

ECO - Ecosystems and Indigenous Biodiversity

Conservation Values

The altitudinal range in the District, from sea level to 2886m, supports a wide range of habitats. These habitats may be grouped into five broad categories: coastal shores, wetlands, forests, scrub and open country.

There are about thirty indigenous bird species which are resident breeders in the District. Another fifty species have been recorded as occasional visitors. Because of the virtual absence of shallow lakes and swampy wetlands, waterfowl species are poorly represented in the District which makes remnants all the more important. Although the main indigenous mammals of the District are marine (NZ fur seals, whales and dolphins), there are also historic records of bats. The District has a number of nationally threatened invertebrates, such as spear grass weevils, and lizards including the black-eyed gecko (which was first recorded in the Seaward Kaikōura Range). Many of the District's waterbodies have diverse native fish fauna, particularly those that are spring fed or have catchments with indigenous forest cover. The nationally threatened short-jawed kokopu is found in several streams in the District. The only two surviving colonies of the Hutton's shearwater (an endemic bird species) are found in the Kaikōura District. These sites are at high altitude in the Seaward Kaikōura range. While the population may be as high as 170,000 breeding pairs, the species is vulnerable given the recent contraction of its breeding range.

The Kaikōura District has numerous protected areas with reserve or conservation area status. These areas, and some areas which are not protected or have no special status, contain include a wide range of habitats from coastal scrub to alpine vegetation. The Seaward Kaikōura Ranges contain the largest area of protected land in the District. They include the Kowhai Management Area (a soil and water conservation area) the Jordan Stream and Mount Manakau Scenic Reserves, Mount Uwerau Nature Reserve and Mount Fyffe forest. The forests in this area comprise a complex mixture of beech, podocarp, mixed hardwood and coastal forests.

Numerous small coastal reserves provide an important recreational and scenic resource. The reserves are concentrated along the two strips of coastal highway between Oaro and Kahutara and between Mangamaunu and Clarence. The reserves not only preserve important areas of coastal native forest, but also provide a scenic backdrop and help stabilise the steep hills along the main highway, as well as being important mahinga kai of Te Runanga o Ngai Tahu.

Scenic reserves are scattered throughout the District, and typically protect stands of native forest or significant natural features such as unusual rock formations. Picnic areas and bush walks are usually provided in these areas. Blue Duck Scientific Reserve is the only reserve of its type in the District. It protects an excellent example of lowland forest, where rimu, matai

and associated native undergrowth is lush and largely unmodified. Birdlife in the reserve is prolific.

Margins of Waterbodies

Kaikōura has approximately 105km of coastline comprising: Rocky coastline (20 km), Rough beach (stony with boulders (22 km), Sand and gravel beach (40 km), Sand beach (backed by sand dunes (23 km). Almost the entire shoreline of the Kaikōura coast is in Crown ownership in the form of public road, railway land and scenic and recreation reserves.

The major river systems in the District are the: Clarence, Kowhai, Hapuku, Kahutara and Oaro Rivers, while the remainder of the District is drained by small local streams, which either form tributaries to the larger rivers or flow directly into the sea. The lakes in the District are quite small, the largest Lake Rotorua is about 45 ha in area, with the smaller Lake Rotoiti nearby. A third lake, Lake Kowhai, is in private ownership along with Lake Rotoiti. Both Lake Rotorua and Lake Rotoiti have passive recreation, vegetation, fisheries and wildlife conservation values, with Lake Rotorua recognised as a wildlife refuge. Both Lake Rotorua and Lake Rotoiti have recreational (including hunting and fishing), vegetation, fisheries and wildlife conservation values, with Lake Rotorua being managed as a wildlife management reserve.

These waterbodies and their margins have a range of purposes or values, including:

- a. protection of habitats and natural values;
- b. protection against natural hazards where vegetation cover is retained, or flood mitigation structures placed;
- c. maintaining the quality of surface waters;
- d. providing access;
- e. recreational use;
- f. as areas of mahinga kai and waahi taonga.

Landowners play an important part in the management of rivers, lakes and their margins through controlling stock access and consequent loss of water quality and riparian values, and through provision of access where appropriate.

Key defined terms for this chapter	
Term	Definition
Alluvial Land	means an area of land which is flat or gently sloping where the predominant slope is 5 degrees or less, including floodplains, valley floors, wetlands and terraces.

