

Tairawhiti Resource Management Plan

C3 Coastal Management

C3.7 Activities: Structures

C3.7.2 Objectives

1. Provision is made for appropriate structures in the CMA provided that any adverse effects on the environment arising from the erection, reconstruction, placement, alteration, extension, removal or demolition of a structure are avoided as far as practicable. Where complete avoidance is not practicable, the adverse effects are mitigated and provision made for remedying those effects, to the extent practicable.
2. Appropriate structures are located and built in such a way so as to provide for the preservation and, where appropriate, enhancement^{19F19F 16} of the natural character of the Gisborne Coastal Environment.
4. No reduction in the level and quality of access the public have to and along the Coastal Marine Area as a consequence of structures located in the Coastal Environment and, where appropriate, enhanced levels of access.
5. Management of any structures with cultural, spiritual or heritage value or structures located in sites or areas of cultural, spiritual or heritage value, in the Coastal Environment, which is consistent with the values of the guardians or kaitiaki of those values and appropriate given the principles of the Treaty of Waitangi.
9. A high level of safety associated with structures located in the Coastal Environment.
10. Maintained or enhanced levels of amenity value through allowing only appropriate development in the Coastal Environment.

C3.7.3 Policies

5. Council and consent authorities should make provision for new structures in the CMA where it can reasonably be demonstrated that such structures are:
 - a) Reasonably necessary to provide for the lawful exercise of any activity and no reasonably practicable alternative to the new structure in the CMA exists.
 - b) Any new structure is consistent with the objectives and policies of this Plan.

Provided that adverse effects on the environment arising from the new structure are, as far as practicable, avoided.

10. To maintain or enhance existing levels of public access to and along the coast or, where a specific reduction in public access is unavoidable, to avoid, remedy or mitigate the adverse effects of that reduction. To require all new structures, or consents for existing structures, in the CMA to provide for public access across them unless restriction is necessary:
15. To ensure that structures located within the Coastal Environment comply fully with provisions of the Building Act, 1991.

DC1.1 Significant Values Coastal Management Area

DC1.3 Objectives

1. The preservation of the natural character of the coastal environment and the protection of the coastal environment from inappropriate subdivision, use and development by protecting sites of significant ecological, cultural, historic, scientific, scenic and amenity value and sites where there is a high degree of natural character.
2. To allow for subdivision, use and development in Significant Values Coastal Management Areas where such subdivision, use and development does not have adverse effects on the values that contribute to the area's special values and natural character.

DC1.4 Policies

1. In the exercise of any function, power or duty under the Act, the Council and consent authorities will give priority to avoiding adverse effects on the values associated with an area¹ within any Significant Values Coastal Management Area when considering the subdivision, use, development and protection of the Gisborne district's coastal environment.

DC2.1 General Coastal Management Area

DC2.3 Objectives

1. Appropriate and sustainable subdivision, use, development and protection of the coastal environment in the General Management Area.

Rural Zone

DD4.3 Objectives

DD4.3.1 All Rural zone Objectives

1. Enable subdivision, use and development in all rural zones provided that adverse environmental effects can be avoided, remedied or mitigated.
2. Maintain rural amenity values.
5. Locate structures and plant trees in such a manner as not to cause adverse environmental effects across property boundaries.

DD4.4 Policies

DD4.4.1 All Rural Zones Policies

1. When preparing plans or considering applications for plan changes, resource consents or designations in all rural zones regard shall be given to the following general policy as well as any specific policy relating to the zone:
 - a) effect of the activity on the natural landform characteristics;
 - b) effect on significant indigenous vegetation and significant habitats of indigenous fauna with particular references to C9 – Natural Heritage;

c) effect on biodiversity, water quality, land stability and erosion with reference to C9 – Natural Heritage and C7 – Land Management;

d) the location, scale and nature of the proposed activity and its effect on the balance of the land and on adjoining properties;

e) alternative methods and locations available to carry out the works or activities;

f) physical constraints to the site such as separation by rivers or roads, site configuration and layout;

g) any adverse effect that the activity may have on existing rural activities;

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h) the shape, size and location of lots to be subdivided and any adverse effects they may have on amenity values;

i) whether covenants, buffer zones or separation distances between activities would assist in mitigating adverse environmental effects.

2. To manage the effects of land use in rural zones which may not be of a rural nature by ensuring that the amenity values of the rural environment and surrounding properties are maintained with particular regard to:

a) traffic generation whereby:

i. the level of traffic generated by the activity must be able to be accommodated without compromising the safety of traffic and residents on the district's roads;

ii. given the nature of adjacent roads that all entry, exit and manoeuvring of vehicles onto a public road can be conducted safely;

iii. adequate on-site manoeuvring areas are provided for all developments;

b) noise;

c) visual impact ensuring that:

i. to manage the effects of land use in rural zones which may not be of a rural nature the scale of the structure is appropriate for the use and the environment in which it is located;

ii. activities are of an appropriate scale and intensity for the area in which they are located;

iii. structures, areas and activities visible from public places are screened;

iv. the type of construction materials are not inappropriate to the environment in which

they are located.

Reserve Zone

DD5.3 Objectives

2. Development and use of reserve land that does not create adverse effects on the reserve or surrounding environment.

DD5.4 Policies

1. To enable community well-being by making reserve land available in order to maintain and enhance:

a) residential and district amenity

b) present and future recreation opportunity

c) public access

d) conservation and landscape values

e) and protect the environmental, cultural, visual and/or historical significance of reserves.

2. To ensure that the visual impact of reserve land and facilities maintains and enhances residential amenity and the natural value of the surrounding environment.

3. To avoid, remedy or mitigate the adverse effects of reserve structures on the open space character of the reserve.

4. To protect significant indigenous and exotic trees, areas of bush and other significant areas of indigenous vegetation, significant habitats of indigenous fauna, ecological value, natural character or significant landforms within reserves.

5. To maintain and enhance access to and along the margins of the district's rivers, lakes and coastline.

6. To ensure that recreational activities that use the river and coastal margins do not create adverse effects – such as diminished natural value or increased bank instability or inhibit access to the margins.

