of the land area is under the management of the Department of Conservation. In total an estimated 90% of ~~the West Coast/Te Te~~ Tai o Poutini/the West Coast is covered in indigenous vegetation - compared with 24% nationally.

While ~~the West Coast/Te Te~~ Tai o Poutini/the West Coast is fortunate to have a wide range of diverse and intact ecosystems and vegetation types, they occur primarily in the uplands there are some ecosystems and vegetation types not well represented in the protected areas network. These are generally ecosystems found in the lowland areas of ~~the West Coast/Te Te~~ Tai o Poutini/the West Coast and include threatened ecosystems such as coastal turf and wetlands, and vegetation types such as coastal forest and forests on alluvial terraces.

Alongside this, parts of ~~the West Coast/Te Te~~ Tai o Poutini/the West Coast include the last habitats or strongholds of some ~~native~~ indigenous species threatened with extinction.

Without the identification and protection of areas of significant indigenous vegetation and the significant habitats of indigenous fauna, there is a risk of further degradation and the extinction of threatened and at risk indigenous biodiversity. Well-functioning ecosystems also provide resilience to climate change and can provide protection to communities from natural hazards.

Under the RMA, the district and regional councils share ~~responsibility~~ responsibility for maintaining indigenous biodiversity. ~~Te Tai o Poutini Plan is~~ District Councils are responsible for protecting and maintaining terrestrial (land-based) ecosystems, including in the margins of the ~~coast~~ coastal wetlands and waterbodies, ~~and the~~ The West Coast Regional Council is is responsible for Schedule 97 of the Ngāi Tahu Claims Settlement Act 1988 ecosystems (rivers, lakes, wetlands and the coast below mean high water springs). Poutini Ngāi Tahu ~~also~~ also have cultural responsibilities as mana whenua and kaitiaki. identifies some Taonga Species, along with Department of Conservation Documents and Iwi/Papatipu Rūnanga Management Plans.

The RMA requires ~~Te Tai o Poutini Plan to manage~~ indigenous biodiversity in two particular ways. Firstly, the control of any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. Secondly, it is required district councils to recognise and provide for the protection of areas of significant indigenous vegetation ~~and~~ and significant habitats of indigenous

---

fauna by managing any actual or potential effects of subdivision, use, development of land, and the identification and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

The National Policy Statement for Indigenous Biodiversity (NPSIB) came into force on 4 August 2023 and TPPP is required to give effect to this. The objective of the NPSIB is to maintain indigenous biodiversity across Aotearoa me Te Waipounamu/ New Zealand so that there is at least no overall loss in indigenous biodiversity after 4 August 2023. This is to be achieved by:

- i. recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and
- ii. recognising people and communities, including landowners, as stewards of indigenous biodiversity; and
- iii. protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity;

while providing for the social, economic, and cultural wellbeing of people and communities now and in the future. The NPSIB, as amended October 2024, must be given effect to as soon as reasonably practicable. The TPPP was notified prior to the commencement of the NPSIB and therefore gives effect to it as much as possible within the scope of submissions made on the Plan, and utilising clause 4.4 of the NPSIB to ensure consistent terminology.

The NPSIB does not apply to the development, operation, maintenance or upgrade of renewable electricity generation assets and activities, and electricity transmission network assets and activities, however, the requirements of the RMA and the [West Coast Regional Policy Statement \(WRPS\)](#) apply.

The [WRPS](#) is yet to be reviewed and where necessary updated to give effect to the NPSIB. However, this Plan must give effect to the [WRPS](#), which contains provisions for managing ecosystems and indigenous biodiversity. The [WRPS](#) includes ecological criteria for identifying significant terrestrial and freshwater indigenous biological diversity. It requires that all areas meeting one or more of these criteria, whether mapped or not, are to be known are to be managed as Significant Natural Areas whether mapped or not or SNA. The RPS criteria in Appendix 1 are equivalent to NPSIB Appendix 1, however, the NPSIB criteria are considered to provide clearer guidance for a district wide assessment.

Because of the extremely large land extensive area covered by indigenous vegetation on the West Coast/Te Tai o Poutini/the West Coast, detailed a comprehensive assessment of each piece for identification of and vegetation ecological significance using the RPS Appendix 1 criteria for its significance the purpose of mapping of Significant Natural Areas has not yet been undertaken completed.

In the Grey District, an evaluation process has been underway for was undertaken a number of years, and this has enabled ago. This identified 37 Significant Natural Areas to be identified within the Grey District, which were previously included in the Grey District Plan. The list of these Significant Natural Areas can be found These are included in Schedule Four and they are also shown on the maps. These areas are considered Significant Natural Areas (SNA) are included under the definition of an SNA, regardless of how they are described, and. However, they will require reassessment under the NPSIB criteria in Appendix 1 criteria as part of a district wide assessment.

In the Buller and Westland Districts, where Significant Natural Areas have not yet been mapped, and in the Grey District for areas outside of mapped Significant Natural Areas included in Schedule Four, Te Tai o Poutini

Plan sets direction for a district wide assessment to identify and map Significant Natural Areas using the NPSIB Appendix 1 criteria. Until those areas are mapped and included in Schedule Four by way of a future plan change, the Plan provides has has general indigenous vegetation clearance rules and for the application of the WRPS Appendix 1 significance criteria, with. Where there is uncertainty as to whether an expectation that area may meet the RPS Appendix 1 criteria, or in the absence of an ecological assessment, precaution and protection should be favoured and a resource consent process will enable ecological

---

---

assessment against the regionally consistent significance criteria will to be undertaken, at the time of any resource consent. For clarity, where areas have been mapped and included in Schedule Four, they are referred to as "Significant Natural Areas listed in Schedule Four". Where the intent is to capture both those areas and areas that meet the WRPS Appendix 1 significance criteria "area(s) of significant indigenous biodiversity" is used.

Te Tai o Poutini Plan also encourages integrated management of indigenous biodiversity and supports landowners, local government, Poutini Ngāi Tahu and other biodiversity partners working together on a voluntary basis to maintain and enhance indigenous biodiversity, including methods such as legal protection and good land management.

Te Mana o te Taiao - Aotearoa New Zealand Biodiversity Strategy 2020 provides national strategic direction to address the complex issues causing biodiversity loss and places the Treaty partnership at the centre of biodiversity work. It provides a framework for action and guiding principles.

There is a considerable network of electricity generation, distribution and transmission activities and infrastructure, on Te Tai o Poutini/the West Coast, including within areas of indigenous vegetation and biodiversity. Given the topography and extent of natural ecosystems and indigenous biodiversity on Te Tai o Poutini/the West Coast, practical management solutions are required to ensure maintenance and enhancement of the supply of renewable electricity generation to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable electricity generation.

The Ecosystems and Indigenous Biodiversity Chapter contains objectives, policies, and rules for managing effects on indigenous biodiversity, including for the assessment and identification of significant indigenous vegetation and significant habitats of indigenous fauna. This chapter contains rules relating to vegetation clearance that apply throughout the district. There are also specific rule requirements that apply within significant natural areas, areas of high natural character, outstanding natural features and landscapes and the coastal environment.

