

[TIMARU_DMS_n615668_v1_Resource_Planning_and_Regulation_Committee_Minutes_20_10_09.doc](#)

PLANNING AND REGULATION COMMITTEE MEETING

on

Tuesday 20 October 2009

**Council Chamber
Timaru District Council
2 King George Place
Timaru**

TIMARU DISTRICT COUNCIL

Notice is hereby given that a meeting of the Resource Planning and Regulation Committee will be held in the Council Chamber, District Council Building, 2 King George Place, Timaru on Tuesday 20 October 2009 commencing at the conclusion of the Community Development Committee Meeting.

Committee members:

Cirs Mulvey (Chairman), Coughlan, Bennett, Bradley, Oliver and the Mayor and a representative of Tangata Whenua.

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Committee members are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Warwick Isaacs
CHIEF EXECUTIVE

RESOURCE PLANNING AND REGULATION COMMITTEE

20 OCTOBER 2009

AGENDA

Item No	Page No	
1		Apologies
2		Identification of Items of Urgent Business
3		Identification of Matters of a Minor Nature
4		Chairman's Report
5	1	Confirmation of Minutes
6	5	Request for Change to Timaru District Plan: 300 Hilton Highway, Washdyke (Lots 1-4 DP 413460) (also see mail ID 105725 & 105724)
7	8	The Significant Natural Areas Fund - Changes to the Criteria & Application Guidelines
8	11	Resource Management Amendment Act 2009
9	14	Geraldine North - Proposal for Residential Expansion Report (also see mail ID 105722)
10		Consideration of Urgent Business Items
11		Consideration of Minor Nature Matters

RESOURCE PLANNING AND REGULATION COMMITTEE
FOR THE MEETING OF 20 OCTOBER 2009

Report for Agenda Item No 5

Prepared by - Peter Thompson
Regulatory Services Manager

Confirmation of Minutes

Minutes of the meeting of the Resource Planning and Regulation Committee held on 10 September 2009.

Recommendation

That the minutes of the Resource Planning and Regulation Committee meeting held on 10 September 2009 be confirmed as a true and correct record.

UNCONFIRMED

TIMARU DISTRICT COUNCIL

MINUTES OF A MEETING OF THE RESOURCE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, 2 KING GEORGE PLACE, TIMARU ON THURSDAY 10 SEPTEMBER 2009 AT 9.45AM.

PRESENT Clrs Mulvey (Chairman), Bennett, Coughlan, Oliver and the Mayor

APOLOGY Clr Bradley

IN ATTENDANCE Clrs Barker, Bowan (from 11.08am), Lyon, and Kennedy

Mr Diamond – Pleasant Point Community Board
Mr Simpson – Geraldine Community Board

Regulatory Services Manager (P Thompson), Council Secretary (JM Brownie)

1 CHAIRMAN'S REPORT

As the Chairman had been on leave there was no Chairman's report for this meeting.

2 MINOR NATURE MATTER

Alliance Textiles Building – Photographic Record

The importance of ensuring a photographic history record of the Alliance Textiles building before it is demolished was raised and the Regulatory Services Manager assured the Committee that the new owner of the building had engaged a photographer to take photos of the building before its demolition. The Committee requested the photos be made available to the Council for the museum's records.

3 CONFIRMATION OF MINUTES

Proposed Clr Bennett
Seconded the Mayor

"THAT the minutes of the Resource Planning and Regulation Committee meeting held on 21 July 2009, be confirmed as a true and correct record."

MOTION CARRIED

4 HERITAGE PROTECTION FUNDING (File P5/2/0)

The Committee considered a report by the Regulatory Services Manager on a possible formal process for the allocation and distribution of heritage protection funding.

The Committee amended the draft guidelines as follows –

- bullet point 2 to be deleted (as the Committee agreed that obtaining a report would be too expensive and possibly more costly than the level of funding granted)

- bullet point 3 to be reworded – “~~Preference will be given to~~ *The fund will be used for preserving the external appearance of a building or structural work* where the work proposed gives greatest benefit to the public generally.”
- bullet point 6 to end at \$5,000.