<p>Coastal Broadleaved Vegetation</p>	<p>means coastal vegetation where 75% or more of the vegetation comprises mahoe and fivefinger and elements of indicator tree species such as akeake, ngaio, and wharangi. This vegetation is found generally up to the first major ridgeline within 5km of the coast on hill country, and up to 15km from the coastline on plains.</p>
<p>Conservation Forestry</p>	<p>means the management of areas of indigenous shrub and forest, including where necessary planting and replanting where the primary purpose is to preserve the vegetation for amenity and landscape values.</p>
<p>Earthworks (NPS)</p>	<p>Means the alteration or disturbance of land, including by moving, removing, placing, balding, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.</p>
<p>Esplanade reserve (RMA)</p>	<p>Means a reserve within the meaning of the Reserves Act 1977—</p> <ul style="list-style-type: none"> a. which is either— <ul style="list-style-type: none"> i. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or i. a reserve vested in the Crown or a regional council under section 237D; and <p>which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229.</p>
<p>Esplanade strip (RMA)</p>	<p>Means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.</p>
<p>Indigenous Forest</p>	<p>means an area of naturally occurring vegetation in which:</p> <ul style="list-style-type: none"> a. the cover of trees and other woody plants in the canopy is greater than 50%; and b. tree cover exceeds that of any other single growth form; and c. at least 50% of the canopy cover comprises species indigenous to the Kaikōura district area and at least 30% of those species are trees. <p>For the purpose of this definition, trees are woody plants, including tree ferns, manuka and kanuka, 6 metres or more tall.</p>

Indigenous Vegetation	means any area where the cover of naturally occurring plants native to Kaikōura district area exceeds that of exotic plants; or, if native plants are structurally dominant over exotic plants, the cover of native plants is 30% or more of the area.
Lake	means any naturally occurring body of fresh water which is entirely or almost entirely surrounded by land.
Limestone Substrates	means any area of limestone rock or substrates derived from adjacent limestone rock.
Protection Forestry	means the planting and maintaining and harvesting of trees for soil conservation or shelter.
River	<p>has the same meaning as defined in Section 2 of the Resource Management Act 1991, which at the notification date of this Plan means:</p> <p><i>"a continually or intermittently flowing body of fresh water; and includes a stream and modified water course; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal) for the supply of water for electricity power generation, and farm drainage canal."</i></p>
Riverbed	<p>has the same meaning as defined in Section 2 of the Resource Management Act 1991, which at the notification date of this plan means:</p> <p><i>"the space of land which the waters of the river [or stream] cover at its annual fullest flow without overtopping its banks, or the space of land which the waters of the lake cover at its highest level without exceeding its margins."</i></p>
Rockland	means an area of land where the area of bedrock exceeds that of any one class of vegetation (forest, shrubland, grasslands etc). These are primarily steep land areas of bluffs and cliffs.
Vegetation Clearance	means the felling, clearing or modification of trees or any vegetation by cutting, crushing, cultivation, spraying or burning. Clearance of vegetation has the same meaning.
Wetland	has the same meaning as defined in Section 2 of the Resource Management Act 1991, which at the notification date of this Plan includes permanently or intermittently wet areas, shallow water

	and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. For the purpose of this Plan, a wetland may be brackish, saline, or freshwater, and include lakes, rivers, estuarine marshes and swamps, but does not include areas of exotic pasture where water ponds after rain.
Wetland Boundary	means the boundary of a natural wetland where indigenous wetland plants (i.e., indigenous plants such as sedges and rushes), adapted to living in wet conditions., give way to other species. The boundary of a tidal wetland is defined as the part of mean high water springs.

Cross-references
<p>In addition to the zone chapters, several district-wide and overlay chapters also contain provisions that may be relevant to ecosystems and indigenous biodiversity, including:</p> <p>EW - Earthworks</p> <p>NFL - Natural Features and Landscapes</p> <p>CE - Coastal Environment</p>

Issues

ECO-11	Threats to Kaikōura's coastal environment, <i>wetlands, lakes and rivers</i>, and their margins
Effects of inappropriate subdivision, use and development pose a threat to Kaikōura's <i>wetlands, lakes, rivers</i> and coastlines and their margins, and the natural character of those areas.	
ECO-12	Loss and destruction of <i>indigenous vegetation, fauna, and habitats</i>
Loss and destruction of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna as a result of human activities, plant and animal pests, fire and natural hazards.	

Objectives

ECO-01	Maintain and enhance coastal environment, <i>wetlands, lakes and rivers</i>, and their margins
To maintain and enhance the ecological integrity, functioning, natural character, and cultural, recreational and amenity values of the coastal environment, <i>wetlands, lakes, rivers</i> and their margins and to protect these values from inappropriate subdivision, use and development.	
ECO-02	Protect <i>indigenous vegetation, fauna, and habitats</i>
To protect areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna, and associated biodiversity, from adverse effects of activities.	
ECO-03	Manage <i>indigenous vegetation and habitats</i>
To ensure that <i>indigenous vegetation</i> is managed in a sustainable manner, particularly those types of vegetation that are sensitive to development, not well represented or are a special feature of the district.	

