

# INDIGENOUS VEGETATION & BIODIVERSITY 33

## 33 Indigenous Vegetation and Biodiversity

*This table identifies provisions subject to and consequentially affected by appeals:*

Provision Subject To Appeal (identified in red text in the relevant chapter/s)	Appellant Court Number	Consequentially Affected Provisions
<b>Section 33.1</b>	Royal Forest and Bird Protection Society of New Zealand <del>ENV-2018-CHC-133</del> (Consent Order issued)	Section 21.1
<b>Objective 33.2.1</b>	Queenstown Park Limited <del>ENV-2018-CHC-127</del> (Consent Order issued)	33.2.1.5, 33.2.2
<b>Policy 33.2.1.1</b>	Royal Forest and Bird Protection Society of New Zealand <del>ENV-2018-CHC-133</del> (further particulars received) (Consent Order issued)	Strategic Objectives 3.2.4, 3.2.1.7 and 3.2.1.8, Objectives 33.2.1 and 33.2.2
<b>Policy 33.2.1.2</b>	Royal Forest and Bird Protection Society of New Zealand <del>ENV-2018-CHC-133</del> (further particulars received) (Consent Order issued)	Strategic Objectives 3.2.4, 3.2.1.7 and 3.2.1.8, Objectives 33.2.1 and 33.2.3
<b>Policy 33.2.1.3</b>	Queenstown Park Limited <del>ENV-2018-CHC-127</del> (Consent Order issued)	
<b>Policy 33.2.1.4</b>	Royal Forest and Bird Protection Society of New Zealand <del>ENV-2018-CHC-133</del> (Consent Order issued)	
<b>Policy 33.2.1.5</b>	Queenstown Park Limited <del>ENV-2018-CHC-127</del> (Consent Order issued)	Objective 33.2.1
<b>Policy 33.2.1.6</b>	Royal Forest and Bird Protection Society of New Zealand <del>ENV-2018-CHC-133</del> (further particulars received) Transpower New Zealand Limited <del>ENV-2018-CHC-114</del> (further particulars received) (Consent Order issued)	
<b>Policy 33.2.1.8.b.iii</b>	Department of Conservation <del>ENV-2018-CHC-078</del> Royal Forest and Bird Protection Society of New Zealand <del>ENV-2018-CHC-133</del> (Consent Order issued)	
<b>Policy 33.2.2.1</b>	Queenstown Park Limited <del>ENV-2018-CHC-127</del> Transpower New Zealand Limited <del>ENV-2018-CHC-114</del> (further particulars received) (Consent Order issued)	Policy 33.2.2.2, Rule 33.5.4
<b>Policy 33.2.2.2</b>	Royal Forest and Bird Protection Society of New Zealand <del>ENV-2018-CHC-133</del> (further particulars received) Queenstown Park Limited <del>ENV-2018-CHC-127</del>	Objective 33.2.2, Policy 33.2.2.1

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Policy 33.2.3.2	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	
Policy 33.2.3.3	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	
Policy 33.2.3.4	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	
Policy 33.2.4.1	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Section 33.1, Objective 33.2.4, Policy 33.2.4.2, Rule 33.5.7
Rule 33.3.3.2	Department of Conservation ENV-2018-CHC-078 Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	Definition: Indigenous Vegetation
Rule 33.3.3.3	Department of Conservation ENV-2018-CHC-078 Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	Definition: Indigenous Vegetation
Rule 33.3.3.4	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	Definition: Indigenous Vegetation
Rule 33.3.3.5	Department of Conservation ENV-2018-CHC-078 (Consent Order issued)	
Rule 33.4.2	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	
Rule 33.4.4	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	
Rule 33.4.5	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Section 33.1
Rule 33.5.1	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	
Rule 33.5.1.1	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2
Rule 33.5.1.2	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2
Rule 33.5.2	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)	
Rule 33.5.2.1	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2
Rule 33.5.2.2	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2
Rule 33.5, Table 3	Department of Conservation ENV-2018-CHC-078 Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Rule 33.4, Rule 33.4.1

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	(Consent Order issued)	
Schedule 33.7 (F32A)	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Planning Map 13, Planning Map 30
Schedule 33.7 (F32B)	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Planning Map 13, Planning Map 31

***This table identifies new provisions sought to be added:***

Appellant Court Number	Provision/s Sought to be Added into Chapter 3
Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104	<p>Insert new Rule to provision 33.4 Table 1 as a controlled activity as follows:</p> <p><u>Indigenous vegetation clearance undertaken in association with a Ski Area Activity located within a Ski Area Sub-Zone</u></p> <p><u>Information Requirements:</u>  <u>Any application for resource consent under this rule shall include an Ecological Management Plan (EMP) in respect of the particular ski area (noting this may not relate to the whole of the SASZ). The EMP shall outline:</u></p> <p><u>(a) The areas of vegetation proposed to be disturbed in association with any ski area activities, including any associated with trail development, terrain modification, buildings and passenger lift systems;</u></p> <p><u>(b) A programme with expected timeframes and the duration of any works within the SASZ resulting in indigenous vegetation clearance;</u></p> <p><u>(c) The formulation of a Construction Methodology Statement outlining:</u></p> <p><u>(i) Erosion and Sediment Controls</u></p> <p><u>(ii) Details on how the ecologically sensitive areas will be fenced and kept free from disturbance during construction activities.</u></p> <p><u>(iii) Details on how the hydrological regime of any cushion and rushland bog environments will be maintained. (iv) A plan showing the location of restoration planting and the designated areas for the storage of tussocks prior to re-planting.</u></p> <p><u>(v) Methods to manage the relocation of tussock plants to ensure a high level of survival.</u></p> <p><u>(vi) Methods shall include removal of plants to maintain their full root structure, avoidance of stockpiling to avoid crushing and die off, watering during storage and re planting as quickly as possible after removal.</u></p> <p><u>(vii) Methods to manage and avoid spillage of cement or diesel and any other noxious substances.</u></p> <p><u>(viii) Methods to avoid the spread of invasive weed spread.</u></p> <p><u>(d) Consistency with any management plans relevant to indigenous vegetation prepared under any other legislation that applies to the land;</u></p> <p><u>(e) An on-going monitoring regime to report on the ecological effects of construction works and the performance of restoration works;</u></p> <p><u>(f) The process for reviewing and updating the EMP on the basis of further information, greater knowledge of the environment and outcomes from monitoring; and</u></p> <p><u>(g) Detailed design plans showing the final locations of any buildings, structures and passenger lift systems, following construction.</u></p> <p><u>With Councils control limited to:</u></p> <ul style="list-style-type: none"> <li>• <u>Effects on nature conservation values</u></li> </ul>
Treble Cone Investments Limited ENV-2018-CHC-107)	Insert new Rule identifying vegetation clearance within a SASZ as a Controlled Activity, subject to a construction and environmental management plan.
Royal Forest and Bird Protection Society of New Zealand	Re-instate notified Policy 33.2.1.5, with amendments: Recognise anticipated activities in rural areas such as farming and the efficient use of land and resources however these must be undertaken in a way that protects the significant

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<del>ENV 2018-CHC 133</del> (relief withdrawn)	indigenous vegetation and habitats of indigenous fauna and maintains and enhances indigenous biodiversity.
<del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV 2018-CHC 133</del> (Consent Order issued)	Insert new policy: <u>Facilitate and support restoration of degraded natural ecosystems and indigenous habitats using indigenous species that naturally occur and/or previously occurred in the area.</u>
<del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV 2018-CHC 133</del> (Consent Order issued)	Insert new policy: <u>Significant adverse effects of the use and development on habitats of indigenous birds in wetlands, beds of rivers and lakes and their margins for breeding, roosting, feeding and migration are avoided and other effects are avoided, remedied or mitigated.</u>
<del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV 2018-CHC 133</del> (Consent Order issued)	Reinstate notified Section 33.7, Policy 32.2.1.2 and Rule 33.5.6 and all references to these provisions that were in the notified plan.
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert a new policy as follows: <u>Incentivise the protection of SNAs in rural areas through providing development rights or enabling diversification of land use where protection of SNAs is provided.</u>
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert a new policy as follows: <u>Recognise the importance of providing for a range of activities that have the potential to achieve sustainable land management of SNAs</u>
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert a new policy as follows: <u>Enable access to SNAs for recreation and tourism purposes</u>
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert a new policy as follows: <u>Recognise that some rural based activities will require indigenous vegetation clearance</u>
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert a new policy as follows: <u>Recognise the importance of providing public access to SNAs and increasing the understanding of the values associated with these areas</u>
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert a new policy as follows: <u>Recognise the importance of providing public access to the Remarkables Alpine Recreation Area where alpine SNAs may be present</u>
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert a new Rule in Section 33.5 as follows: <u>Earthworks or clearance of indigenous vegetation for the formation of walking track.</u> Activity Status = Permitted
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert an exclusion from Rule 33.5.3 for earthworks for the formation of walking tracks.
<del>Queenstown Park Limited</del> <del>ENV 2018-CHC 127</del> (Consent Order issued)	Insert an exclusion from Rule 33.5.4 for earthworks for the formation of walking tracks.

*Note: the annotations in this chapter reflect the Council's interpretation of the provisions affected by appeals.*

## 33.1 Purpose

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The District contains a diverse range of habitats that support indigenous plants and animals. Many of these are endemic, comprising forests, shrubland, herbfields, tussock grasslands, wetlands, lake and river margins. Indigenous biodiversity is also an important component of ecosystem services and the District’s landscapes.

Indigenous biodiversity values can include, but are not limited to, a range of characteristics that can be used to understand the significance of indigenous vegetation or habitat, such as an area’s representativeness, the relative rarity of species or ecosystems, the diversity or patterns contained within an ecosystem, the distinctiveness of an area, and its ecological context.

The Council has a responsibility to maintain indigenous biodiversity and to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna, which are collectively referred to as Significant Natural Areas (SNAs). Under section 62(1)(h) and (i) of the Resource Management Act 1991, the Otago Regional Policy Statement specifies that Queenstown Lakes District Council has the role of controlling the use of land for the maintenance of indigenous biological diversity outside of the beds of lakes, rivers and wetlands. The Otago Regional Council has the role of controlling the use of land within the beds of lakes, rivers and wetlands for the purpose of maintenance of indigenous biological diversity. As such, none of the provisions in this chapter control the use of land within those waterbodies.

Such activities as ski-field development within identified Ski Area Sub Zones, farming, fence, road and track construction can be reasonably expected to be undertaken providing such activities maintain or enhance the District’s indigenous biodiversity values. In addition, there are ski-field developments where vegetation clearance is already managed under separate legislation such as the Conservation Act or the Land Act.

The limited clearance of indigenous vegetation is permitted, with discretion applied through the resource consent process to ensure that indigenous vegetation clearance activities exceeding the permitted limits protect, maintain or enhance indigenous biodiversity values. Where the clearance of indigenous vegetation would have significant residual effects after avoiding, remedying or mitigating adverse effects, opportunities for biodiversity offsetting are encouraged.