7. Particular attention should be given to the following matters when assessing applications for consents to conduct activities on reserves:

a) the existing character and amenity of the reserve and the locality in which the site is set

b) the location and design (including colour) of any proposed structure on the reserve itself

c) the effect of the proposed activity regarding daylight and shading on adjoining properties and the reserve itself

- d) the effects of traffic flow to and from the reserve site and the locality in which the reserve is set
- e) access points onto the reserve
- f) any historical, conservation, ecological, archaeological or waahi tapu values associated with the reserve
- g) design and location in terms of enabling people to provide for their safety either at the reserve or on adjoining properties.

Neighbourhood Reserve zone: i. The Neighbourhood Reserve zone provides for those reserves generally of limited size which contribute to neighbourhood amenity and provide open space relief in the built environment. Passive recreation is provided for with an emphasis on children's play equipment, seating and landscaping. It will be necessary for Neighbourhood Reserve Management Plans to be developed to manage the activities provided for in this zone.

ii. The purpose of this zone is to maintain and enhance amenity in the residential environment.

Heritage Reserve zone: i. Provides for areas of reserve and open space which are intended to be retained primarily as open space with limited development. Included in this zone are areas of natural vegetation, natural ecosystems and important habitats.

ii. This zone also includes commonly identified land of cultural/spiritual significance to tangata whenua and sites of historical/archaeological importance (eg. Titirangi/Kaiti Hill).

iii. The purpose of this zone is to identify reserve and open space areas that require added protection because of the significance attached to individual sites.

Cemetery Reserves i. All activities to comply with the requirements of the Burial and Cremation Act 1964.

Road Reserves

C2.1.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for and enhance their environmental, social, cultural and economic well-being.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment.
 - The efficient use of energy and resources.
 - Adverse effects are avoided, remedied or mitigated.

C2.1.4 Policies

C2.1.4.1 Policies: (Network Utility Operations)

4. To enable network utility activities in the road reserve that have minor adverse environmental effects.

C3.14 Coastal Environment Overlay

C3.14.1 Objective

1. Protection of the quality of water, wetlands and aquatic habitats, and the preservation of the natural character associated with lakes, rivers, wetlands and their margins, and the Coastal Environment of the Gisborne District.

C3.14.2 Policies

1. To enable subdivision, use or development in the Coastal Environment which avoids adverse effects on natural heritage values as far as practicable. Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations within the Coastal Environment:

- b) Avoidance of the cumulative adverse effects of subdivision, use and development.
- c) Proximity to existing subdivision, use and development.
- d) Conformity with the nature and extent of existing subdivision, use and development.
- e) Size, location and nature of the activity.
- f) Effect of the activity on natural character, including the natural landform characteristics, natural vegetation cover and biodiversity.
- g) Visual contrasts between the activity and the landscape.
- h) The integrity of the natural character of the Coastal Environment and its tolerance to change.
- i) Effect on amenity values

2. To manage the adverse effects of activities on the health and functioning of aquatic and terrestrial wetland ecosystems including habitat, flora and fauna for the purpose of preserving the natural character of wetlands and protecting them from inappropriate subdivision, use and development. Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations:

- a) Consideration of whether or not the wetland was purposely created as such.
- b) Adverse effects associated with the timing, duration, area and location of the activity.
- c) The adverse effects of activities that reduce or disturb vegetation and indigenous vegetation in particular, including any vegetation to be retained
- d) Any adverse effects of activities on water quality and aquatic ecosystems.
- e) Any adverse effects of activities on stream bank stability.
- f) Any measures necessary or proposed to avoid, remedy or mitigate the adverse effects of activities on significant habitat of indigenous fauna, biodiversity, amenity, access and natural character values and the natural functioning of wetland ecosystems

C6 Freshwater provisions

C6.2.11 Policies for Fertilisers and Solid Discharges

6. When considering applications to discharge solid or fertiliser contaminants to land or water, assessment criteria are:

- a) The nature of the materials to be discharged;
- b) The potential for any long-term contamination or other long term or cumulative effects arising from the operation;
- d) Any effects of leachate and stormwater on groundwater, surface water and coastal water and whether it is maintained within any relevant limits for the receiving waterbody, and whether those effects are consistent with achieving any relevant objectives for that waterbody;
- e) Any actual or potential effects of any discharges on human health or amenity and on the health and functioning of plants, animals or ecosystems;
- f) The mauri of the waterbody and any values placed on the site by tangata whenua;
- g) The values identified in a catchment plan for the receiving waterbody and any other values identified in a schedule of this Plan;
- i) Any adverse effect on values contained in areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- j) Any relevant industry codes of practice, the implementation of which would assist in the avoiding, remedying or mitigating of adverse effects on the environment;
- k) The need to avoid exacerbation of any flooding risk; and

C6.3.1 Policies for Structures in the Beds of Rivers and Lakes

1. Structures within streams, rivers and lakes should be managed so that:

- a) Sediment generation is minimised to support achieving freshwater objectives and limits.
- b) Where possible work within Outstanding Waterbodies shall be avoided.

2. Improve fish passage in the region by:

- a) Progressively improve fish passage in priority areas (identified by 2020)
- b) Avoiding the creation of future barriers to native fish passage by requiring the use of appropriately designed, placed, installed and maintained structures including the use of culverts and bridges for permanent river crossings rather than permanently constructed fords.
- c) Recognising that the best time to remove barriers is often at time of infrastructure renewal.
Advisory Note: Since 1983, under the Freshwater Fisheries Regulations 1983, culverts, fords, dams and diversion structures that impede fish passage require approval from the Department of Conservation. This is a separate statutory process that applies in addition to the requirements of the Tairāwhiti Resource Management Plan.