Policies

ECO-P1	Re-establish <i>indigenous vegetation</i>
To encourage the preservation, protection, maintenance and enhancement of the coastal environment, <i>wetlands, lakes, rivers, streams</i> , and their margins in the first instance, through management practices which allow for the re-establishment of <i>indigenous vegetation</i> where it has been depleted.	
ECO-P2	Retain existing vegetation
To retain existing vegetation within <i>wetlands</i> , and <i>lakes, rivers</i> and streams and their margins.	
ECO-P3	Manage effects of development
To avoid, remedy or mitigate any adverse effects of <i>earthworks, vegetation clearance</i> or new structures on Kaikōura’s coastal environment, <i>wetlands, lakes and rivers</i> , and their margins.	

ECO-P4	Enhance riparian margins
To maintain and where possible, enhance the natural functioning of riparian margins including enhancing water quality, habitats for plants and animals, landscape and amenity values, bank stability and erosion control.	
ECO-P5	Use a range of methods to manage significant natural areas
To promote the protection and management of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna through a range of management methods.	
ECO-P6	Increase public awareness
To increase public awareness of the potential adverse effects on areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna that may arise from: human activities; plant and animal pests; fire; and natural hazards.	
ECO-P7	Nominate significant natural areas
To nominate possible areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna based on a variety of sources, such as information from the Significant Natural Areas Working Party and the Department of Conservation.	
ECO-P8	Consult with affected landowners
To ensure that a non-statutory register of confirmed areas of significant <i>indigenous vegetation and</i> significant habitats of indigenous fauna is established in consultation with affected landowners, and that this register is regularly updated, and the information made available to the community.	
ECO-P9	Facilitate land care groups
To facilitate the establishment of land care group(s) to assist landowners in the protection of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna.	
ECO-P10	Provide information to manage significant natural areas
To provide information on guidelines and protocols for landowners/managers to enable them to better identify, protect and monitor significant natural areas.	

ECO-P11	Encourage enhancement of significant natural areas
<p>To encourage landowners of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna to actively manage and enhance these areas in partnership with other agencies such as the Department of Conservation and the Canterbury Regional Council.</p>	
ECO-P12	Integrated management with Canterbury Regional Council
<p>To encourage the Canterbury Regional Council, as part of their approach to achieving integrated management of the natural and physical resources of the region, to maintain an effective strategy for the containment and eradication of undesirable plants and animal pests which, among other things, threaten areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna.</p>	
ECO-P13	Manage effects of clearance
<p><i>To avoid, remedy or mitigate the effects of activities, including earthworks, structures and the clearance of indigenous vegetation, in order to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.</i></p>	
ECO-P14	Promote protection of significant natural areas
<p>To promote the protection of the ecological values of all indigenous habitat types in the District, having particular regard to the rarity and representativeness of particular community types.</p>	
ECO-P15	Manage effects on riparian areas
<p>To avoid, remedy or mitigate the effects of activities including <i>earthworks, vegetation clearance</i>, forestry and the establishment of buildings near <i>rivers, streams, lakes</i> and <i>wetlands</i>, in order to protect the values of riparian areas.</p>	
ECO-P16	Avoid duplication of rules with Canterbury Regional Council
<p>To encourage integrated resource management through plan rules which avoid duplication, and which reduce administration (and associated costs), through liaison with the Regional Council.</p>	
ECO-P17	Use available information from the Department of Conservation

<p>To use existing information held by the Department of Conservation as a basis for the preparation of a non-statutory list of nominated areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna, and to use the ecological matters listed in ECO Diagram 1 to this section to assess the list of nominated areas.</p>	
ECO-P18	Control clearance of <i>indigenous vegetation</i>
<p>To avoid, remedy or mitigate adverse effects on the natural resource values by controlling the clearance of <i>indigenous vegetation</i> throughout the district.</p>	
ECO-P19	Provide for management plans and permits
<p>To include in the <i>indigenous forest</i> and <i>vegetation clearance</i> rules, by way of variation or plan change, provision for sustainable management plans and permits under Part III of the Forests Act 1949 once a confirmed list of internationally, nationally and regionally significant natural areas has been developed.</p>	

Rules

ECO-R1	<i>Indigenous forest clearance, indigenous vegetation clearance, and riparian management</i>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is achieved with ECO-S1 to ECO-S3.</p>
	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is not achieved with or more of ECO-S1 to ECO-S3.</p> <p>Matters of discretion:</p> <p style="padding-left: 40px;">1. The matters of discretion of the standard(s) not met.</p> <p>Note: These provisions shall not limit the power of the Council to require or impose conditions or standards in respect of applications for resource consent.</p>