Alpine environments are identified as areas above 1070m and are among the least modified environments in the District. Due to thin and infertile soils and severe climatic factors, establishment and growth rates in plant life are slow, and these areas are sensitive to modification. In addition, because these areas contribute to the District’s distinctive landscapes, and are susceptible to exotic pest plants, changes to vegetation at these elevations may be conspicuous and have significant effects on landscape character and indigenous biodiversity.

The District’s lowlands comprising the lower slopes of mountain ranges and valley floors have been modified by urban growth, farming activities and rural residential development. Much of the indigenous vegetation habitat has been removed, or modified and the remnants may be vulnerable and important to retain. These areas are identified in the Threatened Environment Classification (TEC) version 2012 as having less than 20% indigenous vegetation remaining.

The Council will continue to work with landowners as part of its responsibilities to maintain indigenous biodiversity in the District. This includes non-regulatory approaches sitting outside of the District Plan, such as guidelines for implementing the provisions of Chapter 33, indigenous biodiversity management, as well as consideration of financial incentives, enhancement projects, and other funding and setting of fees, to be determined through long-term planning processes and annual plans under the Local Government Act 2002, as appropriate.

Section 33.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
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Amend paragraph 6 of Section 33.1: ...The District's lowlands comprising the lower slopes of mountain ranges and valley floors have been modified by urban growth, farming activities and rural residential development. Much of the indigenous vegetation habitat has been removed, <u>or modified and the remaining remnants are likely to be vulnerable and important to retain.</u> These areas are identified in the Land Environments of New Zealand Threatened Environment Classification as either acutely or chronically threatened environments, having less than 20% indigenous vegetation remaining.	<del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV-2018-CHC-133</del> (Consent Order issued)	Section 21.1
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## 33.2 Objectives and Policies

### 33.2.1 Objective – The District's indigenous biodiversity is protected, maintained or enhanced.

Objective 33.2.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 33.2.1: Objective – <u>Ensure that</u> Indigenous biodiversity is protected, <u>managed</u> maintained and enhanced.	<del>Queenstown Park Limited</del> <del>ENV-2018-CHC-127</del> (Consent Order issued)	Policy 33.2.1.5, Objective 33.2.2

### Policies

#### 33.2.1.1 Identify and protect the District's Significant Natural Areas and schedule them in the District Plan, including the ongoing identification and protection of Significant Natural Areas through resource consent applications, using the criteria set out in Policy 33.2.1.8.

Policy 33.2.1.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 33.2.1.1: <u>Identify and protect</u> the District's Significant Natural Areas <u>and schedule them in the District Plan</u> , including the ongoing identification <u>and protection</u> of Significant Natural Areas through the resource consent process <u>applications</u> , using the criteria set out in Policy 33.2.1.8, <u>the list of threatened species in Part 33.7</u> , and <u>threatened land environments shown in Part 33.9</u> , and schedule them in the District Plan to assist with their management for protection.	<del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV-2018-CHC-133</del> (as per further particulars received) (Consent Order issued)	Strategic Objectives 3.2.4, 3.2.1.7 and 3.2.1.8, Objectives 33.2.1 and 33.2.2

#### 33.2.1.2 Provide standards in the District Plan for indigenous vegetation that is not identified as a Significant Natural Area, which are practical to apply and that permit the clearance of a limited area of indigenous vegetation in specified circumstances.

Policy 33.2.1.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 33.2.1.2: Provide standards in the District Plan for <u>the protection maintenance and enhancement of</u> indigenous vegetation that is not identified as a Significant Natural Area, which are practical to apply and that permit the	<del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV-2018-CHC-133</del> (as per further particulars received)	Strategic Objectives 3.2.4, 3.2.1.7 and 3.2.1.8, Objectives 33.2.1 and 33.2.3

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clearance of a limited area of indigenous vegetation in <u>specified circumstances</u> .	(Consent Order issued)	
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33.2.1.3 Have regard to and take into account kaitiakitanga and the values of indigenous vegetation, taonga species and habitats. and biodiversity to tangata whenua.

Policy 33.2.1.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 33.2.1.3	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	

33.2.1.4 Encourage the long-term protection of indigenous vegetation and in particular Significant Natural Areas by encouraging land owners to consider non-regulatory methods such as covenants administered under the Queen Elizabeth II National Trust Act 1977, Reserves Act, or Conservation Act and other protective mechanisms.

Policy 33.2.1.4 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 33.2.1.4: Encourage the long-term protection of indigenous vegetation and in particular Significant Natural Areas by encouraging land owners to consider non-regulatory methods such as open space covenants administered under the Queen Elizabeth II National Trust Act 1977 <u>Reserves Act, or Conservation Act and other protective mechanisms</u> .	<del>Royal Forest and Bird</del> <del>Protection Society of</del> <del>New Zealand</del> ENV-2018-CHC-133 (Consent Order issued)	

33.2.1.5 Undertake activities involving the clearance of indigenous vegetation in a manner that ensures the District's indigenous biodiversity is protected, maintained or enhanced.

Policy 33.2.1.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 33.2.1.5	Queenstown Park Limited ENV-2018-CHC-127 (Consent Order issued)	Objective 33.2.1

33.2.1.6 Manage the adverse effects of activities on indigenous biodiversity by:

- a. avoiding adverse effects as far as practicable;
- b. requiring remediation where adverse effects cannot be avoided;
- c. requiring mitigation where adverse effects on the areas identified above cannot be avoided or remediated;
- d. requiring any residual adverse effects on significant indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values, having particular regard to:

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- i. limits to biodiversity offsetting due the affected biodiversity being irreplaceable or vulnerable;
  - ii. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;
  - iii. Schedule 33.10 – Framework for the use of Biodiversity Offsets;
- e. enabling any residual adverse effects on other indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values having particular regard to:
- i. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;
  - ii. Schedule 33.10 – Framework for the use of Biodiversity Offsets.

Policy 33.2.1.6 and relief sought	Appellant Court Number	Consequentially Affected Provisions
<p>Amend Policy 33.2.1.6: Manage the adverse effects of activities on indigenous biodiversity by:</p> <ul style="list-style-type: none"> <li>a. avoiding adverse effects as far as practicable and, where total avoidance is not practicable, minimising adverse effects;</li> <li>b. requiring <u>the avoidance of significant adverse effects;</u></li> <li>c. <u>where adverse effects are not significant, requiring:</u> <ul style="list-style-type: none"> <li>i. remediation where adverse effects cannot be avoided;</li> <li>ii. requiring mitigation where adverse effects on the areas identified above cannot be avoided or remediated;</li> </ul> </li> <li>d. requiring any residual adverse effects on significant indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values, having particular regard to:               <ul style="list-style-type: none"> <li>i. limits to biodiversity offsetting due the affected biodiversity being irreplaceable or vulnerable;</li> <li>ii. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;</li> <li>iii. Schedule 33.8 – Framework for the use of Biodiversity Offsets;</li> </ul> </li> <li>e. enabling any residual adverse effects on other indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values having particular regard to:               <ul style="list-style-type: none"> <li>i. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;</li> <li>ii. Schedule 33. 8 – Framework for the use of Biodiversity Offsets.</li> </ul> </li> </ul>	<p><del>Royal Forest and Bird Protection Society of New Zealand</del>  <del>ENV-2018-CHC-133</del>            (as per further particulars received)            (Consent Order issued)</p>	
<p>Amend Policy 33.2.1.6: ...</p> <ul style="list-style-type: none"> <li>d. requiring any <u>considering off-setting for</u> residual adverse effects on significant indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values, having particular regard to:               <ul style="list-style-type: none"> <li>i. limits to biodiversity offsetting due the affected biodiversity being irreplaceable or vulnerable; (sic)</li> <li>ii. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;</li> </ul> </li> </ul>	<p><del>Transpower New Zealand Limited</del>  <del>ENV-2018-CHC-114</del>            (as per further particulars received)            (Consent Order issued)</p>	



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<p>iii. Schedule 33.8 – Framework for the use of Biodiversity Offsets;  e. enabling any <u>considering off-setting for</u> residual adverse effects on other indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values having particular regard to:  i. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;  ii. Schedule 33.8 – Framework for the use of Biodiversity Offsets.</p>		
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33.2.1.7 Protect the habitats of indigenous fauna, and in particular, birds in wetlands, beds of rivers and lakes and their margins for breeding, roosting, feeding and migration.

33.2.1.8 Determine the significance of areas of indigenous vegetation and habitats of indigenous fauna by applying the following criteria:

a. Representativeness

Whether the area is an example of an indigenous vegetation type or habitat that is representative of that which formerly covered the Ecological District, including degraded examples if they are some of the last examples remaining;

OR

b. Rarity

Whether the area supports;

- i. indigenous vegetation and habitats within originally rare ecosystems;
- ii. indigenous species that are threatened, at risk, uncommon, nationally or within the ecological district;
- iii. indigenous vegetation or habitats of indigenous fauna that has been reduced to less than 20% of its former extent, regionally or within a relevant Land Environment or Ecological District;

Policy 33.2.1.8.b.iii and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 33.2.1.8.b.iii: indigenous vegetation or habitats of indigenous fauna that has been reduced to less than 10% <u>20%</u> of its former extent, regionally or within a relevant Land Environment or Ecological District	<del>Department of Conservation</del> <del>ENV-2018-CHC-078</del> <del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV-2018-CHC-133</del> (Consent Order issued)	

OR

c. Diversity and Pattern

Whether the area supports a highly diverse assemblage of indigenous vegetation and habitat types, and whether these have a high indigenous biodiversity value including:

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- i. indigenous taxa;
- ii. ecological changes over gradients;

OR

d. Distinctiveness

Whether the area supports or provides habitats for indigenous species:

- i. at their distributional limit within Otago or nationally;
- ii. are endemic to the Otago region;
- iii. are distinctive, of restricted occurrence or have developed as a result of unique environmental factors;

OR

e. Ecological Context

The relationship of the area with its surroundings, including whether the area proposed to be cleared:

- i. has important connectivity value allowing dispersal of indigenous fauna between different areas;
- ii. has an important buffering function to protect values of an adjacent area or feature;
- iii. is important for indigenous fauna during some part of their life cycle.

33.2.1.9 Recognise opportunities for subdivision, use and development to enhance biodiversity values.

33.2.1.10 Facilitate and support restoration of degraded natural ecosystems and indigenous habitats using indigenous species that naturally occur and/ or previously occurred in the area.

## 33.2.2 Objective – Significant Natural Areas are protected, maintained and enhanced.

### Policies

33.2.2.1 Protect and enhance indigenous vegetation within scheduled Significant Natural Areas, and those other areas that meet the criteria in Policy 33.2.1.8, by ensuring:

- a. indigenous biodiversity values that contribute to its significance are not reduced; and
- b. significant adverse effects on other values of the area or habitat are avoided.

Policy 33.2.2.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 33.2.2.1: Avoid the clearance of indigenous vegetation within scheduled Significant Natural Areas, and those other areas that meet the criteria in Policy 33.2.1.8, that would reduce indigenous biodiversity values <u>or, in the</u>	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

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<u>case of the National Grid, seek to avoid adverse effects of the National Grid on the values of these areas.</u>	(Consent Order issued)	
Delete Policy 33.2.2.1.	<del>Queenstown Park Limited</del> <del>ENV-2018-CHC-127</del> (Consent Order issued)	Policy 33.2.2.2, Rule 33.5.4

33.2.2.2 Allow the clearance of indigenous vegetation within Significant Natural Areas only where clearance is undertaken in a manner that retains the indigenous biodiversity values that contribute to the significance of the Significant Natural Area.