3. Provide for new structures and activities in streams, rivers and lakes where:

- a) Fish passage for migration, recruitment and habitat range is maintained and structures are established according to best practice;
- b) Adverse effects on the significant habitats and migratory and breeding activities of native aquatic and terrestrial species and trout are minimised;

- c) Where only native aquatic species are found and not trout, fish passage should be designed to only allow the passage of native aquatic species;
- d) They will not hinder the recharge of groundwater aquifers;
- e) Impacts on water quality and flow are managed within the objectives and limits/targets set for the waterbody;
- f) There is no reduction in flood carrying capacity, increased flood levels, adversely altered floating debris carrying ability of the stream or river, or adverse alteration to rates of aggradation or bank erosion;
- g) There is no damage to heritage items, waahi tapu, taonga and areas of cultural significance;
- h) There is no reduction in value of the waterbody for activities such as kohinga kai harvesting or recreational use, including the protection of public access and impacts on natural character and amenity values;
- i) There is a functional need for the structure to be located in a bed of a lake, river or stream;
- j) The new structure is the most practical alternative;
- k) Adverse effects on the known habitats of threatened or at risk species are avoided;
- l) The health of waterbodies affected by the proposed activity is maintained or improved

C6.4 Riparian Margins, Wetlands

C6.4.1 Policies for Activities in and adjacent to Wetlands

1. Protect the significant values of wetlands and their margins, including the significant values of small wetlands, from the inappropriate effects of land and water use.
2. Promote the restoration of degraded wetlands through the development of wetland management plans as described in Appendix H26 and the creation of constructed wetlands in appropriate locations.
3. Encourage landowners and the community to maintain or enhance the values of existing wetlands, including but not limited to their values:
 - a) As habitat for indigenous flora and fauna;
 - b) For their significance to mana whenua;
 - c) For their role in the hydrological cycle including flood protection;
 - d) For nutrient attenuation; e) As a fisheries resource;
 - f) For recreation;
 - g) For education and scientific research; and
 - h) For their amenity and natural character. Promote wetland management plans as outlined in Appendix H26 as a tool for guiding the maintenance and enhancement of wetlands.
4. Avoid activities, including earthworks, vegetation clearance, diversion, drainage and stock access that could impact on the values of Regionally Significant Wetlands and only permit activities in other wetlands where their significant values can be protected or enhanced.

5. Reduce the level of stock access to wetlands so the cattle are progressively excluded and the access of other stock is reduced stocking rates that avoid evident damage.

6. When assessing resource consents for activities within wetlands and their margins have regard to the following matters:

a) The practicality of avoiding the natural wetland, including alternative locations or methods for the activity;

b) The ecological significance of the wetland, and the actual and potential for adverse effects on the significant values of the wetland;

c) Any Biodiversity Offsets of ecologically significant residual adverse effects through the enhancement, restoration, or creation of wetland area;

(ca) Any proposed environmental compensation or other measures that will result in positive effects on wetland values;

d) The magnitude and proportion of reduction in area of the wetland;

e) The amenity values of the wetland – including, recreational, and aesthetic values;

f) The cultural values of the wetland;

g) The degree to which the wetland provides for the continued functioning of ecological and physical processes;

h) The timing of activities in accordance with Schedule G16;

i) The presence of 'threatened' or 'at-risk' species;

j) Effects on ecosystem services provided by the wetland such as maintaining water quality;

k) Whether the activity will achieve Policy C9.3.1.2 and C9.3.1.4; and

l) Whether the activity is consistent with any wetland management plan approved in accordance with Appendix H26. Activities in and adjacent to natural wetlands should be managed to maintain or enhance their significant values.

C6.4.4 Policies for Riparian Areas

1. To maintain and enhance the vegetation, along the riparian management areas of the region's lakes, rivers and streams with encouragement given to indigenous planting and to promote the retirement and planting of riparian management areas where appropriate.

2. The establishment of indigenous vegetation in riparian management areas will be promoted and encouraged where this will:

a) Protect and enhance the values of outstanding waterbodies identified in Schedule G18;

b) Protect the banks from erosion and adverse effects of flooding;

c) Protect and enhance the aquatic ecosystems and habitat for flora and fauna, with particular focus on areas identified in Schedules G15, G17, and G18;

d) Retire areas identified as protected watercourses (Schedule G21) as part of vegetation clearance resource consents;

- e) Protect and enhance indigenous biodiversity;
- f) Protect or enhance the hydrological regime of the river, including its hydraulic power and energy regime;
- g) Protect or enhance the efficiency of river channels;
- h) Protect structures in the beds of lakes and rivers.

C7 Land Management

C7.1.3 Objectives

1. Land uses and management practices that avoid, remedy or mitigate adverse effects on the environment including adverse effects on aquatic and wetland ecosystems, biodiversity and physical resources.

C7.1.4 Policies

2. To ensure that, when land disturbance or vegetation clearance operations take place in environments susceptible to erosion, measures to achieve soil conservation and the avoidance, remediation or mitigation of adverse effects will be taken into account.

3. Regard to the following will be had when preparing plans or considering applications for plan changes or consents:

- a) the sustainable management of the land resource;
- b) the effects of the activity on erosion and soil conservation;
- c) the effects of the activity on the establishment or maintenance of ETC on LO3A land;
- d) the effects of the activity on the receiving environment and waterbodies;
- e) the effects of the activity on the aquatic environment;
- f) the potential of the activity to erode physical resources.

C8 Natural Hazards

C8.1.3 General Objectives

1. A pattern of human settlement that:

- a) provides a high level of personal safety from natural hazards for its inhabitants;
- b) avoids or mitigates the risk to property and infrastructure from natural hazards; and
- c) does not accelerate or worsen the adverse effects of natural hazards upon the natural and physical environment.

2. A community informed of the potential natural hazards of the District.

3. The protection of natural features that could lessen the impact of natural hazards.

C8.1.4 General Policy

2. In all hazard prone areas, any new subdivision, use and development should avoid or minimise any risk of loss of life or injury or other environmental damage due to natural hazard.