Standards

ECO-S1	<i>Indigenous forest clearance</i>
<p>1. Clearance of <i>indigenous forest</i> shall not exceed the following thresholds, unless permitted under ECO-S1(2)</p> <ul style="list-style-type: none"> a. Clearance of cumulatively more than 100m² in any one hectare of <i>indigenous forest</i>: <ul style="list-style-type: none"> i. on <i>alluvial land</i> or <i>limestone substrate</i>; ii. within Outstanding and Significant Landscape Areas and; iii. where the <i>indigenous forest</i> is comprised of <i>coastal broadleaved vegetation</i> b. Clearance of cumulatively more than 1ha of <i>indigenous forest</i> in any 3-year period per title or 15% of the title area, whichever is the lesser. <p>2. ECO-S1(1) shall not apply to any of the following activities:</p> <ul style="list-style-type: none"> a. removal of 50m³ or less of roundwood per 10-year period per Certificate of Title from any area of <i>indigenous forest</i> (including windthrown and standing dead trees), for non-commercial use, or for use by Te Runanga o Ngai Tahu for cultural purposes (e.g., building of waka) or; b. clearance of <i>indigenous forest</i> planted specifically for the purposes of commercial, <i>protection</i> or <i>conservation forestry</i> or; c. trimming of trees associated with the operation and maintenance of existing tracks and utilities, utility buildings and utility support structures or; 	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>d. removal of trees which are dangerous to human life or property or;</p> <p>e. clearance of kanuka or manuka species less than 8m in height and with forest cover of less than 80% of the area to be cleared.</p>	
<p>ECO-S2</p>	<p><i>Indigenous vegetation clearance</i></p>
<p>1. Clearance of <i>indigenous vegetation</i> shall not exceed the following thresholds, unless permitted under ECO-S2(2):</p> <p>a. <i>clearance of indigenous vegetation</i> from any <i>wetland</i> where the <i>wetland</i> has an area exceeding 2000m² (including estuaries) or;</p> <p>b. clearance of more than 100m² of <i>indigenous vegetation</i> in any one hectare in any 5-year period where the vegetation is:</p> <ul style="list-style-type: none"> i. tall tussock communities dominated by the genus <i>Chionochloa</i> or; ii. vegetation located on dune lands, <i>beds of rivers</i> or <i>lakes</i> or <i>rock lands</i>, including bluffs or; iii. non-forest <i>coastal broadleaved vegetation</i> iv. Note: this rule does not apply to vegetation that is dominated by one of more of the pioneer species of manuka, kanuka, tauhinu, matagouri, bracken, fern, silver tussock or tall fescue. v. non-indigenous vegetation on <i>alluvial land</i>, <i>limestone substrate</i>, and within Outstanding and Significant Landscape Areas. This rule does not apply to vegetation that is dominated by one or more of the pioneer species manuka, kanuka, tauhinu, matagouri, bracken, fern, silver tussock or tall fescue. 	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>2. ECO-S2(1) shall not apply to any of the following activities:</p> <ul style="list-style-type: none"> a. clearance of <i>indigenous vegetation</i> which has been planted and managed specifically for the purposes of harvesting or clearance or; b. the trimming of trees associated with the operation, maintenance, replacement and upgrading of existing tracks, utilities, utility buildings and utility support structures or; c. removal of vegetation which is dangerous to human life or property or; d. clearance of re-growth <i>indigenous vegetation</i> growing beneath existing commercial forestry plantations. 	
<p>ECO-S3</p>	<p>Riparian management</p>
<p>On any land within the bed of any <i>lake, river</i> or stream or; within any naturally occurring <i>wetland</i> or; within 20m of the margin of the coast or any <i>wetland</i> or; within 10m of the bed of any <i>river, stream, or lake</i>:</p> <ul style="list-style-type: none"> 1. <i>earthworks</i>, except for flood protection works, shall not exceed 10m³ in any one hectare in any 5-year period or have a maximum depth of cut or fill exceeding 0.5m and; 2. buildings or utility buildings shall not exceed 9m² in area and/or 2m in height and; 3. <i>vegetation clearance</i> shall not exceed 100m² in any one hectare in any one year, except that this does not apply to the clearance of noxious plants or plant pests, maintenance or upgrading of 	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>existing tracks and fence lines, or the trimming of trees ancillary to the operation, maintenance, and upgrading of utilities, utility buildings and utility support structures.</p>	
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Methods Other Than Rules

ECO-M1	Achieve ECO policies
<p>To achieve policies ECO-P1 and ECO-P2 through:</p> <ol style="list-style-type: none"> 1. Provision of rules to control <i>earthworks</i>, <i>vegetation clearance</i>, and the establishment of buildings or structures in areas which are adjacent to or within waterbodies. 2. The use of resource consent conditions to mitigate, avoid or remedy the effects of activities that may have adverse effects on the coastal landscape, outstanding natural features, water quality or the natural character of the District's waterbodies. 3. Through the Council's annual planning process to provide funds to encourage landowners to retain and enhance existing vegetation adjacent to or within waterbodies, through the provision of information to landowners regarding the importance of these areas. 4. To consider waiving resource consent fees where areas of significant indigenous plants or the habitats of indigenous animals are to be enhanced or maintained. 5. The Council will register in a separate information schedule, riparian areas and <i>esplanade strips</i> and <i>reserves</i> established by survey, voluntary retirement, covenant, statute, the resource consent process or any other management method. 	
ECO-M2	Achieve ECO policies
<p>To achieve policies ECO-P3 and ECO-P19 through:</p> <ol style="list-style-type: none"> a. Protect areas with significant natural values by a mix of targeted district-wide rules and non-regulatory methods including: <ol style="list-style-type: none"> b. Rules c. Statutory lists for some categories of properties e.g., reserves d. Reserve Management Plans e. Riparian strips and reserves 	

