

Ecosystems and Indigenous Biodiversity

Definitions

Biodiversity	Means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems.
Biosecurity tree works	means the alteration or removal of any tree or vegetation infected by an unwanted organism as defined in the Biosecurity Act 1993 as part of a disease eradication or control programme within an infected area.
Connectivity	Refers to the structural or functional links or connections between habitats and ecosystems that provide for the movement of species and processes among and between the habitats or ecosystems
Conservation planting	means planting principally for: <ul style="list-style-type: none"> a. soil and water conservation; b. wastewater disposal or purification; c. landscape preservation or enhancement; d. preservation for particular historic or archaeological values; and e. conservation for scientific or ecological values. Includes: <ul style="list-style-type: none"> a. planting trees; and b. tending trees Excludes: <ul style="list-style-type: none"> a. growing trees for timber production.
Effects Management Hierarchy	The effects management hierarchy means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires the following: <ul style="list-style-type: none"> (a) Adverse effects are avoided where practicable; (b) Where adverse effects cannot be avoided, they are minimised where practicable; (c) Where adverse effects cannot be minimised, they are remedied where practicable; (d) Where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; (e) Where biodiversity offsetting is not possible, biodiversity compensation is provided; (f) If biodiversity compensation is not appropriate, the activity itself is avoided.
Emergency tree works	means the alteration or removal of any tree or vegetation immediately necessary to avoid any actual and imminent

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	threat to the safety of persons or damage to property or to maintain or restore utility services.
Established Activity	For the purposes of SIVH and restoration management, means an activity, including maintenance, operations and upgrade, that: <ul style="list-style-type: none"> a. is in, or affects, an SIVH; and b. is not a new subdivision, use and development; and c. has the same intensity, scale, or character as that as at 4th August 2023; and d. does not result in the loss of extent, or degradation of ecological integrity, of an SIVH.
Exempt activities	For the purposes of SIVH management, exempt activities are the following activities: <ul style="list-style-type: none"> i. maintaining or restoring an SIVH that does not involve the permanent destruction of significant habitat of indigenous biodiversity; ii. established activities; iii. maintenance of improved pasture; iv. specified activities within a specified covenant or kawenata; v. sustainable customary use; vi. work of the Crown on land held or managed under the Conservation Act 1987; and vii. subdivision, use and development of specified Māori land.
Maintenance	Maintaining indigenous biodiversity requires: <p>(a) The maintenance and at least no overall reduction of all the following:</p> <ul style="list-style-type: none"> (i) The size of populations of indigenous species; (ii) Indigenous species occupancy across their natural range; (iii) The properties and function of ecosystems and habitats used or occupied by indigenous biodiversity; (iv) The full range and extent of ecosystems and habitats used or occupied by indigenous biodiversity; (v) Connectivity between, and buffering around, ecosystems used or occupied by indigenous biodiversity; (vi) The resilience and adaptability of ecosystems; <p>and</p> <p>Where necessary, the restoration and enhancement of ecosystems and habitats.</p>
Restoration	Restoration means the active intervention and management of modified or degraded habitats, ecosystems, landforms, and landscapes in order to maintain or reinstate indigenous natural

