

## 5 RECOGNISING AND PROVIDING FOR NATURAL AND PHYSICAL RESOURCES

### 5.1 RESOURCE MANAGEMENT ACT OBLIGATIONS

- 5.1.1 This section deals with the natural and physical resources in the Wairoa District. These include:
- rivers, lakes and wetlands, and habitats;
  - natural features and landforms;
  - significant indigenous vegetation and significant habitats of indigenous fauna;
  - biodiversity;
  - intrinsic values and amenity values;
  - threatened plants and animals;
  - archaeological sites;
  - historic buildings and places; and
  - Note: Utilities, which are also physical resources, are addressed in Chapter 26 of the Plan.
- 5.1.2 Section 6 (Matters of National Importance) requires the District Council to recognise and provide for the preservation of the natural character of the coastal environment, wetlands, lakes, rivers and their margins (Section 6(a)).
- 5.1.3 The Council is also required under Section 6 of the Resource Management Act 1991 to protect outstanding natural features and landscapes, and to protect these natural resources from inappropriate subdivision, use and development (Section 6(b)).
- 5.1.4 The maintenance and enhancement of public access to the coastal marine area, lakes and rivers (Section 6(d)), and the relationship of Maori culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga shall be recognised and provided for (Section 6(e)).
- 5.1.5 Areas of significant indigenous vegetation and/or significant habitats of indigenous fauna are to be protected (Section 6(c)).
- 5.1.6 Section 7 (Other Matters) requires Council to have particular regard to: the efficient use and development of natural and physical resources (Section 7(b)), the maintenance and enhancement of amenity values (Section 7(c)), the intrinsic values of ecosystems (Section 7(d)), and the finite characteristics of natural and physical resources (Section 7(g)).
- 5.1.7 Section 7(e) requires the District Council to have particular regard to the recognition and protection of the heritage values of sites, buildings, places or areas. Part VIII of the Resource Management Act 1991 deals with heritage orders. Heritage order requirements can be lodged by Council, Ministers of the Crown, the New Zealand Historic Places Trust and heritage protection authorities. Heritage orders must be included in the District Plan.
- 5.1.8 Through Section 7(f), the RMA requires the District Council to have particular regard to the maintenance and enhancement of the quality of the environment.

- 5.1.9 Section 7(h) requires the District Council to have particular regard to the protection of the habitat of trout and salmon.

## 5.2 DESCRIPTION OF SIGNIFICANT DISTRICT RESOURCES

### OVERVIEW

- 5.2.1 Parts of the natural environment and the built environment are highly valued for a variety of reasons - the resource may have cultural significance, have important intrinsic values from an ecological perspective, or may have historic or archaeological values. It is important to community well-being and in safeguarding the life-supporting capacity of ecosystems that these sites are identified, protected and where appropriate, enhanced. The consideration of amenity values is an important component to the community values associated with resources of significance in the District.
- 5.2.2 Examples of natural resources of significance and value to the community nationally, regionally and locally are Te Urewera National Park, the coastal lagoons (including Lake Whakaki), and the Mohaka River. Examples of resources of heritage value include traditional meeting places along the Wairoa River and the historic church at Frasertown. Natural landforms of national significance include the Mahia Peninsula.
- 5.2.3 There are many other natural, cultural and heritage areas of national, regional and local significance. Some of these resources have been well documented by Council and other agencies. However, only a few people may know the values and significance of some areas. To provide effective protection of these areas it is necessary to accurately record them in a publicly available register, or where the area may be culturally sensitive, for Council to have a procedure in place to ensure their ongoing protection from adverse effects of land use, development and subdivision. The identification of areas or sites is just the first step in achieving their effective protection and other methods such as rules, incentives, advocacy and education can assist in achieving protection in the long term. Consultation with landowners should be undertaken to ensure the desired outcomes for the sustainable management of district resources is achieved. This will ensure that these special elements of the natural and built environment survive to be enjoyed by present and future generations.
- 5.2.4 Preservation of the natural character of wetlands, lakes and rivers and their margins can be achieved through effective management of riparian margins – the land alongside these water bodies. Riparian management through the conservation of vegetation cover can assist control erosion, improve water quality, improve aquatic habitats, for example, whitebait spawning habitats, promote a high diversity of indigenous flora and indigenous habitats, and in turn improve amenity values, including recreational opportunities.

