



PROPOSED KĀPITI COAST DISTRICT PLAN
PROPOSED VARIATION NUMBER 1
INDIGENOUS TREES – URBAN ENVIRONMENT

Amendment Number:	Current Proposed District Plan Wording:	Proposed Amendments:
	1.3.2 Information Requirements for Applications for Land Use Consent	
1	<p>1.3.2 (l): <i>Where trimming of any vegetation is to be undertaken where the vegetation:</i></p> <ul style="list-style-type: none"> • <i>is within an ecological site (Schedule 3.1);</i> • <i>is a key indigenous tree species (Schedule 3.2);</i> • <i>is a rare and threatened vegetation species (Schedule 3.3);</i> • <i>is listed in the Schedule of Historic Heritage (Schedule 10.1); or</i> • <i>is in or within 20 metres of a waterbody or the coastal marine area where it not within the urban environment,</i> <p><i>a plan must be provided which outlines any measures required to minimise (or avoid) damage to any root systems and sediment/debris entering any waterway.</i></p>	<p>Text to be deleted is shown in strike-out format and text to be inserted is shown <u>underlined</u>.</p> <p>Amend the information requirements of part 1.3.2(l) in the following way:</p> <p><u>Where land use consent is required for trimming or modification of any vegetation is to be undertaken where the vegetation is that is:</u></p> <ol style="list-style-type: none"> a) <u>is indigenous vegetation within an ecological site listed in (Schedule 3.1); or</u> b) <u>is a key indigenous tree species (Schedule 3.2) or a key indigenous tree listed in Schedule 3.2A; or</u> c) <u>is a rare and threatened vegetation species listed in (Schedule 3.3); or</u> d) is a notable tree listed in the Schedule of Historic Heritage (Schedule 10.1); or e) is in or within 20 metres of a waterbody or the coastal marine area where it not within the urban environment, <p><u>the application must include the following information:</u></p> <ol style="list-style-type: none"> i. <u>a plan showing the location of any vegetation intended to be trimmed or modified including the extent of the canopy of affected trees;</u> ii. <u>an assessment prepared by a suitably qualified arborist or ecologist describing the condition of the vegetation intended to be trimmed or modified and the impact of any proposed modification including any impact on other nearby vegetation;</u> iii. <u>details of the intended method of trimming or modification and of the proposed method of removal of vegetation including measures proposed to prevent debris entering any waterway;</u> iv. <u>measures proposed to mitigate any adverse effects of the proposed activity;</u> v. <u>measures proposed to minimise damage to the root systems of remaining vegetation.</u> <p>a plan must be provided which outlines any measures required to minimise (or avoid) damage to any root systems and sediment/debris entering any waterway.</p>

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	1.3.3 Information Requirements for Subdivision Applications	
2	1.3.3 (E) (1): (second to last bullet point): – Any existing heritage features (including archaeological sites, cultural sites, geological features, ecological sites, listed trees and buildings).	Amend 1.3.3 (E) (1) second to last bullet point in the following way: – Any existing heritage features (including archaeological sites, cultural sites), geological features, ecological sites listed in Schedule 3.1, <u>key indigenous tree species listed in Schedule 3.2 or key indigenous tree listed in Schedule 3.2A, rare and threatened vegetation species listed in Schedule 3.3, notable trees or listed trees and buildings listed in Schedule 10</u> .
3	1.4 Definitions – new definition for ‘indigenous vegetation’	Insert the following new definition: <u>Indigenous vegetation means vegetation or plant species, including trees, that naturally occur within the Kāpiti Coast District and have established naturally and excluding vegetation planted by humans.</u>
4	1.4 Definitions – new definition for ‘tree’	Insert the following new definition: <u>Tree means a woody plant 4 metres in height or greater and includes a Tree Fern, but excludes a vine with a stem diameter less than 50 mm.</u>
	1.4 Definitions – ‘key indigenous tree’	
5	New definition of ‘Key indigenous tree’	Insert the following new definition of ‘Key indigenous tree’ immediately before the definition of ‘Key indigenous tree species’: <u>Key indigenous tree means a tree or group of trees listed in Schedule 3.2A.</u> Key indigenous tree species means significant locally indigenous vegetation as identified in Schedule 3.2.
	1.4 Definitions – ‘locally indigenous vegetation’	
6	Definition of ‘Locally indigenous vegetation’: Locally indigenous vegetation means vegetation that is located within the ecological domain in which it naturally occurs. This includes vegetation which has been planted or has established naturally, including plants spread by birds. A subset of locally indigenous vegetation is key	Delete the definition of ‘Locally indigenous vegetation’: Locally indigenous vegetation means vegetation that is located within the ecological domain in which it naturally occurs. This includes vegetation which has been planted or has established naturally, including plants spread by birds. A subset of locally indigenous vegetation is key indigenous tree species which are identified in Schedule 3.2. In the Kāpiti Coast, the four ecological domains are: 1. Salt zone