4. Patterns of human settlement, development and activities should not induce or accelerate the risk of natural hazards. When assessing an application for a resource consent the effects of that application on any hazard risk shall be considered. This includes but is not limited to the following:

a) the likelihood and effect of unrestrained material escaping and increasing potential hazard damage;

b) any diversion of overland flows of floodwaters or stormwater;

c) the safety of any occupants of buildings and evacuation procedures;

d) potential flood conditions, including silt deposition, at the site;

e) site topography and location of the building;

f) likelihood of increased erosion elsewhere;

g) stormwater collection and disposal systems should be designed to mitigate any adverse effects on the stormwater system or avoid an increase in the risk or severity of flooding or land instability;

h) other measures in place to reduce the potential effects of the proposed buildings or site development on the movement of floodwater;

i) extent to which natural buffers exist and are adversely affected

8. In carrying out hazard assessments or considering resource consent applications the possibility and implications of climate change are to be recognised. In particular the likelihood of the following matters should be considered:

a) a change in sea level;

b) altering of coastal processes;

c) increased inundation of low lying estuarine areas;

d) higher local temperatures; e) changes in rainfall patterns;

f) increase in cyclonic storms. 9. The integrity of natural systems and features that provide a defence against natural hazards should be recognised and protected.

These include:

a) the capacity of foredunes to act as natural protection against inundation and erosion;

b) wetlands;

c) margins of estuaries

C8.5.3 Coastal Hazard Objectives – Regional Plan and Regional Coastal Plan

2. New subdivision, use, and development and human settlement patterns in the Coastal Environment which:

- a) Maximise personal safety from natural hazards.
- b) Ensures that property and community infrastructure is less at risk of loss or damage from natural hazards.
- c) Does not accelerate or worsen or cause transfer of adverse effects of natural hazards on the environment.
- d) Preserves the natural character of the Coastal Environment and protects the amenity values and quality of the Coastal Environment from any adverse effect arising from activities undertaken in response to natural hazards.

5. Natural features, such as dune systems and estuaries, and physical processes are maintained or enhanced in order to maintain natural buffers against natural hazards which occur in the Coastal Environment

8. When considering an application for a resource consent, the Council or Consent Authorities shall require a developer to undertake either a Coastal Hazard Overlay or ASCH assessment in areas where no ASCH assessment has been made but subdivision, use, or development is proposed.

9. Where subdivision, use, and development is proposed within an ASCH, Council may require the developer to have a full Coastal Hazard Overlay assessment prepared as part of any information requirement or environmental assessment for a resource consent application

20. Council and consent authorities shall discourage new development in areas that are known to be at high risk from coastal hazards within the Coastal Environment unless either:

- a) The development is necessary for the operation of regionally important infrastructure such as Port Gisborne, and
- b) There is no practical alternative; or
- c) The proposed development will not be significantly affected by coastal hazards or affect natural features that act as buffers against natural hazards.

And in the case of (b) and (c) above:

I The development is unlikely to lead to a demand for protection works.

li In the event of a hazard occurring, any resulting damage will not result in significant adverse effects on the environment including the safety of the general public.

C8.5.5 Coastal Hazard Policies – Regional Plan and District Plan

1. Where subdivision use and development are proposed in an area identified as an Area Sensitive to Coastal Hazard (ASCH), the Council shall take into account the nature of the coastal hazards identified and the interaction with the type of use or development; including any subsequent use or development permitted as a result of the resource consent application or designation requirement. In exercising its powers on any subdivision consent, resource consent or building consent the Council shall take into account the information contained in the ASCH database. It may require further more detailed information, including the preparation of full Coastal Hazard Assessments as described in the Regional Coastal Environment Plan. It may require the effects of the hazard to be avoided, remedied or mitigated or decline the application.

C9.1.3 Objectives- Natural Heritage

1. The maintenance and, where appropriate, enhancement of the abundance, distribution range and diversity of the Gisborne district's indigenous flora and fauna.
2. Protection of areas of significant indigenous vegetation, significant habitats and outstanding natural features and landscapes.
3. Protection of the quality of water, wetlands and aquatic habitats, and the preservation of the natural character associated with lakes, rivers, wetlands and their margins.

C9.1.4 Policies

1. To provide for protection management of areas of significant indigenous vegetation and significant habitats of indigenous fauna; particularly those poorly represented within ecological districts and those that are rare or threatened¹ Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations that may affect Protection Management Areas:

- a) the location of the area; in particular, where associated with dunelands, estuaries or freshwater wetlands; or where part of a succession of natural habitats;
- b) the size and shape, to encourage the creation of large Protection Management Areas where appropriate;
- c) the extent and composition of indigenous vegetation, the naturalness, diversity and any pattern within the area, recognising the ecosystems located across a succession of natural habitats (such as riparian areas, foreshores, soil gradients and coast-to-mountain forest sequences), or in areas which experience occasional stress events (such as seasonal wetlands, slip faces, exposed headlands) are likely to be more diverse than elsewhere;
- d) the presence of threatened indigenous species or species unique to the district, and the importance of breeding, feeding, roosting or loafing areas used by threatened indigenous fauna on a regular or annual basis;
- e) the long term viability of the area, including the level of disturbance within the area, pest impact, or threats, existing or proposed protection measures with particular regard to covenants or other mechanisms which ensure the long term protection of natural values including significant indigenous vegetation or habitat.
- f) the use of buffering (preferably indigenous) within the Protection Management Area boundary in the establishment of Protection Management Areas;
- g) the rarity, distinctiveness or representativeness of the site in regard to its vegetation, soil type and landform combination in national, regional and local ecological contexts. Particular regard should be had to ensuring that provision is made for the protection of ecosystems that are under-represented

¹ "threatened" means plant or animal species identified as threatened in any of the following three publications: UCN 1996. Red List of Threatened Animals, IUCN, Gland, Switzerland. Molloy, J. and A. Davis for Department of Conservation (2nd ed. Collated by C. Tisdall), 1994 Setting Priorities for the Conservation of New Zealand's Threatened Plants and Animals, Department of Conservation, Wellington. Cameron, ED, DeLange PJ, Given, PN and Ogle, CC – 1995. New Zealand Botanical Society Threatened and Local Plant Lists (1995 revision). NZ Botanical Society Newsletter 39: 15-28.

at a local (ecological district) level from the adverse effects of inappropriate subdivision, use and development; and

h) the condition of the site compared to others in the district, with particular consideration to the protection of advanced primary and secondary indigenous forest species on Rural Productive Zone land;

i) the extent to which the site makes up part of an ecological corridor.

