

Vegetation Clearance Rules for Wellington City

Contract Report No. 3942I-ii

Providing outstanding ecological
services to sustain and improve
our environments



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August 2024

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Cite this report as follows:

Wildland Consultants (2024). *Vegetation clearance rules for the Wellington District*. Wildland Consultants Contract Report No. 3942I-ii. Prepared for Wellington City Council. 35pp.

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1.0 Introduction

1.1 Overview

Wellington City has an Operative District Plan and a Proposed District Plan, both of which contain provisions relating to the protection of ecologically-significant indigenous vegetation and habitats of indigenous fauna within defined areas, i.e. Significant Natural Areas (SNAs). The now-operative National Policy Statement for Indigenous Biodiversity (NPS-IB) contains provisions addressing the protection of indigenous biodiversity within SNAs and outside of SNAs, including highly mobile indigenous fauna. As part of the Proposed District Plan process, Wellington City Council require advice on options for the management of vegetation clearance to address the protection of indigenous biodiversity. Wildlands has previously provided preliminary advice on this matter but a more comprehensive evaluation is now required.

This report provides the second stage of this advice: an overview of current vegetation clearance provisions in the Wellington District Plan, plus a review of District Plans for other parts of the Wellington Region, and other districts across Aotearoa New Zealand. For clarity, vegetation clearance refers to clearance (removal or trimming) of terrestrial vegetation only, and does not include clearance of wetland or aquatic vegetation.

1.2 Historical background of vegetation clearance rules

Vegetation clearance rules, in various forms, have been included in District Schemes, under the Town and Country Planning Act, and in District Plans, under the Resource Management Act, since at least the 1980s.

The first New Zealand Biodiversity Strategy (2000) sets out national goals for conserving and sustainably using indigenous biodiversity. At a general level, government agencies and organisations are guided by the principles of the strategy but it does not prescribe in detail how the specified actions are to be undertaken. A key point highlighted in the New Zealand Biodiversity Strategy (p. 126) is that the conservation of indigenous natural vegetation requires protection on both public and private land.

In 2004, the Ministry for the Environment (MfE) undertook a review of district plans prepared under the Resource Management Act 1991 (RMA) to establish baseline information about approaches to the protection of indigenous biodiversity taken by territorial local authorities (Ministry for the Environment, 2004). Findings from this review found that a range of approaches were being used by councils to manage biodiversity loss on private land, with many regional councils working with landowners and communities to protect and restore biodiversity values. Some councils have taken a regulatory approach to biodiversity preservation (e.g. general vegetation clearance rules, subdivision controls), while others favoured a voluntary approach and did not enforce regulation (e.g. covenants, landcare groups, education and advice to landowners), while other councils use a combination of both management approaches. Some councils had comprehensive and detailed provisions for the identification of significant sites, with a range of different criteria being used to define 'significant' areas and habitats.

The Ministry for the Environment implemented a range of measures to address the decline of indigenous biodiversity, such as the introduction of special biodiversity condition and advice funds, increased government funding for national programmes to assist landowners and to increase the extent of formally protected areas, enhanced capacity in local government, amendments to the RMA to clarify the importance of territorial authorities in biodiversity conservation, and preparation of the draft National Policy Statement on Indigenous Biodiversity (NPS-IB).



In July 2010, MfE commissioned an update to the 2004 study using its original methodology and criteria with particular emphasis on establishing how many of the district councils have relatively weak or non-existent plan provisions for biodiversity protection, with the study primarily relating to terrestrial indigenous biodiversity (AWT, 2010). The government also drafted the NPS-IB for initial consultation in 2011.

Further research was then commissioned by MfE on biodiversity management to support the draft NPS-IB (Beca and Wildland Consultants 2016). The purpose of this report was to undertake an updated analysis of how regional, unitary and district councils were managing biodiversity. This research provided findings similar to the previous research, with the suite of plans notified since 2010 having a range of approaches to biodiversity planning and management. Across the documents reviewed, there was no identifiable consistent approach to biodiversity planning and management using regulatory and/or non-regulatory methods, although District Plans generally used terms such as 'indigenous vegetation protection', rather than 'biodiversity protection' to achieve more targeted protection of terrestrial vegetation and habitats. Of the 89 territorial authorities addressed in this review, 62 had included general vegetation clearance rules within their operative or proposed District Plan.

2.0 National-Level Statutory Frameworks

2.1 Resource Management Act 1991

The RMA defines natural and physical resources to include 'land, water, air, soil, minerals and energy, all forms of plants and animals (whether native to New Zealand or introduced) and all structures'. The purpose, function and contents of District Plans are directed towards achieving the purpose of the RMA (defined by Part 2), which is 'to promote the sustainable management of natural and physical resources' (under Section 5 of the RMA).

The RMA provides for six categories of activity. These are:

- **Permitted Activities:** This is an activity which does not require a resource consent and can be undertaken as of right if it complies with any performance standards identified in the Regional or District Plan.
- **Controlled Activities:** This is an activity which requires a resource consent. The resource consent must be granted (unless there are exceptional circumstances) and will be assessed in terms of the matters over which control is reserved in the Regional or District Plan or any national environmental standard. The consent may include conditions.
- **Restricted Discretionary Activity:** This is an activity which requires a resource consent and the Regional or District Plan, or a national environmental standard, will specify the matters over which discretion has been retained and which are to be assessed when considering any resource consent application and any associated conditions.
- **Discretionary Activity:** An activity which is provided for as a discretionary activity in the Regional or District Plan, but in this case the plan has not limited the matters which will be assessed when any resource consent application is considered. Applications for resource consents for both types of discretionary activity can be declined.
- **Non-Complying Activity:** A Non-Complying Activity is an activity described as such in the Regional or District Plan, a proposed change, or in a National Environmental Standard and requires a resource consent. Under Section 104D of the RMA the Council may not grant consent for a Non-Complying Activity unless it is satisfied either that the adverse effects of the activity on the



environment will be minor, or that the proposed activity is not contrary to the objectives and policies of the relevant Plan and/or proposed Plan.

- **Prohibited Activity:** This is an activity which the Regional or District Plan expressly prohibits and describes as an activity for which no resource consent shall be granted.

District Plans form part of a group of inter-related planning and policy documents which are established under the RMA. The intention of the RMA is that all these Plans and documents should work together to achieve the integrated management of natural and physical resources. The RMA requires that Regional Policy Statements and Regional Plans must give effect to National Policy Statements. The RMA also requires that District Plans must give effect to National Policy Statements, and Regional Policy Statements must not be inconsistent with a Regional Plan.

District Plans must give effect to Regional Policy Statements under section 75(3)(c) of the RMA, and have regard to any proposed Regional Policy Statement under section 74(2)(a) of the RMA.

2.2 National Policy Statement – Indigenous Biodiversity 2023

To address the lack of consistency in approaches by different region and territories, the draft NPS-IB was released for consultation in November 2019, and was gazetted in July 2023. This National Policy states that every territorial authority must undertake a district-wide assessment of the land in its district to identify areas of significant indigenous vegetation or significant habitat of indigenous fauna that would qualify as SNAs. The NPS-IB also sets out guidelines on how to manage adverse effects on SNAs. For indigenous biodiversity outside of SNAs, the NPS-IB states that any significant adverse effects of a new subdivision, use, or development on indigenous biodiversity must be managed by applying the effects management hierarchy, and that all other adverse effects of any activities that may adversely affect indigenous biodiversity that is outside an SNA (other than specified Māori land) must be managed to give effect to the objective and policies of the NPS-IB. Therefore, every local authority must make or change its policy statements and plans to be consistent with the requirements of these NPS-IB clauses.

3.0 Relevant Regional Statutory Provisions

3.1 Overview

Objectives, policies, and rules are set out below from the following:

- Wellington Regional Policy Statement.
- Operative Natural Resources Plan (2023) for the Wellington Region.

3.2 Regional Policy Statement

This Regional Policy Statement (RPS) for the Wellington Region was prepared by Greater Wellington Regional Council under Section 60 and Schedule 1 of the RMA, and was released in December 2023.

The following objectives are relevant to the management of terrestrial ecosystems, habitats, and features:

- **Objective 3:** Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected from inappropriate subdivision, use and development



- Objective 16: Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state
- Objective 17: The region's outstanding natural features and landscapes are identified and their landscape values protected from inappropriate subdivision, use and development
- Objective 18: The region's special amenity landscapes are identified and those landscape values that contribute to amenity and the quality of the environment are maintained or enhanced
- Objective 29: Land management practices that do not accelerate soil erosion

These policies specifically mention protection of terrestrial ecosystems, habitats, and features, and includes vegetation cover:

- Policy 3: Protecting high natural character in the coastal environment:
 - To protect high natural character in the coastal environment from inappropriate subdivision, development and/or use, including:
 - i. Landforms, water forms, vegetation, and land cover
- Policy 15: Minimising the effects of earthworks and vegetation clearance:
 - including the control of earthworks and vegetation disturbance to minimise erosion and sediment run-off into aquatic ecosystems
- Policy 23: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values, including those that meet one or more of the following criteria:
 - i. Representativeness
 - ii. Rarity
 - iii. Diversity
 - iv. Ecological context
 - v. Tangata whenua values
- Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values:
 - To protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development
 - Policy 47 will need to be considered alongside policy 24
- Policy 25: Identifying outstanding natural features and landscapes having determined that it:
 - Is exceptional or out of the ordinary
 - Has natural components that dominate over the influence of human activity
- Policy 26: Protecting outstanding natural features and landscape values
 - Policies, rules, and/or methods that protect outstanding natural features and landscape values from inappropriate subdivision, use or development
- Policy 27: Identifying special amenity landscapes
 - Identify special amenity landscapes which are distinctive, widely recognised and highly valued by the community for their contribution to the amenity and quality of the environment
- Policy 28: Managing special amenity landscape values
 - Managing these landscapes in order to maintain or enhance their landscape values
- Policy 35: Preserving the natural character of the coastal environment, including:
 - Maintaining or enhancing biodiversity and the functioning of ecosystems
- Policy 36: Managing effects on natural character in the coastal environment, including avoiding:
 - Adverse effects on the natural character of the coastal environment
- Policy 41: Minimising the effects of earthworks and vegetation clearance
 - Regard shall be given to controlling earthworks and vegetation disturbance to minimise:
 - i. Erosion



ii. Silt and sediment run-off

- Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values
 - To determine whether the proposed activity is inappropriate with particular regard to:
 - i. maintaining connections within, or corridors between, habitats of indigenous flora and fauna
- Policy 50: Managing effects on outstanding natural features and landscapes, including:
 - Whether an activity may affect an outstanding natural feature and/or landscape

3.3 Natural Resources Plan (operative 28 July 2023)

The Natural Resources Plan (NRP) was prepared by Greater Wellington Regional Council, with the Proposed Plan Change 1 to the NRP having effect from December 2023.