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	<p><i>indigenous tree species which are identified in Schedule 3.2. In the Kāpiti Coast, the four ecological domains are:</i></p> <ol style="list-style-type: none"> 1. <i>Salt zone</i> 2. <i>Dunelands</i> 3. <i>Lowland alluvial terraces</i> 4. <i>Lowland hills</i> 	<p>2. Dunelands 3. Lowland alluvial terraces 4. Lowland hills</p>
	1.4 Definitions – ‘modification’	
7	<p>Definition of ‘Modification’:</p> <p>Modification of vegetation means disturbance, removal, damage or destruction of the vegetation and the following activities within the vegetation drip line:</p> <ol style="list-style-type: none"> (a) Work that involves compaction, sealing or removal of soil; (b) Drilling or excavation; and (c) Discharge of toxic substances; but excludes trimming. 	<p>Amend the definition of ‘Modification’ in the following way:</p> <p>Modification of vegetation means <u>the felling, disturbance,</u> removal, damage or destruction of the vegetation <u>and including</u> the following activities within the vegetation drip line:</p> <ol style="list-style-type: none"> (a) Work that involves compaction, sealing or removal of soil; <u>or</u> (b) Drilling or excavation; and or (c) Discharge of toxic substances; but excludes <u>any trimming authorised as a permitted activity under this Plan.</u>
	1.4 Definitions – ‘trimming’	
8	<p>Definition of ‘Trimming’:</p> <p>Trimming means:</p> <ol style="list-style-type: none"> 1. <i>the removal of broken branches, deadwood or diseased vegetation;</i> 2. <i>the removal of branches which do not form part of the main structure of the tree, that are interfering with or overhanging buildings, but only up to a maximum of one metre or the closest branch junction point beyond that distance from the external walls or roof of that building; or</i> 3. <i>the removal of branches which do not form part of the main structure of the tree to maintain access along existing vehicle access ways.</i> 	<p>Delete the definition of ‘Trimming’ and replace it with the following definition:</p> <p>Trimming means:</p> <ol style="list-style-type: none"> 4. the removal of broken branches, deadwood or diseased vegetation; 5. the removal of branches which do not form part of the main structure of the tree, that are interfering with or overhanging buildings, but only up to a maximum of one metre or the closest branch junction point beyond that distance from the external walls or roof of that building; or 6. the removal of branches which do not form part of the main structure of the tree to maintain access along existing vehicle access ways. <p><u>Trimming of vegetation means pruning of vegetation and trees including the removal of broken branches, deadwood or diseased vegetation and selective branch removal to increase light and air movement or to improve tree health and excluding the felling, complete removal or destruction of the vegetation or tree.</u></p>

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	1.4 Definitions – ‘Urban Environment’	
9	Definition of ‘Urban Environment’: Urban Environment in relation to trees means the same as in section 76 (4B) of the Resource Management Act 1991.	Delete the definition of ‘Urban Environment’: Urban Environment in relation to trees means the same as in section 76 (4B) of the Resource Management Act 1991.
	2 Objectives	
10	Objective 2.2 – Ecology and biodiversity and Explanation	Amend the explanation following Objective 2.2 (on page [2-5]) in the following way: <i>The Kāpiti Coast District Council seeks to capitalise on what remains of its indigenous biodiversity. Kāpiti Island is renowned as one of the few accessible places where threatened species flourish and where the lost natural world of the mainland can be found. The District’s biodiversity has profound environmental, cultural and economic benefits that extend far beyond the welfare of native plants and animals. A major issue facing the Kāpiti Coast that needs to be addressed is biodiversity decline.</i> <i>A number of activities continue to adversely affect remaining biodiversity and natural habitats and ecosystems. The biological diversity or life- supporting capacity of ecosystems, and natural resources and their quality and intrinsic values are being lost or degraded when they are fragmented, isolated or damaged by inappropriate subdivision, use or development and the introduction of pests and weeds. The mauri (life force) of many of the District’s freshwater ecosystems has been degraded by increasing demands for land and water and activities such as vegetation clearance, earthworks and discharges.</i> <i>Biodiversity alone will not make a system resilient. The quality of habitat and ecosystems is an important factor in both sustaining indigenous vegetation and supporting rapid recovery from harm. Indigenous vegetation plays an important role in the preservation of the natural character of wetlands and riparian margins. Indigenous vegetation provides excellent habitat for indigenous fauna and is a conservator of water quality and soil stability. It is essential the District retains and enhances the extent and biodiversity of indigenous vegetation. Today, the main threats to indigenous forest are clearance for residential living, pasture, exotic forestry and development, stock grazing and pest plant and animal infestation.</i> <i>Pressures from subdivision, land use and development activities mean it is important to protect the remaining areas of significant indigenous flora and fauna on a long-term</i>