1. Site identification and definition
- f. Criteria for protection
- g. Non-statutory lists and the use of “silent” files
- h. Management agreements and covenants
- i. Dissemination of information between groups and agencies
- j. Use of dedicated reserve and financial contribution funds
- k. Development offsets / exemptions
- l. Criteria for assistance levels and purchase
- m. Rating relief
- n. Waiver of charges
- o. Assistance with management planning
- p. Joint venture planting, restoration, remediation and protection
- q. Logging Plans under the Forest Amendment Act 1993
- r. Protection of Heritage Areas and natural areas under Heritage legislation
- s. Performance bonds and conditions on resource consents
- t. Consultation with, and provision of advice and assistance to affected landowners
- u. Supporting applications for covenanting and purchase to QEII Trust, Nature Heritage Fund, and Nga Whenua Rahui
- v. Voluntary monitoring programmes
- w. Landcare groups
- x. Conservation awards and public recognition
- y. Seminars, open days and field trials.

Note: the method(s) used will reflect the circumstances, protection priorities and statutory responsibilities and duties.

ECO-M3

Annual planning process

Through the Council’s annual planning process to provide resources to undertake consultation with landowners and promote community awareness on the importance of protecting areas of significant *indigenous vegetation* and significant habitats of indigenous fauna. Methods include:

- a. Undertaking consultation with landowners, other agencies and Te Runanga o Kaikōura to develop a register of confirmed areas of significant *indigenous*

vegetation and significant habitats of indigenous fauna in the Kaikōura District. The register shall be;

- i. established based on a list of nominated (possible) areas of significant *indigenous vegetation* and significant habitats of indigenous fauna derived from a variety of sources;
 - ii. confirmed following the landowner consultation process outlined in implementation method 5;
 - iii. generally available to the community except that the Council will consider individual requests for privacy, with copies located at the library, council offices and offices of other government agencies such as the Department of Conservation and the Canterbury Regional Council;
 - iv. reviewed at least every two years by the Council and the Significant Natural Areas Working Party or nominated successors, with provision for agreements on new sites and deletions and to allow new entries to be added to and deleted from, the register of nominated sites on a continuous basis. The sites making up the register of confirmed sites will be monitored on a revolving basis at no more than five-year intervals. Updating will occur as necessary.
- b. Provision of written material or visual displays in the form of pamphlets or display boards in community centres or libraries.
 - c. Investigating the establishment of a group such as a land care group, as a successor group or having complementary functions to the Significant Natural Areas Working Party, comprising landowners, Federated Farmers, Council staff and other agencies such as the Department of Conservation and Canterbury Regional Council, to oversee the management and monitoring of identified areas of significant *indigenous vegetation*.
 - d. Encouraging a partnership agreement between Kaikōura District Council, landowners and the Department of Conservation. Council and the Department of Conservation will provide advice and assistance to landowners in the management of individual sites identified in the register and assist in the investigation of opportunities for financial and other appropriate assistance. Assistance such as fee exemptions may also be negotiated with owners of confirmed sites as positive acknowledgment of management plans, covenants or other commitments made by landholders/managers to protect the site.
 - e. Allocation of financial contribution funds for protection, where appropriate.
 - f. Supporting community initiatives by considering incentives such as community environmental awards.
 - g. Where appropriate, encouraging other forms of protection and management over sites of significant *indigenous vegetation* and significant habitats of indigenous fauna, such as QEII covenants, conservation covenants, Reserves Management Plans, Management Agreements and voluntary land purchase.
 - h. Liaison with the Canterbury Regional Council regarding the management and eradication of undesirable plants and animals which threaten areas of significant

indigenous vegetation and significant habitats of indigenous fauna with reference to the Bio-security Act 1993.

- i. Continuing consultation with landowners of areas of significant *indigenous vegetation* and significant habitats of indigenous fauna.

