



INDIGENOUS VEGETATION AND HABITATS OF INDIGENOUS FAUNA - RULES

This chapter does not form part of this Plan change. The existing provisions of the Ruapehu District Plan (May 2000) will continue to have effect.

A copy of the Objectives and Policies from the May 2000 document is provided on the following pages for completeness.



INDIGENOUS VEGETATION AND HABITATS OF INDIGENOUS FAUNA - RULES

IV 3.1 Fauna and Flora Screening Procedure

- (a) The removal of up to 50 m³ of timber per ten year period per certificate of title from any indigenous vegetation described in criteria (e) below;
 - (i) for private use. The test for "private" is that the timber shall not be sold or gifted to a third party: OR
 - (ii) by tangata whenua for culturally appropriate purposes; for example, but not limited to Rongoa, Waka, traditional buildings and marae based activities.
- (b) Removal of wind thrown trees, standing dead trees that have died as a result of natural causes, or trees that have become dangerous to human life or property as a result of natural causes.
- (c) Clearance, or modification of indigenous vegetation that has been planted and managed specifically for the purpose of harvesting or clearance.
- (d) Tree trimming, associated with the operation and maintenance of existing utilities and electricity generation activities, but excluding their expansion and upgrading.
- (e) The indigenous vegetation contains species which are at least 30 centimetres diameter at breast height, and regardless of the configuration of certificate of title, is over 1.0 hectare in area with five indigenous trees per hectare of 6.0 metres or taller.
- (f) Removal of indigenous vegetation when provided for under a Sustainable Forest Management Plan or a Sustainable Forest Management Permit approved by the Secretary of Forestry under the Forests Act 1949.
- (g) The indigenous vegetation or habitat has been set aside by national statute or covenant for protection and preservation.
- (h) The indigenous vegetation or habitat is recommended for protection under the Protected Natural Area Programme or identified in a Sites of Special Wildlife Interest survey provided for by the Department of Conservation.
- (i) The vegetation, including riparian vegetation and wetlands, contains any indigenous flora species or fauna species listed in Schedule 1.

IV 3.1.1 Permitted Activities

Activities which involve the clearance or modification of indigenous vegetation or habitats of indigenous fauna that complies with any one of FFSP criteria 1 to 4 and does not also comply with any of FFSP criteria 5 to 9 are Permitted Activities.

IV 3.1.2 Discretionary Activities

Activities which involve the modification of indigenous vegetation or habitats of indigenous fauna that complies with any one of FFSP criteria 5 to 9 are Discretionary Activities.

IV 3.1.3 Non-Complying Activities

Activities which involve the clearance of indigenous vegetation or habitats of indigenous fauna which complies with any one of FFSP criteria 5 to 9 are Non-Complying Activities.



IV 3.2 Principal Reasons for Adopting Objectives, Policies and Methods

IV 3.2.1 Statutory Obligations

Council must give primacy to the provisions of Part II of the Resource Management Act 1991, including Section 6(c): "the **protection** of areas of **significant** indigenous vegetation and **significant** habitats of indigenous fauna." (emphasis added).

Other parts of the Resource Management Act of direct relevance are:

- (a) Section 5(2)(a) - *"to sustain the potential of natural and physical resources to meet the foreseeable needs of future generations";*
- (b) Section 5(2)(b) *"to safeguard the life supporting capacity of ecosystems";*
- (c) Section 7(d) *"the intrinsic values of ecosystems"; and*
- (d) Section 7(g) *"any finite characteristics of natural and physical resources."*

IV 3.2.2 Determining the Extent of Indigenous Vegetation

Historically, the indigenous forest resource in New Zealand may have totalled 20million hectares. Today, the resource totals approximately 6million hectares. Of that, approximately 5million hectares (83%) is managed by the Crown (principally by the Department of Conservation - DOC). The remaining 17% is in private ownership.

While the majority of indigenous forest are reserved, some types of indigenous forest (and habitats of indigenous fauna) are not adequately represented in the Crown managed land. For example, less than 2% of the North Island's original "lowland" podocarp forest remains. Only a small fraction of this forest type remnant is represented in DOC administered land.

A complete inventory of the indigenous ecosystems of Ruapehu District is desirable. This information has yet to be obtained due to the considerable financial costs involved. While the Protected Natural Area Programme (PNAP) identifies "Recommended Areas for Protection", the Department of Conservation has only assessed a small portion of the District under this survey programme. The District Council itself does not have the resources to undertake this type of survey independently of other agencies.