The NRP is a combined regional air, land, water, and coastal plan. Generally, the NRP does not repeat provisions from national environmental standards or regulations, with the understanding that these must be read in conjunction with the NRP provisions.

The purpose of the NRP is to promote the sustainable and integrated management of land and water in the Wellington region. The NRP has objectives, policies, and methods (which include rules) to address issues of use, development, and protection of land resources, including the margins of water bodies.

The following objectives identify the management categories that are relevant to the management of terrestrial ecosystems, habitats, and features:

- Objective O14: The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins is preserved and protected from inappropriate use and development
- Objective O19: Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded
- O26: Outstanding natural features and landscapes and their values are protected from inappropriate use and development
- O28: Ecosystems and habitats with significant indigenous biodiversity values are protected from the adverse effects of use and development, and where appropriate restored to a healthy functioning state

The following rules pertain specifically to clearance of vegetation.

- Rule R104: Vegetation clearance on erosion prone land
 - Vegetation clearance up to a total area of 2ha per property per 12-month period on erosion prone land is a Permitted activity provided
 - i. Any soil or debris from the vegetation clearance is not placed where it can enter a surface water body or coastal marine area
 - ii. Any soil disturbances associated with the vegetation clearance shall not result in certain effects (suspended material in water bodies, change in colour or clarity, emission of odours, making the water unsuitable for animal consumption, effects on aquatic life)
 - iii. Vegetation clearance shall not occur within 5m of a surface water except for certain rules



- Rule R106: Earthworks and vegetation clearance for renewable energy generation:
 - the earthworks or vegetation clearance shall not, occur within 10m of a surface water body or coastal marine area

The following schedules in the NRP relate specifically to terrestrial habitats as mentioned above in the RPS:

- Schedule F: Ecosystems and habitats with significant indigenous biodiversity values
- SCHED F2: Significant habitats for indigenous birds (F2a–c: rivers, lakes, wetlands)
- SCHED W: Vegetation and sediment removal management plan (flooding rivers)

4.0 Vegetation Clearance Provisions in Wellington City

4.1 Overview

This section describes the current vegetation clearance rules provided in the Proposed District Plan for Wellington City.

Part 2 of this DP (District-Wide Matters) includes policies, rules and methods pertaining to Ecosystems and Indigenous Biodiversity (Part 2-Natural Environment Values – ECO) including rules that control the clearance of indigenous vegetation. It includes rules for areas outside of SNAs plus rules that are specified within SNAs.

Rules pertaining to vegetation clearance are also to be found within the Notable Trees section (Part 2-Historical and Cultural Values – TREE), which provide for protection of individual specimens of trees; and the Coastal Environment section (Part 2 – General District-Wide Matters – CE), including High Coastal Natural Character Areas.

Although there are also schedules that list sites qualifying as Outstanding Natural Features and Landscapes (SCHED10) and Special Amenity Landscapes (SCHED11), there are no specific vegetation clearance rules for these sites.

4.2 Proposed Wellington City District Plan

4.2.1 Ecosystems and Indigenous Biodiversity

Policies ECO-P01–P07 describe the intentions of the ECO Section, with rules ECO-R01–R04, Significant Natural Areas, which vary across different management Zones. and standards ECO-S01–S03 detailing rules around vegetation clearance in general.

- A. ECO-R01: All Zones - Trimming and removal of vegetation within a SNA (as listed in SCHED8¹) is a *Permitted* activity where it is to:
1. Ensure access
 2. Enable flood protection
 3. Comply with fire and emergency regulations
 4. Enable tangata whenua to exercise customary harvesting
 5. Address an imminent threat to people or property
 6. Enable restoration work with Zealandia sanctuary

¹ WCC SCHED8: Significant Natural Areas. Significance of areas of indigenous vegetation and habitats of indigenous fauna that were assessed by the following criteria: Representativeness; Rarity; Diversity and Pattern; Distinctiveness; Ecological Context.



7. Enable parks maintenance
- B. ECO-R01: General Rural Zone, and Open Space and Recreation Zones - Trimming and removal of vegetation within a SNA is a *Permitted* activity where it is to:
 1. Construct a new fence, providing the removal does not exceed 2m in width
 2. Maintain at existing farm drain, septic tank field, or constructed stormwater device
 3. To create a firebreak within 10m of a wall, roof or residential unit (pre-July 2022)
 4. Maintain access tracks for farming, horticulture or agriculture
- C. ECO-R01: All Zones - Trimming and removal of vegetation within a SNA is a *controlled* activity where it is to:
 1. Upgrade or create a walking or cycling track by DOC, or Council, or their approved contractor
- D. ECO-R02: All Zones - Removal of vegetation within an SNA is a *Permitted* activity where it is:
 1. A pest plant
- E. ECO-R03: All Zones – Restoration and maintenance of a SNA is a *Permitted* activity where it is for the purpose of:
 1. Planting indigenous vegetation
 2. Carrying out pest control
 3. Carrying out activities in accordance with the protective covenant
 4. Carrying out activities in accordance with the Reserves Act
 5. Exercising mana whenua in accordance with the principle of kaitiakitanga
- F. ECO-R03: All Zones – New plantation forestry within a SNA is a *Non-complying* activity
- G. ECO-S01: All Zones – Trimming, pruning or removal where there is the imminent threat to the safety of people or property must be:
 1. Undertaken to a growth point or branch union
 2. Undertaken by an arborist
- H. ECO-S02: All Zones – Vegetation removal associated with maintenance or repair of public walking and cycling tracks including parks maintenance must:
 1. Not be greater than 2.5m width
 2. Not involve removal of any tree with a diameter exceeding that in SCHED9¹ as measured 1.4m above ground
- I. ECO-S03: General Rural Zone - Vegetation removal associated with farm access tracks must;
 1. Be no greater than 5m in width for access tracks
 2. Not involve removal of any tree with a diameter exceeding that in SCHED9 as measure 1.4m above ground
 3. Be solely for the purpose of providing farm access
- J. ECO-S04: Vegetation removal associated with upgrading walking or cycling tracks must:
 1. Not be greater than 2.5m width
 2. Not be greater than 5m² in area to accommodate any buildings or structures

4.2.2 Notable Trees

Policies TREE-P01–P07 describe the intentions of the TREE Section, with rule TREE-R01 specifically detailing rules around vegetation clearance pertaining to Notable Trees (as listed in SCHED6²).

- A. Rule TREE-R01: Trimming and pruning of a notable tree is a *Permitted* activity if it is:
 1. For the purpose of complying with Electricity Regulations
 2. To protect buildings and structures
 3. To manage dead or dying trees

¹ WCC SCHED9: Indigenous Tree Sizes. A list of indigenous tree species with the dimensions (diameter and height) that relate to specific rules.

² WCC SCHED6: Notable Trees. A list of addresses where notable trees are present on the property.



4. To ensure the safety of people and property

4.2.3 Coastal Environment

Policies CE-P01–P28 describe the intentions of the CE chapter, with rules CE-R04–R06 and standard CE-S01 specifically detailing rules around vegetation clearance¹ in the Coastal Environment (including those listed as High Coastal Natural Character Areas (HCNCA) as listed in SCHED12²).

- A. *CE-R04: All Zones - Vegetation trimming or removal within the coastal environment, outside of HCNCA is a *Permitted* activity
- B. *CE-R05: All zones - Exotic vegetation trimming or removal within the coastal environment, within HCNCA, but outside of a SNA is a *Permitted* activity
- C. *CE-R06: All zones - Indigenous vegetation trimming or removal within the coastal environment, within HCNCA, but outside of significant natural area, is a *Permitted* activity
- D. *CE-S01: All zones - Indigenous vegetation removal must not exceed 50m² in total area per 12-month contiguous period per site, unless it's:
 1. Addressing a threat to people or property represented by dead or dying vegetation
 2. To ensure safe operation of any public road or access
 3. Within 35m from an existing building
 4. Within 1m width either side of an existing fence or other structure
 5. For maintenance of public access track (where 2.5m total width of removal allowed)
 6. Required for fire regulations
 7. For customary harvesting

4.3 Reserve Management Plans

District Plans must have regard to specific Reserve Management Plans, to the extent that their content has a bearing on resource management issues of the district (Section 74(2)(b)(i) of the RMA). These management plans may have particular rules regarding vegetation clearance.

5.0 Vegetation Clearance Provisions for Other Territorial Authorities in the Wellington Region

5.1 Overview

This section describes the vegetation clearance rules that are contained in both operative and proposed District Plans for other districts in the Wellington Region:

- Upper Hutt City.
- Lower Hutt City.
- Porirua City.
- Kapiti Coast District.

¹ Parts of chapters marked by asterisks have not had final decisions and are not notified (decisions due mid 2024). Plan users are directed to 'have regard' to these provisions.

² WCC SCHED12: High Coastal Natural Character Areas. A list of coastal sites with high natural character including beaches, cliffs, estuaries, heads, peninsulas, and points.



5.2 Upper Hutt City Council

5.2.1 Overview

The Operative District Plan was released by Upper Hutt City Council (UHCC) in 2004 (with an ePlan released February 2023). Part 2 of this DP includes policies, rules and methods pertaining to Ecosystems and Indigenous Biodiversity (Part 2-Natural Environment Values – ECO) including rules that control the clearance of indigenous vegetation.

Rules pertaining to vegetation clearance are also to be found within the Urban Tree Groups (Part 2-Historical and Cultural Values – UTG) and Notable Trees (Part 2-Historical and Cultural Values – TREE) policies, which provide for protection of individual specimens or clusters of trees.

With respect to significant natural areas, Plan change 49 (Open Spaces) pertains to management of Natural Features and Landscapes, but does not cover vegetation clearance rules (Part 2-Natural Environment Values – NFL). The council plan to deliver management of areas with distinctive environmental qualities (otherwise known as SNAs) through a zoning approach, with the Southern Hills Overlay Area designated as having higher significant indigenous vegetation.

Management of vegetation around waterbodies is also provided for in Natural Character (Part 2-Natural Environment Values – NATC), although there are no specific clearance provisions in this section.

5.2.2 Ecosystems and Indigenous Biodiversity

Policies ECO-P01 to P08 describe the intentions of the ECO Section, with rules ECO-R01 to R05 specifically detailing rules around vegetation clearance.