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		<p><i>sustainable basis. While significant areas in the District are already in public ownership and legally protected (i.e. Tararua Forest Park and Queen Elizabeth Park); outside these areas many remaining areas of remnant indigenous forest and wetlands have no legal protection. These areas need to be activity managed in a way that ensures their continued existence and enhancement.</i></p> <p><u><i>There are areas of remnant indigenous vegetation, including significant individual trees, that are important to maintaining the biodiversity of the district. Within the urban environment, the challenge is to accommodate urban subdivision, use and development without material irreversible loss of areas of significant indigenous vegetation. A second issue is how to consolidate and capitalise on the remnant indigenous biodiversity in order to reverse long term net decline.</i></u></p> <p>.....</p>
	2 Objectives	
11	Objective 2.4 – Coastal Environment and Explanation	<p>Amend the Explanation that follows Objective 2.4 (on page [2-11]) in the following way:</p> <p>Explanation</p> <p><i>The Kāpiti Coast extends approximately 40 km in length from Ōtaki in the north to Paekākāriki in the south, with most of the coastline (approximately 25 km) having urban development adjacent to the coastal edge. The majority of the foredune is a single low profile dune. The southern areas of Raumati, Queen Elizabeth Park and Paekākāriki have considerably higher foredunes. However, the coastal environment is more than the beachfront and dunes. It includes the coastal plain, extending to the foot of the hills. The wider coastal system includes rivers, streams and associated estuaries and lagoons which flow onto the coast.</i></p> <p><i>There are many places within the coastal environment where there are significant ecological values and important coastal habitats, <u>including important areas of remnant indigenous vegetation</u>, as well as landscapes of valued natural character. The landforms visible from and associated with the beach form part of the natural character of the coastal environment.</i></p>

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	2 Objectives	
12	Objective 2.4 – Coastal Environment and Explanation	<p>Amend the Explanation that follows Objective 2.4 (on page [2-12]) in the following way:</p> <p><i>The New Zealand Coastal Policy Statement (NZCPS) provides strong direction on managing the coastal edge in a way that recognises the potential effects of climate change. There is a clear directive to <u>protect representative or significant natural ecosystems and sites of biological importance, to maintain the diversity of the district's indigenous coastal flora and fauna as well as policies to manage 'inappropriate' development.</u> ...</i></p>
	3 Natural Environment	
13	Chapter Structure	<p>Amend the explanation of Chapter Structure (on pages [3-2] and [3-3]) in the following way¹:</p> <p>Chapter structure</p> <p><i>The District Plan includes natural environment maps <u>and schedules which show identify all the following natural environment features and areas relating to this chapter.</u></i></p> <p><i>a) Ecological sites - mapped ecological features or areas with a defined boundary and information which are identified on the District Plan Maps. <u>The type and ecological significance of vegetation within each ecological site are described in Schedule 3.1 describing the vegetation type and ecological values (eg Kohokohe Forest of regional significance).</u> <u>These ecological sites areas are derived from indigenous vegetation and habitats of indigenous fauna which have been assessed as being significant using the criteria outlined in Policy 3.11.</u></i></p> <p><i>b) ...</i></p> <p><i>c) ...</i></p> <p><i>d) ...</i></p> <p><i>e) ...</i></p> <p><i>f) ...</i></p> <p><i>g) Key indigenous trees species – <u>remnant indigenous trees and groups of trees identified in Schedules 3.2 and 3.2A that have high biodiversity values and contribute to vegetated buffers protecting ecological sites and to the provision of important linkages between ecological sites, scheduled in Schedule 3.2 and linked to ecological domain in terms of rules (height and circumference) but the schedule is not exhaustive (eg. doesn't include wetland flora).</u></i></p>

¹ The Submitter Engagement Version of the Proposed District Plan (dated June 2015) proposes some further amendments including deletion of the expression 'sensitive natural features'. However, these further amendments have not yet been considered or confirmed by the Hearing Panel and are therefore not incorporated here.