Policy 33.2.2.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 33.2.2.2 and replace with the following: Allow the clearance of indigenous vegetation within Significant Natural Areas <u>and other areas that meet the criteria in Policy 33.2.1.8 only:</u> <u>a. in exceptional circumstances; and</u> <u>b. in circumstances where significant adverse effects are avoided;</u> <u>c. and ensure that clearance is undertaken in a manner that retains the <u>where adverse effects are not significant, adverse effects are avoided remedied or mitigated so that the indigenous biodiversity values of the Significant Natural Area are retained.</u></u>	<del>Royal Forest and Bird Protection Society of New Zealand</del> <del>ENV-2018-CHC-133</del> (as per further particulars received) (Consent Order issued)	
Amend Policy 33.2.2.2: Allow the clearance of indigenous vegetation within Significant Natural Areas only in exceptional circumstances and ensure <u>where</u> that clearance is undertaken in a manner that retains the indigenous biodiversity values of the Significant Natural Area.	<del>Queenstown Park Limited</del> <del>ENV-2018-CHC-127</del> (Consent Order issued)	Objective 33.2.2, Policy 33.2.2.1

33.2.2.3 Provide for small scale, low impact indigenous vegetation clearance to enable the maintenance of existing fences and tracks in recognition that the majority of Significant Natural Areas are located within land used for rural activities.

33.2.2.4 Recognise and encourage opportunities to protect and enhance the values of Significant Natural Areas.

33.2.2.5 Recognise the benefits of enabling access to Significant Natural Areas while maintaining, protecting or enhancing the values that contribute to their significance.

## 33.2.3 Objective - Land use and development maintains indigenous biodiversity values

### Policies

33.2.3.1 Ensure the clearance of indigenous vegetation within the margins of water bodies does not reduce natural character and indigenous biodiversity values, or create erosion.

33.2.3.2 Encourage opportunities to address adverse effects through the retention, rehabilitation or protection of the same indigenous vegetation community elsewhere on the site, subject to Policy 33.2.1.6(d) and (e).

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Policy 33.2.3.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 33.2.3.2	<del>Royal Forest and Bird Protection Society of New Zealand</del> ENV-2018-CHC-133 (Consent Order issued)	

33.2.3.3 Encourage the retention and enhancement of indigenous vegetation including in locations that have potential for regeneration, or provide stability, or connectivity and particularly where productive values are low, or in riparian areas or gullies.

Policy 33.2.3.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 33.2.3.3: Encourage the retention and enhancement of indigenous vegetation including in locations that have potential for regeneration, or provide stability, or connectivity and particularly where productive values are low, or in riparian areas or gullies.	<del>Royal Forest and Bird Protection Society of New Zealand</del> ENV-2018-CHC-133 (Consent Order issued)	

Policy 33.2.3.4 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 33.2.3.4 and replace with the following: <u>When considering the proposals for the clearance of indigenous vegetation, avoid: effects on threatened species; areas within a land environment (defined by the Land Environments of New Zealand at Level IV) identified as having less than 20% indigenous vegetation remaining.</u>	<del>Royal Forest and Bird Protection Society of New Zealand</del> ENV-2018-CHC-133 (Consent Order issued)	
Delete Policy 33.2.3.4	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	

**33.2.4 Objective – Indigenous biodiversity and landscape values of alpine environments are protected from the effects of vegetation clearance and exotic tree and shrub planting.**

## Policies

33.2.4.1 Protect the alpine environments from vegetation clearance as those environments contribute to the distinct indigenous biodiversity and landscape qualities of the District and are vulnerable to change.

Policy 33.2.4.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 33.2.4.1	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	Section 33.1, Objective 33.2.4, Policy 33.2.4.2, Rule 33.5.7

33.2.4.2 Protect the alpine environment from degradation due to planting and spread of exotic species.

# INDIGENOUS VEGETATION & BIODIVERSITY 33

## 33.3 Other Provisions and Rules

### 33.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and utilities
31 Signs	32 Protected Trees	34 Wilding Exotic Trees
35 Temporary Activities and Relocated Buildings	36 Noise	37 Designations
District Plan web mapping application		

### 33.3.2 Interpreting and Applying the Rules

33.3.2.1 Compliance with any of the following Standards, in particular the permitted Standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site's computer freehold register.

33.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column applies.

33.3.2.3 Unless otherwise stated in the District Plan, the rules in Chapter 33 apply to all parts of the District, including formed and unformed roads, whether zoned or not.

33.3.2.4 The following abbreviations are used in the tables. Any activity that is not permitted (P) or prohibited (PR) requires resource consent.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

33.3.2.5 The permitted activities in Table 1 are subject to Tables 2 to 4, unless otherwise specified.

### 33.3.3 Rules: Application of the indigenous vegetation rules

33.3.3.1 The clearance thresholds (in m<sup>2</sup>) contained in Tables 1 - 4 apply cumulatively over any period of 5 consecutive years. To assess compliance with these rules, the area proposed to be cleared on the site must be added to any area cleared within the past 5 years.

<b>Rule 33.3.3.2 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>
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# INDIGENOUS VEGETATION & BIODIVERSITY 33

Amend Rule 33.3.3.2 to reinstate the notified wording	<del>Department of Conservation ENV-2018-CHC-078</del> (Consent Order issued)	
Amend Rule 33.3.3.2 to ensure that it complies with minimum legal standards for certainty and enforceability.	<del>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133</del> (Consent Order issued)	Definition: Indigenous Vegetation

<b>Rule 33.3.3.3 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>
Amend Rule 33.3.3.3 to reinstate the notified wording	<del>Department of Conservation ENV-2018-CHC-078</del> (Consent Order issued)	
Amend Rule 33.3.3.3 to ensure that it complies with minimum legal standards for certainty and enforceability.	<del>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133</del> (Consent Order issued)	Definition: Indigenous Vegetation

<b>Rule 33.3.3.4 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>
Amend Rule 33.3.3.4 to ensure that it complies with minimum legal standards for certainty and enforceability.	<del>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133</del> (Consent Order issued)	Definition: Indigenous Vegetation

33.3.3.2 In a Significant Natural Area all clearance is subject to Rules 33.5.4 and 33.5.5.

<b>Rule 33.3.3.5 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>
Amend Rule 33.3.3.5 to reinstate the notified wording	<del>Department of Conservation ENV-2018-CHC-078</del> (Consent Order issued)	

## Advice Notes

Refer to the District Plan web mapping application and section 33.9 for the Schedule of Significant Natural Areas.

## 33.3.4 Rules: Exemptions

- 33.3.4.1 Indigenous vegetation clearance for the operation and maintenance of existing and in service/operational roads, tracks, drains, utilities, structures and/or fence lines, but excludes their expansion.
- 33.3.4.2 Clearance of indigenous trees that have been wind thrown and/or are dead standing as a result of natural causes and have become dangerous to life or property.
- 33.3.4.3 Tables 1 and 2 do not apply to the clearance of any tree within any urban environment allotment.

# INDIGENOUS VEGETATION & BIODIVERSITY 33

33.3.4.4 The rules in Tables 1 and 2 do not apply to the clearance necessary for the removal of any species listed in rule 34.4.2 or the removal of pest plants identified in the regional pest management plan or the Biosecurity Act 1993.

## 33.4 Rules – Clearance of Indigenous Vegetation

Table 1	Any activity involving: the clearance of indigenous vegetation within the District; earthworks and exotic vegetation clearance within SNAs identified in schedule 33.9: and the planting of exotic plant species in SNAs identified in schedule 33.9 and Alpine Environments, shall be subject to the following rules:			Activity Status
33.4.1	Any activity other than those listed below that does not breach any of the Standards in Tables 2 to 4.			P
	<b>Rule 33.4.2 and relief sought</b>	<b>Appellant</b> Court Number	<b>Consequentially Affected Provisions</b>	
	Delete Rule 33.4.2	Royal Forest and Bird Protection Society of New Zealand ENV 2018-CHC 133 (Consent Order issued)		
33.4.2	Indigenous vegetation clearance for the construction of walkways or trails up to 1.5 metres in width provided that it does not involve the clearance of trees greater than a height of 4 metres. Except for rules 33.5.3(a), 33.5.3(d), 33.5.3(e) and 33.5.3(i), Table 2 does not apply to this activity.			P
	<b>Rule 33.4.4 and relief sought</b>	<b>Appellant</b> Court Number	<b>Consequentially Affected Provisions</b>	
	Amend Rule 33.4.4: Indigenous vegetation clearance for the construction of walkways or trails up to 1.5 metres in width provided that it does not involve the clearance of <u>any threatened plants listed in Section 33.7 or any trees greater than a height of 4 metres, or clearance within any area identified as being Significant Natural Area when assessed against the criteria in Part 33.10.</u>	Royal Forest and Bird Protection Society of New Zealand ENV 2018-CHC 133 (Consent Order issued)		
33.4.3	Indigenous vegetation clearance for the construction of walkways or trails up to 1.5 metres in width, outside any SNA scheduled in 33.9 and outside any Alpine Environment in Table 4, which does not involve the clearance of trees greater than 4 metres in height and which does not comply with Rules 33.5.3(d) 33.5.3(e) and 33.5.3(i) of Table 2.			C
	<b>Rule 33.4.5 and relief sought</b>	<b>Appellant</b> Court Number	<b>Consequentially Affected Provisions</b>	
	Delete Rule 33.4.5	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Section 33.1	

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<b>33.4.5</b>	Clearance of areas of regenerating indigenous vegetation less than 15 years old, where the land was previously lawfully cleared of indigenous vegetation. Table 2 does not apply to this activity.	P
<b>33.4.6</b>	Clearance of areas of voluntarily planted indigenous vegetation less than 15 years old, where the land was previously lawfully cleared of indigenous vegetation. Table 2 does not apply to this activity.	P
<b>33.4.6A</b>	Clearance of indigenous vegetation associated Ski Area Activities within a Ski Area Sub-Zone, located within the Alpine Environment above 1070 masl.	RD
<b>33.4.7</b>	Any clearance of vegetation within 20m of the bed of a water body, riverbed or wetland (including ephemeral or seepage wetland). <sup>1</sup>	D