- A. ECO-R01: Indigenous vegetation clearance of up to 500m² in total area on any one site (that is not an Urban Environment Allotment, or within an Urban Tree Group), within any continuous 5-year period is a *Permitted* activity.
- B. ECO-R02: Indigenous vegetation clearance up to 1 hectare in total area on any one site (that is not an Urban Environment Allotment, or within an Urban Tree Group) within any continuous 5-year period, where the vegetation is comprised predominantly of manuka (*Leptospermum scoparium*) or kanuka (*Kunzea ericoides*), and which has a canopy height no greater than 4m, is a *Permitted* activity.
- C. ECO-S01 provides Standards for Permitted Activities, including that:
 1. Indigenous vegetation clearance shall not take place:
 - Within any area set aside by statute or covenant for protection and preservation, or
 - Within 10m of any waterbody (including wetland), including within the waterbody itself, or
 - If the area to be cleared contains indigenous vegetation or fauna identified as rare or threatened as identified in ECO-SCHED2¹, or
- D. However, if a site is within the Southern Hills Overlay Area, Rules ECO-R01 and R02 above apply as *Restricted Discretionary* Activities, with the Council reserving the right to impose conditions on design, appearance, scale, and siting of the proposed works. Management of effects on visual, landscape or ecological values may need to follow the effects management hierarchy.

¹ UHCC ECO-SCHED2: Rare or Threatened Indigenous Vegetation and Fauna. A list of rare vascular plants, bats, birds, and lizards.



5.2.3 Urban Tree Groups

Policies UTG-P01–P08 describe the intentions of the UTG Section, with rules UTG-R01–R07 specifically detailing rules around vegetation clearance.

- A. UTG-R01: The trimming or removal of any *non-indigenous tree* (including roots) from an Urban Tree Group listed in UTG-SCHED1¹ where the identified individual tree species has a diameter of 0.2m or less, when measured in any direction at 1.5m above ground level, is a *Permitted* activity.
- B. UTG-R02–R07: The trimming or removal of any identified vegetation (*indigenous and non-indigenous*), including roots, and within the dripline of the tree, from an Urban Tree Group listed in UTG-SCHED1 where the identified individual tree species has a diameter of over 0.2m, when measured in any direction at 1.5m above ground level, is a *Permitted Activity*, if it is for the purpose of maintaining operation of a network utility infrastructure; where it presents a threat to people or structures (e.g. sick or dead individuals); or where it is for the purpose of pest plant control.

5.2.4 Notable Trees

Policies TREE-P01–P02 describe the intentions of the TREE Section, with rules TREE-R01–R03 specifically detailing rules around vegetation clearance.

- A. TREE-R01: Any work or activity proposed within the dripline of a tree listed in TREE-SCHED1² must meet the standards specified in TREE-S01–S03, namely that it needs to be done in accordance with accepted arboriculture practise, with some trimming or removal needing to be performed or supervised by a qualified arborist.

5.3 Lower Hutt City

5.3.1 Overview

The Operative District Plan was released by Hutt City Council (LHCC) in April 2024. Chapter 14 (General Rules) of this DP includes policies, rules and methods pertaining to Significant Natural, Cultural and Archaeological Resources (14E 1–2). The HCC mention that a schedule of significant natural, cultural, and archaeological resources has been created, with specific mention there will be restrictions on the development and activities within these areas, including a general mention of management of the clearance of indigenous vegetation. However, there are no specific rules or regulations in Chapter 14E on vegetation clearance within significant natural areas.

Rules pertaining to vegetation clearance in the Residential zone are also found in Chapter 4 (4D Hill Residential Activity Area).

Rules pertaining to vegetation clearance are also found within the General Rules Chapter for Notable Trees (14G 1–5).

There are no vegetation rules for the Rural Residential zone (Chapter 8A), or the Rural zone (Chapter 8B).

¹ UHCC UTG-SCHED1: Urban Tree Groups. A list of tree clusters that have been assessed for amenity, landscape, and ecological value. They are identified by street address and include a description of the species and individuals that comprise each group.

² UHCC TREE-SCHED1: Notable Trees. A list of trees assessed as having local amenity value.



5.3.2 Residential zone

Rule 4D (Hill Residential Activity Area) describe the policies and rules on vegetation clearance in this zone with high natural character.

- A. 4.1.1.1b: That the clearance of vegetation be managed to avoid, remedy, or mitigate any adverse effect on the visual amenity values of the hillside environment, slope stability, indigenous biodiversity, or the intrinsic values of ecosystems.
- B. 4.1.1.1j: The removal or indigenous vegetation is a *Permitted* activity where;
 1. It was planted within a domestic garden
 2. It is within 5m of a dwelling
 3. It is within 3m of an accessory building
 4. It is needed to maintain access, structures on site, and network utilities
 5. It is needed to prevent danger to people or property
- C. 4.1.1.1k: The removal of exotic vegetation is a *Permitted* activity

Rule 4D 2.2.1 (Matters in which Council has Restricted its Discretion and Standards and Terms) describe other rules relating to vegetation clearance and maintaining amenity value.

- A. 4.2.2.1b: Council may restrict the removal of vegetation where:
 1. It has amenity value
 2. It might affect site stability
 3. Where the extent to which the proposal will adversely affect the Indigenous Biodiversity and the Intrinsic Values of Ecosystems on the site and surrounding area

5.3.3 Notable Trees

Rules (14G 1–5) provide advice on the trimming or removal of Notable Trees, with these activities to be undertaken by Council or a qualified arboriculturist working on behalf of Council.

5.4 Porirua City

5.4.1 Overview

The Operative District Plan was released by Porirua City Council (PCC) in 1999, and the proposed District Plan – Appeals Version was released in 2024. Part 2 (District Wide Matters) of this DP includes policies, rules and methods pertaining to Natural Environment Values (NE) and Ecosystems and Indigenous Biodiversity (ECO). The Ecosystems and Indigenous Biodiversity chapter comprises identified areas of Significant Natural Areas, with the SNAs contained in SCHED7¹.

Rules pertaining to vegetation clearance are also found within the Historical and Cultural Values section (TREE – Notable Trees).

There is also general mention on the management of vegetation removal for Natural Features and Landscapes (NFL), specifically within the Māori Purpose zone and the High Density Residential zone within the Takapūwāhia Precinct.

¹ PCC SCHED7: Significant Natural Areas. These have been assigned according to criteria in the Greater Wellington Regional Council Regional Policy Statement (Policy 23).



5.4.2 Ecosystems and Indigenous Biodiversity

Policies ECO-P01–P03 describe the intentions of the ECO Section, with rules ECO-R01–R02 and R05 specifically detailing rules around vegetation clearance.

- A. ECO-R01: Trimming, pruning and removal of indigenous vegetation within a Significant Natural Area is a *Permitted* activity:
 - 1. If there is a danger to people or property
 - 2. To ensure access (including sunlight access to residential units)
 - 3. To enable maintenance to buildings
 - 4. To construct a fence to exclude stock or pests ($\leq 2\text{m}$ width only)
 - 5. For protections from fire or natural hazards
 - 6. For maintenance of any constructed stormwater management or treatment device
- B. ECO-R02: Trimming, pruning and removal of *non-indigenous* vegetation within a Significant Natural Area is a *Permitted* activity:
 - 1. The vegetation is a pest plant or a cultivated lawn or garden
 - 2. Any trees over 8m in height or over 500mm measured at diameter breast height are controlled by either ring-barking or poisoning methods
 - 3. Trees that exceed this size threshold are not removed within a land area of more than 100m² in any 12-month period
- C. ECO-R05: Vegetation clearance for the construction of a residential unit on a vacant allotment within a Significant Natural Area is a *Controlled* activity:
 - 1. Where any associated vegetation clearance is the minimum required for the construction of an access, building platform, services and outdoor living space that is required within the lot by the permitted standards for that zone

5.4.3 Notable Trees

- A. TREE-R03: Trimming and pruning of a notable tree listed within SCHED5 is a Permitted activity where:
 - 1. The works are essential due to the serious imminent threat to the safety of people or property and:
 - i. The works are undertaken by an arborist
 - ii. The work is done to the minimum extent required to remove the serious imminent threat to the safety of people or property
- B. TREE-R03: Removal of a notable tree listed within SCHED5 is a Permitted activity where:
 - 1. The works:
 - i. Are essential due to a threat to people or property
 - ii. Are for removal of a tree that is confirmed to be dead by an arborist
 - iii. Are undertaken or supervised by an arborist
- C. TREE-S01: Removal of a notable tree listed within SCHED5 is a Permitted activity where:
 - 1. Works involving root pruning must not be on roots $>35\text{mm}$ in diameter at the point of cut, and must be undertaken by an arborist.
 - 2. The works shall not affect $>10\%$ of the root protection area
 - 3. The works are undertaken or supervised by an arborist
- D. TREE-S02: Trimming and pruning of a notable tree is a Permitted activity where:
 - 1. The maximum branch diameter must not exceed 50mm at severance unless it is the removal of deadwood
 - 2. The works are undertaken or supervised by an arborist
 - 3. All trimming or alteration retains the natural shape, form and branch habit of the tree



5.4.4 Natural Features and Landscapes

- A. NFL-R6: Indigenous vegetation removal is a *Controlled* activity where it is associated with the development of papakāinga within a Special Amenity Landscape and residential development in the Takapūwāhia Precinct.
1. The maximum area of indigenous vegetation removed for any development must not exceed 3000m² per existing title that existed at 26 August 2020.

5.5 Kapiti Coast District

5.5.1 Overview

The Operative District Plan was released by Kapiti Coast District Council (KCDC) in 2021 with plan changes made operative in 2023. Part 2 (District Wide Matters) of this DP includes policies, rules and methods pertaining to Ecosystems and Indigenous Biodiversity (ECO).

Rules pertaining to vegetation clearance are also found within the Historical and Cultural Values section (TREE – Notable Trees).

Although there are also schedules that list sites qualifying as Outstanding Natural Features and Landscapes (Schedule 4) and Special Amenity Landscapes (Schedule 5), there are no specific vegetation clearance rules for these sites.

5.5.2 Ecosystems and Indigenous Biodiversity

Policies ECO-P01–P03 describe the intentions of the ECO Section, with rules ECO-R03–R04, ECO-R06, ECO-P08 (Residential buildings), and ECO-P09 (forestry activities) specifically detailing rules around vegetation clearance.