### **Indigenous vegetation clearance in the Coastal Environment or adjacent to waterbodies**

#### **Where**

Te Tai o Poutini Plan must also give effect to Policy 11 of the NZCPS 2010 and the RPS which include specific provisions for protection of indigenous biological diversity in the coastal environment. This chapter includes provisions for protection of significant indigenous biodiversity within the coastal environment (above mean high water springs) as shown on the Planning maps. This chapter also includes provisions for indigenous vegetation clearance is proposed within riparian margins next to rivers, lakes and coastal wetlands refer to the Natural Character and Margins of Waterbodies chapter of the Plan for the Rules around this clearance.

### **Plantation/Commercial Forestry**

Plantation forestry is principally regulated by the Resource Management (National Environmental Standard for Plantation Commercial Forestry) Regulations 2017 (NES-PF-CF). However the NES-PF-CF allows that district plans can be more stringent to protect areas of significant indigenous biodiversity significant natural areas (the meaning of Significant Natural Area under the NES-CR includes areas identified by using the RPS significance criteria) and significant indigenous biodiversity within the coastal environment as provided for in the NZCPS Policy 11. Where provisions within this chapter are more stringent, they overrule the requirements of the NES - PF-CF and an advice note to that effect is included within the relevant Rule.

### **Strategic Objectives Wetlands on Te Tai o Poutini/the West Coast**

The Strategic Objectives are particularly relevant when assessing matters under the Ecosystems Resource Management (National Environmental Standards for Freshwater)

---

Regulations 2020 (NESF) includes regulations of activities within, and Indigenous Biodiversity Chapter within setbacks from, natural wetlands. The Natural Environment, Mineral Extraction and Connections and Resilience Strategic Objectives These activities are particularly relevant.

**Wetlands on managed by the West Coast Regional Council** under the NESF. It should be noted that the setbacks for activities within those regulations may be different to those set out in this Plan and may require resource consent to be sought from the Regional Council.

The West Coast Regional Council Land and Water Plan identifies a list of Regionally Significant Wetlands, in Schedule 1. In accordance with the West Coast Regional Policy Statement, these areas are known as Significant Natural Areas and have specific Rules around their management in the Regional Land and Water Plan. **These Significant Wetlands have been included in Schedule Four.**

**Other** They relevant Te Tai o Poutini Plan provisions

**Strategic Directions** -The Strategic Objectives and Policies are also subject to regulation by the West Coast Regional Council relevant when assessing matters under the National Environmental Standard Ecosystems and Indigenous Biodiversity Chapter. The Natural Environment, Poutini Ngāi Tahu, Mineral Extraction and Climate Change and Resilience Strategic Objectives and Policies are relevant.

**Coastal Environment** - the Coastal Environment Chapter contains the objectives, policies and rules for Freshwater Management activities within the coastal environment overlay - which also has regulations around how other wetlands can be managed including buildings and structures and earthworks.

**Natural Features and Landscapes** - the Natural Features and Landscapes Chapter contains provisions in relation to the landscapes and natural features in Schedules Five and Six. Poutini Ngāi Tahu values are part of what makes these areas significant.

**Natural Character and Activities Adjacent to Waterbodies** - The Natural Character and the Margins of Waterbodies Chapter contains the objectives, policies and rules relating to activities adjacent to waterbodies, including buildings and structures and earthworks.

**Activities on the Surface of Water** - the Activities on the Surface of Water Chapter contains provisions for activities on the surface of waterbodies.

**Historic Heritage** - the Historic Heritage Chapter contains the provisions in relation to the sites and areas identified in Schedule One.

**Notable Trees** - the Notable Trees Chapter contains the provisions in relation to the trees identified in Schedule Two. Some trees are listed in this schedule due to their botanical values.

Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.

## Ecosystems and Indigenous Biodiversity Objectives

ECO - 0401	<p>To maintain indigenous biodiversity across Te Tai o Poutini/the West Coast so there is at least no overall loss in indigenous biodiversity, while providing for the range social, economic, and diversity cultural wellbeing of people and communities now and in the future.</p> <p>Maintaining indigenous biodiversity requires:</p> <ol style="list-style-type: none"> <li>1. the maintenance and at least no overall reduction of all of the following: <ol style="list-style-type: none"> <li>a. the size of populations of indigenous species;</li> <li>b. indigenous species occupancy across their natural range;</li> <li>c. the properties and function of ecosystems and habitats used or occupied by indigenous species found on biodiversity;</li> <li>d. the full range and extent of ecosystems and habitats used or occupied by indigenous biodiversity;</li> <li>e. connectivity between, and buffering around, ecosystems used or occupied by indigenous biodiversity;</li> <li>f. the resilience and adaptability of ecosystems; and</li> </ol> </li> <li>2. where necessary, the West Coast/Te Tai o Poutini restoration and enhancement of ecosystems and habitats.</li> </ol>
ECO - 02	<p>To provide for appropriate subdivision, use and development within protect areas of significant indigenous vegetation and significant habitats of indigenous fauna where the values of the area can be maintained or enhance.</p>
ECO - 03	<p>To manage avoid, remedy or mitigate the adverse effects of subdivision, use and development on significant indigenous biodiversity vegetation and significant habitats of indigenous fauna.</p>
ECO - 0304	<p>To provide for tino rangatiratanga in relation to management of areas of significant indigenous vegetation and significant habitats of indigenous fauna where these are located on Poutini Ngāi Tahu and Te Rūnanga o Ngāi Tahu land.</p>
ECO- 0405	<p>To identify, map and protect in consultation with landowners the Significant Natural Areas of areas of significant indigenous vegetation and significant habitats of indigenous fauna on the West Coast/Te Tai o Poutini/the West Coast.</p>

Also the Strategic Objectives and Policies

Ecosystems and Indigenous Biodiversity Policies	
ECO - P1	<p>Identify areas of significant indigenous vegetation natural areas and fauna habitat:</p> <ol style="list-style-type: none"> <li>1. In the Grey District include these areas are identified in Schedule Four through a Plan Change introduced no later than 31 December 2030. ;</li> <li>2. In The Significant Natural Area identification process will be undertaken in accordance with the Buller criteria and Westland Districts: <ol style="list-style-type: none"> <li>i. The criteria process set out in Appendix 1 of the West Coast Regional National Policy Statement will be used to assess significance;</li> <li>ii. Areas of significant indigenous vegetation for Indigenous Biodiversity and fauna habitats as outlined in Appendix Thirteen and will be identified through the resource consent process until such time as district wide identification and mapping of significant natural areas is undertaken include: <ol style="list-style-type: none"> <li>a. Buller and Westland and Grey district District - wide assessment, identification and mapping of significant natural areas will be undertaken and completed by June 2027 Significant Natural Areas; and</li> <li>b. Identified Confirming that areas of significant indigenous vegetation and fauna habitat will be added to already identified in Schedule Four, through as well as Regionally Significant Wetlands identified in Schedule 1 of the West Coast Regional Land and Water Plan Change meet the National Policy Statement for Indigenous Biodiversity criteria.</li> </ol> </li> </ol> </li> </ol>