### NATURAL HERITAGE: SIGNIFICANT INDIGENOUS VEGETATION AND/OR SIGNIFICANT HABITATS OF INDIGENOUS FAUNA

- 5.2.5 One of the District's greatest natural assets is its remaining areas of indigenous vegetation and wetlands. In the west of the District large areas of indigenous vegetation remain, much of which is included in the Urewera National Park and administered by the Department of Conservation. However, in more eastern and lowland areas, few natural areas remain and these areas are generally unprotected in a formal sense but are protected largely based on voluntary efforts of landowners.
- 5.2.6 In particular natural areas in the lowland, semi-coastal and coastal areas are generally, small, fragmented and rare. It is estimated that less than 5% of the vegetation originally found within the lowland, semi-coastal and coastal areas remains. There are significant remaining wetlands such as Whakaki Lagoon, Whakamahia, Maungawhio and others, which along with small fragmented areas of wetland in the District, provide migratory corridors for wildlife.

- 5.2.7 Also, cattle grazing, clearance and drainage may be slowly degrading most of these lowland areas. Native wildlife and vegetation is also being damaged by competition from pests such as feral goats, rats, possums and deer. Inappropriate clearance of indigenous vegetation on erosion prone land can also have a variety of adverse effects including habitat destruction, accelerated erosion, and decline in water quality. Quality trout habitat, upland game habitat and waterfowl habitat are important for sports fish angling and game bird hunting.
- 5.2.8 Riparian management is therefore one method for addressing the matter of national importance referred to under Section 6(a) of the Resource Management Act 1991 – at the district level this relates to promoting biodiversity and protecting the natural character and amenity values of the margins of water bodies.
- 5.2.9 The Department of Conservation has commissioned Landcare Research Ltd to assess the District under the Protected Natural Area Programme (PNAP). The primary aim of the PNAP is to identify on a national basis the best remaining examples of natural ecosystems and landscapes, which, if protected, would improve the representativeness of the current reserves network. This information will provide the basis for sites listed in [Schedule 4](#).
- 5.2.10 The PNA programme is one of a number of ways of assessing many but not all aspects of “significance.” RAP’s (Recommended Areas for Protection) are not the sole measure of “significance” and input from owners and interest groups will be sought and considered in identifying sites for inclusion in [Schedule 4](#). [Chapter 31](#) – Definitions, provides the definition of the term ‘Significant indigenous vegetation and/or Significant Habitats of Indigenous Fauna.’
- 5.2.11 The list of significant rivers and lakes are presented in [Schedule 5](#). The list of threatened plants and animals is presented in [Schedule 6](#). Provisions relating to the sustainable management of the resources listed in the schedules are generally contained in [Chapter 6](#) (Coastal Environment), [Chapter 14](#) (Conservation & Reserves Zone), [Chapter 23](#) (Indigenous Vegetation & Habitats of Indigenous Fauna), [Chapter 31](#) (Definitions), & [Chapter 27](#) (Subdivision).
- 5.2.12 Potentially, the co-ordination and compilation of all relevant data into comprehensive schedules for inclusion in the district plan, is a substantial task that may require development in stages and as resources become available over time.

## CULTURAL HERITAGE

- 5.2.13 Heritage resources can include all historic resources identified in the district plan, all resources subject to a heritage protection order under Section 189 of the RMA 1991 and can include sites (archaeological, waahi tapu), buildings, objects or areas, and landforms.
- 5.2.14 The Historic Places Act 1993 requires the New Zealand Historic Places Trust to maintain a register of heritage resources. Council supports this approach by recognising those category I and II sites in [Schedule 1](#), and incorporating this register so that protection measures can be afforded those sites through the district plan.
- 5.2.15 It is illegal to destroy, damage or modify any archaeological sites without first obtaining the authority from the Historic Places Trust.
- 5.2.16 Information on heritage resources are sourced from:
- historic places, sites, waahi tapu registered by the New Zealand Historic Places Trust as Category I or II;
  - archaeological sites - known recorded sites from the New Zealand Archaeological Association file-keepers register;

- sites subject to a heritage order; and
- waahi tapu sites identified by tangata whenua.