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		<p>2. Some natural features are not sensitive natural features and provisions are also necessary to manage effects on these features. These features include but are not limited to:</p> <p>a) Dominant ridgelines/ Dominant dunes</p> <p>b) Ecological domains – mapped areas with similar historic indigenous ecosystem environments. These are used in the rules for native vegetation to relate to a schedule of tree scales being applied in each ecological domain (eg Wharangi is significant when 3 metres high in the salt zone ecological domain and 4 metres in the dune lands ecological domain).</p> <p>c) Landscape Character Areas ...</p> <p>d) ...</p> <p>e) Locally Indigenous vegetation - <u>vegetation or plant species, including trees, that naturally occur within the Kāpiti Coast District is located within the ecological domain in which it naturally occurs, including key indigenous tree species identified in Schedule 3.2.</u></p> <p>f) Lookout points...</p>
	3 Natural Environment Policy 3.7	
14	Policy 3.7 – Subdivision	<p>Amend Policy 3.7 in the following way²:</p> <p>Policy 3.7 – Subdivision and sensitive natural features</p> <p><i>When considering applications for subdivision of land containing sensitive natural features, <u>ecological sites, key indigenous trees, rare and threatened vegetation species or notable trees</u> the following principles <u>must</u> will be applied;</i></p> <p>a) <i>avoidance of subdivision which creates lots which are entirely within the <u>any sensitive natural feature, ecological site or which necessitates the removal or destruction of any key indigenous tree or rare and threatened vegetation species;</u></i></p> <p>b) <i>avoidance of subdivision which creates boundaries cutting through <u>any sensitive natural feature, ecological site, key indigenous tree, rare and threatened vegetation species or notable tree;</u></i></p> <p>c) ...</p> <p>d) <i>requiring sensitive natural features, <u>ecological sites, key indigenous trees, rare and threatened vegetation species and notable trees to be identified on the survey plan mapped and to be <u>legally physically</u> protected to prevent buildings and earthworks in mapped areas.</u></i></p>

² The Submitter Engagement Version of the Proposed District Plan (dated June 2015) proposes to delete the expression ‘sensitive natural feature’ however, that amendment has not yet been considered or confirmed by the Hearing Panel and is not incorporated here.

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	3 Natural Environment Policy 3.12	
15	Policy 3.12 – Management approach to biodiversity protection	<p>Amend Policy 3.12 in the following way:</p> <p><i>Policy 3.12 – Management approach to biodiversity protection</i> <i>Adverse effects from subdivision, use and development on significant indigenous vegetation and significant habitats of indigenous fauna including aquatic ecosystems will be minimised, including by:</i></p> <p><i>a) avoiding <u>where practicable</u> the removal or significant modification of any significant locally indigenous vegetation, in particular avoiding disturbance of all indigenous vegetation within ecological sites;</i></p> <p><i>b) managing land use activities resulting in increased sediment and contaminant levels of surface water, including storm water, to reduce the likelihood of aquatic ecosystems being detrimentally affected;</i></p> <p><i>c) creating and maintaining appropriate buffer zones around and linkages between, <u>ecological sites, key indigenous trees and rare and threatened vegetation species</u> areas of significant indigenous vegetation, significant habitats of indigenous fauna and around aquatic ecosystems to ensure that wider ecological processes are considered when making decisions about <u>applications for subdivision and land use consent</u> significant sites; and</i></p> <p><i>d) preventing the introduction or spread of exotic weed species and pest animals (both terrestrial and aquatic).</i></p>

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	3 Natural Environment Rule 3A.1.2	
16	<p>Rule 3A.1.2:</p> <p><i>Trimming of any locally indigenous vegetation within the urban environment.</i></p> <p>Standards Trimming shall not be carried out on any locally indigenous vegetation that is:</p> <p>(a) <i>Within an ecological site (Schedule 3.1);</i></p> <p>(b) <i>Listed in the Schedule of key indigenous tree species (Schedule 3.2);</i></p> <p>(c) <i>A rare and threatened vegetation species (Schedule 3.3); or</i></p> <p>(d) <i>Listed as a notable tree (Schedule 10.1).</i></p>	<p>Delete Rule 3A.1.2 and the associated standards and replace them with the following rule and standards^{3 4}:</p> <p>Permitted Activity Rule 3A.1.2:</p> <p><i>Trimming of any locally indigenous vegetation within the urban environment.</i></p> <p>Standards Trimming shall not be carried out on any locally indigenous vegetation that is:</p> <p>(e) <i>Within an ecological site (Schedule 3.1);</i></p> <p>(f) <i>Listed in the Schedule of key indigenous tree species (Schedule 3.2);</i></p> <p>(g) <i>A rare and threatened vegetation species (Schedule 3.3); or</i></p> <p>(h) <i>Listed as a notable tree (Schedule 10.1).</i></p> <p><u>Permitted Activity Rule 3A.1.2:</u></p> <p><u><i>Within the Living Zones and Working Zones excluding the Living and Working Zones at Te Horo Beach, Peka Peka and Paekakariki:</i></u></p> <p>a) <u><i>Trimming of any indigenous vegetation excluding notable trees listed in Schedule 10.1.</i></u></p> <p><u>Standards</u></p> <p><u><i>Where the indigenous vegetation is:</i></u></p> <p><u>(a) <i>located within an ecological site listed in Schedule 3.1; or</i></u></p> <p><u>(b) <i>a key indigenous tree listed in Schedule 3.2A; or</i></u></p> <p><u>(c) <i>a rare and threatened vegetation species listed in Schedule 3.3;</i></u></p> <p><u><i>Any trimming must be undertaken only:</i></u></p> <p>i. <u><i>To achieve compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003 or its successor; or</i></u></p>