2. To protect, through the maintenance or enhancement of, the biodiversity of indigenous flora and fauna throughout the Gisborne district. Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations affecting natural heritage values not specifically provided for in Natural Heritage Overlays:

a) the location of the area, particularly where associated with natural heritage values specifically considered in Policy C9.1.4(1) (such as ecological corridors); and

b) the extent and composition of indigenous vegetation; the naturalness, diversity and any pattern within the area, recognising that ecosystems located across a succession of natural habitats (such as riparian areas, foreshores, soil gradients and coast-to-mountain forest sequences), or in areas which experience occasional stress events (such as seasonal wetlands slip faces, exposed headlands) are likely to be more diverse than elsewhere; and

c) the presence of threatened indigenous species or species endemic to the district; and

d) the importance of breeding, feeding, roosting or loafing areas used by threatened indigenous fauna on a regular or annual basis; and

e) rarity, distinctiveness or representativeness of the site in regard to its fauna, vegetation, soil type and landform combination, in national, regional and local ecological contexts. Particular regard should be had to ensuring that provision is made for the protection of ecosystems that are under-represented at a local (ecological district) level from the adverse effects of inappropriate subdivision, use and development, with particular consideration given to the protection of primary and advanced secondary indigenous forest species on Rural Productive Zone land: and

f) the condition and long term viability of the area, including the level of disturbance within the site, pest impact, threats, existing or proposed protection measures, with particular regard to covenants or other mechanisms which ensure the long term protection of natural values including significant indigenous vegetation or habitat; and

g) encouraging the restoration and rehabilitation of degraded land through revegetation, using genetically suitable indigenous flora where appropriate, having regard when undertaking such planting to the habitat requirements of indigenous fauna, and giving priority to the rehabilitation of indigenous habitats found on class LUC class I, II and III land; and

h) the protection for buffer areas (preferably indigenous) to mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna.

3. To avoid, remedy or mitigate the adverse effects of activities on riparian areas and aquatic ecosystems including aquatic habitat, flora and fauna. Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations affecting areas within the Riparian Management Area:

a) the adverse effects of activities that reduce or disturb riparian vegetation and indigenous riparian vegetation in particular; and

b) assessing options for the management of the entire catchment before targeting land use controls or management devices to any shingle water body; and

c) encouraging the management of the margins of lakes, rivers and wetlands to provide for the health of aquatic ecosystems including habitat, flora and fauna and for amenity, access, terrestrial habitat and natural character values and for the natural functioning of riparian ecosystems; and

d) avoiding, remedying or mitigating the adverse in-stream effects of activities that accelerate soil, water or nutrient run-off from land, increase directly or indirectly in-stream water temperatures, decrease levels of dissolved oxygen, or increase the concentration of toxic chemicals within waterbodies; and

e) encouraging the establishment of tall woody vegetation with an extensive strong root network, on unstable land near waterways as soon as is practicable where no indigenous vegetation already exists.

4. To avoid, remedy or mitigate the adverse effects of activities on areas of outstanding landscape. Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations within Outstanding Landscape Areas:

a) effect of the activity on the natural landform characteristics;

b) visual contrasts between the activity and the landscape;

c) effect of the activity on the skyline or prominent ridge;

d) effect of the activity on the natural vegetation cover;

e) existing protection mechanisms;

f) recognition that in order to achieve sustainable management given the technical and physical constraints which may be experienced by network utility operations including those associated with their scale, location, design and operation, a compromise of the natural and physical environment may occur.

5. To avoid, remedy or mitigate the effects of inappropriate subdivision, use and development on prominent ridges of the Coastal Environment or prominent ridges of the Gisborne urban area.

Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations within the Coastal Environment:

a) the integrity of the landscape and its tolerance to change;

b) effect of the activity on the natural landform characteristics;

c) visual contrasts between the activity and the landscape;

d) effect of the activity on the skyline or prominent ridge;

e) effect of the activity on the natural vegetation cover;

f) recognition that in order to achieve sustainable management given the technical and physical constraints which may be experienced by network utility operations including those associated with

their scale, location, design and operation, a compromise of the natural and physical environment may occur

6. To manage the adverse effects of activities on the health and functioning of aquatic and terrestrial ecosystems including habitat, flora and fauna for the purpose of preserving the natural character of wetlands and protecting them from inappropriate subdivision, use and development. Regard to the following will be had when preparing plans or considering applications for plan changes, resource consents or designations:

- a) consideration of whether or not the wetland was purposely created as such.
- b) adverse effects associated with the timing, duration, area and location of the activity.
- c) the adverse effects of activities that reduce or disturb vegetation and indigenous vegetation in particular, including any vegetation to be retained.
- d) any adverse effects of activities on water quality and aquatic ecosystems.
- e) any adverse effects of activities on stream bank stability.
- f) any measures necessary or proposed to avoid, remedy or mitigate the adverse effects of activities on significant habitat of indigenous fauna, biodiversity, amenity, access and natural character values and the natural functioning of wetland ecosystems.

7. To consider negotiating an agreement with landowners to provide public access to significant natural heritage areas. The creation of an access may be appropriate where land being subdivided includes, adjoins or can provide enhanced public access to a:

- a) strategically important water body
- b) significant heritage feature
- c) protected area compatible with public access
- d) significant wetland.

C11.1.3 Objectives Signage

- 1. Effective signage which does not compromise the safety and efficiency of the road transport network.
- 2. Signage that maintains or enhances the amenity values and heritage values of the environment in which such signage is located.