ECO-M4

Statutory register of confirmed areas of significant vegetation

The Kaikōura District Council will establish, separate from the District Plan, a non-statutory register of confirmed areas of significant *indigenous vegetation* and significant habitats of indigenous fauna using the following “Consultation Protocol”:

- a. Nominate possible areas of significant *indigenous vegetation* using a variety of base information such as data from the Department of Conservation;
- b. Identify the priority for protection and time guidelines for completing the consultation process (refer to ECO Diagram 1 of this section of the Plan). For areas nominated in the Department on Conservation 1997 document, “Areas of Significant Conservation Value”, priority has been identified as follows:
 - i. internationally significant sites - critical priority: initiate consultation within 12 months of District Plan being notified
 - ii. nationally significant sites - high priority: initiate consultation within 18 months of District Plan being notified
 - iii. regionally significant sites - medium priority: initiate consultation within 2 and a half years of District Plan being notified
 - iv. Note: Regional significance here means of significance within an ecological region, not necessarily within the Canterbury region.
 - v. locally significant sites - low priority: initiate consultation within 3 and a half years of District Plan being notified
 - vi. in identifying the priorities for protection, any other matters which may require a site to be given high priority, including the imminence of any threat, will be taken into account.
- c. identify and confirm affected landowners / occupiers for each site;
- d. contact each landowner / occupier individually and discuss with them, in consultation with the Department of Conservation, the following:
 - i. accuracy of the site boundaries and size
 - ii. reasons for identifying the site including any conservation values
 - iii. significance of the particular site as assessed against the MFE “Criteria for Assessing Ecological Significance Under Section 6(c) of the Resource Management Act”, 22 January 1999, or any subsequent replacement or amendment to that criteria.
 - iv. current management of the site
 - v. importance of the site to the overall farm economy
 - vi. any future plans for developing the site
 - vii. options for protecting the conservation values contained within the site or removing the sites from the nominated list or confirmed register if no conservation values exist

<ul style="list-style-type: none"> e. consult with other agencies as necessary, such as the Department of Conservation, the Regional Council and Te Runanga o Ngai Tahu; f. negotiate options for managing the sites with the landowner / occupier and enter into a partnership management agreement where necessary. Kaikōura District Council will consider requests from individual landowners not to make public any sites which are sensitive or where public identification would not be in the best interest of the protection of the site; g. confirm the sites by including them in the register of Areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna, unless inclusion in the public register is deemed inappropriate by the Council; h. set up a monitoring programme with each landowner / occupier to monitor the conservation values within each site; i. undertake ongoing monitoring of the state of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna. Monitoring will cover: <ul style="list-style-type: none"> i. sites on the non-statutory register of confirmed sites; ii. sites on the non-statutory register of nominated sites (where necessary); iii. compliance with conditions of resource consents; iv. the effectiveness of the general rules and methods of the District Plan. j. Monitoring methods will include: <ul style="list-style-type: none"> i. Reviewing a random representative sample of nominated sites for the purpose of ascertaining how these sites are changing over time in respect of the values for which they have been confirmed or nominated; ii. Reviewing confirmed sites at least once every five years including reviewing the agreed management regime; iii. Reviewing at least every two years, the effectiveness (including acceptability) of the register and agreed management regimes with landholders / managers. 	
ECO-M5	District-wide rules
<p>District wide rules for the clearance of <i>indigenous vegetation</i> and forest and vegetation on <i>wetlands, alluvial land, limestone substrates, bluffs, rock lands, dune lands, alpine environments, beds of rivers/lakes</i> and on coastal areas.</p>	

Principal Reasons

ECO-PR1	Retention of existing vegetation
<p><i>Earthworks</i>, and the establishment of buildings or structures within waterbodies or in close proximity to the margins of waterbodies, are activities which have the potential to adversely affect the natural character of these areas. Consequently, effects of these activities are controlled through rules.</p>	

<p>Vegetation within <i>wetlands</i> and on the margins of <i>lakes, rivers</i> and streams is valuable. It provides habitat for significant fauna such as eel, whitebait, salmon and trout and it influences water quality. Consequently, retention of existing vegetation on the margins is required through the performance standards while management practices which allow for the re-establishment of vegetation are encouraged</p>	
<p>ECO-PR2</p>	<p>Responsibility for significant <i>indigenous vegetation, fauna, and habitats</i></p>
<p>Under Section 6(c) the Resource Management Act 1991 the Council has a responsibility to recognise and provide for the protection of areas of “significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna” as a matter of national importance. The protection against recognised threats to habitats is a problem in the District, with many habitats under threat from human activities, plant and animal pests, fire and natural hazards.</p> <p>The Kaikōura District Council is committed to the protection of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna. The Council will continue to consult with landowners, relevant groups and organisations in the community to identify areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna of value.</p> <p>As part of the district plan development process, the Council formulated a working party to discuss an appropriate process for managing areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna. Through working party discussions, a “partnership arrangement” was considered the best method for the management of these areas. It was agreed that areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna should not be identified in the Plan and that they should not be subject to a more stringent set of rules than apply generally.</p> <p>However, the Council recognises that district wide rules are required in order to protect nature conservation values throughout the district particularly where <i>earthworks, vegetation clearance</i>, tree planting and the establishment of buildings have adverse effects on areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna. The district wide rules provide a precautionary safety measure for conserving the values of these areas during the landowner consultation process. These rules are important as a means by which the Council can fulfil its responsibilities for promoting the sustainable management of the natural resources of the District, including the protection of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna. Provision will also be made by way of rules to avoid the Kaikōura District Council duplicating regional council functions and to achieve better integrated management of natural resources and natural heritage.</p>	