- A. ECO-R03: Trimming of indigenous vegetation may be a *Permitted* activity (depending on the zone) if it is within an Ecological Site (Schedule 1¹), is a key indigenous tree species (ECO-Table 1² or Schedule 2³), or rare and threatened species (Schedule 3⁴) and must be limited to the pruning of vegetation that:
1. Achieves compliance with the requirements of the electricity regulations
 2. Is broken, deadwood or chronically diseased
 3. Does not form part of the main structure (the trunk or a primary structural limb)
 4. Is carried out in accordance with a registered protective covenant
 5. Is necessary to avoid an imminent threat to the safety of persons or buildings
 6. Is necessary to maintain network utilities
- B. ECO-R04: Trimming or modification of indigenous vegetation must not be carried out in certain zones (e.g. Rural Production Zone; Rural Dunes Precinct) on any indigenous vegetation that:
1. Is within an Ecological Site (Schedule 1)
 2. Is a Rare and Threatened Vegetation Species (Schedule 3)
 3. Is listed in the schedule of Key Indigenous Tree Species (ECO-Table 1, except for the Rural Hills Precinct)

¹ KCDC Schedule 1: Ecological Sites. Areas of significant indigenous vegetation, and significant habitats of indigenous fauna.

² KCDC ECO-Table 1: Key Indigenous Tree Species by Size. A of the dimensions needed for certain species to be considered 'key'.

³ KCDC Schedule 2: Key Indigenous Tree Species. A list of addresses for the locations of individual of the species listed in ECO-Table 1.

⁴ KCDC Schedule 3: Rare and Threatened Vegetation Species. Location of Nationally and Regionally Rare and Threatened Species populations.



4. Forms a contiguous area of more than 100m² (excluding planted vegetation, and the Rural Hills Precinct)
 5. Is within 20 metres of a waterbody or the coastal marine area (except to maintain bridges or culverts)
 6. Unless it is needed for pest control, fire control, access, network utilities, maintenance of buildings, compliance with electricity regulations, or poses a risk to people or buildings
- C. ECO-R06: The modification of indigenous vegetation, that is located within an Ecological Site, is a Key Indigenous Tree Species, or a rare or threatened vegetation species, is a *Controlled* activity, and the modification must be limited to:
1. A maximum of two indigenous trees within a 5-year period
 2. Trees that are damaged or dying or fatally diseased
- D. ECO-P08: Modification of any significant indigenous vegetation to provide for a residential building on a site where it covers more than 90% of the total area of that site, within a single building platform (with specified properties listed) must:
1. Involve no more than 500m² of indigenous vegetation modification (and must be located within 500m of an accessway)
- E. ECO-P09: Plantation forestry harvesting on land within ecological sites must:
1. Be no more than 10ha of any contiguous area used for plantation forestry shall be harvested in any one calendar year
 2. Have no harvesting of plantation forestry within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the forestry plantation
 3. Allow for fire-fighting vehicle access

5.5.3 Notable Trees

Policies TREE-P01–P02 describe the intentions of the TREE Section, with rules TREE-R02–R04 specifically detailing rules around vegetation clearance.

- A. TREE-R02: Trimming of Notable Trees (Schedule 8¹) is a *Permitted* activity includes:
1. That needed to achieve compliance with electricity regulations and to maintain access (and must be undertaken by in accordance with best practise arboriculture)
- B. TREE-R03: Any trimming that is a *Controlled* activity includes:
1. Modification to vegetation that is damaged, dead or dying or has sustained storm damage or is fatally diseased
 2. Felling or removal of any tree, in relation to an existing network utility
- C. TREE-R04: Trimming of notable trees which does not comply with TREE-R02 or R03, and is not required to maintain network utilities are *Restricted Discretionary* activities.

6.0 Vegetation Clearance Provisions in Other Districts

6.1 Background

For the purpose of providing a broad range of vegetation clearance rules in other District Plans, six other major cities and territorial authorities across Aotearoa New Zealand were selected (Figure 1).

¹ KCDC DP Schedule 8: Notable Trees. A list of trees assessed as having local amenity value, based on an evaluation approach that considers the condition of the specimen, plus their amenity, historic or scientific value.



Auckland and Hamilton were included as they are the first and third largest cities in the North Island, respectively (with Wellington City being the second largest city in the North Island). Rules from Palmerston North were also chosen as this is the major centre geographically-closest to Wellington City, and is therefore likely to have some similarity in habitat types.

Rules from three major centres in the South Island were also chosen: Christchurch and Dunedin were selected as the largest and second largest cities in the South Island, and the Queenstown Lakes District was also chosen for its unique vegetation clearance rules.

Rules from the selected territories are set out below, listed in geographical order from the northern-most city (Auckland) to the southern-most (Dunedin).

6.2 Auckland Unitary Plan

6.2.1 Overview

Auckland Council (AC) (an amalgamation of the Auckland Regional Council and seven city and district councils) released the operative Auckland Unitary Plan in 2016. Plan changes have occurred since then with the most recent update being June 2024. Chapter E pertains to Natural Resources, with sections E15–E17 containing specific rules on vegetation clearance.

Chapter D pertains to Natural Heritage, with Section D13 containing specific rules on vegetation clearance.

6.2.2 Vegetation management and biodiversity

E15: This section (E15) details the Auckland-wide vegetation and biodiversity management rules.

- A. Table E15.4.1 details the rules according to specific reasons (uses) for vegetation clearance.
1. Uses A1–9: The following vegetation clearance activities are *Permitted*:
 - i. Biosecurity tree works
 - ii. Dead wood removal
 - iii. Removal for customary use
 - iv. To protect people and property
 - v. For forestry and farming
 - vi. Pest plant removal
 - vii. Conservation planting
 - viii. To maintain access
 2. Use A10: Vegetation clearance outside of the Rural Urban Boundary is a *Restricted Discretionary* activity if cumulative removal on site over a 10-year period is >250m² of indigenous vegetation
 3. Uses A11–19: Vegetation clearance within 10–50m of Riparian areas is either a *Discretionary* or *Restricted Discretionary* activity (depending on the overlay: i.e. Wetland/Natural Streams/Natural Lake/Urban Lake Management Areas Overlay or streams in the Rural zone)
 4. Use A20: Vegetation clearance in a Coastal area is a *Restricted Discretionary* activity if it is >25m² of contiguous, or works on any indigenous tree over 3m in height and is within 50m of the mean high tide mark in a Rural zone
 5. Use A21: Vegetation clearance in a Coastal area is a *Restricted Discretionary* activity if it is >25m² of contiguous, or works on any indigenous tree over 3m in height and is within 20m of the mean high tide mark in other (non-rural) zones
 6. Use A22: Vegetation clearance in a coastal area is a *Restricted Discretionary* activity if it is >25m² of contiguous, or works on any indigenous tree over 3m in height and is within a



horizontal distance of 20m from the top of a cliff, at >18 degrees slope, and within 150m of the mean high tide mark

7. Uses A24–44: Control of vegetation clearance (e.g. of >25m² or >50m²) of contiguous indigenous vegetation outside of the Rural, Riparian, and Coastal zones depends on whether the clearance is within certain overlays (i.e. Significant Ecological Area¹ (SEA)/Outstanding Natural Feature² (ONF)/Outstanding Natural Landscape³ (ONL)/High Natural Character (HNC) or Outstanding Natural Character (ONC)⁴).
- A. Section 15.6 details standards that apply to *Permitted, Controlled or Restricted Discretionary* activities (mentioned above).
 1. Indigenous vegetation removal for customary use must not exceed 25m² within an SEA, or 50m² outside of an SEA, per calendar year
 2. Vegetation removal for track maintenance in certain zones (e.g. rural, riparian, or coastal) must:
 - i. Be within 1m of the track edge
 - ii. Not include trees >6m height, or 60cm diameter
 - iii. Not result in >25m² loss of vegetation within a SEA/ONF/HNC/ONC/ONL
 - iv. Not result in >50m² loss of vegetation outside of SEA
 3. Vegetation removal for a building, access way, or dwelling per site must not be greater than 300m².
 4. Vegetation removal of indigenous contiguous vegetation up to 50m² within a SEA/ONF/HNC/ONC/ONL must not include trees >6m height, or 60cm diameter
 5. Vegetation removal within a SEA/ONF/HNC/ONC/ONL on Māori land, for a marae and up to 30 dwellings, must not exceed 1500m² per marae, and 300m² per dwelling
 6. For tree trimming within an SEA:
 - i. The branch must not exceed 50mm
 - ii. Be no greater than 10% of live growth in any one calendar year

6.2.3 Trees in Open Space Zones

This section (E16) details the rules for trees in open space zones.

- A. Table E16.4.1 specifies the activity status for land use activities related to trees in open space zones (with approval required).
 1. Activities A1–A10: The following vegetation clearance are either *Permitted* or *Restricted Discretionary* activities in open space zones:
 - i. Biosecurity tree works
 - ii. Dead wood removal
 - iii. Emergency tree works
 - i. Pest plant removal of any tree <4m height and <40cm diameter
 - iv. Trimming or alteration
 - v. Works within the protected root zone
 - vi. Tree removal of any tree <4m in height and <40cm in diameter
- B. E16.6 details standards that apply to permitted or restricted discretionary activities (mentioned above).

¹ AC Schedule 3: Significant Ecological Areas – Terrestrial. Significance of areas of indigenous vegetation and habitats of indigenous fauna that were assessed by the following criteria: Representativeness; Threat Status and Rarity; Diversity; Stepping-stones, Migration Pathways and Buffers; Uniqueness or Distinctiveness.

² AC Schedule 6: Outstanding Natural Features Overlay. A list of site features including caves, cliffs, gorges, lakes, rock and sediment formations, and volcanoes etc.

³ AC Schedule 7: Outstanding Natural Landscapes Overlay. A list of landscape-scale sites that are regionally distinctive.

⁴ AC Schedule 8: Outstanding Natural Character and High Natural Character Overlay. A list of sites including coastal heads and points, hills, inlets, islands, rivers etc.



1. E16.6.1: Tree trimming or alteration cannot:
 - i. Be undertaken on branches >100mm at the cut point
 - ii. Remove more than 20% of live growth removed in any calendar year
2. E16.6.2: For work within the protected root zone:
 - i. That is unsupervised by an arborist and for roots <60mm diameter: excavated surface area cannot exceed 1m², with no pruning of roots >35mm, and must not disturb >10% of the root zone
 - ii. That is supervised by an arborist and for roots <60mm diameter: must not disturb >20% of the root zone
 - iii. excavation undertaken by trenchless methods must not be undertaken at a depth <80cm below ground level
 - iv. That is supervised by an arborist and for roots 80mm<=>60mm diameter: works must not disturb more than 20 per cent of the root zone, and must not be on roots >80mm

6.2.4 Trees in Roads

This section (E17) details the rules for Trees in Roads.