IV 3.2.3 Determining Ecological "Significance"

"Significance" analysis under the PNAP depends on a complete classification of the ecological units and other natural features of the ecological district. Until a complete District wide survey has been undertaken, significance determination under this programme may not be possible.

The assessment of environmental effects report and consultation with relevant parties, as required in the resource consent process, will provide a determination of the "significance" of an indigenous ecosystem.

The "significance" ranking criteria in the District Plan incorporates scientific concepts and definitions, landowner, tangata whenua and conservation groups concerns into policies and rules that can be interpreted and applied by council staff and the users.

To assess what constitutes "significant indigenous vegetation" or "significant habitats of indigenous fauna", a method has been developed based around a set of criteria known as the "Fauna and Flora Screening Procedure". This will determine whether a proposal is a permitted activity, a discretionary activity (modification of indigenous vegetation or habitats of indigenous fauna) or a non-complying activity (eg, clearance of indigenous vegetation or habitats of indigenous fauna).



The list of Threatened Fauna and Plant Species in Schedule 1 and the "Indigenous Vegetation and Habitats of Indigenous Fauna Evaluation Criteria" Guidelines (available from the Council) are an important part of the assessment process. The information has been obtained from nationally recognised scientific sources. The Schedule and the Guidelines will assist in provision of information and for Council to determine the level of protection that may be needed on a case by case basis.

IV 3.2.4 Good Practice Principles

Council has adopted the following good practice principals in this section of the Plan:

- (a) Providing certainty to land users of the standards for meeting performance as a permitted activity.
- (b) Providing administrative efficiency in terms of the staff and financial resources available to meet Council's statutory requirements under the Resource Management Act.
- (c) Recognising that the Resource Management Act does **not** provide for the outright protection of all indigenous vegetation and habitats of indigenous fauna.
- (d) Accepting that there is a continual demand for indigenous vegetation products in local and international markets, and that prohibiting out-right, logging of indigenous vegetation would result in a loss of property rights.

Section 9(1) states that no person may use land in a manner that contravenes a rule in a Plan. This has been interpreted by Council to mean that every activity not referred to in this section is therefore provided for, and has the status of a permitted activity.

IV 3.2.5 Integration With Other Relevant Policy Documents and Statutes

IV 3.2.5.1 *Manawatu-Wanganui Regional Policy Statement and Regional Plans*

The Proposed Regional Policy Statement, as amended by decisions based on submissions, promotes the need for an inventory of significant indigenous vegetation, and for district councils to "provide appropriate means to protect these identified areas" (Objective 9 and Method 9.3).

The Proposed Regional Land Management Plan promotes objectives and policies affecting indigenous forest clearance but with emphasis on soil and water issues. Rules governing the actual practice of logging indigenous forest are deemed to be a matter to be dealt with by the district plan.

IV 3.2.5.2 *The Conservation Act 1987*

The functions of the Department of Conservation are provided in the Conservation Act 1987.

The Tongariro/Taupo, Wanganui and Waikato Conservation Management Strategies provide policy discussion relevant to the management of indigenous vegetation in the Ruapehu District. These documents were used to provide guidance in the development of the Plan's policies and the Threatened Species list in Schedule 1.

The Protected Natural Areas Programme (PNAP) is currently being undertaken by the Department of Conservation in the Ruapehu District. This data will be essential for identifying significant indigenous ecosystems.

IV 3.2.5.3 *The Forests Act 1949*

The focus of the 1993 amendments to the Forests Act 1949 is the sustainable management of indigenous forests. Controls are placed on the milling and exporting of indigenous timber (and products) by requiring the preparation of a Sustainable Management Plan or by the provision of a Sustainable Forest Management Permit.



While the Forests Act seeks to promote sustainable indigenous forest management, there is no requirement for public consultation in the preparation of Sustainable Management Plans or Sustainable Forest Management Permits, as is required in the Resource Management Act resource consent process. Furthermore, the Forests Act involves the management of all areas of indigenous forest to be milled. There is no statutory requirement in the Forests Act to protect significant indigenous vegetation or habitats of significant indigenous fauna. The Resource Management Act requires Council to protect only significant areas of indigenous vegetation and fauna habitat, and to promote the sustainable management of natural resources in general.

Therefore, Council considers that it needs to retain a discretion to assess the effects of activities approved under Sustainable Forest Management Plans and Permits and their possible impact on significant areas of indigenous vegetation and significant habitats of indigenous fauna through the resource consent process.