## 33.5 Rules - Standards for Permitted Activities

<b>Table 2</b>	<b>Clearance of indigenous vegetation not located within a Significant Natural Area identified within Schedule 33.9 or within Alpine Environments:</b>	<b>Non-Compliance</b>																		
<b>33.5.1</b>	<p>For indigenous vegetation clearance that is not addressed by Rules 33.5.2 - 33.5.4, the clearance of indigenous vegetation older than 15 years must not exceed 20,000m<sup>2</sup> in any continuous period of 5 years.</p> <table border="1"> <thead> <tr> <th><b>Rule 33.5.1.1 and relief sought</b></th> <th><b>Appellant Court Number</b></th> <th><b>Consequentially Affected Provisions</b></th> </tr> </thead> <tbody> <tr> <td>Amend Rule 33.5.1.1 so that the level of permitted vegetation clearance is 2000m<sup>2</sup></td> <td><del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)</td> <td>Policy 33.2.1.2</td> </tr> <tr> <th><b>Rule 33.5.1.2 and relief sought</b></th> <th><b>Appellant Court Number</b></th> <th><b>Consequentially Affected Provisions</b></th> </tr> <tr> <td>Amend Rule 33.5.1.2 so that the level of permitted vegetation clearance is 20,000m<sup>2</sup></td> <td><del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)</td> <td>Policy 33.2.1.2</td> </tr> <tr> <th><b>Rule 33.5.1 and relief sought</b></th> <th><b>Appellant Court Number</b></th> <th><b>Consequentially Affected Provisions</b></th> </tr> <tr> <td>Delete Rule 33.5.1 and replace with the following: <u>The indigenous vegetation is not more than 500 square meters of indigenous vegetation generally or more than</u></td> <td><del>Royal Forest and Bird Protection Society of New Zealand</del> ENV-2018-CHC-133</td> <td></td> </tr> </tbody> </table>	<b>Rule 33.5.1.1 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	Amend Rule 33.5.1.1 so that the level of permitted vegetation clearance is 2000m <sup>2</sup>	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2	<b>Rule 33.5.1.2 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	Amend Rule 33.5.1.2 so that the level of permitted vegetation clearance is 20,000m <sup>2</sup>	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2	<b>Rule 33.5.1 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	Delete Rule 33.5.1 and replace with the following: <u>The indigenous vegetation is not more than 500 square meters of indigenous vegetation generally or more than</u>	<del>Royal Forest and Bird Protection Society of New Zealand</del> ENV-2018-CHC-133		RD
<b>Rule 33.5.1.1 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>																		
Amend Rule 33.5.1.1 so that the level of permitted vegetation clearance is 2000m <sup>2</sup>	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2																		
<b>Rule 33.5.1.2 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>																		
Amend Rule 33.5.1.2 so that the level of permitted vegetation clearance is 20,000m <sup>2</sup>	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2																		
<b>Rule 33.5.1 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>																		
Delete Rule 33.5.1 and replace with the following: <u>The indigenous vegetation is not more than 500 square meters of indigenous vegetation generally or more than</u>	<del>Royal Forest and Bird Protection Society of New Zealand</del> ENV-2018-CHC-133																			

<sup>1</sup> The regional council has function of controlling the use of land for the purpose of maintenance of indigenous biodiversity within the beds of lakes, rivers and wetlands.



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	<u>1000 square metres of tall tussock grassland communities of the genus Chionochloa.</u>	(Consent Order issued)		
<b>33.5.2</b>	The clearance of indigenous vegetation must not exceed 500m <sup>2</sup> in any continuous period of five years in Land environments with less than 20% remaining indigenous vegetation cover as defined by Threatened Environment Classification (TEC) version 2012 (refer to section 33.11).			RD
	<b>Rule 33.5.2.1 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	
	Amend Rule 33.5.2.1 so that the level of permitted vegetation clearance is 250m <sup>2</sup>	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2	
	<b>Rule 33.5.2.2 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	
	Amend Rule 33.5.2.2 so that the level of permitted vegetation clearance is 5000m <sup>2</sup>	<del>Queenstown Park Limited</del> ENV-2018-CHC-127 (Consent Order issued)	Policy 33.2.1.2	
	<b>Rule 33.5.2 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	
	Delete Rule 33.5.1 and replace with the following: The indigenous vegetation is not: a. <u>located within 20m of a water body; indigenous bush;</u> b. <u>inland saline vegetation;</u> c. <u>associated with limestone outcrops;</u> d. <u>an indigenous turf community associated with tarns, glacial moraines or river margins;</u> e. <u>associated with wetlands; associated with 'originally rare' terrestrial ecosystem types described in Schedule ##;</u> f. <u>not habitat of a threatened or at risk indigenous species listed in Section 33.7</u> g. <u>closed canopy matagouri (Discaria toumatou) dominated shrubland that has a canopy height of greater than 1.5 metres;</u> h. <u>diverse indigenous shrubland, where 'diverse' means three or more species of indigenous shrub;</u> i. <u>indigenous shrubland containing: Bog Pine (Halocarpus bidwillii); Celery Pine (Phyllocladus alpinus); Hall's totara (Podocarpus hallii); or Mountain totara (Podocarpus nivalis); Within a land environment j. (defined by the Land Environments of New</u>	<del>Royal Forest and Bird Protection Society of New Zealand</del> ENV-2018-CHC-133 (Consent Order issued)		

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	<p><u>Zealand at Level IV) that has 20 percent or less remaining in indigenous cover. 33.5.3</u></p> <p>k. There shall be no exotic tree planting into an area of indigenous vegetation, bush, shrubland or tall tussock grassland (<i>Chionochloa</i> sp.) that exceeds the thresholds contained in Table 2.</p>			
<b>33.5.3</b>	<p>The clearance of indigenous vegetation (including cultivation or irrigation) in the following locations must not exceed a total of 50m<sup>2</sup> in any continuous period of 5 years in the following locations:</p> <ul style="list-style-type: none"> <li>a. On land that has not been cultivated or irrigated in the previous 20 years on plains, terraces and valley floors, including short tussock grassland, cushionfields or shrublands; or</li> <li>b. Indigenous forest or regenerating forest greater than 3 metres high; or</li> <li>c. Shrubland containing emergent indigenous trees greater than 3 metres high; or</li> <li>d. Matagouri (<i>Discaria toumatou</i>) shrubland that has a canopy of at least 1.5 metres high; or</li> <li>e. Diverse indigenous shrubland, where 'diverse' means three or more species of indigenous shrub or vine; or</li> <li>f. Indigenous vegetation containing any one of: matai (<i>Prumnopitys taxifolia</i>), kahikatea (<i>Dacrycarpus dacrydioides</i>), weeping mapou (<i>Myrsine divaricata</i>), <i>Melicope simplex</i>, <i>Hebe rakaiaensis</i>, <i>Corokia cotoneaster</i>, mountain ribbonwood (<i>Hoheria glabrata</i>), bog pine (<i>Halocarpus bidwillii</i>), celery pine (<i>Phyllocladus alpinus</i>), Hall's tōtara (<i>Podocarpus laetus</i>), kōwhai (<i>Sophora microphylla</i>), kānuka (<i>Kunzea</i> spp.), <i>Hebe cupressoides</i>, native brooms (<i>Carmichaelia</i> spp.), fierce lancewood (<i>Pseudopanax ferox</i>), <i>Coprosma virescens</i>, <i>Coprosma crassifolia</i>, <i>Pimelea aridula</i>, snow totara (<i>Podocarpus nivalus</i>), southern rata (<i>Metrosideros umbellata</i>), <i>Coprosma intertexta</i>, or any species of <i>Olearia</i>; or</li> <li>g. Copper tussock (<i>Chionochloa rubra</i> subsp. <i>cuprea</i>) grasslands; or</li> <li>h. Subalpine shrubland or mixed shrub and tussock above 750m metres asl; or</li> <li>i. Rocky habitats including rock outcrops and associated talus and boulderfield habitats.</li> </ul>			RD
<b>33.5.4</b>	<p>The clearance of indigenous vegetation must not exceed 10,000m<sup>2</sup> in any continuous period of 5 years, in areas dominated by narrow leaved snow tussock (<i>Chionochloa rigida</i>).</p>			RD

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Table 3	Activities within Significant Natural Areas identified in Schedule 33.9 and on the District Plan web mapping application :	Non-Compliance									
33.5.5	<p>Earthworks must:</p> <p>33.5.5.1 be to enable the maintenance of existing fences and tracks; and</p> <p>33.5.5.2 be less than 50m<sup>2</sup> in any one hectare in any continuous period of 5 years; and</p> <p>33.5.5.3 not be undertaken on slopes with an angle greater than 20°.</p> <table border="1" data-bbox="331 667 1275 1187"> <thead> <tr> <th data-bbox="338 667 831 763">Rule 33.5 Table 3 and relief sought</th> <th data-bbox="837 667 1042 763">Appellant Court Number</th> <th data-bbox="1048 667 1268 763">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td data-bbox="338 772 831 947">Amend Rule 33.5, Table 3 so that clearance of indigenous vegetation and habitats of indigenous fauna in significant natural areas may only occur in exceptional circumstances as a noncomplying activity.</td> <td data-bbox="837 772 1042 947"><del>Department of Conservation</del> ENV-2018-CHC-078 (Consent Order issued)</td> <td data-bbox="1048 772 1268 947">Rule 33.4, Rule 33.4.1</td> </tr> <tr> <td data-bbox="338 956 831 1178">Amend Rule 33.5 Table 3 to change the activity status from discretionary to non-complying.</td> <td data-bbox="837 956 1042 1178">Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)</td> <td data-bbox="1048 956 1268 1178"></td> </tr> </tbody> </table>	Rule 33.5 Table 3 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 33.5, Table 3 so that clearance of indigenous vegetation and habitats of indigenous fauna in significant natural areas may only occur in exceptional circumstances as a noncomplying activity.	<del>Department of Conservation</del> ENV-2018-CHC-078 (Consent Order issued)	Rule 33.4, Rule 33.4.1	Amend Rule 33.5 Table 3 to change the activity status from discretionary to non-complying.	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)		NC
Rule 33.5 Table 3 and relief sought	Appellant Court Number	Consequentially Affected Provisions									
Amend Rule 33.5, Table 3 so that clearance of indigenous vegetation and habitats of indigenous fauna in significant natural areas may only occur in exceptional circumstances as a noncomplying activity.	<del>Department of Conservation</del> ENV-2018-CHC-078 (Consent Order issued)	Rule 33.4, Rule 33.4.1									
Amend Rule 33.5 Table 3 to change the activity status from discretionary to non-complying.	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (Consent Order issued)										
33.5.6	The clearance of indigenous vegetation must not exceed 25m <sup>2</sup> in area in any continuous period of 5 years.	NC									
33.5.7	The clearance of exotic vegetation that is specified indigenous fauna habitat must not exceed 50m <sup>2</sup> in area in any continuous period of 5 years.	NC									
33.5.8	There must be no planting of any exotic species.	NC									

Table 4	Activities within Alpine Environments – land above 1070 metres above sea level:	Non-Compliance
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<p><b>33.5.9</b></p>	<p>The following rules apply to any land that is higher than 1070 meters above sea level:</p> <p>33.5.9.1 indigenous vegetation must not be cleared;</p> <p>33.5.9.2 exotic species must not be planted.</p> <p>Except where indigenous vegetation clearance authorised by a consent obtained under Rule 33.4.6A.</p>	<p>D</p>
	<p>Clarification: For the purpose of the clearance of indigenous vegetation by way of burning, the altitude limit of 1070 metres means the average maximum altitude of any land to be burnt, averaged over north and south facing slopes.</p>	

## 33.6 Rules - Non-Notification of Applications

The provisions of the RMA apply in determining whether an application needs to be processed on a notified basis. No activities or non-compliances with the standards in this chapter have been identified for processing on a non-notified basis.

## 33.7 Matters of control

For controlled activity 33.4.3, control is reserved to the following matters:

1. Location and scale of walkways or trails.
2. Construction methodology.
3. Measures to avoid remedy or mitigate adverse effects on biodiversity values and natural character.