Proposed Clr Coughlan
 Seconded Clr Bennett

- “a That the draft guidelines (as amended at this meeting), and the application form be adopted and utilised in respect of future applications for Heritage Protection Funding, and
- b That the requests for funding be considered by the Resource Planning and Regulation Committee.”

MOTION CARRIED

5 ANNUAL REPORT ON LIQUOR LICENSING MATTERS TO THE LIQUOR LICENSING AUTHORITY (File H1/38)

The Committee considered a report by the Regulatory Services Manager on liquor licensing matters and the Liquor Licensing Agency’s Annual Report to the Liquor Licensing Authority.

Proposed Clr Oliver
 Seconded Clr Bennett

“That the report be adopted subject to making an amendment to record that the Liquor Licensing Agency has met twice during the 2008/2009 year, and the report then be forwarded to the Liquor Licensing Authority.”

MOTION CARRIED

6 TIMARU DISTRICT CONSOLIDATED BY-LAWS (FILE B2/0)

The Committee considered a report by the Building and Environmental Services Manager on the current by-laws with respect to Itinerant Traders. The Regulatory Services Manager clarified some of the details on the issue.

Proposed Clr Bennett
 Seconded Clr Oliver

“That the status quo remain in respect of Itinerant Traders.”

MOTION CARRIED

7 POSSIBLE RENAMING OF MUFF ROAD (File R4/6/353)

The Committee considered a report by the Regulatory Services Manager on the possible renaming of Muff Road. It was clarified that the suggestion from the Temuka Community Board to have a combined sign would involve Muff Road and directional signs to Clandeboye and Milford districts. Clr Lyon and Clr Oliver further explained the background to how the Temuka and Geraldine Community Boards reached their decisions on the matter.

The Committee acknowledged the correspondence to the Chairman from Mr Payne, dated 2 September 2009, which was circulated to Councillors. While Mr

Payne has concerns regarding the validity of the petition presented at the Geraldine Community Board (ie that most of the signatories were from out of the district), it was pointed out that the petition was not pivotal in the Geraldine Community Board reaching its decision. Further it was noted that there is already an 'Ohapi Settlement Road', which acknowledges the historical 'Ohapi'.

Proposed Clr Oliver
Seconded Clr Bennett

"That the name Muff Road be retained and that consideration be given to taking steps which will make the signs less vulnerable to theft."

MOTION CARRIED

8 NAMING AND RENAMING OF REALIGNED ROADS ADJACENT TO THE ORARI RIVER (File R4/6/384)

The Committee considered a report by the Regulatory Services Manager on the closure and realignment of portions of Burma and Tripp Settlement Roads.

Proposed Clr Oliver
Seconded The Mayor

"That the naming and renaming of realigned roads adjacent to the Orari River be referred to the Geraldine Community Board for consideration."

MOTION CARRIED

The meeting concluded at 11.20am.

Chairman

RESOURCE PLANNING AND REGULATION COMMITTEE
FOR THE MEETING OF 20 OCTOBER 2009

Report for Agenda Item No 6

Prepared by - Peter Kloosterman
District Planner

**Request for Change to Timaru District Plan: 300 Hilton Highway, Washdyke,
Lots 1-4 DP 413460 (R4/9/169)**

Purpose of Report

This report seeks the Council's consideration of a request made under clause 21 of the First Schedule to the Resource Management Act 1991 (RMA) to change the Timaru District Plan by rezoning the property at 300 Hilton Highway from Residential 4 to Industrial L, and to introduce new site specific performance standards.

Background

Timaru District Council engaged MWH Ltd to undertake an assessment of the private plan change request by the Wills Family Trust in terms of the First Schedule of the Resource Management Act. The purpose of the assessment is to determine a recommendation on how Council should proceed with processing the request. At this stage of the statutory process the Council is not being asked to review the content of the Plan Change or determine its intrinsic worth.