<b>New ECO-P2A</b>	<p>Provide for the protection of areas of significant indigenous vegetation and significant habitats of fauna, by using the criteria in Appendix 1 of West Coast Regional Council Policy Statement to:</p> <ol style="list-style-type: none"> <li>1. identify potential for adverse effects on areas meeting that criteria; and</li> <li>2. protect those areas which meet the criteria as an “area of significant indigenous biodiversity”.</li> </ol>
<b>ECO - P2</b>	<p>Allow Provide for activities within areas of significant indigenous <del>vegetation or significant habitats of indigenous fauna</del> biodiversity where:</p> <ol style="list-style-type: none"> <li>a. This is for a <del>lawfully</del> lawfully established activity and the adverse effects are no greater in intensity, scale or character over time than at 4 August 2023, and do not result in the loss of ecosystem representation and extent or degradation of ecological integrity; or</li> <li>b. This is for maintenance of improved pasture as part of a regular cycle of periodic maintenance and which meets all of the requirements of 2(a) to (e) in clause 3.17 of the NPSIB; or</li> <li>c. It is for a Poutini Ngāi Tahu <del>cultural purpose</del> Activities; or</li> <li>d. This is undertaken on Poutini Ngāi Tahu or Te Rūnanga o Ngāi Tahu land or on <u>specified Māori land and is</u> in accordance with an Iwi/Papatipu Rūnanga Management Plan or on specified Māori land; or</li> <li>e. <del>The activity has a functional need to be located in</del> This is for the <del>area</del> <u>The activity has no more than minor adverse effects on the construction or upgrade of regionally significant indigenous vegetation or fauna habitat infrastructure which has a functional or operational need to locate within the area and no practicable alternative outside the area of significant indigenous biodiversity exists; and</u></li> <li>f. <u>the activities in (a) to (e) have no more than minor adverse effects.</u></li> </ol>
<b>ECO - P3</b>	<p><del>Provide for activities within Significant Natural Areas within Schedule Four where the adverse effects of the activity on the significant natural area are managed in accordance with the effects management hierarchy, the activity has a functional need or operational need to be located within the area and there is no practicable alternative location, and it is for the purpose of:</del></p> <ol style="list-style-type: none"> <li><del>a. Construction or upgrade of regionally significant infrastructure; or</del></li> <li><del>b. Mineral extraction that provides significant national public benefit that could not otherwise be achieved using resources within New Zealand; or</del></li> <li><del>c. Aggregate extraction that provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand.</del></li> </ol>
<b>ECO - P3P4</b>	<p>Encourage the protection, <del>enhancement</del> enhancement and restoration of significant indigenous biodiversity and the protection of significant habitat for indigenous fauna by:</p> <ol style="list-style-type: none"> <li>a. <del>Allowing</del> Providing for up to three additional <del>subdivision rights</del> bonus allotments and <u>reduced minimum allotment sizes when subdividing if an area</u> areas of significant indigenous vegetation or significant habitat of indigenous fauna within the same property <del>is</del> are legally protected as part of the <del>subdivision</del> subdivision;</li> <li>b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</li> <li>c. Promoting the use of eco-sourced species from the relevant ecological district;</li> <li>d. Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; <del>and</del></li> <li>e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain <del>areas</del> areas of significant indigenous biodiversity;</li> <li>f. <u>Promoting site and landscape scale biodiversity programmes to manage plant and animal pests; and</u></li> <li>g. <u>Supporting any other measures to protect, enhance and restore indigenous biodiversity.</u></li> </ol>
<b>ECO - P4P5</b>	<p>Provide for eco-tourism activities that complement the protection and/or enhancement of areas of significant indigenous vegetation or significant habitats of indigenous fauna and contribute to the vitality and resilience of the economy and wellbeing of the community.</p>

ECO - P5P6	Enable the use of Māori Purpose Zoned land with areas of indigenous vegetation and indigenous fauna habitat, where land use and subdivision is consistent with tikanga and mātauranga Māori and <del>minimises</del> <b>manages</b> adverse effects on <del>any significant values of the indigenous</del> vegetation or fauna habitat <b>are appropriately managed</b> .
ECO - P6P7	<p><del>When assessing consents</del> <b>In relation to all indigenous biodiversity, when considering providing for</b> subdivision, use and development, <b>including resource consent applications</b>, avoid activities <del>which</del> <b>that</b> will:</p> <ol style="list-style-type: none"> <li>a. Prevent an indigenous species or community being able to persist in their habitats within their natural range in the Ecological District;</li> <li>b. Result in a degradation of the threat status, further measurable loss of indigenous cover or disruption to ecological processes, functions or connections in land environments in category one or two of the Threatened Environment Classification at the Ecological District level; and</li> <li>c. Result in a <del>reasonably measurable</del> reduction in the local population <b>size or occupancy of threatened taxa</b> Threatened or At Risk (Declining) species or in the <del>Department</del> <b>population or occupancy of Conservation Threat Categories 1 – 3a – nationally critical</b> locally endemic species; and</li> <li>d. <b>Within an area of significant indigenous biodiversity Significant Natural Area</b> result in: <ol style="list-style-type: none"> <li>i. <b>loss of ecosystem representation and extent</b></li> <li>ii. <b>disruption to sequences, nationally endangered and nationally vulnerable</b> mosaics or ecosystem function;</li> <li>iii. <b>fragmentation or the loss of buffers or connections; or</b></li> <li>iv. <b>reduction in the function of the Significant Natural Area as a buffer or connection to important habitats or ecosystems.</b></li> </ol> </li> </ol> <p><b>Advice Note:</b> Information on the Threat Classification status of individual species can be found on the New Zealand Threat Classification System database at <a href="https://nztns.org.nz">https://nztns.org.nz</a></p>
New ECO-P8A	<p><b>Other than where adverse effects or significant adverse effects are to be avoided in accordance with ECO-P7 and ECO – P10, manage adverse effects on indigenous biodiversity by applying the effects management hierarchy, requiring that:</b></p> <ol style="list-style-type: none"> <li><b>(a) adverse effects are avoided where practicable; then</b></li> <li><b>(b) where adverse effects cannot be avoided, they are minimised where practicable; then</b></li> <li><b>(c) where adverse effects cannot be minimised, they are remedied where practicable; then</b></li> <li><b>(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then</b></li> <li><b>(e) where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then</b></li> <li><b>(f) if biodiversity compensation is not appropriate, the activity itself is avoided.</b></li> </ol>
ECO - P7P8	<p>When assessing resource consents in areas of significant indigenous <del>vegetation and significant habitats of indigenous fauna</del> <b>biodiversity</b>, consider the following matters:</p> <ol style="list-style-type: none"> <li>a. The necessity for the activity to provide for <b>critical regionally significant infrastructure;</b></li> <li>b. <del>The functional need or renewable electricity generation</del> <b>operational need of regionally significant infrastructure, mineral extraction of significant national public benefit or aggregate extraction of significant regional or national public benefit to locate in that area, and whether there are any practicable alternative locations for those activities;</b></li> <li>c. <b>Whether the adverse effects are minor or transitory;</b></li> <li>d. Whether formal protection and/or <del>active management of</del> <b>measures to restore or improve</b> all or part of any area of significant indigenous vegetation or habitat will occur as part of the <del>subdivision</del> <b>subdivision</b>, use or development;</li> <li>e. The extent to which the proposed activity recognises and provides for Poutini Ngāi Tahu cultural and spiritual values, rights and interests;</li> <li>f. The cumulative <b>adverse</b> effects of activities <b>on biodiversity</b> within or adjacent to any area of significant indigenous vegetation or habitat;</li> <li>g. The effects the activity may have on the introduction or spread of exotic weed</li> </ol>