Specific rules exist in respect of the clearance of *indigenous vegetation* on *wetlands*, dune lands, coastal lowland forest, *river and lake beds*, *rock lands*, *alluvial land* and *limestone substrate*. These ecosystems are relatively small, discrete and distinct compared to the indigenous ecosystems on hill country and mountain lands which make up the bulk of the district. Their unusual physical characteristics have provided habitats for distinctive communities of plants and animals to evolve. Many of these species are so specialised that they are completely confined to the distinct community they are adapted for, e.g., pingao on dunes, rock daisy on bluffs, chalk gentian on limestone. Moreover, these habitats are where most of the threatened species in Kaikōura District have their strongholds (e.g., swamp nettle in lowland *wetlands*, and native germander on alluvium and limestone), and the only communities where species endemic to South Marlborough can survive (e.g., weeping tree broom, NZ lilac, pink broom on *rock lands* and *riverbeds*, chalk willowherb and chalk broom on limestone). The importance of these ecosystems for the District's natural biodiversity is therefore disproportionate to their relatively small size.

The Council considers that it is critical to gain community and landowner co-operation to the process and that this is more effectively achieved through non-regulatory means. While the Council acknowledges private property rights, the privilege of landownership also carries an inherent responsibility of "stewardship" through retaining the integrity of the land resource for future generations. The Council shall aim to raise community awareness of areas of significant *indigenous vegetation* and significant habitats of indigenous fauna and the contribution that they make to the amenity and environmental quality of the district.

The areas of significant *indigenous vegetation* and significant habitats of indigenous fauna will be initially identified by relying on a variety of base data, such as Department of Conservation information. This will assist the Council in nominating areas of significant *indigenous vegetation* and significant habitats of indigenous fauna for inclusion in a non-statutory register. The register of nominated sites is a voluntary device intended to assist landowners, other interested parties and the key statutory authorities in understanding management issues and priorities in the District.

The nominated sites will then be refined and confirmed through consultation with affected landowners, leading to a register of confirmed sites. This register will not form part of the District Plan. The development of a non-statutory register of confirmed sites will occur over time as landowners and others identify significant natural values that should be managed to ensure protection of those values. The criteria for identifying sites will also assist the Council in determining the priority for managing each site.

The contents of the register will correlate initiatives between landowners/managers and the Council and will reflect current conservation values. The register will include a clear statement as to how the information will be used and accessed. The Council will endeavour to maintain the register of confirmed sites as a public document but may agree to individual requests for privacy in regard to information it has on confirmed sites. The list

of nominated sites will not be available to the public generally since sites on that list will not have been confirmed.

Monitoring of nominated and confirmed sites will ensure that the Council has the necessary information to carry out a valid and consistent process. Monitoring and information gathering could however, be delegated to individual landowners or nominees of the Council and/or Significant Natural Areas Working Party under specified operation guidelines and protocols, once initial values are established, described and mapped.

The role of the Department of Conservation in this process is to provide current information in accordance with an agreed consultative process and having regard to any commitments made at the time as to the confidentiality of that information. The Department is a key player. In the provision of information on significant sites, especially those sites which are known to contain threatened or endangered species. The Department will also be particularly instrumental in negotiating options for managing those areas of significant *indigenous vegetation* and significant habitats of indigenous fauna which contain threatened or endangered species, and which are identified as priority sites for protection in accordance with the provisions of the Department’s Nelson/Marlborough Conservation Management Strategy. While the Council will draw on the Department’s expertise to assist in fulfilling its obligations under the Resource Management Act, it also recognises the practical difficulties of the Council’s and the Department’s limited resources.

The Council is committed to maintaining and regularly updating a confirmed register of areas of significant *indigenous vegetation* and significant habitats of indigenous fauna in the District. The Council acknowledges that this is an ongoing process which requires commitment of resources from means outside of the District Plan. In this respect, Council will investigate setting up a Landcare Group or some other similar management group or system, in conjunction with landowners and other agencies such as Federated Farmers, the Department of Conservation, Landcare Trust and Canterbury Regional Council. The management group would assist in the identification, management and monitoring of areas of significant *indigenous vegetation* and significant habitats of indigenous fauna. The register of confirmed areas will be available for the community to examine and will assist as an educational tool for the public.