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	character, ecological and physical processes, and cultural and visual qualities. Restoration may include enhancement activities
Restoration Area	Refers to an area recognized under Section 7 of the RMA as containing indigenous vegetation or habitat with significant ecological value at a local, city-wide scale. This is based on high ecological value and adherence to established criteria for ecological significance: <ul style="list-style-type: none"> • Representativeness • Diversity and Pattern • Rarity and Distinctiveness • Ecological Context
Sequences, mosaics, or ecosystem function	Sequence means a series of ecosystems or communities, often physically connected, that replace one another through space. Mosaic means a pattern of two or more interspersed ecosystems, communities, or habitats that contribute to the cumulative value of ecosystems in a landscape. Ecosystem function means the abiotic (physical) and biotic (ecological and biological) flows that are properties of an ecosystem.
Significant Indigenous Vegetation or Habitat (SIVH)	Refers to an area recognized under Section 6(c) of the Resource Management Act 1991 (RMA) as containing significant indigenous vegetation or habitats of indigenous fauna. This is based on high ecological value and adherence to established criteria for ecological significance: <ul style="list-style-type: none"> • Representativeness • Diversity and Pattern • Rarity and Distinctiveness • Ecological Context
Specified covenant or kawenata	A specified covenant or kawenata is one registered against the record of title or lease agreement under any of the following: <ul style="list-style-type: none"> (i) Section 22 of the Queen Elizabeth the Second National Trust Act 1977; (ii) Section 27 or section 27A of the Conservation Act 1987; (iii) Section 76 and 77 of the Reserves Act 1977; It is identified, with the agreement of the relevant landowner or lessee and the prior written consent of the covenantee, by the relevant local authority as a specified covenant or kawenata.
Specified infrastructure	(a) Infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002); (b) Regionally or nationally significant infrastructure identified as such in a National Policy Statement, the New Zealand Coastal Policy Statement, or a regional policy statement or plan; (c) Infrastructure necessary to support housing development,

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	<p>included in a proposed or operative plan or identified in any relevant strategy document adopted by a local authority, in an urban environment (as defined in the National Policy Statement on Urban Development 2020);</p> <p>(d) Public flood control, flood protection, or drainage works carried out by or on behalf of a local authority;</p> <p>(i) For the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1941; or</p> <p>(ii) For the purpose of drainage, by drainage districts under the Land Drainage Act 1908;</p> <p>(e) Defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990.</p> <p>Note: Renewable electricity generation assets and activities, and electricity transmission network assets and activities, are not “specified infrastructure.”</p>
Specified Māori Land	<p>Specified Māori Land means land that is any of the following:</p> <p>(a) Māori customary land and Māori freehold land (as defined in Te Ture Whenua Māori Act 1993);</p> <p>(b) Land set apart as a Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993 or its predecessor, the Māori Affairs Act 1953;</p> <p>(c) Land held by or on behalf of an iwi or a hapū, if the land was transferred from the Crown, a Crown body, or a local authority with the intention of returning the land to the holders of mana whenua over the land;</p> <p>(d) Land vested in the Māori Trustee that is constituted as a Māori reserve under the Māori Reserved Land Act 1955, and remains subject to that Act;</p> <p>(e) Land that forms part of a natural feature that has been declared under an Act to be a legal entity or person (including Te Urewera land within the meaning of section 7 of the Te Urewera Act 2014);</p> <p>(f) The maunga listed in section 10 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;</p> <p>(g) Treaty settlement land, being land held by a post-settlement governance entity (as defined in the Urban Development Act 2020) where the land was transferred or vested and held:</p> <p>(i) As part of redress for the settlement of Treaty of Waitangi claims; or</p> <p>(ii) By the exercise of rights under a Treaty settlement Act or Treaty settlement deed.</p>
Threatened or At Risk Species	<p>Threatened or At Risk, and Threatened or At Risk (declining) have, at any time, the meanings given in the New Zealand Threat Classification System Manual (Andrew J Townsend, Peter J de Lange, Clinton A J Duffy, Colin Miskelly, Janice Molloy and David A Norton, 2008. Science & Technical Publishing, Department of Conservation, Wellington),</p>

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	available at: https://www.doc.govt.nz/globalassets/documents/science-andtechnical/sap244.pdf , or its current successor publication
Vegetation alteration or removal	means damaging, cutting, destroying, or removing any part of vegetation, and includes: a. roots; and b. crown pruning But excludes; a. the alteration or removal of vegetation planted as a crop or pasture.