³ The rules pertaining to notable trees are contained within Chapter 10.

⁴ The Living and Working Zones at Te Horo Beach, Peka Peka and Paekakariki are excluded because these settlements are not reticulated with both water supply and sewerage and do not therefore fall within the scope of section 76 (4C) of the RMA and because there is, at this time, no information available describing significant trees in those settlements in the detail necessary to meet the requirements of section 76 (4B) of the RMA. After 4 September 2015, the operative District Plan 'Native Vegetation' rule will continue to apply to these settlements until the provisions of the Proposed District Plan are resolved except for sites that are identified as ecological sites where Proposed District Plan Rule 3A.1.3 will have immediate legal effect (pursuant to section 86B (3) of the RMA).

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		<p>ii. <u>By an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification; and</u></p> <p><u>all trimming must be undertaken In accordance with the New Zealand Arboricultural Association Incorporated Best Practice Guideline 'Amenity Tree Pruning' Version 3 dated April 2011.</u></p>
	3 Natural Environment Rule 3A.1.3	
17	<p>Rule 3A.1.3:</p> <p><i>Trimming of locally indigenous vegetation that is not within the urban environment.</i></p>	<p>Amend Rule 3A.1.3 in the following way⁵ ⁶:</p> <p><u>Trimming of locally indigenous vegetation in any zones other than the zones to which Rule 3A.1.2 applies and excluding notable trees listed in Schedule 10.1.</u> that is not within the urban environment.</p>
	3 Natural Environment Rule 3A.1.4	
18	<p>Rule 3A.1.4:</p> <p><i>Modification of locally indigenous vegetation that is within the urban environment.</i></p> <p><i>Modification of locally indigenous vegetation shall not be carried out on any locally indigenous vegetation that:</i></p> <ul style="list-style-type: none"> i. <i>is within an ecological site (Schedule 3.1);</i> ii. <i>is listed as a notable tree (Schedule 10.1);</i> iii. <i>listed in the schedule of key indigenous tree species (Schedule 3.2) and exceeds either of the maximum size criteria (diameter or height).</i> 	<p>Delete Rule 3A.1.4 and the associated standards and replace those with the following Rule 3A.1.4⁷:</p> <p><u>Permitted Activity 3A.1.4:</u></p> <p><u>Within the Living Zones and Working Zones excluding the Living and Working Zones at Te Horo Beach, Peka Peka and Paekakariki:</u></p> <ul style="list-style-type: none"> a) <u>Modification of locally indigenous vegetation that is within the urban environment excluding notable trees listed in Schedule 10.1 provided the indigenous vegetation is not:</u> <ul style="list-style-type: none"> i. <u>within an ecological site listed in Schedule 3.1; or</u> ii. <u>a key indigenous tree species listed in Schedule 3.2A; or</u> iii. <u>a rare and threatened vegetation species listed in Schedule 3.3.</u>

⁵ No change is proposed to the standards prescribed for Rule 3A.1.3 because these standards apply in 'non-urban' environments that are not the subject of proposed Variation No. 1.

⁶ Notable trees are excluded from this rule because the relevant rules for notable trees are in Chapter 10.

⁷ Notable trees are excluded from this rule because the relevant rules for notable trees are in Chapter 10.

