

# The Proposed Auckland Unitary Plan (notified 30 September 2013)

## 4.3 Vegetation management

### Introduction

The vegetation management Auckland wide rules recognise the particular benefits of vegetation and trees in sensitive environments and in areas of contiguous native vegetation cover, and threatened plant species, while enabling reasonable use and development. The rules encourage vegetation retention for values including maintaining indigenous biological diversity and ecosystem services including soil conservation, water quality and quantity management, and the avoidance and mitigation of natural hazards. The rules provide for the adverse effects of vegetation loss to be avoided, remedied or mitigated.

### 1. Activity table

The following table specifies the activity status of vegetation management activities in all zones and overlays. For activities within the CMA, refer to Coastal - General Coastal Marine zone rules.

#### 1.1 Vegetation management all zones and roads

[rp]

Activity	Activity status
<b>Rural</b>	
Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of more than 250m <sup>2</sup> of native vegetation that: a. is contiguous vegetation b. is outside the rural urban boundary c. is within the Rural Conservation zone	RD
Vegetation alteration or removal including cumulative removal on a site over a 10-year period, of more than 250m <sup>2</sup> of native vegetation that: a. is contiguous vegetation of more than 1ha in area existing on a site or sites on [date of notification] b. is outside the rural urban boundary c. is outside the Rural Conservation zone d. is on land with an average slope exceeding 15 degrees	RD
<b>Riparian</b>	
Vegetation alteration or removal within a natural wetland management area	D
Vegetation alteration or removal of any vegetation within a natural stream management area	RD
Vegetation alteration or removal within 30m of urban lake management areas	RD
Vegetation alteration or removal within 20m of rural lakes	RD
Vegetation alteration or removal within 20m of rural streams, other than those in Rural Production and Mixed Rural zones	RD
Vegetation alteration or removal within 20m of a natural wetland in the bed of a river or stream (permanent or intermittent) or lake	RD
Vegetation alteration or removal within 10m of urban streams	RD
Vegetation alteration or removal within 10m of rural streams in the Rural Production and Mixed Rural zones	RD
<b>Coastal</b>	

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Activity	Activity status
Vegetation alteration or removal of more than 25m <sup>2</sup> of contiguous vegetation or tree alteration or tree removal of any native tree over 3m in height within 50m of MHWS in the Countryside Living, Rural Conservation, Rural Coastal, Mixed Rural, Rural Production and Future Urban zones.	RD
Vegetation alteration or removal of more than 25m <sup>2</sup> of contiguous vegetation or tree alteration or tree removal of any native tree over 3m in height within 20m of MHWS in all other zones.	RD
Vegetation alteration or removal of more than 25m <sup>2</sup> of contiguous vegetation or tree alteration or tree removal of any native tree over 3m in height that is within a horizontal distance of 20m from the top of any cliff with a slope angle steeper than 1 in 3 (18 degrees); and within 150 metres of MHWS.	RD
<b>Permitted and controlled activities</b>	
Vegetation alteration or removal for a building platform and accessway for a dwelling where there is no practicable alternative outside the area of protected vegetation on the site	C
Biosecurity tree works	P
Dead wood removal	P
Vegetation pruning, alteration or removal for customary use	P
Emergency tree works	P
Existing forestry and farming activities	P
Pest plant removal	P
Conservation planting	P
Vegetation alteration or removal for routine maintenance within 3m of existing buildings	P
Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks, lawns, gardens, fences and other lawfully established activities.	P
Vegetation alteration or removal not listed in Activity Table - Vegetation Management all zones or Activity Table - Vegetation Management in overlays.	P
<b>Network Utilities</b>	
Vegetation alteration or removal for the operation, repair and maintenance or minor infrastructure upgrading of an existing network utility	P

Note:

All distances from water bodies will be measured in a horizontal plane from the edge of the bed of the river or stream, permanent or intermittent, or lake water body.