C11.1.4 Policies

- 1. Manage the design, content and location of signage to ensure that signs do not either singularly or cumulatively restrict drivers' visibility, cause distraction, obstruct the pedestrian or vehicular traffic flows or adversely affect public safety.
- 3. Ensure that signs are maintained and designed in a professional manner.
- 4. Ensure that signage will not adversely affect amenity values, natural heritage values and cultural heritage values of the area in which it is located, specifically:

Residential and Reserve Zones

a) The intensity and scale of signage in residential zones should be limited so as not to detract from the domestic quality of the environment. Signs associated with non-residential activities in Residential zones should not detract from residential character

Rural Zones

a) Signage in areas with natural heritage values, cultural heritage values or scenic significance should be limited and shall be of a scale, intensity and design that respects the values of the environment.

b) The intensity and scale of signs should not detract from rural character.

Opotiki District Plan

Chapter 8- Rural Zone

8.2.1 OBJECTIVE

A rural environment that contributes to the economic and social wellbeing of the District and region through a range of rural activities and other lawfully established activities, where the effects of subdivision, use and development are managed to maintain the rural character of the zone and to prevent reverse sensitivity effects from compromising rural production activities and the operation of infrastructure.

Policies

8.2.1.2 Manage subdivision and development to maintain the rural character of the zone and the District's natural and physical resources.

8.2.1.3 Ensure the maintenance and enhancement of visual open space and vegetated character of the rural environment.

8.2.1.4 Maintain the rural character and amenity values associated with the low density rural environment.

8.2.4 OBJECTIVE

Recognise the special relationship tangata whenua have with their ancestral land

Policies

8.2.4.1 To recognise and provide for the cultural, spiritual and archaeological values of tangata whenua and the desire of tangata whenua to live on and develop their ancestral lands and to protect the natural environment of their ancestral lands.

Chapter 9- Coastal Zone

OBJECTIVE 9.2.1 Retain and, where appropriate, restore the distinctive natural character within the Coastal Zone.

POLICIES

9.2.1.1 Require setback for structures and buildings from the coast where practicable to ensure maintenance of the coastal ecosystem and the natural character of the coastline and to enable esplanade reserves, or esplanade strips to be set aside for the future.

9.2.1.2 Ensure that the subdivision, use and development of land within the Coastal Zone avoids as far as practicable significant adverse effects on natural character and where these cannot be avoided, be remedied or mitigated.

OBJECTIVE 9.2.2 The adverse effects of inappropriate subdivision, use and development on the natural character of the Coastal Zone are avoided or are remedied or mitigated, including by providing for development in areas better able to absorb the effects of the development than other areas of the coast.

9.2.2.5 Manage the effects of subdivision, use and development on the natural character of the Coastal Zone through avoiding inappropriate development outside existing settlements, as far as practicable, or remedying or mitigating adverse effects, while recognising that some activities, due to functional, operational or technical requirements, need to locate in the Coastal Zone

OBJECTIVE 9.2.3 To recognise and provide for tangata whenua relationships with the Coastal Zone.

Policies

9.2.3.1 Where activities in the zone affect the relationship tangata whenua have with their cultural sites and traditions, activities are to avoid, remedy or mitigate adverse effects.

9.2.3.2 To take into account hapū and Iwi resource environment management plans.

9.2.3.3 To recognise only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

9.2.3.4 The outcomes of consultation with tangata whenua will be taken into account when assessing resource consent applications affecting the Coastal Zone to show how the relationships of Maori and their culture and traditions with their ancestral taonga are recognised and provided for.

9.2.3.5 To recognise and provide for the cultural, spiritual and archaeological values of tangata whenua and the desire of tangata whenua to live on and develop their ancestral lands.

Chapter 10- Coastal Settlement Zone

OBJECTIVE 10.2.1 Planned and cohesive development of coastal settlement areas where inappropriate subdivision, use and development is avoided and the natural character is preserved.

Policies

10.2.1.6 Require setback for structures and buildings from the coast to preserve the natural character of the coastal environment wherever possible, except where there is a functional requirement to locate in the zone.

OBJECTIVE 10.2.2 Recognise and provide for the special relationship tangata whenua have with their ancestral lands.

Policies

10.2.2.1 Where activities in the zone affect the relationship tangata whenua have with their cultural sites and traditions, activities are to avoid, remedy or mitigate adverse effects.

10.2.2.2 To recognise only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

10.2.2.3 To recognise tangata whenua needs for Papakāinga housing, marae and associated developments.

10.2.2.4 To recognise and provide for the cultural, spiritual and archaeological values of tangata whenua and the desire of tangata whenua to live on and develop their ancestral lands.

10.2.2.5 To recognise the special relationship of Māori with their ancestral land by enabling use and development of land, including Papakāinga and associated support facilities.

Chapter 12 Surface of Water Activities

12.2.1 OBJECTIVE Enabling a wide range of activities on rivers where safety and access and conflicts between activity groups can be managed.

12.2.1.2 Ensure that access is provided in appropriate locations to avoid damage to the margins of water bodies.

12.2.2 OBJECTIVE Surface of water activities maintain or, where appropriate, enhance the natural character, amenity, recreational, ecological, historic heritage and cultural values of water bodies and their margins.

POLICIES

12.2.2.1 Manage the scale and effects of surface of water activities to ensure that natural character and the recreational and ecological values of the water body and its margins are maintained and, where appropriate, enhanced.

12.2.2.2 Surface of water activities should not degrade the mauri of water bodies and cultural values nor adversely affect historic heritage values.

Chapter 13- Earthworks, Landscapes, Indigenous Vegetation and Habitats

13.2.1 OBJECTIVE - OUTSTANDING NATURAL FEATURES AND LANDSCAPES

To protect outstanding natural features and landscapes from the adverse effects of inappropriate subdivision, use and development.

POLICIES

13.2.1.1 Adverse effects of inappropriate subdivision, use and development, including buildings, structures and earthworks, on the values of outstanding natural landscapes are avoided in the Coastal Environment.

13.2.1.2 Outside the Coastal Environment adverse effects of inappropriate subdivision, use and development, including buildings, structures and earthworks, on the values of outstanding natural features and landscapes are avoided and, where avoidance is not practicable, remedied or mitigated.