The assessment and recommendation have been undertaken in two reports:

- Report 1: assesses the adequacy of information under the request, and making recommendations on whether further information should be requested;
- Report 2: recommending how TDC should proceed with the plan change request, and why.

The two reports are enclosed separately.

The plan change request was lodged on 8 July 2009. To date no further information has been requested by Council.

The Council has four options, it can:

- 1 Adopt the request as if it were a Council plan change and publicly notify it;
- 2 Accept the request as a private application and publicly notify it;
- 3 Reject the request outright on any of the grounds under Clause 25(4) of the First Schedule of the RMA; or
- 4 Process the request as an application for resource consent.

The Council is obliged to consider this request under the due process set out in the First Schedule of the RMA. The merits of the plan change are not generally relevant at this stage of the process, except in limited circumstances where the effects of the

proposal or inconsistencies with the policy framework would be so significant that the proposal is considered to be contrary to sound resource management practice.

An analysis of the plan change request has concluded that:

- The plan change request meets the information requirements under the RMA;
- The plan change request does not meet any of the grounds for rejection under Clause 25(4);
- It would not be appropriate for Council to adopt the plan change request; and
- It would not be appropriate for Council to process the plan change request as a resource consent.
- This report recommends that Council accepts the plan change request, in whole, pursuant to Clause 25(2)(b) of the First Schedule of the RMA, and proceed to public notification.

Assessment of Significance

This proposal is not considered significant.

Consultation

The applicant has consulted with adjoining landowners, and the owners adjacent on the opposite side of SH1 through a meeting, as well as individual meetings with the New Zealand Transport Agency and Timaru District Council.

Other Considerations

There are no other considerations relevant to this matter.

Funding Implications

The financial considerations differ depending on how Council decides to proceed with the application:

- If Council adopts the plan change as its own, then Council will need to meet the costs of processing the proposed plan change.
- If Council accepts and notifies the plan change, then the applicant would be required to cover the costs of processing the application. The Council would however still incur costs in terms of staff time.
- If Council rejects the plan change request, then the applicant may appeal the decision to the Environment Court, in which case Council would have to fund the defense of its decision.
- If Council determines it will process the request as a resource consent application, then the applicant would be expected to meet the reasonable costs of processing it in line with standard Council procedures. Again, the applicant could appeal this decision to the Environment Court.

At this stage the cost of processing the request will be recovered from the applicant.

Conclusion

The Council must adopt, accept or reject the request to change the Timaru District Plan.

- The plan change request meets the information requirements under the RMA for a private plan change request;
- Based on the information currently available, the request does not meet any of the grounds for rejection under Clause 25(4);

- It would not be appropriate to process the request as a resource consent;
- The primary benefactor of the plan change is the landowner, and any future owners of the site, or owners of businesses able to establish on the site as permitted activities under the Industrial Zone provisions. Therefore, it would be inappropriate for Council to adopt the plan change as its own.

Recommendation

- 1 That the report *Request for Change to Timaru District Plan: 300 Hilton Highway, Washdyke, Lots 1 - 4 DP 413460* is received.**
- 2 That the request for a plan change to rezone land at 300 Hilton Highway, Washdyke (Lots 1 - 4 DP413460) be accepted.**

RESOURCE PLANNING AND REGULATION COMMITTEE
FOR THE MEETING OF 20 OCTOBER 2009

Report for Agenda Item No 7

Prepared by - Peter Kloosterman
District Planner

The Significant Natural Areas Fund - Changes to the Criteria & Application Guidelines (File P5/3/8/2)

Purpose of Report

For the committee to review and change parts of the Significant Natural Areas Fund Criteria and Application Guidelines.

Background

In 2004, Council established a Significant Natural Areas Fund to provide financial assistance to landowners to manage and protect Significant Natural Areas (SNAs) on private land. This fund has had limited success. This report proposes amendments to the fund criteria so that its efficacy can be improved.

The Significant Natural Areas Fund

The purpose of the Significant Natural Areas Fund is to encourage landowners to manage and protect identified areas of indigenous vegetation and habitat (SNAs) in the District. The fund complements the district-wide survey of SNAs that has been successfully operating over the past four years.