	<p>species and pest animals both terrestrial and aquatic;</p> <p>h. The impacts on mahinga kai;</p> <p>i. The impact of the activity on the values of any area of significant indigenous vegetation or habitat, or threatened species and how any potential impact could be avoided, remedied or mitigated, <u>including by applying the effects management hierarchy</u>; and</p> <p>j. The appropriateness of any biodiversity offsetting or compensation in accordance with <u>Policy 9 the principles in Appendix Fourteen and Appendix Fifteen from the NPSIB to offset address any more than minor</u> residual adverse effects that remain after avoiding, remedying and mitigating measures have been applied; and</p> <p>k. <u>The extent of net gain in indigenous biodiversity values achieved by biodiversity offsetting or compensation.</u></p>
<p><b>ECO - P8P9</b></p>	<p>Maintain indigenous habitats and ecosystems across <u>the West Coast/Te Tai o Poutini/the West Coast</u> by:</p> <p>a. <u>Maintaining/Protecting</u>, and where appropriate enhancing or restoring <u>indigenous biodiversity, including</u> the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands;</p> <p><u>x. Recognising that it is more efficient to maintain rather than to restore indigenous biological diversity;</u></p> <p>b. Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu;</p> <p>c. Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands;</p> <p>d. <u>Preserving protected wildlife/Protecting the significant habitats of indigenous fauna, including threatened and at-risk species;</u></p> <p>e. <u>Encouraging and enabling site and landscape scale biosecurity programmes to manage plant and animal pests;</u> and</p> <p>f. <u>Recognising the benefits of/Encouraging and enabling active conservation management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection.</u> :</p> <p><u>Except in relation to the National Grid and Renewable Electricity Generation Activities.</u></p>
<p><b>ECO - P9</b></p>	<p><u>Provide for biodiversity offsets and compensation to manage residual adverse effects of an activity where:</u></p> <p>a. <u>The goal of the biodiversity offsets is no net loss and, preferably, a net gain of biodiversity;</u></p> <p>b. <u>The conservation outcomes are measurable and positive; and</u></p> <p>c. <u>The biodiversity offsets or compensation are in accordance with best practice, including but not limited to NZ Government guidance on biodiversity offsetting.</u></p>
<p><b>ECO - P10</b></p>	<p>Protect indigenous biodiversity in the coastal environment <u>from inappropriate subdivision, use and development</u> by:</p> <p>a. <u>Avoiding adverse effects on:</u></p> <ol style="list-style-type: none"> <li>i. <u>indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</u></li> <li>ii. <u>species that are listed by the International Union for Conservation of Natural and Natural Resources as threatened;</u></li> <li>iii. <u>indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;</u></li> <li>iv. <u>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</u></li> <li>v. <u>areas containing nationally significant examples of indigenous community types;</u></li> <li>vi. <u>areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</u></li> </ol> <p>b. Avoiding adverse effects on significant indigenous biodiversity; and</p> <p>c. <u>Avoiding, remedying or mitigating other/Using the effects management hierarchy to aAvoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects</u> on indigenous vegetation, dunes, estuaries, coastal wetlands, habitats and species within the coastal environment, <u>ecological corridors and areas important for linking or maintaining biological values.</u></p>

<b>ECO - P11</b>	<p>In relation to the National Grid and renewable electricity generation activities, the adverse effects on indigenous biodiversity will be managed:</p> <p>a. In relation to the National Grid by:</p> <ol style="list-style-type: none"> <li>i. Recognising and providing for the operation, maintenance and upgrade of existing National Grid assets, and in areas of significant indigenous biodiversity and SNA identified in Schedule Four, avoiding, remedying or mitigating adverse effects to the extent practicable;</li> <li>ii. Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects;</li> <li>iii. For new activities, seeking to avoid adverse effects on areas of significant indigenous biodiversity and SNA identified in Schedule Four and where having regard to the route, site and method selection and functional need or operational need, it is not practicable to avoid all adverse effects, to remedy or mitigate any residual adverse effects to the extent practicable;</li> <li>iv. For new activities within the coastal environment seeking to avoid significant adverse effects on indigenous biodiversity values that meet the criteria in Policy 11 (b) of the NZCPS 2010, and where adverse effects cannot be avoided, remedy or mitigate any residual adverse effects to the extent practicable;</li> </ol> <p>b. In relation to renewable electricity generation activities by:</p> <ol style="list-style-type: none"> <li>i. Recognising and providing for the operation, maintenance, repair and upgrade of existing renewable electricity generation activities, and in areas of significant indigenous biodiversity and SNA identified in Schedule Four, avoiding, remedying or mitigating adverse effects to the extent practicable;</li> <li>ii. Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects;</li> <li>iii. Seeking to avoid adverse effects on areas of significant indigenous biodiversity and SNA identified in Schedule Four and where it is not practicable to avoid because of functional need or operational need, remedy or mitigate any residual adverse effects to the extent practicable;</li> <li>iv. Within the coastal environment, seeking to avoid significant adverse effects on indigenous biodiversity values that meet the criteria in Policy 11 (b) of the NZCPS 2010, and where adverse effects cannot be avoided, remedy or mitigate any residual adverse effects to the extent practicable;</li> </ol> <p>c. By considering the net gain for biodiversity values of biodiversity offsetting or compensation where this is offered.</p>
<b>ECO - P12</b>	To promote the resilience of indigenous biodiversity to climate change and recognise its role in mitigating the effects of climate change.

Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.

<b>Ecosystems and Indigenous Biodiversity Rules</b>	
<p>Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity are provided in General Approach. Significant Natural Areas listed in Schedule Four are shown in the Significant Natural Area overlay on the planning maps.</p>	
<b>Permitted Activities</b>	
<b>ECO - RS1</b>	<b>General Standards</b>
<p><b>Permitted activities standards outside Significant Natural Areas in Schedule Four:</b></p> <ol style="list-style-type: none"> <li>1. Within the coastal environment: <ol style="list-style-type: none"> <li>i. any indigenous vegetation clearance is a maximum of 200m<sup>2</sup> 500m<sup>2</sup> per site, or a maximum of 20m<sup>2</sup> on any individual infrastructure work site, or 20m<sup>2</sup> per linear 100 metre length for linear infrastructure; except that indigenous vegetation clearance is a maximum of 200m<sup>2</sup> 500m<sup>2</sup> per site in the</li> </ol> </li> </ol>	<p><b>Activity status where compliance not achieved:</b>  Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p>

Hartmount Place and Ross Place subdivision, provided that at least an equivalent amount is retained on the site;