Introduction

Indigenous biodiversity encompasses the native species, their genetic diversity, and the habitats that support them. Despite Napier's relatively small size and significant land modification due to urban development and agriculture, it retains areas of rare and important indigenous vegetation and indigenous fauna habitats, such as Te Whanganui-a-Orotū (the Ahuriri Estuary) and Kanuka stands at Bay View.

This chapter of the District Plan aims to protect Napier's remaining indigenous vegetation and indigenous fauna habitat by identifying significant biodiversity areas and managing land use and development to enhance and maintain their ecological values. The framework aligns with both the National Policy Statement on Indigenous Biodiversity (NPSIB) ensuring that Napier's biodiversity is not only protected but also actively restored where appropriate.

Protecting these areas of indigenous vegetation and indigenous fauna habitats is a matter of national importance under the Resource Management Act 1991 (RMA). Section 6(c) of the RMA requires the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Section 7, including 7(a) and 7(d) also require councils to have particular regard for kaitiakitanga (guardianship by tangata whenua) and the intrinsic values of ecosystems. Additionally, Section 31 requires territorial authorities to control the effects of land use and development in order to maintain indigenous biodiversity.

The RMA mandates that local authorities manage indigenous biodiversity in two key ways:

1. **Control the effects** of land use, development, or protection for the purpose of maintaining indigenous biodiversity (Section 31); and
2. **Recognise and provide for the protection** of areas with significant indigenous vegetation and habitats of indigenous fauna (Section 6(c)).

The Ecosystems and Indigenous Biodiversity chapter adopts a tiered approach, categorising areas based on their ecological significance to ensure the appropriate level of management and protection:

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- 1. Significant Vegetation or Habitat (SIVH) - More Restrictive (Highest Protection):**
 - Areas recognised for their significant ecological value and importance, particularly under Section 6(c) of the RMA.
 - Activities within these areas are subject to the strictest controls to ensure the protection, maintenance, and restoration of indigenous biodiversity.
- 2. Restoration Area - Less Restrictive (Moderate Protection):**
 - Areas of ecological value that fall below the significant threshold for protection under Section 6(c) of the RMA.
 - Managed with less restrictive measures, focusing on maintaining ecological functions while allowing more flexible land use and development.
- 3. Unmapped District Wide Biodiversity – Least Restrictive (Low Protection)**
 - Applies to areas not specifically identified or mapped as having significant ecological value at either the city or district level.
 - Provides a precautionary approach where effects on biodiversity could be significant, though activities generally have a higher threshold for regulation, allowing for more flexible land use.

The tiered framework ensures the level of protection and management is proportional to the ecological significance of each area. It also balances the need for biodiversity conservation with the practical realities of land use and development.

Other chapters of the District Plan may be relevant when considering land use, subdivision and development activities in these areas. It is recommended you check all District-Wide chapters and spatial layer (eg zone) chapters when considering the provisions that relate to your site.

Issues

ECO-I1 Depleted ecosystems and significant indigenous vegetation and significant habitats of indigenous fauna

Section 6(c) significant indigenous vegetation and significant habitats of indigenous fauna are crucial for the health and functioning of Te Whanganui-a-Orotū (the Ahuriri Estuary). They provide vital habitats for threatened and endangered species and connect the community to Napier's natural heritage.

Napier's indigenous biodiversity, once dominated by coastal forests and diverse wetlands, has been severely diminished due to human activities. Originally, coastal forests included species like karaka, totora, nikau, and titoki. Wetlands featured kahikatea, matai, and cabbage trees, while salt marshes and meadows were prevalent in saline areas. Coastal zones had spinifex and pingao, transitioning to herbfields and shrubland.

After the 1931 Napier Earthquake, saline wetlands initially spread into newly formed land. However, subsequent land reclamations and drainage for urban expansion limited this recovery. Despite significant modifications, the Ahuriri Estuary remains a regionally and

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nationally significant area with high ecological value. Outside this area, only remnants of Napier's original vegetation persist. Restoration efforts are essential to revive declining indigenous flora and fauna.