- B. Table E17.4.1 specifies the activity status for land use activities for trees in roads.
 - i. Biosecurity tree works
 - ii. Dead wood removal
 - iii. Emergency tree works
 - iv. Pest plant removal
 - v. Trimming or alteration
 - vi. Works within the protected root zone
 - vii. Tree removal of any tree <4m in height and <40cm in diameter
 - viii. Planting over network utilities with trees with a mature height of >4m
- C. E17.6 details standards that apply to permitted or restricted discretionary activities (mentioned above).
 1. E17.6.1: The standards for Tree Trimming and Alteration for Trees in Roads are the same as those for Trees in Open Spaces (E16.6.1 above), and also state that the agent controlling the road must maintain:
 - i. Clearance of 4.5m height above the road
 - ii. Clearance 0.5m above any traffic signal or signage
 - iii. Clearance of 0.5m from road kerb
 - iv. Clearance of 0.6m from roads lacking a kerb
 2. E17.6.3: For work within the protected root zone, the same rules apply to Trees in Roads as given for Trees in Open Spaces (E16.6.2 above).

6.2.5 Notable Trees

- A. Table D13.4.1 specifies the activity status for land use activities related to tree management in the Notable Trees Overlay.
 - i. Biosecurity tree works (*Permitted*)
 - ii. Dead wood removal undertaken by an arborist (*Permitted*)
 - iii. Dead wood removal not undertaken by an arborist (*Controlled*)
 - iv. Emergency tree works (*Permitted*)
 - v. Trimming or alteration (*Permitted*)
 - vi. Works within the protected root zone for trenchless methods >1m depth (*Permitted*)
- B. D13.6.1 Standards for tree trimming or alteration
 1. The maximum branch diameter must not exceed 50mm at severance



2. No more than 10 per cent of live growth of the tree may be removed in any one calendar year
3. The works must meet best arboricultural practice
4. All trimming or alteration must retain the natural shape, form and branch habit of the tree

6.3 Hamilton Operative District Plan

6.3.1 Overview

The Operative District Plan was released by Hamilton City Council (HCC) in April 2024. Chapter 20 (Natural Environments) of this DP includes policies, rules and methods pertaining to Significant Natural Areas and Significant Trees or Groups of Trees.

Rules pertaining to vegetation clearance are specifically found in Section 20.3 (Rules – Activity Status Table) and Section 20.4 (Rules – General Standards).

6.3.2 Natural Environments

- A. Section 20.3: For Significant Natural Areas that are listed in Schedule 9C¹.
 1. Vegetation clearance within an SNA is a *Permitted* activity if:
 - i. The pruning, maintenance, or removal is needed because of disease or age
 - ii. It affects the operation of network utilities
 - iii. It is needed to maintain tracks and fencing (and will not negatively affect trees within the SNA)
 - iv. There is a threat to people or property
 - v. For construction of park furniture (in the Peacocke Precinct)
 2. The removal of exotic trees from a SNA is a *Restricted Discretionary* activity
 3. Removal of indigenous or exotic vegetation in the Peacocke Precinct is a *Discretionary* activity if it is required for construction of access ways or new infrastructure
- B. Section 20.3: For Significant Trees or Groups of Trees that are listed in Schedule 9D².
 1. Major works on a scheduled tree (including removal) is *Permitted* if there is an imminent threat to people, property or a network utility.
 2. Minor pruning and maintenance is *Permitted*.
 3. Non-urgent works on a scheduled tree (including removal) is a *Discretionary* activity
- C. Section 20.4: For *Permitted* activities within SNAs and on Significant Trees, these standards apply:
 1. Maximum amount of foliage to be removed per calendar year is 15% per tree
 2. Maximum thickness of any branch or any root cut cannot exceed 50mm

6.4 Palmerston North City

6.4.1 Overview

The Operative District Plan was notified by Palmerston North City Council (PNCC) in 1995 and became operative in its entirety in 2005. Some plan changes have occurred since then with the most recent being notified in October 2022. Section 17 of this DP includes objectives, policies, methods, and rules pertaining to Cultural and Natural Heritage.

¹ HCC Volume 2 Appendix 9 Schedule 9C: Significant Natural Areas. Significance of areas of indigenous vegetation and habitats of indigenous fauna that were assessed using the Waikato RPS (2000) criteria.

² HCC Volume 2 Appendix 9 Schedule 9D: Significant Trees. A list of notable exotic and indigenous trees.



Rules pertaining specifically to vegetation clearance are found within Part C (Notable Trees). The list of Notable Trees, Groups of Notable Trees, and Habitats of Local Significance is given in Schedule 17C¹, and the criteria for identifying these trees and habitats is given in Appendix 17F². There is no mention of Significant Natural Areas in the PNCC DP.

6.4.2 Notable Trees

Part C (Notable Trees) describe general rules for managing Notable Trees, with rules 17.5–17.8 specifically mentioning vegetation clearance.

- A. 17.5.1: Maintenance of any scheduled notable tree or group of notable trees is a *Permitted* activity if it is minor trimming and is to maintain their state of health, or to maintain a communications network, to protect people or property, or to contain the spread of plant disease.
- B. 17.6.1: Maintenance or trimming of a non-minor nature is *Controlled* activity if it is to maintain tree health.
- C. 17.8.1: Destruction or removal, in whole or in part, of any scheduled notable tree, group of notable trees or habitat of local significance; and excavation, construction or reconstruction work within the dripline of a scheduled notable tree or group of notable trees is a *Discretionary* activity.

Additionally, for the wider Manawatū region, there are also policies and rules pertaining to indigenous biodiversity and vegetation clearance in the Horizons One Plan (the combined Regional Policy Statement and Regional Plan prepared by the Manawatū and Whanganui Regional Councils). This was originally notified by Horizons in 2007 and was amended in February 2024 to give effect to National Planning Standards.

Policies that cover protection of indigenous biological diversity are found in Part III: RP-ECO (Ecosystems and Indigenous Biodiversity), with SCHED6³ listing the rare or threatened habitat types that are managed by Horizons. Resource consent is required from Horizons for any works in these significant habitat types. This approach for managing indigenous biodiversity is an alternative to that where the classification and management of significant natural areas is undertaken by the territorial authority (e.g. PNCC).

Additionally, rules that specifically mention vegetation clearance across the Manawatū and Whanganui regions, are also found in Part III: RP-LF (Land and Freshwater).

6.4.3 Land and Freshwater

- A. LF-LAND-R5: Large-scale land disturbance (including large-scale vegetation clearance) must not occur within a coastal foredune, or on land that is in, or within 5m or 10m of:
 1. The bed of a permanently flowing river
 2. A non-permanent river that has an active bed >1m width
 3. The bed of a lake
 4. A wetland (identified in RP-SCHED6)

¹ PNCC DP Schedule 17C: Schedule of Notable Trees, Groups of Notable Trees, and Habitats of Local Significance.

² PNCC DP Schedule 17F: Criteria for Identifying Notable Trees, Groups of Notable Trees, and Habitats of Local Significance. A list of broad categories used to assess trees and habitats (e.g. size, age, indigenous status).

³ Horizons RP-SCHED6: Indigenous Biological Diversity. A schedule with the criteria (Table 45) for identifying significant habitat types in the Manawatū and Whanganui regions (with specific criteria given in Tables 46–47).



5. Sites valued for Trout Spawning (identified in RP-SCHED2¹)

6.5 Christchurch Operative District Plan

6.5.1 Overview

The Operative District Plan was released by Christchurch City Council (CCC) in 2015. Chapter 9 (Natural and Cultural Heritage) of this DP includes policies, rules and methods pertaining to the management and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna within the Christchurch District, along with the maintenance of indigenous biodiversity and ecosystems generally.

Section 9.1 (Indigenous Biodiversity and Ecosystems) and Section 9.4 (Significant and Other Trees) have rules that pertain specifically to vegetation clearance.

6.5.2 Indigenous Biodiversity and Ecosystems

Section 9.1.4 (Rules - Indigenous Biodiversity and Ecosystems) contains rules for managing vegetation clearance within a Site of Ecological Significance (SES) listed in Appendix 9.1.6.1² (Schedule A), or indigenous vegetation or habitat types on Banks Peninsula and the Port Hills outside of SESs, and described in Appendix 9.1.6.6³.

- A. Section 9.1.4.1.1: Indigenous vegetation clearance is a *Permitted* activity if it is for:
 1. The operation, maintenance and repair, within 2 metres either side, of fences, access tracks, buildings, fire ponds, gates, stock yards, troughs and water tanks
 2. The removal of pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993
 3. The purpose of maintaining improved pasture
 4. Conservation activities
 5. Clearance of any understory of indigenous vegetation as a result of harvesting an existing forestry area or maintenance of forestry access or firebreak
- B. Section 9.1.4.1.3: Indigenous vegetation clearance is a *Restricted Discretionary* activity:
 1. If it is for the purposes of new, or upgrades to, utilities or network infrastructure operated by network utility operators, including associated access tracks
 2. If it is vegetation listed in Appendix 9.1.6.6. then it must be undertaken in accordance with a Farm Biodiversity Plan
 3. If it is located within a Landing Overlay
- C. Section 9.1.4.1.5: Indigenous vegetation clearance is a *Non-complying* activity:
 1. If it is listed within Appendices 9.1.6.1 or 9.1.6.6. and does not comply with any rule above
 2. Plantation forestry in a Site of Ecological Significance listed in Appendix 9.1.6.1.
 3. If it is on Banks Peninsula and the Port Hills and involves clearance:
 - i. Of any of the following species Kahikatea (*Dacrycarpus dacrydioides*)/Totara (*Podocarpus* spp.)/Matai (*Prumnopitys taxifolia*)/Miro (*Prumnopitys ferruginea*)/Kaikawaka (*Libocedrus bidwillii*)/Beech (*Fuscopora* spp.)
 - ii. Of a contiguous area of 0.5ha or more of regenerating podocarp/hardwood forest or beech forest or mixed hardwood forest dominated by native trees.

¹ Horizons RP-SCHED2: Surface Water Management Values. Trout spawning sites are listed in Table 32.

² CCC Schedule A of Appendix 9.1.6.1: Schedule of Sites of Ecological Significance. Significance of areas of indigenous vegetation and habitats of indigenous fauna that were assessed using the Canterbury RPS (2013) criteria.

³ CCC Appendix 9.1.6.6: Indigenous vegetation types on Banks Peninsula and the Port Hills, outside of the Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1.



6.5.3 Significant and Other Trees

Sub-chapter 9.4.4 (Rules – Significant and Other Trees) contains rules for managing vegetation clearance of significant trees that are listed in Appendix 9.4.7.1¹.