- ii. The indigenous vegetation clearance will not disturb, damage or destroy nesting areas of habitat or protected threatened or at risk species; and
- iii. The indigenous vegetation clearance will not occur in an area of land within category one or two of the Threatened Environment Classification; and

2. Within the riparian margin of a waterbody:
  - i. It is a maximum of 25m<sup>2</sup> per linear 200 metre length of riparian margin to a maximum of 100m<sup>2</sup> per site.
3. In all other locations:
  - i. A maximum of 500m<sup>2</sup> 2,000m<sup>2</sup> on any site that has not had a Significant Natural Area assessment undertaken in accordance with Policy EGO - P1; or
  - ii. A maximum of 5,000m<sup>2</sup> on any site that has had a Significant Natural Area assessment in accordance with Policy EGO - P1 or within the Grey District has a Significant Natural Area included within Schedule Four that is located on the same property; or
  - iii. Is a maximum of 20m<sup>2</sup> on any individual infrastructure work site, or 20m<sup>2</sup> per linear 100 metre length for linear infrastructure; and
4. Except where carried out by a statutory agency, or authorised contractor acting on its behalf, responsible for natural hazard mitigation, the clearance is located within areas used and identified for natural hazard mitigation structures that are owned or managed by a statutory agency.

~~Except that the maximum vegetation clearance provisions in these general standards do not apply where:~~

- ~~i. Specific to clause 3 in this rule, it is necessary to provide for the ongoing safe and efficient operation, maintenance and repair of the National Grid, electricity distribution and telecommunication lines; or~~
- ~~ii. For all clauses in this rule, the indigenous vegetation clearance is for network utility operations within any RESZ – Residential Zone, COMZ – Commercial and Mixed Use Zone, PORTZ – Port Zone, or IND – Industrial Zone property within the towns of Greymouth, Hokitika or Westport;~~
- ~~iii. For all clauses in this rule, the indigenous vegetation clearance is of vegetation planted and managed:
 
  - ~~a. As part of a domestic or public garden for amenity purposes; or~~
  - ~~b. As a shelterbelt; or~~~~

~~For the purpose of harvesting plantation forestry.~~

<b>ECO—R1</b>	<b>Indigenous vegetation clearance and disturbance outside of the coastal environment</b>
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. It is outside of a scheduled Significant Natural Area as identified in Schedule Four;</li> <li>2. It is clearance permitted by the Natural Character and the Margins of Waterbodies Rule NC—R1; or</li> <li>3. It is necessary for one of the following purposes: <ol style="list-style-type: none"> <li>i. It is the removal of windthrown timber through: <ol style="list-style-type: none"> <li>a. Use of helicopter recovery methods; or</li> <li>b. Where ground based recovery is only undertaken from areas adjacent to existing vehicle tracks; or</li> </ol> </li> <li>ii. The maintenance, operation and repair of lawfully established tracks, fences, structures, buildings, critical infrastructure, network utilities, renewable electricity generation activities or natural hazard mitigation activities;</li> <li>iii. For the installation of temporary network activities following a regional or local state of emergency declaration;</li> <li>iv. To prevent a serious threat to people, property, structures or services;</li> <li>v. To ensure the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access;</li> <li>vi. For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals;</li> <li>vii. To upgrade or create new public walking or cycling tracks up to 3m in width undertaken by the Council or its approved contractor;</li> <li>viii. To comply with section 43 of the Fire and Emergency Act 2017;</li> <li>ix. For construction or operation of an above ground or below ground network utility or the national grid where: <ol style="list-style-type: none"> <li>a. The construction corridor does not exceed 3m in width; and</li> <li>b. All machinery used in construction is cleaned and made free of weed material and seeds prior to entering the site; and</li> <li>c. Rehabilitation of disturbed areas is undertaken following the completion of construction;</li> </ol> </li> <li>x. It is cultural harvest undertaken by Poutini Ngāi Tahu; or</li> <li>xi. It is on MPZ—Māori Purpose Zoned land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</li> <li>xii. It is within an area subject to a QEII National Trust Covenant or Ngā Whenua Rahui Kawanota, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument;</li> </ol> </li> <li>4. Within the Grey District it is clearance outside of an Outstanding Natural Landscape identified in Schedule Five; or</li> <li>5. Within the Buller and Westland Districts: <ol style="list-style-type: none"> <li>i. It is the removal or clearance of mānuka, kānuka and bracken only that is not part of any wetland and which is under 15 years old, not exceeding 5ha per site over any continuous three year period, subject to provision of notice to the relevant District Council at least 20 working days prior to the proposed clearance including: <ol style="list-style-type: none"> <li>a. Details of the location of the proposed clearance;</li> <li>b. Area of the proposed clearance; and</li> <li>c. Verification by documentary, photographic or other means</li> </ol> </li> </ol> </li> </ol>	<p><b>Activity status where compliance not achieved:</b></p> <p>Discretionary where standard 1 or 4 is not achieved.</p> <p>Refer Natural Character and Margins of Waterbodies Chapter where standard 2 is not achieved.</p> <p>Within the Grey District refer standard 4 where standard 3 is not achieved.</p> <p>Within the Buller and Westland Districts Controlled or Restricted Discretionary (depending on activity type) where standard 5 is not achieved.</p>

<p>that the vegetation is less than 15 years old and not part of any wetland; or</p> <p>ii. It is a maximum area of 5000m<sup>2</sup> per site, in total, over any continuous three year period.</p> <p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li>1. Where clearance of mānuka, kānuka or bracken is proposed under Standard 5 (i) of this rule, if proof that the vegetation is less than 15 years old or that the site is not a wetland, is unavailable, then a resource consent will be required.</li> <li>2. Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for the Rules around this clearance.</li> <li>3. Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM – R4 will also apply.</li> <li>4. Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES – Freshwater which is administered by the West Coast Regional Council.</li> <li>5. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES – PF in relation to significant natural areas.</li> </ol>	
<p><b>ECO – R2 Indigenous Vegetation Clearance in the Coastal Environment</b></p>	
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. This is for: <ol style="list-style-type: none"> <li>i. Walking/cycling tracks, roads, farm tracks or fences;</li> <li>ii. Operation, maintenance, repair, upgrading and installation of new network utility infrastructure and renewable electricity generation activities; or</li> <li>iii. Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site;</li> </ol> </li> <li>2. The extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m<sup>2</sup> in area per site in any three year period;</li> <li>3. The indigenous vegetation clearance does not disturb, damage or destroy nesting areas or habitat of protected species; and</li> <li>4. The indigenous vegetation clearance does not occur in any area identified as a Significant Natural Area in Schedule Four.</li> </ol> <p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li>1. Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for the Rules around this clearance.</li> <li>2. Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM – R4 will also apply.</li> <li>3. Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES – Freshwater which is administered by the West Coast Regional Council.</li> <li>4. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES – PF.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<p><b>ECO - R2 Indigenous Vegetation Clearance for Network Utility Operations, Renewable Electricity Generation Activities and the National Grid outside of Significant Natural Areas listed in Schedule Four.</b></p>	
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. General standard ECO-S1 is complied with; and</li> <li>2. where this is: <ol style="list-style-type: none"> <li>i. It is for the maintenance, operation, repair or upgrade of</li> </ol> </li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary where this is in the Grey District and Discretionary</p>