ECO-I2 The intrinsic value of our biodiversity is the life supporting engine

Biodiversity possesses intrinsic values, meaning it has value in its own right, as defined in the RMA. These values include the biological and genetic diversity of ecosystems and the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience. Recognizing these intrinsic values highlights that biodiversity is foundational to life itself, supporting ecological balance independently of human use.

In addition to its inherent worth, biodiversity also provides essential ecosystem services that support farming, forestry, horticulture, and other economic activities by delivering clean water, nutrient cycling, pollination, and flood protection. Maintaining at least 10% indigenous habitat cover is necessary to prevent further biodiversity loss and local extinctions. With many native species threatened, urgent efforts to protect and restore biodiversity are essential, not only to sustain ecosystem health but to uphold the intrinsic values that biodiversity represents.

ECO-I3 Specified Māori Land and Indigenous Biodiversity

Specified Māori Land often contains significant indigenous biodiversity, like SIVHs, which can limit the ability of Māori landowners to develop or use their land. The protection of these natural values can conflict with enabling Māori to exercise kaitiakitanga (guardianship) and tino rangatiratanga (self-determination) over their whenua. Balancing the protection of indigenous biodiversity with the ability of Māori to utilise and develop their land is a key issue.

Objectives

ECO-O1: Indigenous biodiversity across the district

Indigenous biodiversity across the district is protected, maintained, and restored through sustainable land use practices, targeted restoration efforts, and the prevention of further degradation and ensure overall maintenance of biodiversity. This ensures the long-term resilience and adaptability of ecosystems through mapped restoration areas and unmapped district wide biodiversity.

ECO-O2: Section 6(c) Indigenous Biodiversity Areas

The ecological integrity and biodiversity values of Section 6(c) areas of significant Indigenous Biodiversity are identified, protected, maintained, and restored, safeguarding these critical habitats and ensuring long-term ecological sustainability for indigenous species.

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ECO-03: Activities are enabled

Activities that contribute to environmental, economic, social, and cultural wellbeing are provided for in a manner that allows people and communities to continue these activities while maintaining indigenous biodiversity.

ECO-04: Kaitiakitanga and tino rangatiratanga

Māori mana, kaitiakitanga (guardianship) and tino rangatiratanga (self-determination) are recognised and actively supported, ensuring tangata whenua are empowered as partners in the management, protection, restoration, and development of indigenous biodiversity on their own land in accordance with tikanga Māori, the principles of the Treaty of Waitangi.

Policies:

ECO-P1: Identify and Map Indigenous Biodiversity

Identify and map sites with indigenous biodiversity within the district, including:

- a. Areas of significant indigenous vegetation and significant habitats of indigenous fauna (SIVH); and
- b. Restoration areas that possess biodiversity values below the threshold of 'Significant' but are ecologically valuable at a local level (Restoration Area)

ECO-P2: Protect indigenous biodiversity values of SIVHs

Protect and maintain the ecological integrity of SIVHs by avoiding any subdivision, use, and development that would result in:

- a. loss of ecosystem representation and extent;
- b. disruption to sequences, mosaics, or ecosystem function;
- c. fragmentation of mapped biodiversity or the loss of buffers or connections within mapped biodiversity;
- d. a reduction in the function of the vegetation or habitat as a buffer or connection to other important habitats or ecosystems; or
- e. a reduction in the population size or occupancy of threatened or at risk (declining) species that use any mapped biodiversity for any part of their life cycle.

ECO-P3: Manage adverse effects on indigenous biodiversity outside SIVHs

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Manage adverse effects of subdivision, use and development within Restoration Areas and all other indigenous biodiversity by applying the effects management hierarchy.

ECO-P4: Protect Indigenous Biodiversity in Coastal Environments

Avoid adverse effects on significant indigenous biodiversity, and avoid, remedy, or mitigate other adverse effects on indigenous vegetation, habitats, and species in the Coastal Environment.