Some financial assistance may be available from the following trusts or funds formulated for conservation purposes (note that further funding may be available from other sources):

Type of covenant / fund	Administrative Authority
Nga Whenua Rahui	Native Heritage Fund
Nature Heritage Fund	Nature Heritage Fund

Queen Elizabeth National Trust Covenants	Queen Elizabeth National Trust
Conservation Covenants	Department of Conservation

Administrative assistance may be provided to landholders in making applications to other funding agencies, trusts and groups. Endorsements and partnerships may also be entered into in specific circumstances which are consistent with the Council’s RMA duties and responsibilities, and objectives and policies in the District Plan.

The Council will encourage the Canterbury Regional Council, in partnership with landowners, to continue to control threats to areas of significant *indigenous vegetation* and significant habitats of indigenous fauna through methods such as the Pest Management Strategy.

The Council is committed to monitoring all confirmed and a representative sample of nominated areas of significant *indigenous vegetation* and significant habitats of indigenous fauna. Monitoring will allow Council to determine the effectiveness of the management option chosen for each site, to determine the effectiveness of the district wide rules, and to gauge the loss, enhancement or general state of the sites over time.

Anticipated Environmental Results

ECO-A1	Anticipated environmental results for ecosystems and indigenous biodiversity
	<ol style="list-style-type: none"> 1. Retention of the District’s landscape values, particularly along the coastline. 2. Protection of the natural character of the coastal environment, <i>wetlands, lakes, rivers</i> and streams and their margins. 3. Retention and enhancement of the existing vegetation within <i>wetlands</i> and on the margins of <i>lakes, rivers</i> and streams. 4. Areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna will be protected for present and future generations. 5. Adverse environmental effects of activities on areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna will be avoided, remedied or mitigated. 6. Community awareness of areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna in the District will be enhanced. 7. The establishment of a process that is both affordable and acceptable to the community and landowners for the management of areas of significant <i>indigenous</i>

vegetation and significant habitats of indigenous fauna and recognises the private property rights of landowners.

8. The indigenous biodiversity of the District is retained.
9. Indigenous ecosystem functions are maintained and enhanced.

ECO Diagram 1: Areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna

Consultation protocol flowchart:

NOMINATE POSSIBLE SITES USING BASE DATA



PRIORITISE EACH SITE AND IDENTIFY AND CONFIRM LANDOWNERS



CONTACT AFFECTED LANDOWNERS BASED ON INITIAL CONSERVATION PRIORITY



CONSULT WITH OTHER AGENCIES AS NECESSARY



CONFIRM SITE AND INCLUDE IN REGISTER, UNLESS EXEMPT, OR REMOVE FROM



NOMINATED LIST IF NO CONSERVATION VALUES EXIST



FURTHER CONSULTATION AS NECESSARY



CONSIDER OPTIONS FOR MANAGEMENT OF THE SITE



IMPLEMENT AGREED SITE MANAGEMENT

Note: The order of the above process may vary depending on the information received.

The following criteria are used by Department of Conservation staff in assessing the relative importance of natural values in significant natural areas, not least for the purpose of targeting resourcing to landholder/management methods and providing for non-regulatory methods in the plan and compensation if appropriate. Assessment should be based on scientifically valid, repeatable and internationally consistent methods, in order for protection to be an effective and efficient use of resource by the Council.

1. Internationally Important Site(s)

- a. supports a species endemic to that site;
- b. contains the best example of a community type that was once common and is now rare;
- c. contains a unique community;
- d. supports an endangered species;
- e. contains habitat vital for the survival of a species in the wild or has the realistic potential to be restored to one of the above.

2. Nationally Important Site(s)

- a. contains a nationally rare community type;
- b. nationally, supports one of the best examples of a community type;
- c. contains habitat important to a nationally vulnerable species or endangered species;
- d. supports a subspecies endemic to that site, or a species largely endemic to that site;
- e. a corridor between nationally important areas;
- f. absence of a suite of major introduced predator/herbivores from habitable site;
- g. satisfies three or more regionally important site criteria.

3. Regionally Important Site(s)

- a. contains a regionally rare community type;
- b. regionally, supports one of the best examples of a community type;
- c. supports a nationally vulnerable species, or contains habitat important to a nationally rare species;

- d. absence of a major introduced predator/herbivore from habitable sites;
- e. a long-standing natural area greater than 100ha in size;
- f. supports a local endemic species or subspecies (restricted to 1-3 ecological districts);
- g. a corridor between regionally important areas, or link with a major vegetation gradient;
- h. satisfies three or more locally important set criteria.

4. Locally Important Site(s)

- a. contains a community type rare to the ecological district;
- b. contains one of the best examples of a community type in the ecological district;
- c. supports a nationally rare local species;
- d. supports a species which is threatened within South Marlborough;
- e. supports a South Marlborough Endemic;
- f. a long-standing natural area between 20 and 100 hectares in size.