13.2.2 OBJECTIVE – INDIGENOUS VEGETATION AND HABITATS

The sustainable management of indigenous vegetation and habitats of indigenous fauna to maintain and, where appropriate, enhance biodiversity of the District. This includes maintaining the overall extent of rare and threatened ecosystem types.

POLICIES

13.2.2.1 To avoid adverse effects of activities on indigenous biological diversity in the Coastal Environment that is identified under Policy 11(a) of the New Zealand Coastal Policy Statement.

13.2.2.2 To protect significant indigenous vegetation and significant habitats of indigenous fauna, where significance is assessed in accordance with the criteria in Appendix 13.9.3

13.2.2.3 To encourage the restoration and rehabilitation of degraded indigenous vegetation through plant and animal pest control and revegetation, using genetically suitable indigenous flora where appropriate and considering the habitat requirements of indigenous fauna.

13.2.2.4 To encourage the protection, restoration and management of ecosystems that are rare and threatened at a local (ecological district), regional or national level.

13.2.2.5 Outside the Coastal Environment:

(a) avoid, or where this is not practicable, remedy, mitigate or offset the adverse effects of activities on indigenous biodiversity;

(b) protect indigenous ecosystems, rare, at risk, or threatened species;

(c) maintain the overall extent of rare and threatened ecosystem types;

(d) require restoration and rehabilitation of significant indigenous vegetation and habitats of indigenous fauna on or off the site, giving priority to the habitats and ecosystem types listed in 13.9.4 and by reference to the criteria in Appendix 13.9.3.

13.2.2.7 To promote the restoration of ecosystems that have been damaged or degraded to ensure their continued viability.

13.2.2.9 To encourage the restoration and enhancement of riparian margins to support indigenous flora and fauna habitats.

13.2.3 OBJECTIVE – WETLANDS

Wetlands within the District continue to support indigenous flora and fauna habitats as part of a wider ecological system and the natural character of the wetlands is maintained and enhanced.

POLICIES

13.2.3.1 To protect the natural character and habitat values of wetlands, including maintaining their extent and ability to sustain indigenous species.

13.2.3.2 To avoid adverse effects on wetlands and encourage opportunities for restoration and rehabilitation including but not limited to conditions on resource consents requiring restoration or rehabilitation of wetlands on or off the site.

13.2.3.3 To maintain and enhance the overall extent of wetlands through controlling inappropriate activities and promoting best land use practice.

13.2.3.4 To encourage the restoration and rehabilitation of wetlands.

13.2.4 OBJECTIVE – NATURAL CHARACTER

Coastal and estuarine margins, wetlands and riparian areas within the District continue to support indigenous flora and fauna as part of a wider ecological system and their natural character is maintained and enhanced.

POLICIES

13.2.4.1 Preserve the natural character of the Coastal Environment and protect it from inappropriate subdivision, use and development.

13.2.4.2 Preserve indigenous riparian vegetation areas and coastal and estuarine margins within the District for their natural character, ecological, biodiversity, historical and cultural character and value.

Chapter 14 Heritage

14.2.2 OBJECTIVE To recognise and provide for sites of cultural significance identified in Iwi and hapū resource management plans.

POLICIES

14.2.2.1 Recognise that Iwi and Hapū have sites of special importance that they may not wish to publicly disclose and ensure that these sites are treated and protected in accordance with Iwi and Hapū wishes.

14.2.2.3 Ensure subdivision use and development does not depreciate the relationship tangata whenua has with its taonga. 1

4.2.2.4 Recognise that only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

14.2.4 OBJECTIVE To recognise and protect the heritage values of waahi tapu sites and areas.

POLICY

14.2.4.1 Protect waahi tapu sites and areas listed in Appendix 14.10.2 from inappropriate activities including building or excavation in or on the site.

Chapter 18 Natural Hazards

OBJECTIVE 18.2.1 Ensuring that the effects of natural hazard occurrence within the District are avoided or mitigated when making resource management decisions.

POLICIES

18.2.1.1 Control activities and the location of buildings to avoid or mitigate the effects of natural hazards.

18.2.1.2 Require detailed site investigations prior to subdivision, use or development of land subject to or likely to be subject to natural hazards.

18.2.1.3 Apply conditions on subdivision and resource consents to mitigate adverse effects of natural hazards from the use and development of land.

OBJECTIVE 18.2.2 Encourage the use of sustainable land management practices that assist in avoiding and mitigating the effects of natural hazards on the land and coastal environment.

18.2.2.2 Locate and design subdivision, land use and development so that the need for hazard protection works is avoided.

Chapter 19 Coastal Environment Overlay

19.2.1 OBJECTIVE Preserve and restore the natural character of the Ōpōtiki Coastal Environment and protect it from inappropriate subdivision, use and development.

POLICIES

19.2.1.1 Ensure subdivision, use and development avoids adverse effects on the values and attributes of the areas of outstanding natural character in the Coastal Environment including those identified in Appendix I and Appendix J of the Bay of Plenty Regional Policy Statement. 1

9.2.1.2 Ensure subdivision, use and development avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on the attributes of areas of natural character in the Coastal Environment.

19.2.1.3 Require setbacks for structures and buildings from MHWS to protect natural character.

19.2.1.5 Manage subdivision, use and development to ensure that it is planned and appropriate and preserves the natural character of the Coastal Environment.

19.2.1.6 Avoid adverse effects of earthworks and indigenous vegetation clearance on the areas of outstanding natural character of the Coastal Environment.

19.2.2 OBJECTIVE Protect natural features and natural landscapes from the adverse effects of inappropriate subdivision, use and development.

POLICIES

19.2.2.1 Avoid adverse effects of inappropriate subdivision, use and development, including buildings, structures and earthworks and indigenous vegetation clearance on the values of outstanding natural features and landscapes in the Coastal Environment.