ECO-P5: Established Activities in SIVHs

Provide for the continuation of established activities within SIVHs, ensuring that they do not result in increased adverse effects on biodiversity values.

ECO-P6: Activities and Specified Covenants or Kawenata

Enable activities that are consistent with specified covenants or kawenata, provided they align with approved ecological management plans and have the written consent of the covenantee.

ECO-P7: Manage Indigenous Biodiversity on Specified Māori Land

Partner with tangata whenua to manage indigenous biodiversity on specified Māori land to maintain and restore indigenous biodiversity while enabling the occupation, use, and development of their land to support the social, cultural and economic wellbeing of tangata whenua and the exercise of kaitiakitanga.

ECO-P8: Promote Ecological Connectivity

Promote ecological connectivity within areas of indigenous biodiversity by encouraging the creation of corridors to support the movement and migration of indigenous fauna and flora, particularly in response to climate change.

ECO-P9: Promote Restoration of Indigenous Biodiversity

Promote the restoration of indigenous biodiversity by prioritizing the reconstruction of degraded areas, including SIVH's, Restoration Areas, threatened ecosystems, areas that support highly mobile fauna, and those that provide connectivity or buffering functions

ECO-P10: Partnership with Tangata Whenua in Indigenous Biodiversity Management


Recognize and provide for kaitiakitanga by ensuring that tangata whenua have a meaningful role in the management of indigenous biodiversity areas, while enabling sustainable customary use in accordance with tikanga Māori.

ECO-P11: Precautionary Approach


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Adopt a precautionary approach to any proposed activities where the effects on indigenous biodiversity are uncertain, unknown, or where there is a risk of significant or irreversible damage to indigenous biodiversity.


Rules Table

<p>ECO-R1: Established activities within an SIVH or Restoration Area </p>	
<p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity involves: <ol style="list-style-type: none"> a. Removal of dead or diseased plant material; or b. Removal of pest plants; or c. Maintenance or upgrade of fences; or d. Vegetation alteration or removal for routine maintenance within 3m of existing buildings; or e. Maintenance or upgrade of existing structures/buildings where the footprint of that structure/building is not increased; or f. Maintenance or upgrade of existing tracks where the footprint of that track is not increased; and g. Any associated earthworks to the extent required to undertake the activity. 	
<p>ECO-R2: Trimming, pruning, maintenance, or restoration within a Restoration Area</p>	
<p>ECO-R2A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The activity is for the following purposes: <ol style="list-style-type: none"> i) For the operation, maintenance, safety, or upgrade of existing network utilities; ii) Emergency tree works; iii) The construction of fences or tracks for conservation purposes or pest management; or 	<p>ECO-R2B</p> <p>Activity status where standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The impact on indigenous biodiversity values within the area;


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<ul style="list-style-type: none"> iv) The activity is provided for within a specified covenant or kawenata; or v) Biosecurity trees works; or vi) Removal of dead or diseased plant material; or vii) Removal of pest plants; or viii) Conservation planting; or ix) Any associated earthworks to the extent required to undertake the activity; and x) The activity does not occur within the Coastal Environment Overlay. 	
<p>ECO-R3: Trimming, pruning, maintenance, or restoration within an SIVH </p>	
<p>ECO-R3A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is for the following purposes: <ul style="list-style-type: none"> i) For the operation, maintenance, safety, or upgrade of existing network utilities; ii) Emergency tree works; iii) The construction of fences or tracks for conservation purposes or pest management; or iv) The activity is provided for within a specified covenant or kawenata; or v) Biosecurity tree works; or vi) Removal of dead or diseased plant material; or vii) Removal of pest plants; or viii) Conservation planting; and ix) Any associated earthworks up to 5m² within any 12-month period per site.; and x) The activity does not occur within the Coastal Environment Overlay. 	<p>ECO-R3B</p> <p>Activity status where standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The adequacy of measures to avoid, remedy, or mitigate adverse effects, applying the effects management hierarchy; and 2. The extent to which the activity maintains or enhances the biodiversity values and ecological integrity of the area 3. The extent of impacts on the indigenous biodiversity values within the SIVH; and 4. The function and/or operational need for the proposed earthworks. 5. The adequacy of measures to avoid, remedy, or mitigate adverse effects, applying the effects management hierarchy; and 6. The adverse effects on the indigenous biodiversity of the coastal environment.
<p>ECO-R4: Clearance or removal of indigenous vegetation outside of an SIVH or Restoration Area</p>	
<p>ECO-R4A</p>	<p>ECO-R4B</p>