	<p>lawfully established activities and structures; or</p> <p>ii. <u>It is</u> for the installation of temporary network or electricity generation activities following a regional or local state of emergency declaration; or</p> <p>iii. <u>It is</u> necessary to remove vegetation that endangers human life or existing buildings or structures.;-or</p> <p><u>4. It is for construction of new network utility infrastructure, renewable electricity generation activities or the National Grid where:</u></p> <p>i. <u>The construction corridor for linear infrastructure such as pipes and lines will not exceed 10 metres in width; and</u></p> <p>ii. <u>All machinery used in construction is cleaned and made free of weed materials and seeds prior to entering the site; and</u></p> <p>iii. <u>Rehabilitation of disturbed areas is undertaken following completion of construction; and</u></p> <p>iv. <u>Within a riparian margin of a waterbody, new network utilities and connections are underground or located within a legal road or attached to an existing bridge.</u></p>	<p>where this is in the <u>Buller and Westland Districts</u></p>
<p><b>ECO - R3</b></p>	<p><b>Indigenous vegetation clearance for maintenance and repair of lawfully established structures and activities outside of Significant Natural Areas listed in Schedule Four not provided for in Rule ECO – R1</b></p>	
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <p>1. <u>General standard ECO-S1 is complied with; and</u></p> <p>2. <u>where:</u></p> <p>i. <u>The clearance is for the maintenance and repair of lawfully established activities and structures including tracks, accessways, fences, pipelines, drains, natural hazard mitigation structures, shelterbelts and woodlots, environmental monitoring facilities and infrastructure; or</u></p> <p>ii. <u>The clearance is for the maintenance of improved pasture for farming where:</u></p> <p>a. <u>there is adequate evidence to demonstrate that the maintenance of improved pasture is part of a regular cycle of periodic maintenance of that pasture; and</u></p> <p>b. <u>any adverse effects of the maintenance of improved pasture on an SNA are no greater in intensity, scale, or character than the effects of activities previously undertaken as part of the regular cycle of periodic maintenance of that pasture; and</u></p> <p>c. <u>the improved pasture has not itself become an SNA; and</u></p> <p>d. <u>the land is not an uncultivated depositional landform; and</u></p> <p>e. <u>the maintenance of improved pasture will not adversely affect a Threatened or At Risk (declining) species.</u></p> <p><b>Advice Note:</b></p> <p>1. <u>In relation to standard 4 2. i. of this rule, the reference to infrastructure applies where the infrastructure is not regulated by Rule ECO - R2.</u></p>		<p><b>Activity status where compliance not achieved:</b></p> <p><u>Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</u></p>
<p><b>ECO - R4</b></p>	<p><b>Indigenous vegetation clearance in urban areas outside of Significant Natural Areas listed in Schedule Four not provided for in Rule ECO – R1 or ECO – R2</b></p>	

<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. <b>General standard ECO-S1 is complied with; and</b></li> <li>2. It is undertaken on a RESZ - Residential Zone, COMZ - Commercial and Mixed Use Zone, PORTZ - Port Zone, or IND - Industrial Zone property within the towns of Reefton, Greymouth, Hokitika or Westport.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p>
<p><b>ECO - R5</b></p>	<p><b>Indigenous vegetation clearance on Māori Purpose Zoned land, Poutini Ngāi Tahu Land for Poutini Ngāi Tahu Activities or Specified Māori Land outside of Significant Natural Areas listed in Schedule Four.</b></p>
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. It is cultural harvest undertaken by Poutini Ngāi Tahu; or</li> <li>2. It is on Māori Purpose Zoned land or Poutini Ngāi Tahu land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</li> <li>3. It is on Specified Māori Land and complies with <b>General standard ECO-S1</b> ECO-R4 and ECO - R3.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p>
<p><b>ECO - R6</b></p>	<p><b>Indigenous vegetation clearance outside of Significant Natural Areas listed in Schedule Four and not provided for in another Permitted Activity Rule</b></p>
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. <b>General standard ECO-S1 is complied with; and</b></li> <li>2. Where this is: <ol style="list-style-type: none"> <li>i. For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals from indigenous vegetation or the margins of waterbodies, or the coast; or</li> <li>ii. Necessary to remove vegetation that endangers human life or existing buildings or structures; or</li> <li>iii. For the construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or</li> <li>iv. For installation of an environmental monitoring and extreme weather event monitoring facility; or</li> <li>v. For the establishment of a river crossing point up to 3 metres wide; or</li> <li>vi. For new natural hazard mitigation structures undertaken by a statutory agency or their authorised contractor acting on its behalf; or</li> <li>vii. Unavoidable in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or is removal of unwanted organisms declared under the Biosecurity Act 2015; or</li> <li>viii. To comply with section 43 of the Fire and Emergency Act 2017; or</li> <li>ix. To upgrade public walking or cycling tracks up to 3 metres in width undertaken by the Council or its authorised contractor acting on its behalf; or</li> <li>x. Within an area subject to a QE II National Trust Covenant or Ngā Whenua Rahui Kawaneta, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument; or</li> </ol> </li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p>

<ul style="list-style-type: none"> <li>xi. For the establishment of a building platform and access to a building site in an approved subdivision, or where there is no existing residential building on the site that will not exceed 500m<sup>2</sup> clearance per allotment, and where this is not located within a riparian margin of a waterbody; or <ul style="list-style-type: none"> <li>• Carried out by a statutory agency, or authorised contractor acting on its behalf, responsible for natural hazard mitigation and the clearance is located within areas used and identified for natural hazard mitigation structures that are owned or managed by a statutory agency; or</li> <li>• The indigenous vegetation clearance is of vegetation planted and managed: <ul style="list-style-type: none"> <li>a. As part of a domestic or public garden for amenity purposes; or</li> <li>b. As a shelterbelt; or</li> <li>c. Specifically for harvesting of <i>plantation forestry</i>.</li> </ul> </li> </ul> </li> <li>xii. <del>For mineral extraction or prospecting activities within the MINZ – Mineral Extraction Zone or BCZ – Buller Coalfield Zone; or</del></li> <li>xiii. Outside of the coastal environment or riparian margins of waterbodies, it is removal of windthrow timber through: <ul style="list-style-type: none"> <li>a. Use of helicopter recovery methods; or</li> <li>b. Ground-based recovery, where this is only undertaken from areas adjacent to existing vehicle tracks; or</li> </ul> </li> <li>xiv. For any other purpose, where this is not located within a riparian margin of a waterbody or the coastal environment, and will not exceed 2,000m<sup>2</sup> clearance per property.</li> </ul>	
--	--

--	--

<b>ECO - R7</b>	<b>Indigenous Vegetation Clearance within a Significant Natural Area listed in Schedule Four</b>
-----------------	--