### 1.2 Vegetation management in overlays

[rp]

Activity	SEA	ONF										HNC	ONLs	ONC
		A1	A	V1	V2	B	C	D	E	F1	F2			
Vegetation alteration or removal of less than 25m <sup>2</sup> of any native contiguous vegetation	NA	P	P	P	P	P	P	P	P	NA	NA	NA	NA	NA
Vegetation alteration or removal of more than 25m <sup>2</sup> of any native contiguous vegetation	NA	D	D	D	D	D	D	D	D	NA	NA	NA	NA	NA

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Activity	SEA	ONF										HNC	ONLs	ONC	
		A1	A	V1	V2	B	C	D	E	F1	F2				
Vegetation alteration or removal of less than 50m <sup>2</sup> any native contiguous vegetation	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	P	P	P
Vegetation alteration or removal of more than 50m <sup>2</sup> any native contiguous vegetation	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	RD	RD	RD
Any vegetation alteration or removal	D	NA	NA	NA	NA	NA	NA	NA	NA	NC	NC	NA	NA	NA	NA
Any vegetation alteration or removal within a Quarry Zone	RD	NA	NA	NA	NA	NA	NA	NA	NA	NC	NC	NA	NA	NA	NA
Vegetation alteration or removal within a SEA for a building platform and access way for one dwelling per site where there is no practicable alternative location outside the area of protected vegetation on the site	C	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Biosecurity tree works	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Deadwood removal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Emergency tree works	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Vegetation alteration or removal for customary use	P	P	P	P	P	P	P	P	P	NC	NC	P	P	P	P
Existing forestry and farming activities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Pest plant removal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Conservation planting	P	P	D	D	P	D	D	RD	D	NC	P	P	P	P	P
Vegetation alteration or removal for routine maintenance within 3m of existing dwelling	P	P	P	P	P	P	P	P	P	NC	NC	P	P	P	P
Vegetation alteration or removal for routine maintenance within 3m of existing buildings greater than 100m <sup>2</sup> GFA	P	P	P	P	P	P	P	P	P	NC	NC	P	P	P	P
Tree trimming within 10m of existing buildings	P	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks, lawns, gardens, fences and other lawfully established activities.	P	P	P	P	P	P	P	P	P	NC	NC	P	P	P	P
<b>Network Utilities</b>															

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Activity	SEA	ONF										HNC	ONLs	ONC	
		A1	A	V1	V2	B	C	D	E	F1	F2				
Vegetation alteration or removal for the operation, repair and maintenance or minor infrastructure upgrading of an existing network utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

## 2. Controls

### 2.1 Deadwood Removal

1. All Kauri deadwood material (including sawdust and woodchips) must be retained on site or disposed of to landfill.

### 2.2 Tree trimming within 10m of existing buildings in SEAs

1. The maximum branch diameter must not exceed 50mm
2. No more than 10 per cent of live growth of the tree is removed in any one calendar year
3. Must meet accepted modern arboricultural practice
4. The trimming must retain the natural shape, form and branch habit of the tree.

### 2.3 Vegetation alteration or removal for routine operation, maintenance and repair of existing tracks, lawns, gardens, fences and other lawfully established activities

1. No more than 20m<sup>2</sup> of vegetation is removed within an SEA per calendar year.
2. No more than 50m<sup>2</sup> of vegetation is removed within all other areas per calendar year.

### 2.4 Vegetation alteration or removal located within the 100-year ARI floodplain

1. Erosion control measures associated with vegetation removal and replanting such as mulch or bark should not be able to be swept off-site in a flood event.