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<p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The clearance or removal does not exceed 50m² within any 12-month period per site.; and 2. Any associated earthworks to the extent required to undertake the clearance. 	<p>Activity status where standards are not met: Non-complying</p>
<p>ECO-R5: Clearance or removal of indigenous vegetation in a Restoration Area</p>	
<p>ECO-R5A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The removal or clearance of indigenous vegetation does not exceed 5% of the total area of the restoration area; and 2. The activity is necessary for <ol style="list-style-type: none"> a. the operation, maintenance, safety, or upgrade of existing network utilities, tracks or other infrastructure; or b. The removal is limited to dead, diseased or broken plant material; or c. The activity is for emergency tree works; and 3. Any associated earthworks to the extent required to undertake the activity; and 4. The activity does not occur within the Coastal Environment Overlay. 	<p>ECO-R5B</p> <p>Activity status where standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent and nature of the impact on indigenous biodiversity values within the area; and 2. The adequacy of measures to avoid, remedy, or mitigate adverse effects, applying the effects management hierarchy; and 3. The adverse effects on the indigenous biodiversity of the coastal environment.
<p>ECO-R6: Vegetation alteration of riparian margins with SIVHs </p>	
<p>ECO-R6A</p> <p>Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The vegetation alteration occurs 6 metres or more from the bed of the Esk (Waiohinanga) River or the Tutaekuri River. 	<p>ECO-R6B</p> <p>Activity status where standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The extent to which vegetation removal affects sedimentation and erosion control; and 2. The role of vegetation in providing shading and habitat for indigenous biodiversity; and


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	<p>3. The adequacy of measures to mitigate any potential adverse effects on water quality and riparian ecosystem health.</p>
<p>ECO-R7: Earthworks within a Restoration Area</p>	
<p>ECO-R7A</p> <p>Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The earthworks activity is for a purpose not otherwise provided for in this Rule Table; and 2. The total area of earthworks does not exceed 5m² within any 12-month period per site. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The adverse effects of earthworks on indigenous biodiversity values, and 2. Erosion and sediment control measures; and 3. If the proposed activity is within the Coastal Environment Overlay, the adverse effects on the indigenous biodiversity of the coastal environment, and efficacy of mitigation measures proposed. 	<p>ECO-R7B</p> <p>Activity status where standard (2) is not met: Non-Complying</p>
<p>ECO-R8: Earthworks within an SIVH </p>	
<p>ECO-R8A</p> <p>Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The earthworks activity is associated with the following activities: <ol style="list-style-type: none"> a. the operation, maintenance, safety, or upgrade of existing network utilities, tracks or other infrastructure; b. The removal is limited to dead, diseased or broken plant material; 	<p>ECO-R8B</p> <p>Activity status where standard 1 is not met: Non-Complying</p>