<p><b>Activity Status Permitted</b></p> <p>Where this is:</p> <ol style="list-style-type: none"> <li>1. For the maintenance, operation and repair of lawfully established activities and structures including tracks, fences, drains, structures, infrastructure and renewable electricity generation activities where: <ol style="list-style-type: none"> <li>i. This is at the same or similar scale, character and intensity as at 14 July 2022; and</li> <li>ii. The clearance is within 3 metres of the lawfully established activity or structure and is limited to a maximum area of 50m<sup>2</sup> per individual Significant Natural Area;</li> </ol> </li> <li>2. Necessary to remove vegetation that endangers human life or existing buildings or structures, where this is certified by a Council Approved Contractor;</li> <li>3. For the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access where the removal is within 3 metres of the formed width of the road, rail corridor or access where this is undertaken by a Road or Rail Controlling Authority;</li> <li>4. To comply with section 43 of the Fire and Emergency Act 2017;</li> <li>5. To enable removal of unwanted organisms declared under the Biosecurity Act 2015.</li> </ol>	<p><b>Activity status where compliance not achieved:</b></p> <p>Discretionary</p>
---	---

<b>Controlled Activities</b>
------------------------------

ECO - R3R8	Indigenous vegetation clearance or disturbance where this is in accordance with an approved plan or permit issued under the Forests Act 1949	
<p><b>Activity Status Controlled</b> Where:</p> <ol style="list-style-type: none"> <li>1. General Standards in ECO – S1 are complied with; and</li> <li>2. The indigenous vegetation clearance and disturbance is in accordance with an approved Sustainable Forest Management Plan or permit or personal use approval issued by the Ministry for Primary Industries under the Forests Act 1949;</li> <li>3. The indigenous vegetation clearance is outside of any Significant Natural Area identified in Schedule Four and outside of the Coastal Environment;</li> <li>4. Except for existing forestry at 4 August 2023, the indigenous vegetation clearance is outside an Significant Natural Area listed in Schedule Four; and</li> <li>5. The indigenous vegetation clearance is not located in an area of land environment of category one or two of the Threatened Environment Classification.</li> </ol> <p><b>Matters of control are:</b></p> <ol style="list-style-type: none"> <li>a. The matters outlined in Policies ECO - P6, P7 and ECO - P7P8 and where relevant NFL - P6;</li> <li>b. The protection of habitats of threatened or at risk species;</li> <li>c. The management of impacts on Poutini Ngāi Tahu values as set out in the Tangata Whenua Chapter;</li> <li>d. Compliance with the terms of an approved Sustainable Forest Management Plan or permit or personal use approval issued by the Ministry for Primary Industries under the Forests Act 1949; and</li> <li>e. The measures to avoid, remedy, or mitigate any adverse effects on any significant indigenous vegetation and significant habitats of indigenous fauna.</li> </ol> <p><b>Advice Note/Notes:</b></p> <ol style="list-style-type: none"> <li>1. Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for the Rules around this clearance ECO – R1 or ECO – R10 apply.</li> <li>2. Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</li> <li>3. Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES - Freshwater which is administered by the West Coast Regional Council.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>	
ECO – R4/SUB – R7	Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity	
<p><b>Activity Status: Controlled</b> Where:</p> <ol style="list-style-type: none"> <li>1. One new allotment with a minimum lot size of 4,000m<sup>2</sup> is created from the parent title, provided that in the GRUZ – General Rural Zone there is a balance area remaining on the original title of at least 4 ha; and</li> <li>2. The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment;</li> <li>3. The subdivision will not result in buildings or access ways being located within the identified area of significant indigenous biodiversity or the need for clearance of significant indigenous vegetation to provide for future access to any site; and</li> <li>4. Subdivision standards S2-S11 are complied with.</li> </ol> <p><b>Matters of control are:</b></p> <ol style="list-style-type: none"> <li>a. Subdivision layout, access, design, location and proximity of building</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary where standard 1 is not complied with. Discretionary where standards 2-4 are not complied with</p>	

<p>platforms to areas of significant indigenous biodiversity;</p> <p>b. Management of earthworks, including earthworks for the location of building platforms and access ways;</p> <p>c. The protection of habitats of threatened or at risk species; and</p> <p>d. The measures to minimise any adverse effects on:</p> <ol style="list-style-type: none"> <li>The significant indigenous biodiversity;</li> <li>The cultural significance to Poutini Ngāi Tahu.</li> </ol> <p><b>Advice Note:</b> This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB – R4.</p>	
<b>Restricted Discretionary Activities</b>	
<b>ECO - R5R9</b>	<b>In the Grey District Indigenous vegetation clearance not meeting Permitted or Controlled Activity Rules Standards outside of a Significant Natural Area listed in Schedule Four the Grey District</b>
<p><b>Activity Status Restricted Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>This is not within: <ol style="list-style-type: none"> <li>A Significant Natural Area identified in Schedule Four;</li> <li>An area of land environment of category one or two of the Threatened Environment Classification; <u>or</u></li> <li>An Outstanding Natural Landscape identified in Schedule Five; <u>or</u></li> <li>An Outstanding Natural Feature identified in Schedule Six; <u>or</u></li> <li>An area of High Coastal Natural Character identified in Schedule Seven; or</li> <li>An area of Outstanding Coastal Natural Character identified in Schedule Eight.</li> </ol> </li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses <u>Effects on indigenous biodiversity;</u></li> <li>Constraints imposed by <u>Consideration of the functional need or operational need of network utilities, renewable electricity generation and critical regionally significant infrastructure;</u></li> <li>Effects on habitats of any threatened or <u>protected at risk (declining) species;</u></li> <li>Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</li> <li>Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;</li> <li>Effects on the intrinsic values of ecosystems;</li> <li>Effects on recreational values of public land;</li> <li>Natural hazard management and geotechnical considerations; <u>and</u></li> <li>The matters outlined in Policies ECO – P6 and ECO – P7 <u>Poutini Ngāi Tahu values; and</u></li> <li><u>Effects on natural character, natural landscape and natural features in the coastal environment.</u></li> </ol> <p><b>Advice Note/Notes:</b></p> <ol style="list-style-type: none"> <li>Where indigenous vegetation clearance is proposed within the riparian margin of a waterbody refer to this section of the Plan for the Rules around this clearance.</li> <li>Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</li> <li>Where indigenous vegetation clearance is proposed within a wetland this is also be subject to <u>additional</u> rules within the NES - Freshwater and Regional Land and Water Plan which are administered by the West Coast Regional Council.</li> <li>This rule also applies to <u>plantation commercial forestry activities, where</u></li> </ol>	<p><b>Activity status where compliance not achieved: Discretionary</b></p>

