

Natural, Historic and Cultural Heritage

Natural and cultural heritage refers to important landscapes, areas of ecological or historical significance, and sites of significance to Māori. The Council must protect these features as national matters under the Resource Management Act (RMA).

| What Council consulted on | What Council decided | Why Council made the decision |
|--|---|---|
| Natural Features and Landscapes | | |
| Mapping | | |
| The mapping of areas of outstanding landscape (ONL) has been increased across the district. The number of ONL's have increased from four to seven. Additionally, the number of visual amenity landscapes (VAL) has increased from one to three. | The areas of ONL and VAL have been confirmed with a few minor adjustments. | |
| Buildings and Structures | | |
| Rules around buildings and structures are more permissive than the Operative District Plan in areas of the high country ONL, particularly around 'Building Nodes' (where there are concentrations of buildings). However, a requirement to protect views from SH73 and the Midland Rail line through a 300m setbacks has remained. Rules are less permissive in other ONL areas such as Banks Peninsula, the Rakaia and Waimakariri Rivers and Te Waihora/Lake Ellesmere. This recognises that these ONL are more sensitive. | <p>A greater range of buildings and structures are exempt from the requirement to be setback 300m from SH73 and the railway line in high country ONL.</p> <p>Rules have been tightened in Banks Peninsula for non-habitable buildings and a resource consent will be required where there is a proliferation of such buildings.</p> | <p>Farming and infrastructure related activities sometimes need to be located near or alongside road and rail corridors. This is recognised through the expanded list of exemptions to the setback.</p> <p>The Council agreed with submitters and the Panel that additional controls were needed to ensure that buildings for farming purposes integrate into the sensitive environment of the Banks Peninsula ONL.</p> |
| Earthworks | | |
| <p>Earthworks are permitted in all VAL areas and most ONL areas if certain standards are met. For example, compliance with maximum volume and area of earthworks which vary depending on the sensitivity of the ONL.</p> <p>In Te Waihora/Lake Ellesmere, any earthworks are a non-complying activity.</p> | <p>More activities that involve earthworks are now permitted in the ONL and VAL where they relate to farming and the provision of infrastructure.</p> <p>Earthworks in Te Waihora/Lake Ellesmere are now a restricted discretionary activity if they relate to farming or providing infrastructure.</p> | There were several earthwork related activities which related to the operation and maintenance of farming and infrastructure activities. The Council agreed with the Panel that it is appropriate that they are permitted or, in the case of Te Waihora/Lake Ellesmere have an easier consenting pathway as a restricted discretionary activity. |

| Plantings | | |
|--|---|---|
| <p>Horticulture planting, shelterbelts and plantation forestry are strictly discouraged in the Banks Peninsula, Te Waihora/Lake Ellesmere, Rakaia and Waimakariri River ONL's.</p> <p>Consent may be granted for discretionary activity in other areas of ONL.</p> <p>In VAL these activities are also discretionary activities except plantation forestry where, as a controlled activity, consent is still required but must be granted.</p> | <p>This approach has been retained, except for plantings in VAL, where all planting activities are now controlled activities.</p> | <p>As the effects of plantation forestry are usually greater than other types of planting, The Council agreed with the Panel that they should all be treated as controlled activities in VAL, where consent must be granted but conditions on siting and appearance can be imposed.</p> |
| Mineral extraction | | |
| <p>Quarrying and mining are non-complying activities in ONL and VAL.</p> | <p>Farm quarries in VAL (up to 1500m²) are now a discretionary activity.</p> | <p>Small-scale farm quarries may need to occur in VAL. This provides a slightly easier consenting pathway, while ensuring effects are still considered.</p> |

| What Council consulted on | What Council decided | Why Council made the decision |
|--|--|--|
| Ecosystems and Indigenous Biodiversity | | |
| Mapping | | |
| <p>Identifying areas of indigenous biodiversity on the planning maps where rules managing indigenous biodiversity apply. For example, indigenous vegetation clearance.</p> | <p>The number of overlays has been simplified and are focussed on the hill and high country and major rivers areas of the district (combined into a single 'indigenous biodiversity' overlay).</p> | <p>This change is to simplify the provisions following a restructure of the entire Chapter. Indigenous vegetation clearance in the plains is still protected but on a zone basis. Additional rules within the identified indigenous biodiversity overlay apply to restrict clearance of improved pasture and the planting of pest plant species.</p> |
| <p>Identifying key habitats important to mudfish and crested grebe.</p> | <p>This has been retained.</p> | <p>The Council agreed with the Panel that an area that meets the criteria of an SNA should be recognised as a SNA. An ecologist would need to determine if an area of indigenous biodiversity has merit as a SNA, based on this criteria.</p> |
| <p>Voluntary listing of Significant Natural Areas (SNA) in consultation with landowners. No SNA's identified in the Plan.</p> | <p>One SNA has been identified near the Waimakariri River on land owned by ECAN. SNA's can now be recognised by way of criteria rather than simply needing to be identified on the Planning maps. Policy has also been</p> | |