### 2.5 Vegetation alteration or removal for customary use

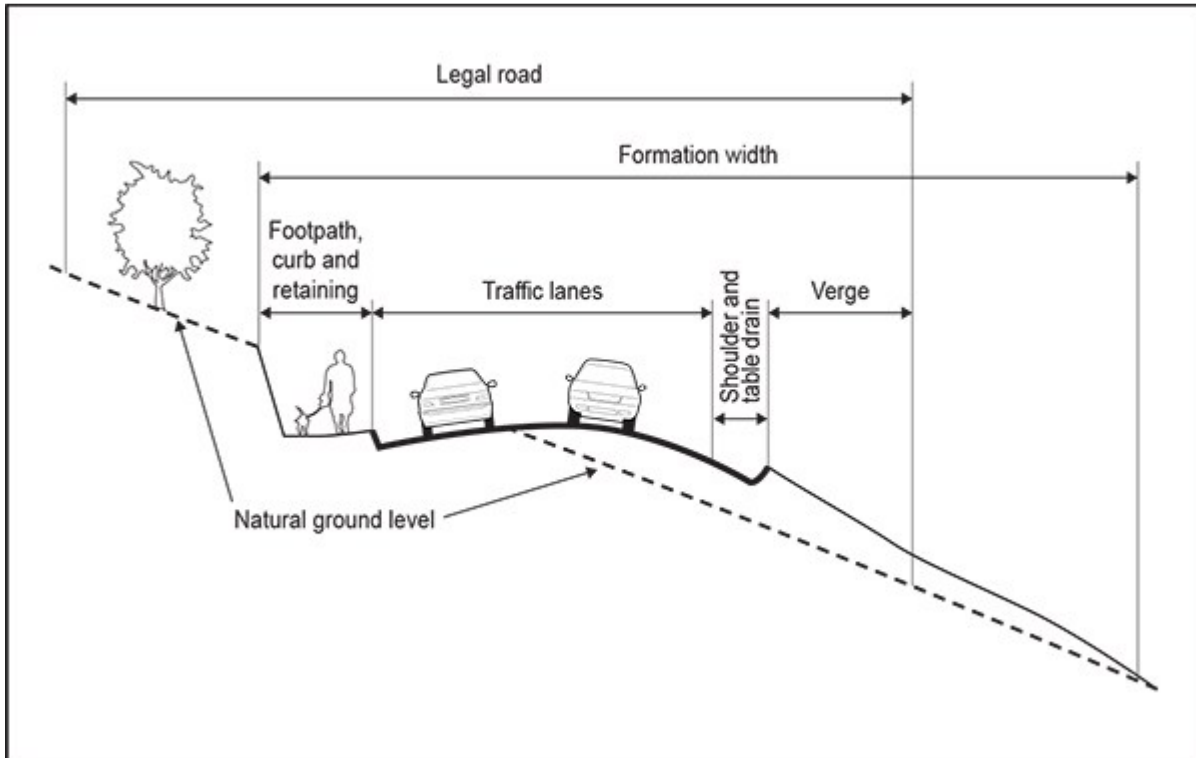
1. No more than 20m<sup>2</sup> of vegetation is removed within an SEA per calendar year.
2. No more than 50m<sup>2</sup> of vegetation is removed within all other areas per calendar year.

### 2.6 Vegetation alteration or removal of any vegetation for the operation, maintenance and repair or minor infrastructure upgrading of an existing network utility

1. No more than 20m<sup>2</sup> of vegetation is removed within an SEA per calendar year, or
2. No more than 50m<sup>2</sup> of vegetation is removed within all other areas per calendar year, or
3. Be undertaken, whichever is the lesser, within the legal width or the formation width of existing roads.

**Figure 1: Formation width of roads**

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### 2.7 Vegetation alteration or removal within a SEA for a building platform and access way for a dwelling where there is no practicable alternative location outside the area of protected vegetation on the site

1. The total cleared area is no more than 300m<sup>2</sup>.

### 2.8 Conservation planting

1. Conservation planting in SEAs is limited to planting for ecological restoration purposes.

## 3. Assessment - Controlled activities

### 3.1 Matters of control

1. Vegetation alteration or removal within a SEA for a building platform and access way for a dwelling where there is no practicable alternative location outside the area of protected vegetation on the site. The council will restrict its control to the matters below:
  - i. the area of vegetation cleared
  - ii. the suitability of the proposed building platform for a dwelling.

### 3.2 Assessment criteria

1. Vegetation pruning alteration or removal for a building platform and accessway for a dwelling where there is no practicable alternative location outside of the area of protected vegetation on the site.
  - a. require vegetation clearance to be carried out in a way that avoids high quality vegetation and locates in lower quality vegetation. Having regard to the reasons for which the vegetation is protected, clearing should take place in areas which avoid vegetation on the site which may have greater significance than other vegetation
  - b. recognise the need to obtain a building platform and access that is suitable for a dwelling.