## 33.8 Matters of discretion

For all restricted discretionary activities discretion shall be restricted to the following matters. These matters may also be applicable to any discretionary or non-complying activity:

1. The effects that the vegetation clearance will have on:
  - a. indigenous biodiversity values:
  - b. soil conservation, water quality and the hydrological function of the catchment:
  - c. landscape, natural features and natural character:
  - d. the amenity values of any adjacent open space including trails and walkways:
  - e. ecological corridors and linkages: and
  - f. cultural values associated with indigenous biodiversity.
2. The extent to which the vegetation removal is necessary taking into account the need for, or purpose of, the proposed activity;

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3. The minimisation of effects through the adoption of alternative locations for the activity on the site for the proposed activity;
4. Proposals for remediation and mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance;
5. Proposals for biodiversity offsets for residual adverse effects as provided for by Policy 33.2.1.6;
6. The risk of the increase in weed and pest species. and proposed management of pests;
7. Benefits resulting from the proposed activity including the extent to which the activity may protect, maintain or enhance indigenous biodiversity values; and
8. Effects on kaitiakitanga and the values of indigenous vegetation, taonga species and habitats, and biodiversity to tangata whenua.

In addition to the above matters of discretion, for all restricted discretionary activities for clearance of indigenous vegetation associated with Ski Area Activities within a Ski Area Sub Zone, discretion shall also be restricted to the following matter:

9. The content of any Ecological Management Plan submitted with the application.

## **33.8A Information Requirements for Ecological Management Plans**

An Ecological Management Plan (EMP) (noting this may not relate to the whole of the Ski Area Sub-Zone), shall include the following information:

- a. A description of the nature and scale of the indigenous vegetation clearance proposed;
- b. A description of the ecological values of any areas proposed to be disturbed (and the location of any sensitive areas), including any associated with trail development, terrain modification, buildings and passenger lift systems;
- c. The expected timeframes and the duration of any works within the Ski Area Sub-Zone resulting in disturbance of indigenous vegetation and ecologically sensitive areas;
- d. A Construction Methodology Statement outlining
  - i. erosion and sediment controls.
  - ii. details of how ecologically sensitive areas will be avoided and kept free from disturbance during and after construction activities.
  - iii. details of how hydrological regimes of any wetlands including seepages and rushland bog environments will be maintained.
  - iv. details of mitigation and restoration including pest and weed management methods to manage planting or any relocation and temporary storage of relocated plants to encourage a high level of survival.
- e. Any other management plan or strategy requirements relevant to indigenous vegetation and habitats prepared under any other legislation that applies to the land, and the extent to which the EMP is consistent with those management plans;
- f. An on-going monitoring regime to report on the ecological effects of construction works and the performance of restoration works;

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g. A process for reviewing and updating the EMP on the basis of further information, greater knowledge of the environment and outcomes from monitoring.

## 33.9 Schedule of Significant Natural Areas

Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
A10C	SNA C Mount Alfred Faces	Mt Earnslaw Station, glenorchy	Mixed beech forest, montane and sub-alpine shrubland and sub-alpine short tussock land.
A8A	SNA A Fan Creek Shrublands	Mt Creighton Station	grey shrubland. Old matagouri with <i>Olearia odorata</i> , <i>Coprosma propinqua</i> , <i>Aristotelia fruticosa</i> , <i>Carmichaelia petriei</i> and briar.
A8B	SNA B Lake Face Shrublands	Mt Creighton Station	Broadleaf indigenous hardwood community. Common species within this community include: <i>griselinia littoralis</i> , <i>Olearia</i> spp., cabbage tree, <i>Pseudopanax</i> sp., marble leaf and <i>Coprosma</i> spp..
A8C	SNA C Sites 1 to 9 Manuka Shrublands	Mt Creighton Station	Extensive shrublands of manuka.
A8D	SNA D Moke Creek Wetland	Mt Creighton Station	Wetland marsh.
A23A	SNA A	Closeburn	Shrubland dominated by manuka and <i>Coprosma propinqua</i> .
B3A	SNA A	Mt Burke Station	Shrubland consisting of kanuka ( <i>Kunzea ericoides</i> ), manuka ( <i>Leptospermum scoparium</i> ), matagouri ( <i>Discaria toumatou</i> ), kowhai ( <i>Sophora</i> sp.) and briar ( <i>Rosa rubiginosa</i> ).
B3B	SNA B	Mt Burke Station	Woodland dominated by kanuka, but also contains a stand of halls totara ( <i>Podocarpus cunninghamii</i> ) on rubbly slopes at the head of the catchment and kowhai ( <i>Sophora</i> sp.) in the upper kanuka forest.
B3C	SNA C	Mt Burke Station	Woodland dominated by halls totara ( <i>Podocarpus cunninghamii</i> ) and mountain toatoa ( <i>Phyllocladus alpinus</i> ).

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
B11A	SNA A Sites 1 to 2 Estuary Burn	Minaret Station	Kanuka woodland with a minor component of matagouri and mingimingi.
B11C	SNA C Sites 1 to 6 Bay Burn	Minaret Station	Kanuka dominated woodland with a minor component of matagouri and mingimingi and regenerating broadleaved species.
B11D	SNA D Minaret Burn	Minaret Station	Shrubland mosaic consisting of manuka/kanuka woodland and broadleaved indigenous hardwoods and beech forest.
B11F	SNA F Minaret Bay Riparian	Minaret Station	Indigenous broadleaved hardwoods.
B15A	SNA A Sites 1 to 3 Mt Albert Burn & Craigie Burn Kanuka Woodlands	Mt Albert Station	Lakeshore fan communities - dense kanuka forest on flat river fans where the Craigie Burn and Albert Burn flow into the lake. The wet flats on the north side of the Albert Burn contain an excellent population of Olearia lineata growing along a small stream.
B15B	SNA B Sites 1 to 5 Lake face shrublands and forest	Mt Albert Station	Beech forest remnants in several gullies and spreading onto some adjacent rolling country and generally surrounded by regenerating manuka shrubland.
B16A	SNA A Long Valley Creek	glen Dene Station	Shrubland mosaic consisting of manuka woodland, broadleaved indigenous hardwoods and beech forest.
B16B	SNA B Sites 1 to 3 Lake Wanaka Shrublands	glen Dene Station	Shrubland mosaic consisting of manuka woodland, broadleaved indigenous hardwoods and beech forest.
C14A	SNA A Sites 1 to 5 Remarkables Face SNA	Remarkables Station	Remnant broadleaf forest forming a buffer to Wye Creek and a good representation of sub-alpine shrubland occurring on several of the south faces of the steep spurs descending from the west faces of the Remarkables, as well as remnant totara logs.

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
C24A	SNA A Wye Creek SNA	Lake Wakatipu Station	Shrubland dominated by bracken fern and <i>Pittosporum tenuifolium</i> , but also including tutu, <i>Coprosma propinqua</i> , <i>griselinia littoralis</i> , manuka, <i>Hebe salicifolia</i> , matagouri, mistletoe sp., <i>Carmichaelia</i> sp., and <i>Cordyline australis</i> .
D1A	SNA A	Loche Linnhe Station	grey shrubland consisting of <i>Olearia odorata</i> , <i>Olearia fimbriata</i> , <i>Discaria toumatou</i> , <i>Coprosma propinqua</i> , <i>Coprosma rugosa</i> , <i>Melicytus alpinus</i> , <i>Muehlenbeckia complexa</i> , and <i>Rubus schmidelioides</i> .
D1B	SNA B Sites 1 to 3	Loche Linnhe Station	Forest and shrubland consisting of <i>griselinia littoralis</i> , <i>Aristotelia serrata</i> , <i>Olearia arborescens</i> , <i>Metrosideros umbellata</i> , <i>Carpodetus serratus</i> , <i>Fuschia excorticata</i> , <i>Sophora microphylla</i> , <i>Pittosporum tenuifolium</i> , <i>Pseudopanax crassifolium</i> and <i>Coriaria arborea</i> .
D1C	SNA C	Loche Linnhe Station	Beech forest dominated by mountain beech ( <i>Nothofagus solandri. cliffortoides</i> ) with occasional mature red beech ( <i>Nothofagus fusca</i> ), located above the highway.
D1D	SNA D	Loche Linnhe Station	grey shrubland and pasture grassland. Species recorded include tree daisys ( <i>Olearia odorata</i> , <i>Olearia fimbriata</i> ), matagouri, <i>Coprosma propinqua</i> , briar and <i>Melicytus alpinus</i> .
D1E	SNA E	Loche Linnhe Station	Beech forest dominated by mountain beech ( <i>Nothofagus solandri. cliffortoides</i> ), with occasional mature red beech ( <i>Nothofagus fusca</i> ).
D4A	SNA A Halfway Bay Lake Shore	Lake Wakatipu Station	Red and mountain beech forest in gullies, broadleaf lakeshore forest (including kowhai, broadleaf, occasional southern rata, <i>Olearia</i> species and <i>Coprosma</i> species) and



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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
			regenerating broadleaf forest, shrubland, bracken fernland, occasional gorse and wild conifers.
D5A	SNA A Sites 1 to 7 Lakeshore gullies	Cecil Peak Station	Beech forest, shrubland, bracken fernland and pasture grasses.
D6A	SNA A McKinlays Creek	Walter Peak Station/Cecil Peak Station	Mountain beech forest with remnant and regenerating shrubland on steep, rocky slopes and exotic grassland that follows along a vehicle track.
D6B	SNA B Von – White Burn	Walter Peak Station	A series of extensive ponds and bogs with red tussock merging into dryland hard tussockland.
D7A	SNA A Sites 1 to 2 North Von, Lower Wetlands	Mt Nicholas Station/Walter Peak Station	Lacustrine wetland, swamp, marshland and bog.
D7B	SNA B North Von, Central Wetlands	Mt Nicholas Station	Palustrine wetlands and sub alpine bogs.
D7C	SNA C Sites 1 to 3 North Von, upper Wetlands	Mt Nicholas Station	Cushion bog, sedgeland, rushland and turf communities containing plants typical of these communities.
D7D	SNA D North Von Lower Wetlands	Mt Nicholas Station	A kettle lake, kettle holes and adjacent wetlands and ephemeral wetlands.
E18B	SNA B	Watkins Rd, Hawea Flat	Mosaic of short tussock grassland, cushionfields and herbfields.
E18C	SNA C	Mt Iron	Kanuka woodland.
E18D	SNA D Sites 1 to 2	Mt Iron	Kanuka woodland.
E18G	SNA g	Wanaka-Luggate Hwy, upper Clutha River	Kanuka woodland with some small areas of short tussock grassland dominated by introduced grasses.
E18H	SNA H	Mt Iron	Kanuka woodland.
E19A	SNA A	glenfoyle Station	Kanuka woodland.