- A. Sub-chapter 9.4.4.1.1: The following are *Permitted* activities:
1. Pruning of any significant tree if it is limited to:
 - i. Pruning of roots <25mm in diameter at the point of severance
 - ii. Removal of broken branches, deadwood or diseased vegetation
 - iii. Removal of branches physically interfering with existing buildings or pedestrian and vehicle access ways, where such work is carried out by, or in accordance with advice from, a works arborist
 - iv. Removal of any branch that has structural faults
 2. Pruning of in the bottom third of a significant tree if it is limited to:
 - i. Removal of any branches <50 mm in diameter at the point of severance, where the natural shape, form and branch habit of the tree is retained
 - ii. Removal of any branches between 50 mm and 100 mm in diameter at the point of severance, where the natural shape, form and branch habit of the tree is retained and the work is carried out by, or in accordance with advice from, a works arborist
 3. Pruning in the top two thirds of any significant tree:
 - i. Shall be limited to the removal of foliage of no more than 10% over any three-year period with the maximum amount of foliage removed in any one year limited to no more than 5% (should be done or supervised by an arborist, and maintain the natural shape, form and branch of the tree)
 4. Felling of any significant tree if an arborist has certified it as:
 - i. Dead
 - ii. Having a loss of structural integrity where the defects cannot be rectified and maintenance practices cannot improve the framework of the tree or mitigate threats to the safety of persons or property
 5. Felling of any tree in public parks, open spaces, or road corridors (in Christchurch and Akaroa) must be undertaken or supervised by an arborist and the tree shall not be:
 - i. Greater than 6m height in a road corridor or >10m height in a public park or open space within a Character Area Overlay
 - ii. Within a water body setback as described in sub-chapter 6.6 Water Body Setbacks in General Rules [setbacks range between 20-30m depending on the water body]
 - iii. Of the following species: Totara (*Podocarpus cunninghamii*), matai (*Prumnopitys taxifolia*), miro (*Prumnopitys ferruginea*), rimu (*Dacrydium cupressinum*), kaikawaka (*Libocedrus bidwillii*), hinau (*Eleocarpus dentatus*), pokaka (*Eleocarpus hookerianus*), puka (*Griselinia lucida*), pigeonwood (*Hedycarya arborea*), titoki (*Alectryon excelsus*), nikau (*Rhopalostylis sapida*), mountain cabbage tree (*Cordyline indivisa*), horizontal elm (*Ulmus horizontalis*), camperdown elm (*Ulmus glabra 'Camperdownii'*).
 - iv. Unless the tree in (iii) is: dead, interfering with electrical conductors, damaging buildings, a threat to vehicle or pedestrians, located in the Botanical Gardens, needed for airport protection, located within the Avon River Corridor).
 6. Pruning or maintenance or felling of any tree within road corridors
 7. Any work on significant trees carried out in accordance with Electricity Regulations
 8. Work required to any significant tree for Airport or Defence Wigram protection surfaces
 9. Gardening (including planting of shrubs, flowers, ground cover and other small plants; covering ground in lawn or bark) within the dripline of a significant tree but shall not involve:

¹ CCC Appendix 9.4.7.1: Schedules of Significant Trees (Christchurch City and Banks Peninsula). A list of notable exotic and indigenous trees.



- i. Mechanical cultivation
 - ii. Planting of trees; or
 - iii. Altering of existing ground levels or the disturbance of land other than to the extent necessary to undertake the gardening
- 10. Earthworks [including vegetation clearance] within 5m of the base of any tree in public parks and open spaces or road corridors (Christchurch and Akaroa), or within 10m of the base of any tree in Riccarton Bush:
 - i. Should be undertaken by, or under the supervision of, an arborist
 - ii. The tree should not be:
 - a) Greater than 6m in height in a road corridor, or >10m in height in a public park or open space
 - b) Within a Character Area Overlay
 - c) Within a water body setback
 - d) Or be of the species listed above (5.iii)
- B. Sub-chapter 9.4.4.1.2: The following are *Controlled* activities:
 - 1. Comprehensive ongoing maintenance and management (which can include felling) of a Significant Tree or Group of Trees, in accordance with a Tree Maintenance and Management Plan (other than provided for as a permitted activity).
- C. Sub-chapter 9.4.4.1.3: The following are *Restricted Discretionary* activities:
 - 1. Any pruning of any Significant Tree that is not provided for under other rules above
 - 2. Felling of any Significant Tree that is not provided for under other rules above
 - 3. Any pruning or felling of a Significant Tree associated with the maintenance, operation or development of a transmission line existing on 14 January 2010, including as required by the Electricity Regulations

6.6 Queenstown Lakes Proposed District Plan

6.6.1 Overview

The Queenstown Lakes District Council (QLDC) released their operative District Plan in 2007. Since 2015, subsequent plan changes have been notified. Part Two (Strategy) of the Proposed District Plan pertains to Landscapes - Rural Character (Section 6), and Part Five (District Matters) – Section 32 pertains to Protected Trees and Section 33 pertains to Indigenous Vegetation Biodiversity.

Rules specifically mentioning vegetation clearance are found within Section 32.4 (Rules-Protected Trees), 33.4 (Rules-Clearance of Indigenous Vegetation), and 33.5 (Standards for Permitted Activities).

6.6.2 Landscapes - Rural Character

Section 6 contains the policies and objectives for Rural Landscape Categorisation.

- A. 6.3.2.5: Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscape

6.6.3 Protected Trees

Section 32.4 contains rules for Protected Trees that are listed in Schedules 32.6¹ and 32.7².

¹ QLDC Schedule 32.6: Schedule of Character Trees in the Arrowtown Residential Historic Management Zone. A list of predominantly exotic trees (i.e. 1 of 66 is an indigenous *Fuscospora* specimen).

² QLDC Schedule 32.7: Schedule of Protected Trees District Wide. A list of predominantly exotic trees (i.e. 5 of 1017 are indigenous *Fuscospora* specimens).



- A. Section 32.4 Table 1: The following activities are *Permitted*:
1. Minor trimming of a protected tree
 2. Minor trimming of a protected hedgerow
 3. Maintenance trimming of a hedgerow, providing:
 - i. It is undertaken by an arborist
 - ii. The trimming does not exceed 50% of the canopy
 4. The removal or significant trimming of a protected tree where the tree is dead or damaged (and poses a threat to people or property)
 5. Maintenance of the ground within the root protection zone provided the ground levels, soil and tree root systems are not altered or damaged
- B. The following activities are *Discretionary*:
1. Any works within the root protection zone of a protected tree
- C. Any other works to a protected tree or activity within the root protection zone not mentioned above must be undertaken by the Council or its agent as a *Permitted* activity
1. Apart from the minor trimming of a tree or hedgerow
- D. Any significant removal or works by another person or agent within the root protection zone is a *Discretionary* activity

6.6.4 Indigenous Vegetation and Biodiversity

Section 33 pertains to management of Indigenous Vegetation and Biodiversity, including within SNAs which are listed in Schedule 33.9¹. This section includes use of the Threatened Environment Classifications (TEC)² which has been used to inform area specific management decisions.

Tables 1–4 are associated with these sections, with the clearance thresholds (in m²) applying cumulatively over any period of 5 consecutive years (Tables 1 and 2 do not apply to the clearance of any tree within any urban environment allotment). Table 1 contains rules that relate to the clearance of indigenous vegetation within the District; earthworks and exotic vegetation clearance within SNAs, and the planting of exotic plant species in SNAs

- A. Section 33.4 Table 1: *Permitted* activities include:
1. Indigenous vegetation clearance for the operation and maintenance of existing and operational roads, tracks, drains, utilities, structures and/or fence lines (without expansion)
 2. Clearance of indigenous trees that is dead or damaged as a result of natural causes and have become dangerous to people or property.
 3. Indigenous vegetation clearance for the construction of walkways or trails up to 1.5 metres in width provided that it does not involve the clearance of trees >4 metres height
 4. Clearance of areas of regenerating indigenous vegetation <15 years old, where the land was previously lawfully cleared of indigenous vegetation
 5. Clearance of areas of voluntarily planted indigenous vegetation <15 years old, where the land was previously lawfully cleared of indigenous vegetation
- B. Section 33.4 Table 1: *Controlled, Restricted Discretionary, or Discretionary* activities include:
1. Indigenous vegetation clearance for the construction of walkways or trails up to 1.5 metres in width, outside any SNA and outside any Alpine Environment, which does not involve the clearance of trees greater than 4 metres in height (and does not comply with other rules)

¹ QLDC Schedule 33.9: Schedule of Significant Natural Areas. Significance of areas of indigenous vegetation and habitats of indigenous fauna that were assessed by the following criteria: Representativeness; Rarity; Diversity and Pattern; Distinctiveness; Ecological Context.

² Threatened Environment Classification 2012: Threatened environments (categories 1 to 5) are those in which much indigenous vegetation has been cleared and/or only a small proportion of what remains is legally protected (available at: <https://www.landcareresearch.co.nz/tools-and-resources/mapping/threatened-environment-classification/>)



2. Clearance of indigenous vegetation associated with ski activities or zones, located within the Alpine Environment above 1070 masl.
3. Any clearance of vegetation within 20m of the bed of a water body, riverbed or wetland (including ephemeral or seepage wetland)
- C. Section 33.4 Table 2: contains rules for the clearance of indigenous vegetation not located within a Significant Natural Area or within Alpine Environments, including the standards to be applied to Permitted activities
 1. For indigenous vegetation clearance that is not addressed by other rules, the clearance of indigenous vegetation >15 years of age must not exceed 20,000m² in any continuous period of 5 years.
 2. The clearance of indigenous vegetation must not exceed 500m² in any continuous period of five years in Land environments with less than 20% remaining indigenous vegetation cover as defined by TEC.
 1. The clearance of indigenous vegetation (including cultivation or irrigation) in the following locations must not exceed a total of 50m² in any continuous period of 5 years:
 - i. On land that has not been cultivated or irrigated in the previous 20 years on plains, terraces and valley floors, including short tussock grassland, cushionfields or shrublands
 - ii. Indigenous forest or regenerating forest greater than 3 metres high
 - iii. Shrubland containing emergent indigenous trees greater than 3 metres high
 - iv. Matagouri (*Discaria toumatou*) shrubland that has a canopy of at least 1.5 metres high
 - v. Diverse indigenous shrubland, where 'diverse' means three or more species of indigenous shrub or vine
 - vi. Indigenous vegetation containing any one of selected rare or threatened indigenous species
 - vii. Copper tussock (*Chionochloa rubra subsp. cuprea*) grasslands
 - viii. Subalpine shrubland or mixed shrub and tussock above 750m metres asl.
 - ix. Rocky habitats including rock outcrops and associated talus and boulderfield habitats.
 - x. The clearance of indigenous vegetation must not exceed 10,000m² in any continuous period of 5 years, in areas dominated by narrow leaved snow tussock (*Chionochloa rigida*)
- D. Section 33.4 Table 3: Contains rules for the clearance of indigenous vegetation within a Significant Natural Areas. For earthworks:
 1. The clearance of indigenous vegetation must not exceed 25m² in area in any continuous period of 5 years
 2. The clearance of exotic vegetation that is specified indigenous fauna habitat must not exceed 50m² in area in any continuous period of 5 years
- E. Section 33.4 Table 4: Contains rules for the clearance of indigenous vegetation within Alpine Environments (land above 1070 metres above sea level), namely that vegetation must not be cleared

6.7 Dunedin Operative District Plan

6.7.1 Overview

The Dunedin City Council (DCC) released their Operative District Plan in 2006. Since 2012, a review was undertaken with the decisions on the proposed Second Generation District Plan (2GP) notified in 2018 (with some appeals ongoing). Part B Section 7 (City-wide Activities – Scheduled Trees) pertains to



management of scheduled trees (and listed in Appendix A1.3¹). Part C Section 10 (Natural Environment) includes policies and rules for the preservation of the natural character of the coastal environment and riparian margins, the protection of outstanding natural features and landscapes, areas of significant indigenous vegetation and significant habitats of indigenous fauna ((listed in Appendix A1.2²).