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<ul style="list-style-type: none"> c. emergency tree works; d. Biosecurity trees works; e. Removal of pest plants; or f. Conservation planting; g. Construction of fences or tracks for conservation purposes or pest management; or h. Any activity is provided for within a specified covenant or kawenata; and i. The total area of earthworks is not greater than 5m² within any 12-month period per site. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The scale and nature of the earthworks and their potential impact on the ecological integrity of the SIVH; and 2. The mitigation or remediation measures, including biodiversity offsetting where applicable; and 3. Any erosion and sediment control measures proposed to prevent sediment discharge into surrounding areas; and 4. If the proposed activity is within the Coastal Environment Overlay, the adverse effects on the indigenous biodiversity of the coastal environment, and efficacy of mitigation measures proposed. 	
<p>ECO-R9: Clearance or removal of indigenous vegetation within an SIVH </p>	
<p>ECO-R9A</p> <p>Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The clearance or removal is necessary for the following purposes: 	<p>ECO-R9B</p> <p>Activity status where standards are not met: Non-Complying</p>

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<p>a. use or development of a single residential dwelling and curtilage on an allotment created before 25th November 2024 and there is no practical alternative for that dwelling; or</p> <p>b. work of the Crown on land held or managed under the Conservation Act 1987; or</p> <p>c. sustainable customary use; or</p> <p>d. specified activities within a specified covenant or kawenata; or</p> <p>e. maintenance of improved pasture; or</p> <p>f. the operation, maintenance, safety, or upgrade of existing network utilities, tracks or other infrastructure; or</p> <p>g. the subdivision, use and development of specified Māori Land; and</p> <p>2. The removal or clearance does not exceed 5% of the total area of SIVH</p> <p>Matters of discretion are restricted to:</p> <p>3. The adverse effects on the biodiversity values and ecological integrity of the area; and</p> <p>4. Cultural values related to the area; and</p> <p>5. If the proposed activity is within the Coastal Environment Overlay, the extent to which adverse effects on the indigenous biodiversity of the coastal environment are avoid, and/or the efficacy of mitigation measures proposed.</p>	
<p>ECO-R10: Specified infrastructure within an SIVH or Restoration Area </p>	
<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The national or regional public benefit of the infrastructure development; and</p> <p>2. The function or operational need for the infrastructure within the SNA; and</p>	

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<p>3. The scale and intensity of the development; and</p> <p>4. The extent to which adverse effects on the SNA are avoided, remedied, or mitigated.</p>	
<p>ECO-R11: Subdivision of a Site containing an SIVH or Restoration Area </p>	
<p>ECO-R11A</p> <p>Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The subdivision meets SUB-S1 to SUB-S19 	<p>ECO-R11B</p> <p>Activity status where standard (1) is not met: Non-Complying</p>
<p>ECO-R12: Any other activity within an SIVH or Restoration Area not otherwise provided for </p>	
<p>Activity status: Non-complying</p>	

Assessment Criteria

ECO-AC1: Impact on Indigenous Biodiversity Values and Ecological Integrity

- Whether a viable building platform can be achieved outside of the SIVH to minimize impacts.
- The extent to which the activity avoids, remedies, or mitigates adverse effects on indigenous biodiversity values in line with the National Policy Statement for Indigenous Biodiversity.
- The extent to which the location, scale, and design of buildings or structures within the SIVH minimize impacts on indigenous biodiversity values.
- The extent to which new development impacts the ecological functioning, habitat stability, and connectivity within the SIVH.
- Whether an ecological assessment by a qualified ecologist addresses potential loss or disruption to ecological processes, functions, and integrity.
- The extent to which formal protection and active management of the SIVH is demonstrated for subdivision or new activities within the SIVH.
- The extent to which cumulative effects of activities within or adjacent to the SIVH are assessed and managed appropriately.
- The extent to which the activity is for the purpose of protecting, restoring or accessing the areas ecological values.
- The extent to which activities carried out are provided for within a specified covenant or kawanata.

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ECO-AC2: Functional or Operational Need

- The extent to which the activity demonstrates a functional or operational need to be located within the SIVH or restoration area and whether there are practicable alternative locations outside the SIVH or Restoration Area.
- The extent to which any activities undertaken by Crown on land held or managed under the Conservation Act 1987, or any other Act specified in Schedule 1 of the Conservation Act 1987, is undertaken in a manner that is consistent with any applicable conservation management strategy, conservation management plan, or any other Conservation Act management plan, and does not have an impact beyond the boundary of the land.