## 4. Assessment - Restricted discretionary activities

### 4.1 Matters of discretion

#### 1. Vegetation alteration or removal

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The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the activity table:

- a. the ecological values and benefits of the vegetation
- b. the benefits of the vegetation for avoiding or mitigating natural hazards
- c. the benefits of the vegetation for soil conservation, water quality and the hydrological function of the catchment
- d. the amenity, landscape and natural character values and benefits of the vegetation
- e. the amenity values of adjacent public space including the coast, CMA, reserves and walkways
- f. the reasonable use of the site for a building platform and associated access, services and living areas, and the maintenance of existing activities on the site
- g. the minimisation of vegetation disturbance from activities, works, accessways and building platforms and alternative locations and methods which may be available to the applicant to achieve their objectives including consideration of an application for flexibility in respect of any development control where this would encourage retention and enhancement of vegetation on the site
- h. the ecological value of vegetation, including ecosourcing, amenity value, extent, ongoing maintenance and protection, of revegetation measures
- i. the imposition of bonds, covenants or similar instruments as conditions of consent associated with any of the above matters
- j. mitigation of bush fire risk
- k. measures to contain and control plant pathogens and diseases including Kauri die back
- l. the need for or purpose of the proposed building or structure.

### **2. Any vegetation alteration or removal within a Quarry Zone**

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the activity table:

- a. scale, location, quality, significance, visibility of indigenous vegetation and habitats
- b. significant adverse effects on existing streams, wetlands, riparian margins and habitat
- c. buffer areas between Mineral Extraction Activities and remaining areas of SEA
- d. duration and staging of Mineral Extraction Activities
- e. proposals for the avoidance, remediation or mitigation of significant adverse effects, or the partial offsetting of residual adverse effects in the local area, including positive environmental benefits
- f. benefits derived from extracting the resource.

### **4.2 Assessment criteria**

#### **1. Vegetation alteration or removal**

- a. whether the vegetation alteration or removal is minimised and the extent to which adverse effects on the ecological and indigenous biodiversity values of the vegetation are able to be avoided, remedied or mitigated
- b. the degree to which the vegetation serves to avoid or mitigate natural hazards and the amount of vegetation to be retained or enhanced
- c. the degree to which vegetation alteration or removal will adversely affect soil conservation, water quality and the hydrological function of the catchment and measures to avoid remedy or mitigate any adverse

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effects

- d. the effect of the vegetation alteration or removal on amenity, landscape and natural character values particularly on adjacent public space including the CMA, coast, reserves and walkways and measures to avoid, remedy or mitigate any adverse effects
- e. the alternative locations and methods which may be available to the applicant to achieve their objectives, including consideration of an application to infringe any development control where this would encourage retention and enhancement of vegetation on the site
- f. the extent to which revegetation can remedy or mitigate adverse effects including ecosourcing and the ongoing maintenance of revegetation measures
- g. whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments
- h. whether the vegetation removal is necessary to mitigate an identified bushfire risk to existing development
- i. measures to contain and control plant pathogens and diseases such as Kauri die back including measures for preventing the spread of soil and the safe disposal of plant material
- j. whether the vegetation removal will improve the reliance and security of the network utility
- k. whether the vegetation clearance is necessary for a structure that has a functional need to be in the proposed location.

### **2. Vegetation alteration or removal of an SEA within a Quarry Zone**

- a. whether the proposed measures, including staging and rehabilitation, will minimise or mitigate significant adverse effects, partially offset residual adverse effects or provide for positive environmental benefits through:
  - i. actions undertaken in advance of vegetation removal;
  - ii. areas of indigenous planting;
  - iii. the ratio, quality and type of new indigenous planting in relation to the established vegetation to be removed;
  - iv. the translocation of any indigenous plant and animal species;
  - v. the opportunity to establish ecological linkages with existing vegetation and/or habitats;
  - vi. ongoing programmes of weed and pest control; and
  - vii. fencing and stock removal.
- b. whether the proposed mitigation measures implement the 'no net loss principle'
- c. whether the vegetation proposed to be removed forms part of an ecological corridor, or is adjacent to a watercourse and acts as a filter for sediment and water runoff, or protect threatened plants or animal species and whether the activity will significantly adversely affect these values
- d. whether the scale or location of the activity will significantly affect water quality or quantity and the habitat value of waterways or wetlands
- e. whether the activity is necessary to enable continued efficient operation of the mineral extraction site.

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