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	3 Natural Environment Rule 3A.1.5	
19	Rule 3A.1.5: <i>Modification of locally indigenous vegetation that is not within the urban environment.</i>	Amend Permitted Activity Rule 3A.1.5 in the following way ⁸ : Permitted Activity 3A.1.5: <i>Modification of locally indigenous <u>vegetation in any zones other than the zones to which Rule 3A.1.4 applies and excluding notable trees listed in Schedule 10.1.</u> that is not within the urban environment.</i>
	3 Natural Environment Rule 3A.2.5	
20	New Controlled Activity Rule 3A.2.5 for removal of broken, dead, dying, diseased or damaged indigenous vegetation	Insert a new Controlled Activity Rule 3A.2.5 as follows: <u>6. The modification of any indigenous vegetation, excluding modification permitted under Rules 3A.1.4 and 3A.1.5, that is:</u> <ul style="list-style-type: none"> i. <u>within an ecological site listed in Schedule 3.1; or</u> ii. <u>a key indigenous tree listed in Schedule 3.2A; or</u> iii. <u>a rare and threatened vegetation species listed in Schedule 3.3.</u> <u>Standards</u> <u>The modification of indigenous vegetation shall be limited to:</u> <ul style="list-style-type: none"> a) <u>modification of vegetation that is damaged, dead or dying or has sustained storm damage or is fatally diseased such that:</u> <ul style="list-style-type: none"> i. <u>the indigenous vegetation is no longer independently viable or presents a risk of serious harm to people or property; and</u> ii. <u>an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification has certified in writing that Condition (i) above is met; or</u> b) <u>felling or removal of any tree or vegetation, in relation to an existing network utility, that is necessary to reduce risk to that existing network utility.</u> <u>Matters over which Council reserves control</u> <ul style="list-style-type: none"> 1. <u>The extent and method of vegetation removal;</u> 2. <u>The location and timing of planting of any plant species to compensate for the loss of vegetation;</u>

⁸ Notable trees are excluded from this rule because the relevant rules for notable trees are in Chapter 10. No change is proposed to the standards prescribed for Rule 3A.1.5 because these standards apply in 'non-urban' environments that are not the subject of proposed Variation No. 1.

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		<p>3. <u>Any remedial work necessary to restore the site after the modification activity is complete;</u></p> <p>4. <u>Public safety.</u></p> <p><u>Criteria for notification</u> <u>The written approval of persons will not be necessary and applications will not be served on any person or notified.</u></p>
	3 Natural Environment Rule 3A.3.1	
21	<p>Rule 3A.3.1 (Restricted Discretionary Activity):</p> <p>1. <u>Trimming of any locally indigenous vegetation that:</u></p> <p>a) <u>is within an ecological site (Schedule 3.1);</u></p> <p>b) <u>is a key indigenous tree species (Schedule 3.2)</u></p> <p>c) <u>is a rare and threatened vegetation species (Schedule 3.3);</u></p> <p>d) <u>is listed as a notable tree (Schedule 10.1);</u></p> <p>e) <u>is in or within 20 metres of a waterbody or the coastal marine area.</u></p> <p><u>where it not within the urban environment.</u></p>	<p>Delete Rule 3A.3.1 and replace it with the following Rule 3A.3.1:</p> <p>1. <u>Trimming or modification of any indigenous vegetation that does not meet the permitted activity standards and is not a controlled activity under Rule 3A.2.5.</u></p> <p><u>Matters over which Council will restrict its discretion</u></p> <p>1. <u>Effects on biodiversity values;</u></p> <p>2. <u>Effects on visual, urban character and amenity values;</u></p> <p>3. <u>Effects on the natural character of the coastal environment;</u></p> <p>4. <u>Effects on public safety;</u></p> <p>5. <u>Mitigation measures necessary to minimise any adverse effects;</u></p> <p>6. <u>Positive effects of the proposed activity;</u></p> <p>7. <u>The measures necessary to remediate or offset any vegetation loss.</u></p>
	Schedule 3.1	
22	List of Ecological Sites	Delete Schedule 3.1 (ecological sites) and replace it with the list of ecological sites contained in Attachment 1.
	Schedule 3.2	
23	List of Key Indigenous Tree Species	<p>Insert beneath the heading for Schedule 3.2 the following clarification:</p> <p><u>Schedule 3.2 Key indigenous tree species by size and ecological domain</u></p> <p><u>Schedule 3.2 applies to land within the Rural Environment zones and land within the Living Environment and Working Environment zones at Te Horo Beach, Peka Peka and Paekakariki.</u></p> <p>Insert, immediately following Schedule 3.2, a new Schedule 3.2A being the list of Key Indigenous Trees contained in Attachment 2.</p>