Policies or rules specifically mentioning vegetation clearance are found in Sections 7.3 (Rules for different activities - Scheduled Trees), and Section 10.3.2 (Rules - Vegetation Clearance).

6.7.2 Scheduled Trees

A. 7.3.2: *Restricted Discretionary* activities include:

1. Removal of a Scheduled Tree that is dead, in terminal decline, or with extreme failure, or subject to a court order for removal
2. Modification of a Scheduled Tree

B. 7.3.2: *Non-complying* activities include:

3. Removal and any other work on a Scheduled Tree that will lead to the death or terminal decline of a Scheduled Tree

6.7.3 Natural Environment – Vegetation Clearance

Certain rules below may not apply to special areas or overlays, such as Areas of Significant Biodiversity Value (ASBV), Outstanding Natural Features (ONF), Outstanding Natural Landscapes (ONLs), Significant Natural Landscapes (SNLs), Natural Coastal Character (NCC), Outstanding Natural Coastal Character (ONCC), Natural Coastal Character (NCC), High Natural Coastal Character (HNCC).

A. 10.3.2.1: Indigenous vegetation clearance – small scale thresholds

1. The following types of indigenous vegetation clearance are always considered indigenous vegetation clearance - small scale:
 - i. Clearance that is part of conservation activity involving vegetation clearance and replacement with indigenous species
 - ii. Clearance for the maintenance or alteration of fences (must be <3m width). However, if required for fencing stock within an overlay, it must be:
 - a) Not more than 4.5m width, on slope >10°
 - b) Not more than 3m in width on slopes ≤10°
 - iii. Clearance for the maintenance of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads or firebreaks
 - iv. Clearance for the construction of tracks associated with permitted land use or city-wide activities
 - v. Clearance that is consistent with or provided for as part of a conservation management strategy, conservation management plan, reserve management plan or covenant
 - vi. Clearance for the purpose of the sustainable customary harvest of food or resources undertaken by manawhenua, in accordance with tikaka Māori
 - vii. Clearance that is required to remove material infected by unwanted organisms (including pest plants)

¹ DCC A1.3: Schedule of Trees. The Trees Schedule contains a list of trees, or groups of trees, that have been identified through an assessment process as being particularly worthy of protection from modification and removal because of their contribution to the maintenance or enhancement of amenity and the quality of the environment.

² DCC A1.2: Schedule of Areas of Significant Biodiversity Value. Significance of areas of indigenous vegetation and habitats of indigenous fauna that were assessed by the following criteria: Protected Areas; Recognised Areas; Rarity; Distinctiveness; Representativeness; Ecological Context; Diversity; Size.



- viii. Clearance incidental to existing forestry activity where the clearance involves an understorey of indigenous vegetation, or is for the maintenance of forestry access or firebreaks (provided that all vegetation that is felled within 10m of a water body must be felled away from the water body)
 - ix. Clearance that is necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities
 - x. Clearance of stands of matagouri-dominant shrubland that contain no matagouri individuals greater than 1.5m tall and that contain no more than one other non-matagouri indigenous shrub species
 - xi. Clearance from areas that, within the last 15 years, have been lawfully cleared of such vegetation (outside ASBVs, ONFs, ONCCs, HNCCs and NCCs only), provided that the clearance is associated with a permitted land use or city-wide activity
- B. All indigenous vegetation clearance that occurs in an ASBV, ONF, ONCC, HNCC, or NCC and is not included in Rule 10.3.2.1.a is considered indigenous vegetation clearance - large scale.
- C. All other indigenous vegetation clearance must not exceed the following maximum areas on any site, over the time period indicated, to be considered indigenous vegetation clearance - small scale:
1. Coastal Rural Zone (500m², 3 years)
 2. High Country Rural Zone within the Taieri Ridge and Mare Burn mapped area (1,000m² non-tussock and tussock, 3 years)
 3. High Country Rural Zone not within the Taieri Ridge and Mare Burn mapped area (1,000m² non-tussock species, 10,000m² tussock species, 3 years)
 4. Hill Country Rural Zone (1,000m², 3 years)
 5. Hill Slopes Rural Zone (1,000m², 3 years)
 6. Middlemarch Basin Rural Zone (100m², 5 years)
 7. Peninsula Coast Rural Zone (250m², 5 years)
 8. Taieri Plain Rural Zone (100m², 5 years)
 9. Rural Residential 1 and Rural Residential 2 Zones (250m², 3 years)
- D. 10.3.2.2: Protected areas – vegetation clearance. Vegetation clearance must not occur:
1. Within 20m of any wetland (identified in Appendix A1.2)
 2. Within 20m from any water body with a clearly defined bed of at least 3m in width; 5m from any other water body, if Indigenous vegetation (Rural, Rural Residential and Recreation zones)
 3. Within 5m from any water body, for all vegetation (Rural, Rural Residential and Recreation, Ashburn Clinic zones)
 4. Within any coastal environment mapped area, if indigenous vegetation
 5. Except for:
 - i. Conservation activity involving vegetation clearance and replacement with indigenous species (must be <3m width). However, If required for fencing stock, it must be:
 - a) Not more than 4.5m width, on slope >10°
 - ii. The maintenance of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads, or firebreaks
 - iii. The construction of tracks, provided that any indigenous vegetation clearance is no more than 2m in width;
 - iv. Part of a conservation management strategy, conservation management plan, reserve management plan or covenant
 - v. Clearance for the purpose of the sustainable customary harvest of food or resources undertaken by manawhenua, in accordance with tikaka Māori
 - vi. Clearance required to remove material infected by unwanted organisms (including pest plants)
 - vii. When it is necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities



- viii. When it is incidental to the harvesting or maintenance of trees as part of forestry, provided that all vegetation that is felled within 10m of a water body must be felled away from the water body
 - ix. Clearance of non-indigenous plant species and replanting within 3 months with indigenous or non-indigenous plant species (not being a pest plant), that will attain at least the same height and coverage as the plants that have been cleared
- E. 10.3.2.3: Protected species – indigenous vegetation clearance.
 - 1. In the rural, rural residential and recreation zones, indigenous vegetation clearance must not occur where the following are present in the area to be cleared:
 - i. Threatened plant species listed in Appendix 10A.1¹
 - ii. Threatened indigenous fauna species listed in Appendix 10A.2.²
 - iii. Any mature examples (>15 years old) of the important indigenous tree species listed in Appendix 10A.3³
- F. 10.3.2.4: Maximum area of vegetation clearance in an Urban Biodiversity Mapped Area (UBMA).
 - 1. Vegetation clearance in an UBMA must not exceed 20m² on any site over any three-year period, unless it is:
 - i. Part of conservation activity involving vegetation clearance and replacement with indigenous species
 - ii. For the erection, maintenance or alteration of fences
 - iii. For the maintenance of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads or firebreaks
 - iv. For the construction or maintenance of tracks up to 2m in width
 - v. Consistent with or provided for as part of a conservation management strategy, conservation management plan, reserve management plan or covenant
 - vi. Required to remove material infected by unwanted organisms (including pest plants)
 - vii. Clearance of non-indigenous plant species and replanting within 3 months with indigenous or non-indigenous plant species (not a pest plant) that will attain at least the same height and coverage as the plants that have been cleared

7.0 The Use of Vegetation Clearance Rules Across Aotearoa New Zealand

7.1 Overview

This section summarises the types of vegetation clearance rules applied by various territorial authorities across Wellington and Aotearoa New Zealand selected for this review. Rules regarding vegetation clearance vary considerably across the 11 territorial authorities selected, although there are also many similarities in rules in statutory plans.

7.2 Notable trees

One consistent approach that is undertaken by all councils presented here is the clear separation of Notable Trees from other areas of vegetation (namely, indigenous- and exotic-dominant vegetation). A Notable Tree section is present in all District Plans (Table 1), with vegetation rules for specific management of those trees, and a schedule or appendix supplied with a list of addresses for the

¹ DCC 10A.1: Threatened plant species list.

² DCC 10A.2: Threatened fauna species list.

³ DCC 10A.3: Important native tree list.



locations of those trees (or groups of trees). This section was normally placed within a Historic and Cultural Heritage chapter (but not always, e.g. Queenstown Lakes District Plan and Lower Hutt District Plan).

7.3 Indigenous and exotic-dominant vegetation

Management of vegetation clearance for areas of indigenous or exotic-dominant vegetation, if present, has generally been addressed within the Indigenous Ecosystems and Biodiversity chapter (or a similarly named chapter/section). Only three of the 11 district plans presented here specifically mention allowable clearance areas (Upper Hutt, Auckland, Dunedin, Table 1). For example: Upper Hutt specifies (as a *Permitted* activity) a cumulative limit of 500m² on the clearance of indigenous vegetation on any one site (that is not an Urban Environment Allotment, or within an Urban Tree Group), within any continuous five-year period; Auckland Unitary Plan specifies (as a *Permitted* activity) a cumulative limit of 250 m² for the clearance of indigenous vegetation on any one site (outside of the Rural Urban Boundary), within any continuous 10-year period, and; Dunedin specifies (as a *Permitted* activity) a cumulative limit of 250m² on the clearance of indigenous vegetation on any one site (within Rural Residential 1 and Rural Residential 2 Zones), within any continuous three-year period.