ECO-AC3: Effects Management Hierarchy

- The extent to which the proposal applies the effects management hierarchy:
 - Avoids adverse effects where practicable.
 - Minimises where avoidance is not possible.
 - Remedies where effects cannot be minimised.
 - Provides biodiversity offsetting for any residual effects that cannot be avoided, minimised, or remedied, ensuring a measurable net gain in biodiversity.
 - Applies compensation only if biodiversity offsetting is not possible.
- The extent to which the proposal details the application of each step in the hierarchy and includes appropriate biodiversity offsetting or compensatory measures.

ECO-AC5: Mitigation of Risk

- The extent to which the activity is required to address a high risk to public health or safety.

ECO-AC6: National or Regional Public Benefit

- The extent to which the national or regional public benefit of the activity (such as infrastructure development or mineral extraction) outweighs the adverse effects on biodiversity, and whether sufficient mitigation or offsetting measures are included to balance those impacts.

ECO-AC7: Specified Māori Land

- The extent to which the subdivision, use or development provides for tangata whenua to support their social, cultural and economic wellbeing.

ECO-AC8: Cultural Values

- The extent to which the proposal incorporates consultation with local iwi and hapū and consideration of mana whenua cultural values, particularly in relation to SIVHs and indigenous biodiversity, Kaitiakitanga and tikanga Māori.
- The extent to which any sustainable customary use of indigenous biodiversity is conducted in accordance with tikanga.

ECO-AC9: Erosion, Sediment Control, and Habitat Protection

- The effectiveness of erosion and sediment control measures for earthworks or construction activities, especially within SIVHs, Restoration Areas, or ecological corridors, ensuring sediment impacts on indigenous biodiversity are minimized or avoided.

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- The role of vegetation in providing shading and habitat for indigenous species, contributing to ecological stability, particularly in riparian zones.
- The extent to which sediment control measures influence water quality and support overall ecosystem health.

ECO-AC10: Adverse effects on the indigenous biodiversity of the Coastal Environment

- The extent to which the proposal is consistent with the relevant Coastal Environment policies.
- Consideration of potential impacts on coastal ecosystems, habitats, and indigenous biodiversity.
- The effectiveness of proposed mitigation measures to manage or reduce adverse effects on the coastal environment.

ECO- SIR1: Special Information Requirement

- 1) Any application for resource consent for an activity that is likely to have more than minor adverse effects on indigenous biodiversity must include a report that:
 - a) Is prepared by a suitably qualified ecologist and, if required, other experts with relevant expertise, such as an individual knowledgeable in mātauranga Māori.
 - b) Complies with the requirements outlined in subclause (2).
 - c) Is proportionate to the scale and ecological significance of the proposal's impact on indigenous biodiversity.
- 2) The report must:
 - a) Describe the existing ecological features and values present at the site.
 - b) Outline the adverse effects of the proposal on indigenous biodiversity and the management measures to address these effects.
 - c) Identify any impacts on taonga (culturally significant species or features).
 - d) Detail the ecosystem services related to indigenous biodiversity provided by the site.
 - e) Assess the ecological integrity and connectivity within and beyond the site.
 - f) Include a mātauranga Māori and tikanga Māori assessment methodology, where applicable.
 - g) If biodiversity offsetting is proposed, provide:
 - i) A detailed offsetting plan, including quantified loss and gain calculations, the currency used, and the supporting data.
 - ii) An explanation of how the principles in Appendix 3 of this National Policy Statement are addressed.
 - iii) An assessment of the likelihood of achieving a net gain in biodiversity values.
 - h) If biodiversity compensation is proposed, provide:
 - i) A detailed compensation plan.
 - ii) An explanation of how the principles in Appendix 4 of this National Policy Statement are addressed.
 - iii) An assessment of the likely success of the compensation plan in achieving its intended outcomes.