5.2.17 To provide the necessary public protection, the plan sets out rules for the use and alteration of these sites. These rules relate to alterations and additions, or the alteration of historic sites to enable alternative uses to be considered. Other sites not recorded as Category I or II by the Historic Places Trust are listed in [Schedule 1](#) – Historic Buildings, Sites, Waahi Tapu and Notable Trees, of the District Plan. This listing is one way to inform the public and Council of their heritage value to the Wairoa community. This information will be considered as part of a resource consent process. Council is also supportive of initiatives to educate and inform landowners about any heritage sites on their property.

5.2.18 The overall aim is to promote the protection of heritage resources through tangata whenua, community and private initiatives.

### 5.3 RESOURCE MANAGEMENT ISSUES

5.3.1 Loss of significant indigenous vegetation and/or significant habitats of indigenous fauna, and the loss of biodiversity.

5.3.2 Loss of values associated with the margins of lakes, rivers and wetlands caused by human actions.

5.3.3 Demolition or relocation, alteration or additions to buildings or sites, that adversely affect or lead to the loss of the cultural and heritage values associated with sites.

5.3.4 Loss of evidence relating to the history of New Zealand through the unlawful destruction or modification to archaeological sites.

### 5.4 OBJECTIVES

5.4.1 To identify, protect and enhance areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, trout and salmon.

5.4.2 To identify and protect outstanding natural features and landscapes for present and future generations to enjoy.

5.4.3 To protect and enhance the abundance and diversity of indigenous ecosystems in the District.

5.4.4 To identify and protect areas, sites and structures of importance to Maori culture and traditions.

5.4.5 To preserve and enhance the natural character of wetlands, lakes and rivers, and their margins.

5.4.6 To identify which rivers, lakes and wetlands and their margins in the District have significant:

- natural character values;
- intrinsic values;
- ecological values, including wildlife corridors;
- recreational and amenity values;
- finite natural and physical resources; and

- cultural, historical and spiritual values.

And protect them from inappropriate subdivision, use and development.

- 5.4.7 To identify and protect sites, buildings, places or areas of archaeological, cultural or historic significance to all sectors of the community.

## 5.5 POLICIES

- 5.5.1 Identify and protect outstanding natural features and landscapes, so as to avoid, remedy or mitigate any adverse effects of activities which may lead to the degradation or loss of values associated with these natural areas.
- 5.5.2 Protect and enhance biodiversity (fauna habitats, wetlands, indigenous vegetation, and riparian margins) that have recognised biological/ecological values.
- 5.5.3 Identify and protect areas of indigenous flora and fauna that are significant to the district for their rareness, biological, cultural, recreational and educational values.
- 5.5.4 Ensure that listed significant indigenous vegetation and/or significant habitats of indigenous fauna are protected from activities such as grazing, clearance and drainage, and from competition from pests to avoid permanent damage or diminishment of these resources.
- 5.5.5 Encourage the protection and enhancement of significant indigenous vegetation and/or significant habitats of indigenous fauna on private land.
- 5.5.6 Encourage land management and riparian management practices that protect indigenous riparian vegetation for its intrinsic, ecological, landscape including recreational and/or amenity values.
- 5.5.7 Identify those areas in which esplanade strips are considered desirable and the inclusion of those areas in Schedule 5 by way of plan change to be notified by May 2005.
- 5.5.8 Consider the provision of funding for esplanade reserves through the Annual Plan process.
- 5.5.9 Identify and protect areas, sites and structures of archaeological, cultural or historic significance including sites listed on New Zealand Historic Places Trust Register, New Zealand Archaeological Association Recorded Sites Index and tangata whenua databases and in [Schedule 1](#) – Historic Structures, Sites, Waahi Tapu and Notable Trees so as to avoid, remedy or mitigate any adverse effects of activities which may lead to the degradation or loss of the values associated with these areas, sites and structures. In carrying out methods to protect cultural and historic resources, the rights of landowners to use their land should also be recognised and provided for where possible.
- 5.5.10 Identify and protect, in a manner appropriate to tangata whenua, cultural heritage resources of importance to tangata whenua.
- 5.5.11 Recognise that any information databases on tangata whenua interests may be incomplete and that consultation with tangata whenua will be necessary in order to identify the likely effects of resource management decisions on tangata whenua interests before those decisions are made.