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
E19B	SNA B	glenfoyle Station	Kanuka woodland, dominated by kanuka but also including a more diverse plant assemblage in the gully bottoms including matagouri, Coprosma propinqua and tree daisys (Olearia sp.).
E19C	SNA C	glenfoyle Station	Kanuka woodland.
E30A	SNA A Dead Horse Creek	Lake McKay Station	Kanuka woodland dominated by kanuka, but also includes shrubland species such as matagouri, native broom, Coprosma propinqua and mature stands of Olearia lineata.
E30B	SNA B Sites 1 to 4 Tin Hut Creek	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and Coprosma propinqua.
E30C	SNA C Alice Burn Tributary	Lake McKay Station	grey shrubland, which includes significant populations of Olearia lineata.
E30D	SNA D Luggate Creek	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and Coprosma propinqua.
E30E	SNA E Sites 1 to 2 Lake McKay	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and Coprosma propinqua.
E30F	SNA F Alice Burn	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and Coprosma propinqua.
E35A	Sites 1 to 11 Sheepskin Creek	Luggate-Cromwell Road, upper Clutha.	Diverse kanuka, and mixed kanuka/mingimingi–matagouri, scrub/ shrubland communities in mid to lower reaches of the Sheepskin Creek catchment with intervening areas of pasture.

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
E37A	SNA A	Kane Road – Hawea Back Road, Hawea Flat	grey shrubland on rocky outcrop, including <i>Coprosma intertexta</i> , <i>Coprosma propinqua</i> , <i>Coprosma tayloriae</i> , <i>Coprosma rigida</i> , <i>Coprosma crassifolius</i> , <i>Carmichaelia petriei</i> , <i>Melicytus alpinus</i> , <i>Discaria toumatou</i> , <i>Pteridium esculentum</i> , <i>Muehlenbeckia complexa</i> and <i>Cordyline australis</i> .
E38A	SNA A Sites 1 to 5	Stevensons Road, Clutha River	Cushion fields (including <i>Pimelea sericeovillosa</i> subsp. <i>pulvinaris</i> ) and kanuka stands.
E39A	SNA A	Dublin Bay Road, Albert Town, Wanaka.	Short tussock grassland and cushion field.
E44A	SNA A Sites 1 to 2	Te Awa Road Hawea River	Hard tussock grassland with shrubland species, including kanuka, <i>Ozothamnus leptophyllus</i> and matagouri.
E45A	SNA A Sites 1 to 2	Te Awa Road Hawea River	Kanuka stands with other native species interspersed including <i>Coprosma propinqua</i> , <i>Ozothamnus leptophyllus</i> , matagouri and stands of bracken fern.
F2A	SNA A	Branch Creek, Cardrona Valley	Shrubland including <i>Dracophyllum longifolium</i> , <i>Dracophyllum uniflorum</i> , <i>Olearia avicennifolia</i> , <i>Olearia arborscens</i> , <i>Olearia nummularifolia</i> , <i>Olearia odorata</i> , and <i>Coprosma propinqua</i> , with a small pocket of silver beech forest.
F2B	SNA B Sites 1 to 3	Branch Creek, Cardrona Valley	Shrubland consisting of matagouri, <i>Olearia odorata</i> , <i>Olearia bullata</i> , <i>Aristotelia fruiticosa</i> , <i>Coprosma propinqua</i> , <i>Coprosma tayloriae</i> , <i>Carmichaelia petriei</i> , sweet briar, elderberry, <i>Melicytus alpinus</i> , <i>Rubus schmidelioides</i> and <i>Meuhlenbeckia australis</i> .
F2C	SNA C Sites 1 to 2	Branch Creek, Cardrona Valley	Shrubland consisting of matagouri, <i>Olearia odorata</i> , <i>Olearia bullata</i> , <i>Aristotelia fruiticosa</i> , <i>Coprosma propinqua</i> , <i>Carmichaelia petriei</i> , sweet briar, elderberry, <i>Melicytus</i>

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
			alpinus, Rubus schmidelioides and Meuhlenbeckia australis.
F2D	SNA D	Branch Creek, Cardrona Valley	Shrubland consisting of matagouri, Olearia odorata, Olearia bullata, Aristotelia fruiticosa, Coprosma propinqua, Coprosma tayloriae, Carmichaelia petriei, sweet briar, elderberry, Melicytus alpinus, Rubus schmidelioides and Meuhlenbeckia australis.
F21A	SNA A	Hillend Station, Wanaka	Coprosma-matagouri-Olearia shrubland with some elder and briar and a small pocket of silver beech forest.
F21B	SNA B Sites 1 to 3	Hillend Station, Wanaka	Shrubland including matagouri, Coprosma propinqua, kanuka – manuka, Olearia odorata, briar and elder.
F21C	SNA C Sites 1 to 2	Hillend Station, Wanaka	Beech forest fragments with extensive areas of regenerating shrubland.
F22A	SNA A Sites 1 to 2 Back Creek	Back Creek, Cardrona Valley.	grey shrubland dominated by Olearia odorata, Coprosma propinqua and matagouri.
F26A	SNA A	Avalon Station, Cardrona Valley	grey shrubland including Coprosma propinqua, matagouri, Olearia odorata and briar.
F26B	SNA B	Avalon Station, Cardrona Valley	grey shrubland including Olearia spp., Coprosma propinqua, matagouri and Corokia cotoneaster.
F26C	SNA C Sites 1 to 3	Avalon Station, Cardrona Valley	grey shrubland including Olearia lineata, Coprosma propinqua, matagouri, Hebe salicifolia and Carmichaelia kirkii.
F31A	SNA A Kawarau Faces	Waitiri Station, Kawarau gorge.	Shrubland heavily dominated by matagouri and sweet briar but also includes Coprosma propinqua and to a lesser degree Olearia odorata.

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
F32A	SNA A Sites 1 to 3 Owen Creek	Remarkables Range.	grey shrubland dominated by Olearia species, Coprosma propinqua, Discaria toumatou, Carmichaelia petriei, Melicytus alpinus, Rubus schmidelioides and Meuhlenbeckia species.
<b>Schedule 33.7 (F32A) and relief sought</b>			<b>Appellant</b> Court Number
Delete entry F32A (including F32A1, F32A2 and F32A3) of Schedule 33.7			<del>Queenstown Park Limited</del> <del>ENV-2018-CHC-127</del> (Consent Order issued)
F32B	SNA B Rastus Burn	Remarkables Range.	grey shrubland dominated by Olearia species, Coprosma propinqua, Discaria toumatou, Carmichaelia petriei, Melicytus alpinus, Rubus schmidelioides, and Meuhlenbeckia species.
<b>Rule 33.7 (F32B) and relief sought</b>			<b>Appellant</b> Court Number
Delete entry F32B of Schedule 33.7			<del>Queenstown Park Limited</del> <del>ENV-2018-CHC-127</del> (Consent Order issued)
F40A	SNA A	gibbston Valley	grey shrubland largely dominated by matagouri and Coprosma propinqua, but also includes populations of Olearia spp. and Muehlenbeckia complexa.
F40B	SNA B	gibbston Valley	grey shrubland including Olearia odorata, Olearia lineata, Discaria toumatou, Coprosma propinqua, Melicytus alpinus, Muehlenbeckia complexa, Rubus schmidelioides, Carmichaelia petriei, Clematis quadribacteolata and Hebe salicifolia.
F40C	SNA C	gibbston Valley	grey shrubland.
F40D	SNA D	gibbston Valley	grey shrubland dominated by matagouri and kowhai, but also includes Coprosma propinqua, Melicytus alpinus, Coprosma crassifolia and Muehlenbeckia complexa.

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
G28A	SNA A Site 6	Coronet Peak (Bush Creek)	Olearia odorata–matagouri shrubland.
G28A	SNA A Site 7	Coronet Peak (Bush Creek)	Mountain beech forest.
G33A	SNA A	Ben Lomond Station, upper Shotover River	Mixed mingimingi–matagouri–Olearia spp. shrubland.
G33B	SNA B	Ben Lomond Station, upper Shotover River	Mixed mingimingi–matagouri–Olearia spp. shrubland.
G33C	SNA C	Ben Lomond Station, upper Shotover River	Extensive manuka scrub & shrubland community and mountain beech forest.
G34A	SNA A	Alpha Burn Station, West Wanaka	Kanuka, mingimingi-matagouri-kohuhu-broadleaf-manuka/bracken shrubland.
G34B	SNA B	Alpha Burn Station, West Wanaka	Kohuhu-broadleaf shrubland merging with mingimingi-matagouri/ bracken shrubland.
G34C	SNA C	Alpha Burn Station, West Wanaka	Mixed broadleaf–kohuhu–mingimingi–matagouri–bracken shrubland.
G34D	SNA D	Alpha Burn Station, West Wanaka	Mixed beech forest, manuka forest, montane shrubland.
2A	Hunter River Delta	g38 270 557	WERI: A braided river used for fishing and recreational boating activities. An important site for bird breeding.
16A	Caspar Flat Bush	E40 669 936	SSWI: An area with mountain beech. Bird species present include yellow breasted tit, rifleman, grey warbler and silvereye. Reasonable canopy but low plant diversity (natural for environment).
17A	Left Branch bush	E40 665 925	SSWI: An area of mountain beech, mountain toatoa, small leaf Coprosmas and ferns. A very steep south facing habitat. Reasonable canopy but very little plant diversity (natural for environment). Bird species include yellow

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
			breasted tit, rifleman, silvereye and grey warbler. Some large slips.
18A	Butchers gully Bush	E40 665 906	SSWI: An area with mountain beech and mountain toatoa. Bird species include grey warbler, rifleman and yellow breasted tit. A steep south facing habitat. Reasonable canopy but little plant diversity. Some slipping.
35A	Mount Aurum Remnants	S123 520 930	SSWI: An area with mountain beech, situated in gullies and on southern faces. Reasonable canopy, but low plant diversity. yellow breasted tit, rifleman and grey warbler present.
38A	Moke Lake	S132 470 738	WERI, SSWI: A steep montane lake surrounded by tussock farmland. Brown trout fishery.
40A	Lake Isobel	S132 406 807	WERI: A lake with restiad bog and tussock land (Chionochloa species).
41A	Lake Kirkpatrick	S132 477 704	WERI, SSWI: A sub-alpine lake with Carex bog and surrounded by tussock farmland. Common native water-fowl present. More important as trout fishery.
42A	Few Creek Bush (includes 127)	S132 440 675	SSWI: A moderate sized plain beech forest (red beech, mountain beech) with common forest birds, including brown creeper, fantail, bellbird, rifleman, grey warbler and yellow breasted tit.
43A	Twelve Mile Bush	S132 420 655	SSWI: Reasonable sized bush with more diversity than usual, with red beech, mountain beech, broadleaf shrubbery, bracken and tussock surrounds. good range of common forest birds, including brown creeper, fantail, bellbird, rifleman, grey warbler and yellow breasted tit. Very good lakeshore diversity.
57A	Lake Johnson	F41 735 695	WERI, SSWI: An eutrophied lowland lake, rush and sedge swamp (Carex species - Cyperaceae).