IV 3.3 Cross References

As a guide only, any person referring to the above should also refer to the parts of the District Plan addressing the following issues:

- (a) Information requirements.
- (b) Rural Zone.
- (c) Residential High Zone.
- (d) Residential Medium Zone.
- (e) Commercial Zone.
- (f) Industrial Zone.
- (g) Urban Settlement Zone.
- (h) Protected Areas Zone.
- (i) Tangata Whenua Section.

Schedule 1 - Threatened Fauna Species (including rare, endangered, indeterminate or vulnerable species) within the Ruapehu District means any of the following species:

Common Name	Scientific Name	Conservation Status
Birds		
Australasian bittern	<i>Botaurus poiciloptilus</i>	Threatened
Banded dotterel	<i>Charadrius bicinctus</i>	Threatened
Blue duck	<i>Hymenolaimus malacorhynchus</i>	Threatened
North Island kokako	<i>Callaeas cinerea wilsoni</i>	Endangered
New Zealand falcon	<i>Falco novaeseelandiae</i>	Threatened
New Zealand dabchick	<i>Podiceps rufopectus</i>	Threatened
Northern brown kiwi	<i>Apteryx australis mantelli</i>	Threatened
North Island kaka	<i>Nestor meridionalis septentrionalis</i>	Threatened
Red (& yellow)-crowned parakeet	<i>Cyanoramphus novaezelandiae (auriceps)</i>	Regionally Threatened
North Island fernbird	<i>Bowdleria punctata vealeae</i>	Regionally Threatened
North Island robin	<i>Petroica australis longipes</i>	Regionally Threatened
Fish		
Short-jawed kokopu	<i>Galaxias postvectus</i>	Indeterminate ¹
Reptiles and Frogs		
Archey's frog	<i>Leiopelma archeyi</i>	Regionally Threatened
Hochstetter's frog	<i>Leiopelma hochstetteri</i>	Regionally Threatened
Striped skink	<i>Leiopisma striatum</i>	Regionally Threatened
Invertebrates		
Native land snail	<i>Powelliphanta species</i>	Threatened
Mammals		



Common Name	Scientific Name	Conservation Status
Long-tailed bat	<i>Chalinolobus tuberculata</i>	Threatened
Short-tailed bat	<i>Mystacina tuberculata rhyacobia</i>	Threatened

Threatened Plant Species within the Ruapehu District means any of the following species:

Common Name	Scientific Name	Conservation Status*
bat flower (woodrose)	<i>Dactylanthus taylorii</i>	Endangered
orchid	<i>Prasophyllum sp. aff. (Rowan)</i>	Vulnerable
"local" orchid	<i>Pterostylis 'linearis'</i>	Local
shrub	<i>Pittosporum turneri</i>	Rare
subterranean herb	<i>Thismia rodwayi</i>	Local
shrub	<i>Coprosma wallii</i>	Vulnerable
shrub	<i>Olearia capillaris</i>	Rare
shrub	<i>Melicytus flexuosus</i>	Vulnerable
buttercup	<i>Ranunculus ternatifolius</i>	Vulnerable
yellow mistletoe	<i>Alepis flavida</i>	Vulnerable
mistletoe	<i>Peraxilla tetrapetala</i>	Vulnerable
yellow/red mistletoe	<i>Peraxilla colensoi</i>	Vulnerable
orchid	<i>Pterostylis micromega</i>	Endangered
sedge	<i>Carex unciifolia</i>	Rare
grass species	<i>Amphibromus fluitans</i>	Critical
grass species	<i>Deschampsia caespitosa</i>	Vulnerable
prostrate buttercup	<i>Ranunculus recens "Moawhango"</i>	Critical
small forget-me-not	<i>Myosotis "Volcanic Plateau"</i>	Vulnerable1
small shrub	<i>Pimelea aridula</i>	Insufficient knowledge1
tree daisy	<i>Olearia hectorii</i>	Endangered
grey forget-me-not	<i>Myosotis "glauca"</i>	Rare
sand iris	<i>Libertia peregrinans</i>	Insufficient knowledge
hook grass	<i>Uncinia strictissima</i>	Insufficient knowledge
herb	<i>Logania depressa</i>	Presumed Extinct
herb (carrot family)	<i>Oreomyrrhis "delicatula"</i>	Insufficient knowledge

* Main Source for Plant Conservation Status Ranking - "Threatened & Local Plant Lists" (1995 revision). Cameron, EK; de Lange, PJ; Given, DR; Johnson, PN; Ogle, CC. New Zealand Botanical Society Newsletter 39: 15-28.

Taxonomically Indeterminate