## 5.6 METHODS AVAILABLE USING THE PROVISIONS OF THE DISTRICT PLAN

- 5.6.1 Identify natural sites on an on-going basis in consultation with tangata whenua, the Department of Conservation, landowners, Federated Farmers, forestry representatives, Royal New Zealand Forest and Bird Protection Society, Fish and Game New Zealand and Hawke's Bay Regional Council, that warrant protection and record these sites, where appropriate, in [Schedule 4](#) – Significant Natural Areas to the District Plan, and on plan maps.
- 5.6.2 Educate landowners on the potential adverse effects of goats and deer on biodiversity, particularly the risk of new feral populations establishing as a result of farm escapes, and the environmental benefits of effective fencing and identification of animals. This will include:
- advocacy of best practice standards for goat and deer fencing. For example, Industry Codes of Practice, and standards in the Deer QA On-Farm Quality Assurance Programme, the Noxious Animal in Captivity Regulations 1969, and the Animal Identification Act 1993;
  - provision of information on effective fencing standards for goats and deer in the form of a pamphlet guide; and
  - provision of information about funding assistance schemes that may be available for fencing and/or pest control, such as the DOC/MfE Biodiversity Condition and Biodiversity Advisory Service Funds, the MAF Sustainable Farming Fund, and the HBRC Regional Landcare Scheme.
- 5.6.3 In consultation with tangata whenua, establish a process for dealing with waahi tapu, taonga, culturally significant sites and protocols concerning people's access to such information, and where acceptable to tangata whenua, to record the location of waahi tapu.
- 5.6.4 Use nationally accepted criteria or assessment methods to determine significance; for example but not limited to Protected Natural Area Programme survey results.
- 5.6.5 Setting aside of esplanade strips/reserves where appropriate on resource consents for applications for subdivision ([Chapter 27](#) refers) and/or land use.
- 5.6.6 Use of rules ([Chapter 31](#) – Definitions, '*Significant indigenous vegetation and/or Significant Habitats of Indigenous Fauna*'), standards and conditions to avoid, remedy or mitigate modification of existing indigenous riparian vegetation.
- 5.6.7 Recognise tangata whenua as kaitiaki of waahi tapu sites, taonga, culturally significant areas and develop and implement procedures for consultation with Maori on proposals for the use, development or protection of resources that may affect waahi tapu, taonga and areas of cultural significance.
- 5.6.8 Establish, in consultation with tangata whenua, a process for dealing with situations where koiwi (human remains and taonga) are exposed, either through natural processes or through excavation, and make suitable arrangements in accordance with Tikanga for the appropriate re-interment of koiwi.
- 5.6.9 Maintain liaison with tangata whenua, NZ Historic Places Trust, Hawke's Bay Regional Council, Department of Conservation and the local Committee of the Historic Places Trust on the issue of identification, assessment, protocols and recording of waahi tapu, taonga, areas of cultural significance, historic buildings, sites, and notable trees, and their inclusion, where appropriate, in Schedule 1 – Historic Buildings, Sites, Waahi Tapu and Notable Trees.
- 5.6.10 Use rules to control subdivision, use and development and its effects on natural heritage.

- 5.6.11 Rules in the District Plan to enable consideration of the impacts of certain activities on the heritage value of a site, place or building.
- 5.6.12 Provide assistance to affected property owners; this may include management of a heritage fund, rates relief, waiver of application fees for use, development and subdivision activities that safeguard resources of value to the community, and make available expertise to assist management of resource protection and enhancement.
- 5.6.13 Increase public awareness of the value of cultural heritage resources by advocating the use of educational tools such as placing plaques on heritage items, which explain their significance, heritage trails, informative publications and heritage events.
- 5.6.14 Advocate methods of vegetation control other than chemical spraying in public areas that tangata whenua identify as food-gathering places (mahinga kai).
- 5.6.15 Recognise existing management plans, and prepare new management plans, and implement them in consultation with tangata whenua and the public, for public parks, the foreshore, and recreational areas such as Waikokopu Harbour.
- 5.6.16 Advocate through the Annual Plan process for the protection of significant resources.