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	4 Coastal Environment Rule 4A.3.2	
24	<p>Restricted Discretionary Activity Subdivision in the coastal environment: Matters over which Council will restrict its discretion:</p> <p>6. <i>The location of any building site relative to the natural hazards, heritage features and sensitive natural features.</i></p>	<p>Amend the Rule 4A.3.2 matters over which Council will restrict its discretion in the following way:</p> <p>6. <i>The location of any building site relative to <u>any identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species or rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	4 Coastal Environment Rule 4A.3.3	
25	<p>Restricted Discretionary Activity Subdivision of land adjacent to the coast or a coastal esplanade: Matters over which Council will restrict its discretion:</p> <p>6. <i>The location of any building site relative to the natural hazards, heritage features and sensitive natural features.</i></p>	<p>Amend the Rule 4A.3.3 matters over which Council will restrict its discretion in the following way:</p> <p>5. <i>The location of any building site relative to the <u>any identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	5 Living Zones Rule 5A.2.2	
26	<p>Controlled Activity Boundary Adjustments: Matters over which Council reserves control:</p> <p>4. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend the Rule 5A.2.2 matters over which Council reserves control in the following way:</p> <p>4. <i>The location of any associated building site(s) relative to the <u>any identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	5 Living Zones Rule 5A.3.1	
27	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>10. <i>The location of any associated building site(s) relative to any natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 5A.3.1 matters over which Council will restrict its discretion in the following way:</p> <p>10. <i>The location of any associated building site(s) relative to <u>any identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>

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	5 Living Zones Rule 5A.3.2	
28	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>10. The location of any associated building site(s) relative to any natural hazards, historic heritage features and sensitive natural features.</p>	<p>Amend Rule 5A.3.2 matters over which Council will restrict its discretion in the following way:</p> <p>10. The location of any associated building site(s) relative to any <u>identified</u> natural hazards, historic heritage features, <u>notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</p>
	5 Living Zones Rule 5B.3.3	
29	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>11. The location of any associated building site(s) relative to any natural hazards, historic heritage features and sensitive natural features.</p>	<p>Amend Rule 5B.3.3 matters over which Council will restrict its discretion in the following way:</p> <p>11. The location of any associated building site(s) relative to any <u>identified</u> natural hazards, historic heritage features, <u>notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</p>
	5 Living Zones Rule 5C.2.1	
30	<p>Controlled Activity Subdivision: Matters over which Council reserves control:</p> <p>11. The location of any associated building site(s) relative to any natural hazards, historic heritage features and sensitive natural features.</p>	<p>Amend Rule 5C.2.1 matters over which Council will restrict its discretion in the following way:</p> <p>11. The location of any associated building site(s) relative to any <u>identified</u> natural hazards, historic heritage features, <u>notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</p>
	6 Working Zones Rule 6A.2.1	
31	<p>Controlled Activity Subdivision: Matters over which Council reserves control:</p> <p>5. The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</p>	<p>Amend Rule 6A.2.1 matters over which Council reserves control in the following way:</p> <p>5. The location of any associated building site(s) relative to any <u>the identified</u> natural hazards, historic heritage features, <u>notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</p>

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	6 Working Zones Rule 6A.3.1	
32	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 6A.3.1 matters over which Council will restrict its discretion in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	6 Working Zones Rule 6B.2.1	
33	<p>Controlled Activity Subdivision: Matters over which Council reserves control:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 6B.2.1 matters over which Council reserves control in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	6 Working Zones Rule 6B.3.1	
34	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 6B.3.1 matters over which Council will restrict its discretion in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	6 Working Zones Rule 6C.2.1	
35	<p>Controlled Activity Subdivision: Matters over which Council reserves control:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 6C.2.1 matters over which Council reserves control in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable trees, ecological sites, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>

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	6 Working Zones Rule 6C.3.1	
36	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 6C.3.1 matters over which Council will restrict its discretion in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species and rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	6 Working Zones Rule 6D.2.1	
37	<p>Controlled Activity Subdivision: Matters over which Council reserves control:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 6D.2.1 matters over which Council reserves control in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>
	6 Working Zones Rule 6D.3.1	
38	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features, sensitive natural features and dominant ridgelines.</i></p>	<p>Amend Rule 6D.3.1 matters over which Council will restrict its discretion in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, sensitive natural features and dominant ridgelines.</u></i></p>
	6 Working Zones Rule 6D.3.2	
39	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>11. <i>The location of any associated building site(s) relative to any natural hazards, historic heritage features and sensitive natural features.</i></p>	<p>Amend Rule 6D.3.2 matters over which Council will restrict its discretion in the following way:</p> <p>11. <i>The location of any associated building site(s) relative to <u>any identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i></p>