this provision is more stringent than the NES - PFCF and the indigenous vegetation clearance is within the coastal environment.		
<b>ECO - R6/SUB - R9</b>	<b>Subdivision of Land to create Allotments Containing an Area of Significant Indigenous Biodiversity not meeting Rule ECO - R4</b>	
<b>Activity Status Restricted Discretionary</b> <b>Where:</b> <ol style="list-style-type: none"> <li>Up to three allotments with a minimum lot size of 4,000m<sup>2</sup> are created from the parent title;</li> <li>The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment;</li> <li>The subdivision will not result in buildings or access ways being located within any Significant Natural Area identified in Schedule Four; and</li> <li>Subdivision standards S2-S11 are complied with.</li> </ol> <b>Discretion is restricted to:</b> <ol style="list-style-type: none"> <li>Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses;</li> <li>The extent to which the subdivision layout, access, allotment size and design and the location of building platforms may adversely impact the significant indigenous vegetation and/or significant habitat of indigenous fauna;</li> <li>Management of earthworks including earthworks for the location of building platforms and access ways;</li> <li>The protection of habitats of threatened or at risk species.</li> <li>The measures to minimise any adverse effects on: <ol style="list-style-type: none"> <li>The significant indigenous biodiversity; and</li> <li>The particular cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngāi Tahu as kaitiaki and mana whenua that are associated with the significant indigenous vegetation and/or significant habitats of indigenous fauna and the potential impact on those values, interests or association.</li> </ol> </li> </ol>		<b>Activity status where compliance not achieved: Discretionary</b>
<b>Discretionary Activities</b>		
<b>ECO - R7R10</b>	<b>Indigenous vegetation clearance not meeting ECO - R5 Permitted, Controlled or Restricted Discretionary Rules</b>	
<b>Activity Status Discretionary</b> <b>Where:</b> <ol style="list-style-type: none"> <li>An ecological assessment undertaken by a suitably qualified ecologist identifies that the indigenous vegetation clearance will not adversely affect an area of significant indigenous biodiversity using the WCRPS, Appendix 1; and</li> <li>Adverse effects of the clearance on indigenous biodiversity are managed by applying the effects management hierarchy to achieve Objective ECO - O4.</li> </ol> <b>OR</b> <ol style="list-style-type: none"> <li>The indigenous vegetation clearance is for: <ol style="list-style-type: none"> <li>Regionally Significant Infrastructure, Renewable Energy Generation or the National Grid</li> </ol> </li> <li>An ecological assessment undertaken by a suitably qualified ecologist identifies that the indigenous vegetation clearance is within an area of significant indigenous biodiversity using the WCRPS, Appendix 1, and avoid any of the following: <ol style="list-style-type: none"> <li>Loss of ecosystem representation and extent; or</li> <li>Disruption to sequences, mosaics or ecosystem function; or</li> <li>Fragmentation of areas of significant indigenous biodiversity or the loss of buffers or connections with areas of significant</li> </ol> </li> </ol>		<b>Activity status where compliance not achieved:</b> N/A where standard 1, 2 or 4 is complied with Non-complying where standard 3 is not complied with

indigenous biodiversity; or

- e. A reduction in the function of the area of significant indigenous biodiversity as a buffer or connection to important habitats or ecosystems; or A reduction in the population size or occupancy of any threatened or at risk (declining) species that use the area of significant indigenous biodiversity.

OR

4. In the case of:

- a. Mineral extraction that provides significant national public benefit that could not otherwise be achieved using resources within New Zealand, and it can be demonstrated that there is a functional need or operational need to be in that particular location, and there are no practicable alternative locations; or
- b. Aggregate extraction that provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand, and it can be demonstrated that there is a functional need or operational need to be in that particular location, and there are no practicable alternative locations; or
- c. A single residential dwelling on an allotment created before 4 August 2023, and there is no practicable alternative location on the allotment for the dwelling and essential associated onsite infrastructure; or
- d. This is for a commercial forestry activity and is required for the commercial forestry activity to continue.; and

The adverse effects on areas of significant indigenous biodiversity are managed by applying the effects management hierarchy, including demonstrating how each step is applied, and if biodiversity offsetting and biodiversity compensation is applied, having regard to the principles in Appendix Fourteen and Appendix Fifteen

Advice ~~Note~~Notes:

1. Where assessing resource consents for indigenous vegetation clearance under this rule, assessment against the relevant objectives and policies of both the Ecosystems and Indigenous Biodiversity Chapter, and Coastal Environment Chapter, Natural Features and Landscapes Chapter, the Energy, Infrastructure and Transport Chapters will and the MINZ – Mineral Extraction Zone and BCZ Buller Coalfield Zone Chapters may be required.
2. This In relation to areas of significant indigenous biodiveristySignificant Natural Areas, this rule also applies to plantationcommercial forestry activities, where this provision is more stringent than the NES - PFCF.
3. When assessing resource consents for indigenous vegetation clearance on Specified Māori Land under this rule, the provisions of the NPSIB in relation to Specified Māori Land must be taken into account.
4. When assessing resource consents for indigenous vegetation clearance within the riparian margins of waterbodies under this rule, the objectives and policies of the Natural Character and the Margins of Waterbodies Chapter must be taken into account.

<del>ECO - R11</del>	<del>Indigenous vegetation clearance for regionally significant infrastructure, the National Grid and renewable electricity generation activities</del>	
<del>Activity Status Discretionary</del>		<del>Activity status where compliance not achieved: N/A</del>
<del>ECO - R8/SUB-R15</del>	<del>Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity not meeting Rule ECO - R6</del>	
<del>Activity Status Discretionary</del>	<del>Where: 1. The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment; 2. The subdivision will not result in buildings or accessways being located within any Significant Natural Area identified in Schedule Four; and 3. Subdivision Standards S2 - S11 are complied with.</del>	<del>Activity status where compliance not achieved: Non-complying</del>
<b>Non-complying Activities</b>		
<del>ECO - R12</del>	<del>Indigenous vegetation clearance not meeting ECO - R10</del>	
<del>Activity Status Non-complying</del>	<del>Advice Note: This rule also applies to commercial forestry activities, where this provision is more stringent than the NES - CF.</del>	<del>Activity status where compliance not achieved: N/A</del>
<del>ECO - R9/SUB-R27</del>	<del>Subdivision of Land within an Area of Significant Indigenous Biodiversity not meeting Rule ECO - R8</del>	
<del>Activity Status Non-complying</del>		<del>Activity status where compliance not achieved: N/A</del>
<del>ECO - R10R13</del>	<del>Planting of Plant Pests identified in a West Coast Regional Pest Management Plan within an area of significant indigenous vegetation or significant habitat of significant indigenous fauna</del>	
<del>Activity Status Non-complying Prohibited</del>		<del>Activity status where compliance not achieved: N/A</del>
<del>ECO - R11R14</del>	<del>The intentional release or farming of Animal Pests identified in in a West Coast Regional Pest Management Plan within an area of significant indigenous vegetation or significant habitat of significant indigenous fauna</del>	
<del>Activity Status Non-complying Prohibited</del>		<del>Activity status where compliance not achieved: N/A</del>
<b>Ecosystems and Indigenous Biodiversity Methods</b>		

---

**ECO - M1**

**The TTPP Committee will**

- a. **Identify in conjunction with Specified Māori Land owners how best to implement the NPSIB in relation to Specified Māori Land in accordance with the decision making principles in Appendix Thirteen of this Plan and the provisions of the NPSIB; and**
- b. **Identify, in partnership with Poutini Ngāi Tahu, how best to fully implement the NPSIB in relation to the decision-making principles, tangata whenua provisions and the Ngāi Tahu Claims Settlement Act; and**
- c. **As part of giving effect to the NPSIB, the TTPP Committee will consider a Plan Change to implement the actions of this method and**  
**Policy ECO-P1.i**