19.2.2.2 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of inappropriate subdivision, use and development, including buildings, structures and earthworks and indigenous vegetation clearance, on the values of natural features and landscapes in the Coastal Environment

19.2.2.3 Require setbacks for structures and buildings from MHWS to protect the landscape values of the Coastal Environment

19.2.3 OBJECTIVE Recognise the special relationship tangata whenua have with their ancestral lands and their role as kaitiaki.

POLICIES

19.2.3.1 To recognise and provide for the cultural, spiritual and archaeological values of tangata whenua and the desire of tangata whenua to live on and develop their ancestral lands.

19.2.5 OBJECTIVE Protect indigenous biological diversity in the Coastal Environment.

POLICIES

19.2.5.1 Avoid adverse effects of activities on indigenous biological diversity that is identified under Policy 11(a) of the New Zealand Coastal Policy Statement.

19.2.5.2 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on indigenous biological diversity that is identified by Policy 11(b) of the New Zealand Coastal Policy Statement that is not protected under Policy 19.2.5.1.

19.2.5.4 Encourage opportunities for restoration of indigenous habitats and ecosystems, including through resource consent conditions.

Bay of Plenty- Natural Resources Plan

Land Disturbance -riparian zone (stream crossing- schedule 1) coastal areas

KT 04 (Objective 4) The water, land and geothermal concerns of tangata whenua are taken into account and addressed as part of resource management processes, while recognising that different iwi and hapu may have different concerns or practices.

KT 05 (Objective 5) Water, land and geothermal resource management decisions have regard to iwi resource management planning documents.

LM 01 (Objective 9) Land use and land management practices are appropriate to the environmental characteristics and limitations of the site, and avoid, remedy or mitigate adverse effects on the life-supporting capacity of soil resources, the receiving environment and heritage values.

LM 02 (Objective 17) Riparian margins are appropriately managed to protect and enhance their soil conservation, water quality and heritage values.

LM 03 (Objective 19) Protect vulnerable areas from erosion.

LM 05 (Objective 21) Maintain and improve the protective function of coastal sand dunes.

DW 09 (Objective 31) Improvement, where necessary, to the quality of stormwater discharged to the environment.

DW 010 (Objective 32) Erosion and scour caused or exacerbated by stormwater discharges is avoided, remedied or mitigated.

DW 012 (Objective 34) Streams and rivers are not used as treatment systems for contaminated stormwater.

DW P15 (Policy 51) To require the appropriate management of stormwater quality, including:

- (a) The use of source controls to avoid the contamination of stormwater.
- (b) The use of best practicable options.
- (c) Treatment of stormwater to prevent the contamination of receiving environments.

Regional Coastal Plan- Bay of Plenty

2.2 Natural Heritage

Objective 2 Protect the attributes and values of:

- (a) Outstanding natural features and landscapes of the coastal environment; and
- (b) Areas of high, very high and outstanding natural character in the coastal environment; from inappropriate subdivision, use, and development, and restore or rehabilitate the natural character of the coastal environment where appropriate.

Objective 3 Safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems by:

- (a) Protecting Indigenous Biological Diversity Areas A,
- (b) Maintaining Indigenous Biological Diversity Areas B;
- (c) Promoting the maintenance of indigenous biodiversity in general; and
- (d) Enhancing or restoring indigenous biodiversity where appropriate.

2.1.1 Appropriate use and development

Policy NH 1 In relation to the natural heritage of the coastal environment, activities may be considered appropriate if they contribute to the restoration and rehabilitation of natural heritage or cultural values associated with natural heritage (including kaimoana resources and cultural landscape features) or if:

1 (a) They

(c) Have a functional need to be located in or near the coastal environment in general, or in or near a specific part of the coastal environment and no reasonably practicable alternative locations exist; and

(d) Are of an appropriate form, scale and design to be compatible with the existing landforms, geological features and vegetation or will only have temporary and short-term effects on such features; and

(e) Will not, by themselves or in combination with effects of other activities, have significant adverse effects on the natural processes or ecological functioning of the coastal marine area;

Policy NH 5 Adverse effects must be avoided on the values and attributes of the following areas:

- (a) Outstanding Natural Character areas (as identified in Appendix I to the RPS);
- (b) Outstanding Natural Features and Landscapes (as identified in Schedule 3);
- (c) Any Indigenous Biological Diversity Area A (as identified in Schedule 2, Table 1); and
Adverse effects must be avoided on taxa that meet the criteria listed in Policy 11(a)(i) or (ii) of the NZCPS.

Policy NH 6 When assessing the extent and consequence of any adverse effects on the values and attributes of the areas listed in Policy NH 5 and identified in Schedules 2 and 3 to this Plan and Appendix I to the RPS:

(a) Recognise the existing activities that were occurring at the time that an area was assessed as having Outstanding Natural Character, being an Outstanding Natural Feature and Landscape or an Indigenous Biological Diversity Area A;

(b) Recognise that a minor or transitory effect may not be an unacceptable adverse effect;

(c) Recognise the potential for cumulative effects that are more than minor;

(d) Have regard to any restoration and enhancement of the affected attributes and values, and

(e) Have regard to the effects on the tangata whenua cultural and spiritual values of ONFLs, working, as far as practicable, in accordance with tikanga Māori.

Policy NH7 Consider providing for subdivision, use and development proposals that will adversely affect the values and attributes associated with the areas listed in Policy NH 5 where:

(b) The proposal

(vii) Provides for public walking, cycling or boating access to and along the coastal marine area in a manner that maintains or enhances the values and attributes associated with the areas listed in Policy NH 5.

Policy NH 8 Significant adverse effects must be avoided, and other adverse effects avoided, remedied or mitigated, on the values and attributes of:

(a) Any Indigenous Biological Diversity Area B (as identified in Schedule 2, Table 2); and

(b) Natural features and natural landscapes (including seascapes) in the coastal environment that are not listed as outstanding in Schedule 3.

Policy NH 9 Significant adverse effects on natural character in areas that are not identified as outstanding in Appendix I to the RPS are to be avoided, and other adverse effects avoided remedied or mitigated