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	6 Working Zones Rule 6E.2.1	
40	Controlled Activity Subdivision: Matters over which Council reserves control: 5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i>	Amend Rule 6E.2.1 matters over which Council reserves control in the following way: 5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i>
	6 Working Zones Rule 6E.3.1	
41	Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion: 5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features and dominant ridgelines.</i>	Amend Rule 6E.3.1 matters over which Council will restrict its discretion in the following way: 5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, sensitive natural features and dominant ridgelines.</u></i>
	6 Working Zones Rule 6F.2.1	
42	Controlled Activity Subdivision: Matters over which Council reserves control: 5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features and sensitive natural features.</i>	Amend Rule 6F.2.1 matters over which Council reserves control in the following way: 5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</u> and sensitive natural features.</i>
	6 Working Zones Rule 6F.3.4	
43	Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion: 5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features, sensitive natural features and dominant ridgelines.</i>	Amend Rule 6F.3.4 matters over which Council will restrict its discretion in the following way: 5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, sensitive natural features and dominant ridgelines.</u></i>

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	6 Working Zones Rule 6F.3.5	
44	<p>Restricted Discretionary Activity Subdivision: Matters over which Council will restrict its discretion:</p> <p>5. <i>The location of any associated building site(s) relative to the natural hazards, historic heritage features, sensitive natural features and dominant ridgelines.</i></p>	<p>Amend Rule 6F.3.5 matters over which Council will restrict its discretion in the following way:</p> <p>5. <i>The location of any associated building site(s) relative to <u>any the identified natural hazards, historic heritage features, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, sensitive natural features and dominant ridgelines.</u></i></p>
	10 Historic Heritage Rule 10A.1.4	
45	<p>Rule 10A.1.4:</p> <p><i>Minor maintenance activities to notable trees identified in the Schedule of Historic Heritage as Historic Places (buildings and structures), Historic Places (sites) or Historic Areas.</i></p>	<p>Amend Rule 10A.1.4 and the associated standards in the following way:</p> <p>10A.1.4 <u>Trimming of</u> Minor maintenance activities to notable trees identified in the Schedule 10.1 of Historic Heritage as Historic Places (buildings and structures), Historic Places (sites) or Historic Areas.</p> <p><u>Any trimming must be undertaken only:</u></p> <ul style="list-style-type: none"> i. <u>To achieve compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003 or its successor; or</u> ii. <u>By an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification; and</u> <p><u>all trimming must be undertaken In accordance with the New Zealand Arboricultural Association Incorporated Best Practice Guideline 'Amenity Tree Pruning' Version 3 dated April 2011.</u></p>

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	10 Historic Heritage Controlled Activity 10A.2	Text to be deleted is shown in strike-out format and text to be inserted is shown <u>underlined</u> .
46	New Controlled Activity Rule for removal of broken, dead, dying, diseased or damaged vegetation	<p>Insert a new Controlled Activity Rule 10A.2.3 as follows:</p> <p><u>3. The modification of any notable tree that is not a permitted activity under Rule 10A.1.4.</u></p> <p><u>Standards</u></p> <p><u>The modification of a notable tree shall be limited to:</u></p> <p>a) <u>modification of vegetation that is damaged, dead or dying or has sustained storm damage or is fatally diseased such that:</u></p> <p>i. <u>the indigenous vegetation is no longer independently viable or presents a risk of serious harm to people or property; and</u></p> <p>ii. <u>an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification has certified in writing that Condition (i) above is met; or</u></p> <p>b) <u>felling or removal of any tree, in relation to an existing network utility, that is necessary to reduce risk to that existing network utility.</u></p> <p><u>Matters over which Council reserves control</u></p> <p>c) <u>The extent and method of vegetation removal;</u></p> <p>d) <u>The location and timing of planting of any plant species to compensate for the loss of vegetation;</u></p> <p>e) <u>Any remedial work necessary to restore the site after the modification activity is complete;</u></p> <p>f) <u>Public safety.</u></p> <p><u>Criteria for notification</u></p> <p><u>The written approval of persons will not be necessary and applications will not be served on any person or notified.</u></p>
	10 Historic Heritage Restricted Discretionary Activity Rule 10A.3.4	
47	4. <i>Minor maintenance activities which do not comply with one or more of the permitted activity standards in Rule 10A.1.4 or modification of notable trees identified in the Schedule of Historic Heritage as Historic Places (buildings and structures), Historic Places (sites) or Historic Areas by any network utility operator to ensure the safety and integrity of any network utility or to maintain access to the network utility.</i>	<p>Amend Rule 10A.3.4 in the following manner:</p> <p><i>4. Minor maintenance activities which do not comply with one or more of the permitted activity standards in Rule 10A.1.4 <u>or the standards in Rule 10A.2.3</u> or modification of notable trees identified in the Schedule of Historic Heritage as Historic Places (buildings and structures), Historic Places (sites) or Historic Areas by any network utility operator to ensure the safety and integrity of any network utility or to maintain access to the network utility.</i></p>