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Identifier	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
69A	Shadow Basin Tarn	F41 798 639	Montane lake and montane flush surrounded by steep slopes of snow tussock, cushion vegetation and herb fields.
71A	Lake Alta (adjoins 70)	F41 801 632	WERI: A montane lake surrounded by steep snow tussock slopes with extensive cushion vegetation and herb fields.
72A	upper Wye Lakes	F41 812 612	WERI: Four montane lakes surrounded by scree and snow tussock. Cushion vegetation and herb fields.
91A	Dingle Lagoon	g39 220 347	WERI SSWI: A lagoon with a sloping edge with good plant communities and populations of paradise shelduck, mallard, grey duck and Canada geese.
114A	Mt Earnslaw Forest and Bush Remnants	E40	SSWI: A healthy area of bush with red beech, totara, mountain beech, grisilinea, fuchsia, wineberry, Coprosma sp., hard fern. good numbers of bush birds present, including yellow breasted tit, rifleman, bellbird, grey warbler and silvereye.
126A	gorge Road Wetland	S132 555 720	Significant site of insects and plants (Carox socta).

## 33.10 Framework for the use of biodiversity offsets

The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the NZ government guidance on good Practice Biodiversity Offsetting in New Zealand, August 2014:

- a. restoration, enhancement and protection actions will only be considered a biodiversity offset where they are used to offset the anticipated residual effects of activities after appropriate avoidance, minimisation, remediation and mitigation actions have occurred as per Policy 33.2.1.6, i.e. not in situations where they are used to mitigate the adverse effects of activities;
- b. a proposed biodiversity offset should contain an explicit loss and gain calculation and should demonstrate the manner in which no net loss or preferably a net gain in biodiversity can be achieved on the ground;
- c. a biodiversity offset should recognise the limits to offsets due to irreplaceable and vulnerable biodiversity and its design and implementation should include provisions for addressing sources of uncertainty and risk of failure of the delivery of no net loss;



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- d. restoration, enhancement and protection actions undertaken as a biodiversity offset are demonstrably additional to what otherwise would occur, including that they are additional to any remediation or mitigation undertaken in relation to the adverse effects of the activity;
- e. offset actions should be undertaken close to the location of development, where this will result in the best ecological outcome;
- f. the values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity, so that the overall result is no net loss, and preferably a net gain in ecological values;
- g. the offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost;
- h. as far as practicable, the positive ecological outcomes of the offset last at least as long as the impact of the activity, and preferably in perpetuity. Adaptive management responses should be incorporated into the design of the offset, as required to ensure that the positive ecological outcomes are maintained over time;
- i. the biodiversity offset should be designed and implemented in a landscape context – i.e. with an understanding of both the donor and recipient sites role, or potential role in the ecological context of the area;
- j. the development application identifies the intention to utilise an offset, and includes a biodiversity offset management plan that:
  - i. sets out baseline information on indigenous biodiversity that is potentially impacted by the proposal at both the donor and recipient sites;
  - ii. demonstrates how the requirements set out in this appendix will be addressed;
  - iii. identifies the monitoring approach that will be used to demonstrate how the matters set out in this appendix have been addressed, over an appropriate timeframe.

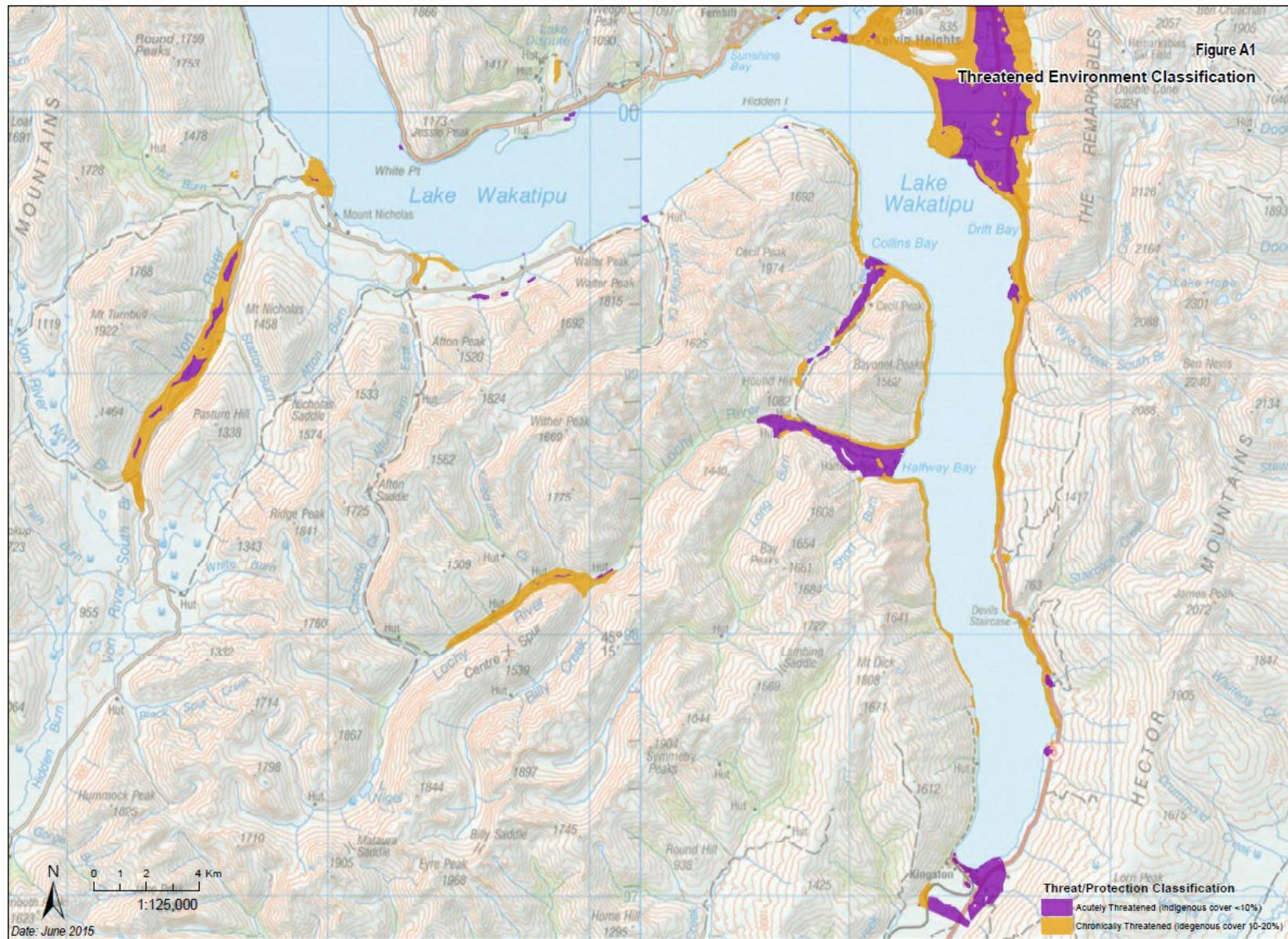
(While this appendix sets out a framework for the use of biodiversity offsets in the Queenstown Lakes District Council District Plan, many of the concepts are also applicable to other forms of effects management where an overall outcome of no net loss and preferably a net gain in biodiversity values are not intended, but restoration and protection actions will be undertaken).

## 33.11 Threatened Environment Classification Maps

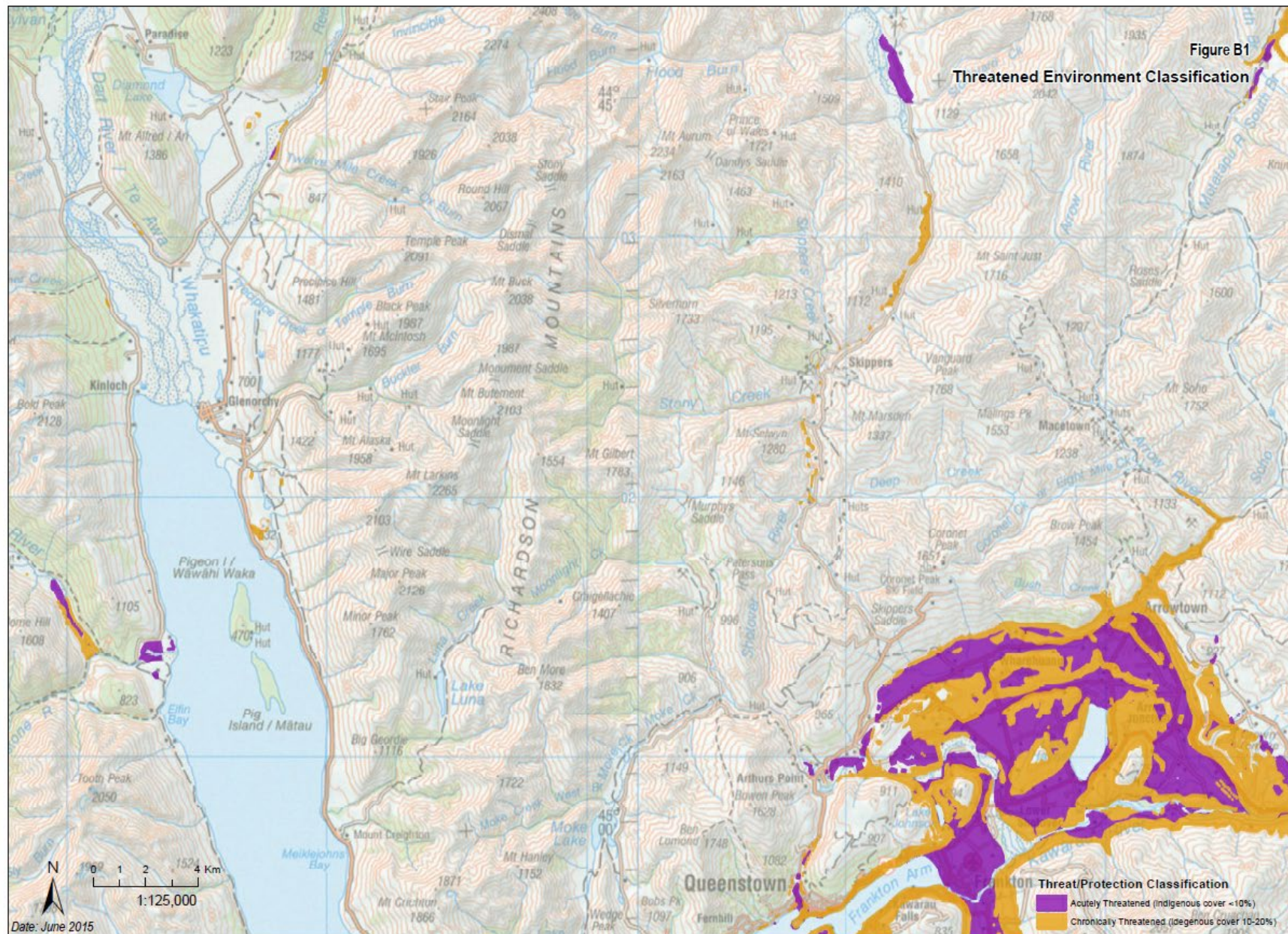
Threatened Environment Classification maps, identifying the acutely and chronically threatened environments with less than 20% indigenous cover remaining.

Note: The District Plan web mapping application illustrates this information at a greater scale.