## **5.7 EXPLANATION AND REASONS**

- 5.7.1 Council is obliged to recognise and provide for the protection of natural character, outstanding natural features and landscapes, areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, and the relationship of Maori with their ancestral sites and waahi tapu (Section 6). Council is also required to have particular regard to the efficient use and development of natural and physical resources, intrinsic values of ecosystems, recognition and protection of heritage values, the maintenance and enhancement of the quality of the environment, and the finite characteristics of natural and physical resources (Section 7).
- 5.7.2 Council has an accepted role in identifying and facilitating a level of protection for these resources. Council accepts the PNAP data from the Department of Conservation, and the heritage listings from the Historic Places Trust and Archaeological Association, as being the most appropriate resource for the identification of significant natural and cultural heritage resources. Additional sites may require protection in the future, and these will be included through formal change to the District Plan, as and when the need arises.
- 5.7.3 Council has also accepted that it has a role in the protection of riparian indigenous vegetation, given the large proportion of riparian margins alongside water bodies in the district. There is a need to ensure that the adverse effects of land use activities on water bodies are avoided, remedied or mitigated through regulation, in addition to a reliance on voluntary protection by landowners and community-wide education initiatives carried out by the Regional Council and District Council.
- 5.7.4 It is also accepted that identification of these resources should take place in consultation with the community. Historic sites and archaeological sites have been identified on the planning maps. Sites of significant indigenous vegetation and/or habitats of significant indigenous fauna have yet to be included, and will follow a consultative process once the PNAP data is available. It is acknowledged that there are areas that may be significant that may not been identified through the PNA programme. Therefore, backstop rules are necessary to enable initial identification of these areas and to allow assessment of their values on a case-by-case basis.

- 5.7.5 Council has also recognised the public good afforded by the protection of such resources, and where it has the financial and professional resources available, Council will endeavour to assist private landowners with the costs of protection.

## 5.8 ANTICIPATED ENVIRONMENTAL RESULTS

- 5.8.1 Use, development, and subdivision compatible with the scale and character of natural, cultural, and heritage resources.
- 5.8.2 Increased public awareness of the intrinsic, ecological, and cultural values associated with natural areas or indigenous habitats of significance, and of the threats to these values.
- 5.8.3 Integrated management of resources of national, regional and local significance.
- 5.8.4 Maintenance and enhancement of indigenous biodiversity.
- 5.8.5 Identification, protection and where practicable enhancement of significant indigenous vegetation and/or significant habitats of indigenous fauna.
- 5.8.6 Protection of existing indigenous riparian vegetation.
- 5.8.7 Maori cultural values are recognised and protected.
- 5.8.8 Recognition and protection of heritage values important to the community

### Cross References:

#### Part C – Land Management Zones and Rules

- [Chapter 14](#) – Conservation and Reserves Zone
- [Chapter 15](#) – Coastal Zone
- [Chapter 15A](#) – Coastal (Mahia) Zone
- [Chapter 16](#) – Rural Zone

#### Part D – District Wide Rules

- [Chapter 22](#) – Cultural Heritage
- [Chapter 23](#) – Indigenous Vegetation and Habitats of Indigenous Fauna
- [Chapter 30](#) – Resource Consent Assessment Matters (30.9 Indigenous Vegetation and/or Habitats of Indigenous Fauna).

#### Part E – Applying for Resource Consent

- [Chapter 31](#) – Definitions – Significant Indigenous Vegetation and/or Significant Habitats of Indigenous Fauna.

#### Schedules:

- [Schedule 1](#) – Historic Buildings, Sites, Waahi Tapu and Notable Trees
- [Schedule 4](#) – Significant Natural Areas
- [Schedule 5](#) – Significant Rivers and Lakes
- [Schedule 6](#) – Threatened Plants and Animals

#### Planning Maps