Management of the clearance of indigenous vegetation by some councils additionally, or alternatively includes provision of a list of key indigenous tree species where, if present in a proposed area of works, would trigger specific rules. For example, Kāpiti Coast specify that removal of any tree listed in their schedule of protected indigenous trees is *Prohibited*, and Christchurch include a list of protected indigenous tree species within specific rules (but not within a schedule).

7.4 District characteristics

The selection of vegetation clearance rules by territorial authorities is likely to be influenced by a variety of factors including the size of the district, the size of the population within that area, and the overall extent of remaining vegetation cover. The size of the population relative to the size of the territory provides an indication of relative pressure on the environment, and might additionally summarise the pressures put on the council (e.g. to provide sufficient space to house residents while balancing the need to maintain the requirements of the Resource Management Act). These reasons will contribute to decision-making by councils for managing vegetation clearance in their territory.

Although Auckland is the city with the highest population (over 1.7 million), Hamilton City has a much higher population ratio to territorial area (approx. 16 people per hectare, Table 2), with Queenstown having the lowest population-area density (less than one person every 10 hectares). The Queenstown Lakes District is the largest territory addressed in this review (almost one million hectares, Figure 1 and Table 1), and although this district has the highest amount of indigenous forest cover, Upper Hutt is the district with the highest proportional cover of indigenous forest cover (Table 2 and Figure 2). Both Queenstown and Auckland have high proportional cover of grassland habitat, but this is mostly exotic-dominant in the Auckland district, and indigenous-dominant for Queenstown.

Territorial area, population size, and remaining vegetation cover will inform vegetation clearance provisions within district plans, but many other factors will also be important, such as the distinctive character of the people, and their distinctive relationship with their place. For example, Dunedin City has very prescriptive rules for controlling vegetation clearance, yet they have proportionally low population density (Table 1), and moderate amounts of indigenous vegetation cover remaining (Table 2). This might suggest that the Dunedin community (and their elected council) are particularly motivated to preserve the natural character of their district.


Table 1 – Summary of district characteristics and vegetation rules for the 11 selected territorial authorities..

| Council | Population Size (2023 ¹) | Territorial Area | People/ha | Vegetation Clearance Rules | | | | | |
|--|--------------------------------------|------------------|-----------|--------------------------------|----------------------------------|-------------------------------|---------------------------|-----------------------------|---|
| | | | | Within SNAs ² (Y/N) | Rules for Indigenous trees (Y/N) | Rules for Notable trees (Y/N) | Rules for Groups of Trees | Rules within overlays (Y/N) | Rules including spatial/temporal limits (Y/N) |
| Wellington Region | | | | | | | | | |
| Wellington | 216,200 | 28,962 | 7.46 | Y | N | Y | N | Coastal only | Coastal only |
| Upper Hutt | 48,300 | 53,992 | 0.89 | N | N | Y | Y | N | Y |
| Lower Hutt | 114,000 | 37,632 | 3.03 | N | N | Y | N | N | N |
| Porirua | 62,400 | 17,464 | 3.57 | Y | N | Y | N | N | N |
| Kāpiti Coast | 58,400 | 73,079 | 0.80 | Y | Y | Y | N | N | Y |
| North Island (excl. Wellington) | | | | | | | | | |
| Auckland | 1,739,300 | 492,140 | 3.53 | Y | N | Y | N | Y | Y |
| Hamilton | 185,300 | 11,096 | 16.70 | Y | N | Y | Y | N | N |
| Palmerston North | 91,800 | 39,483 | 2.33 | N ³ | N | Y | N | N | N |
| South Island | | | | | | | | | |
| Christchurch | 396,200 | 148,344 | 2.67 | Y | Y | Y | Y | N | N |
| Queenstown Lakes | 52,800 | 937,518 | 0.06 | Y | Y | Y | Y | N | Y |
| Dunedin | 134,600 | 328,178 | 0.41 | Y | Y | Y | Y | Y | Y |

¹ NZ Statistics (downloaded 4-7-24). Available at: <https://nzdotstat.stats.govt.nz/wbos/Index.aspx>

² SNA: Significant Natural Area. Also known as Ecological Site (KCDC), Significant Ecological Area (AC), Sites of Ecological Significance (CCC), and Areas of Significant Biodiversity Value (DCC).

³ PNCC have not created a network or SNAs, however the Horizons One Plan (Manawatu and Whanganui Regional Plan) has a schedule for management of activities in rare or threatened habitat types

**Table 2** – Summary of vegetation cover¹ in the 11 selected territorial authorities (hectares).

| Council | Territorial area | % Indigenous Cover | Indigenous Dominant Forest | Indigenous Dominant Scrub/Shrubland | Indigenous Dominant Grassland | Exotic Dominant Forest | Exotic Dominant Scrub/Shrubland | Exotic Dominant Grassland |
|-----------------------------|------------------|--------------------|----------------------------|-------------------------------------|-------------------------------|------------------------|---------------------------------|---------------------------|
| Wellington Region | | | | | | | | |
| Wellington | 28,962 | 15.20 | 3,846 | 556 | 0 | 1,531 | 7,610 | 9,753 |
| Upper Hutt | 53,992 | 69.17 | 35,180 | 1,911 | 256 | 6,713 | 1,618 | 6,286 |
| Lower Hutt | 37,632 | 63.39 | 21,355 | 2,357 | 143 | 577 | 4,412 | 3,937 |
| Porirua | 17,464 | 18.24 | 2,149 | 1,037 | 0 | 2,679 | 1,265 | 7,824 |
| Kāpiti Coast | 73,079 | 62.85 | 43,497 | 1,884 | 546 | 5,240 | 676 | 16,772 |
| Rest of North Island | | | | | | | | |
| Auckland | 492,140 | 24.91 | 78,737 | 43,856 | 0 | 51,364 | 2,144 | 242,128 |
| Hamilton | 11,096 | 2.40 | 215 | 51 | 0 | 85 | 6 | 4,050 |
| Palmerston North | 39,483 | 13.51 | 5,250 | 86 | 0 | 3,342 | 256 | 25,438 |
| South Island | | | | | | | | |
| Christchurch | 148,344 | 10.31 | 9,235 | 6,034 | 26 | 9,285 | 4,035 | 90,414 |
| Queenstown Lakes | 937,518 | 65.56 | 117,637 | 91,284 | 40,5719 | 6,314 | 8,818 | 132,855 |
| Dunedin | 328,178 | 21.08 | 13,477 | 17,037 | 38,674 | 21,589 | 6,473 | 217,491 |

¹ Data from Land Cover Database version 5.0, Manaaki Whenua. Available at: <https://iris.scinfo.org.nz/layer/104400-lcdb-v50-land-cover-database-version-50-mainland-new-zealand/>

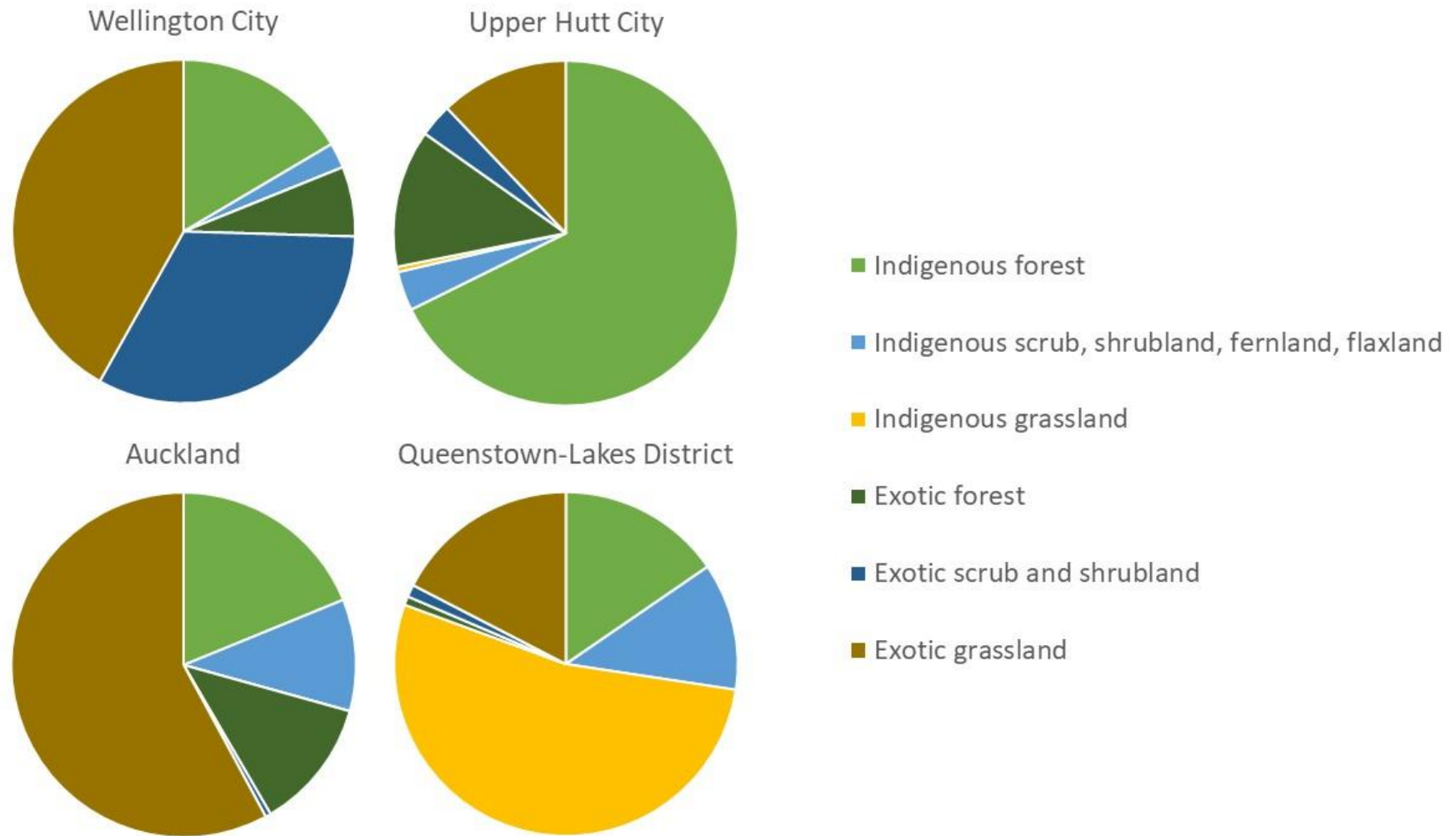


Figure 2. Major vegetation and habitat types in four of the 11 districts selected (based on LCDB5 data).



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