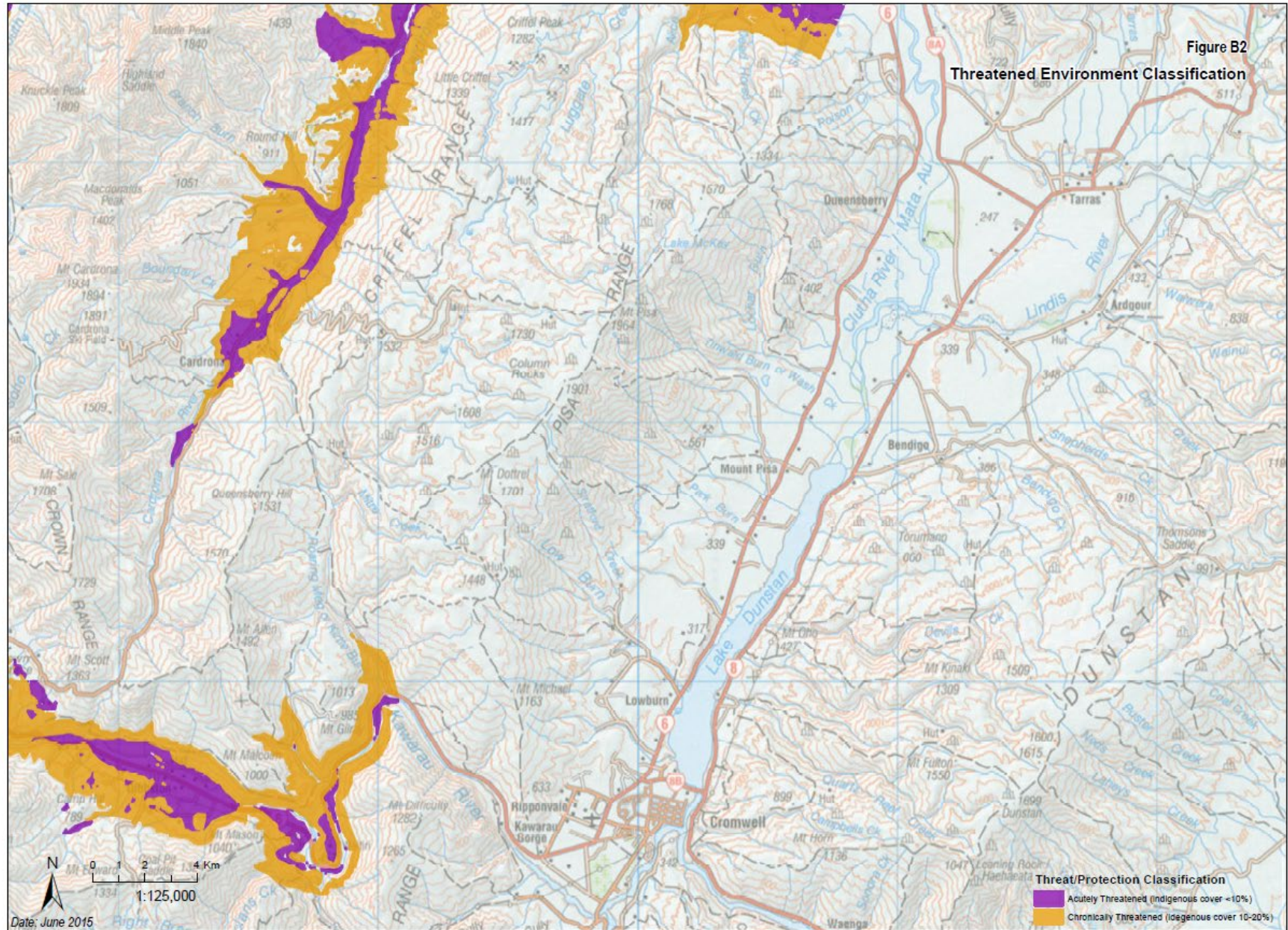
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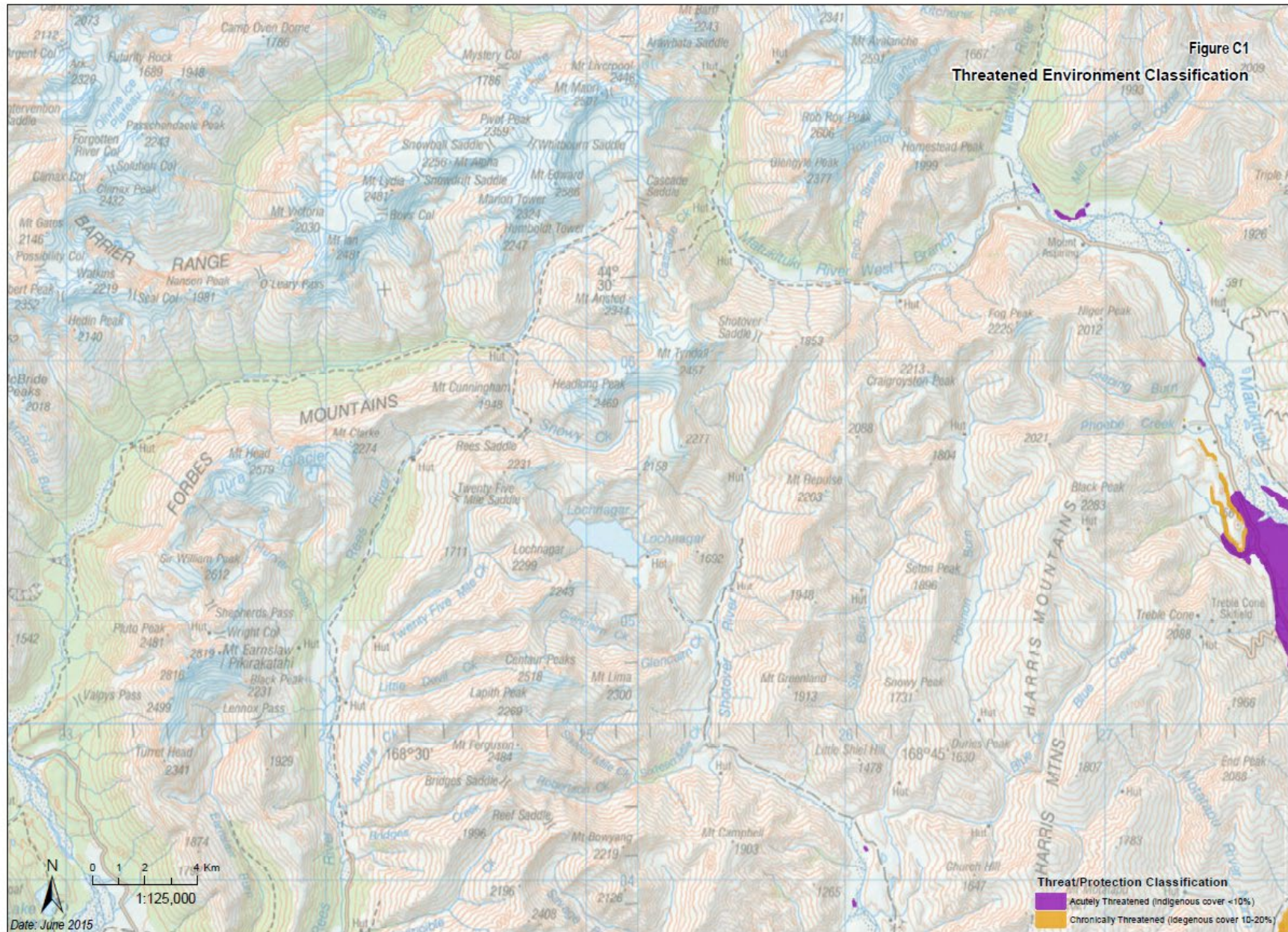
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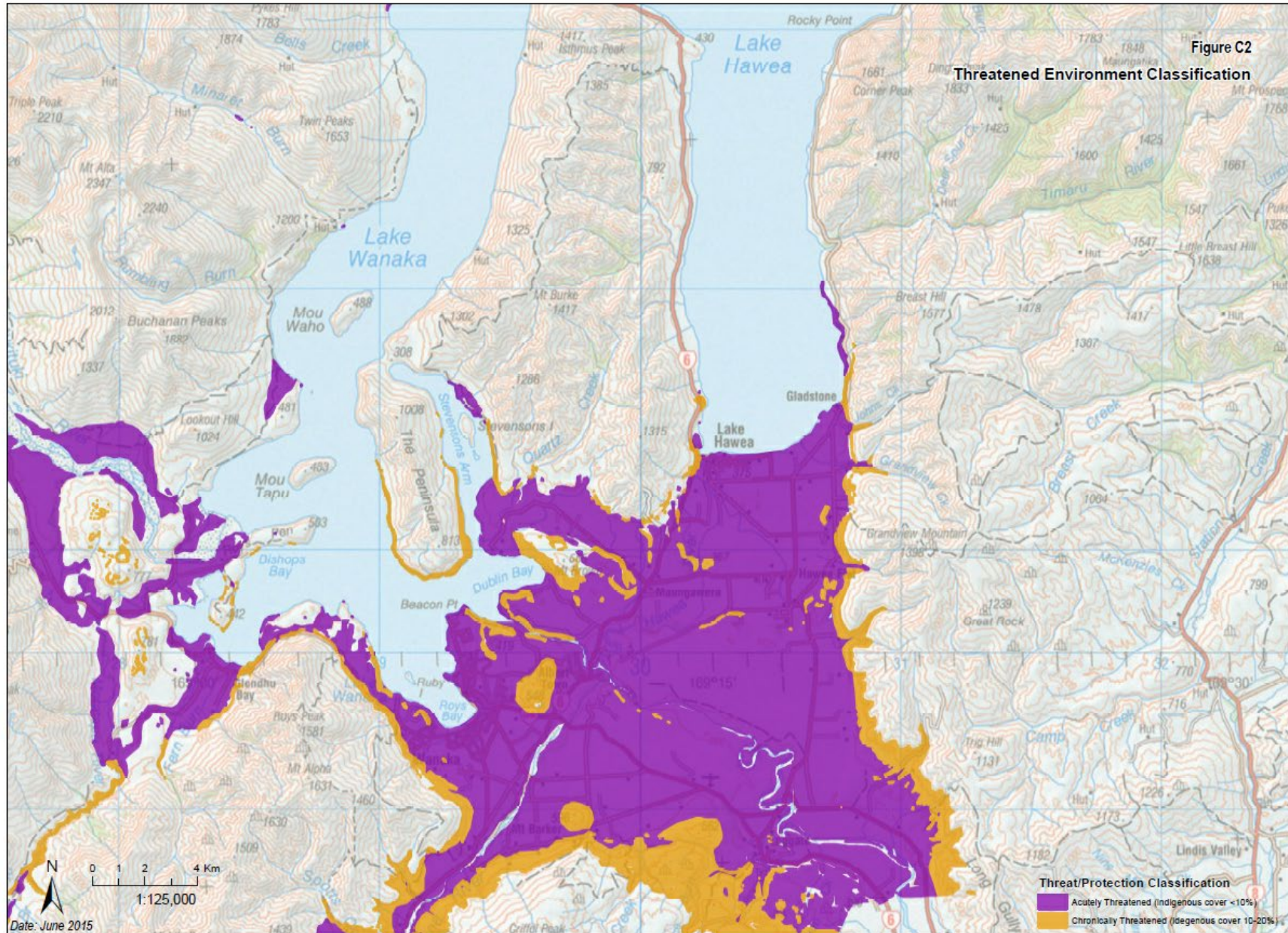
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