| | | |
|---|--|--|
| | strengthened in the Chapter so there is a commitment that the Council will now progressively identify and map SNA's. | The recent release of the National Policy Statement for Indigenous Biodiversity provides more direction on the Council's responsibility to identify and protect SNA's. |
| Indigenous vegetation clearance | | |
| <p>Indigenous vegetation rules have changed, and clearance is more explicitly defined.</p> <p>No resource consent is required for:</p> <ul style="list-style-type: none"> - clearance in improved pasture - maintenance and operation of infrastructure - customary activities - clearance below 100m² per ha of indigenous vegetation in Port Hills in any five year period and - clearance of 500m² per ha of indigenous vegetation in other areas in any five year period. <p>The rules are more restrictive within SNA's with the general presumption that clearance is avoided.</p> <p>Biodiversity management plans will generally be required for resource consents for indigenous vegetation clearance outside of SNA's.</p> | <p>Indigenous vegetation rules now apply to all SNA's including those that are recognised as SNA's through the application of criteria.</p> <p>The thresholds of 100m² and 500m² clearance have been removed, however, indigenous vegetation clearance may still take place for certain permitted activities, with the list of permitted activities within SNA's remaining more restrictive. Clearance of infected material has been included as a permitted activity.</p> <p>The definition of indigenous vegetation clearance has been broadened to include 'modification', 'trampling' and 'shading'. There are new definitions for 'overplanting', 'oversowing' and 'overgrazing'.</p> <p>The definition of improved pasture has been amended to align with the National Policy Statement for Freshwater Management 2020.</p> <p>Definitions of 'biodiversity compensation', 'ecological integrity' and 'no net loss' have been added.</p> <p>Bespoke rules controlling over-grazing within improved pasture in the new indigenous biodiversity overlay apply.</p> <p>Biodiversity management plans will remain a requirement for resource consent for indigenous vegetation clearance outside of SNA's.</p> | <p>Changes have been made to improve the structure of the Chapter and to provide clarity for the use of certain terms or definitions. Additionally, permitted rules have been expanded with more explicit listing of permitted activities rather than the use of thresholds.</p> |

| What Council consulted on | What Council decided | Why Council made the decision |
|---|---|---|
| Coastal Environment | | |
| Mapping | | |
| Identifying the extent of the Coastal Environment for the first time and mapping areas of natural character (including high, very high and outstanding). | This has been retained. There have been some minor changes to the maps particularly around the mouth of the Rakaia River where the coastal environment has been adjusted to the agreed coastal marine area boundary with Environment Canterbury | The maps need to accurately reflect the agreed boundary. The area of the Coastal Environment within the Coastal Marine Area is managed by Environment Canterbury. |
| Planting | | |
| <p>Horticulture planting, shelterbelts and plantation forestry are strictly discouraged in areas of outstanding natural character and Te Waihora/Lake Ellesmere.</p> <p>Elsewhere within the coastal environment, these activities are a discretionary or restricted discretionary activity where consent may be granted.</p> | There has been a minor change where shelterbelts and horticultural planting are now permitted activities in areas of the coastal environment that are not explicitly mapped as having natural character values. | This change recognises these activities can be more easily accommodated in the coastal environment (compared with more intrusive plantation forestry). |

| What Council consulted on | What Council decided | Why Council made the decision |
|---|---|--|
| Historic Heritage | | |
| Mapping | | |
| The number of heritage items in the Plan schedule has increased compared to the Operative District Plan and heritage settings have been mapped for the first time. | Heritage items and settings have been retained with some minor adjustments to mapping. | |
| Buildings and structures and Earthworks | | |
| The Proposed Plan introduces rules on managing activities in the setting of historic heritage. This includes the establishment and expansion of buildings and structures. Minor earthworks are also permitted with more significant earthworks associated with new construction needing resource consent. | Additional permitted works within a heritage setting have been added including works to existing buildings, and gardening and cultivation activities. | These are minor changes for activities that are unlikely to have a negative effect on the setting. |

| What Council consulted on | What Council decided | Why Council made the decision |
|---------------------------|----------------------|-------------------------------|
|---------------------------|----------------------|-------------------------------|

| Sites and Areas of Significance to Māori | | |
|--|--|---|
| Mapping | | |
| In general, the sites and areas of significance to Māori (SASM) identified in the Proposed District Plan reflect ones already identified in the Operative District Plan. A new area called Ngā Tūranga Tūpuna has been identified. The different SASM have been identified by overlays in the planning maps. | The mapping of SASM has been retained. | |
| Earthworks | | |
| Earthworks are permitted if certain standards are met, including being no deeper than 200mm. | Rules on earthworks in Ngā Tūranga Tūpuna have been rewritten and the blanket restriction on earthworks below 200mm has been removed, except for the cultivation of undisturbed land. There is now a greater list of permitted earthwork activities in this area that allows typical rural production activity and small-scale building work, with a new volume threshold of 350m ² for certain activities. | The Council agreed with the Panel and a review by Mahaanui Kurataiao Ltd that more bespoke earthwork rules were required in the Ngā Tūranga Tūpuna to enable the continuation of rural production activity and small construction projects, such as building a house. |