The annual budget for the fund is \$35,000 and landowners can apply for financial assistance for work that will benefit SNAs on their property. Fund applications must contain information about the project, a Management Statement, its benefits and the landowner contribution. The maximum grant for each application is \$5000. The landowner is required, in most cases, to contribute at least 50% of the project cost. Labour is generally limited to one-third of the project cost. It is expected that funds would typically be provided for fencing, plant and animal pest control or restoration planting.

History and Operation of the Fund

The fund has been in place for four years and has been promoted to landowners (by letter and public notice) twice, once in 2006 and once in 2008. Two applications were received and funded by Council in 2006, one in 2008 and one in 2009. A total of approximately \$10,000 has been allocated to projects. The fund has an annual budget of \$35,000, through to 2017/2018.

Why has the Fund been poorly subscribed?

The main reasons why landowners have not applied to the fund for assistance appear to be:

Labour Costs:

Nearly all SNA management/protection projects require labour which is frequently the most expensive component such as for weed control, animal control, fencing, planting and maintenance of fences and plantings. The fund, as it currently is administered, is not intended to provide labour; whereas the most sought-after assistance for protection of SNAs is labour.

Application Form:

Applicants to the fund must complete an application form. The seven-page form requires applicants to provide detailed information from which Council can assess the merit and relative priority of the project. It also requires the preparation of a Significant Natural Area Management Plan. Many landowners have not prepared this type of application form before and very few have had experience at preparing a management plan.

Project Costs:

Fencing, pest control and planting projects can be costly. The maximum grant of \$5000 is insufficient for some of the more worthwhile projects proposed in the District.

Time:

Many landowners simply do not have time to plan, cost and document a proposed project. They frequently know what they would like to do, can see the benefits, have some of the resources (such as fencing materials) but do not have time to fill in lengthy application forms.

A Significant Natural Areas (SNA) Assistance Programme

In February 2009, a Council Workshop considered a proposal, presented by consultant Mike Harding, to establish a Significant Natural Areas (SNA) Assistance Programme. The programme proposes to utilize funds already set aside in Council's Significant Natural Areas Fund for a Council-administered weed control programme in high-value SNA's. Mr Harding advised that this approach could receive dollar for dollar subsidy.

Changes to the SNA Fund and Application Criteria

To enable the SNA Assistance Programme to proceed, it is necessary to make some minor changes to the Fund Guidelines and Criteria and the Fund Application Form. The purpose of the changes is to clarify that the Guidelines and Criteria apply only to individual applications to the fund and that Council may allocate the money in other ways, so long as the expenditure is consistent with the purpose of the fund.

Copy of the Fund Guidelines and Criteria and Fund Application form is enclosed.

The following changes to the SNA Fund Criteria and Application Guidelines are suggested. The suggested changes are highlighted in the enclosed draft.

- 1 Add a further note (4) on page 1: *"4. Council reserves the right to allocate the money in other ways so long as the expenditure is consistent with the purpose of the Fund"*.
- 2 Add the following text to the first sentence under the heading 'Management Projects' on page 1: *"...unless it is a Council-administered project"*.

- 3 Add the following sentence to the first paragraph on page 8: “*Council-administered projects may exceed this maximum allocation*”.

The following changes to the SNA Fund Application Form are suggested:

- 1 Add the following sentence to the first paragraph on page 5: “*Council-administered projects may exceed this maximum allocation*”.
- 2 Add the following text to the first sentence under the heading ‘Significant Natural Areas Management Plan’ on page 6: “*A management plan may not be required for a Council-administered project*”.

Options

- 1 Maintain the status quo (do nothing);
- 2 Initiate the changes to the SNA Fund Criteria and Application Guidelines and the SNA Fund Application Form.

Identification of relevant legislation, Council policy and plans

- Resource Management Act 1991
- The Timaru District Plan

Assessment of Significance

Not applicable.

Consultation

Not applicable

Other Considerations

Not applicable

Funding Implications

Utilising the approach proposed could attract subsidy.

Conclusion

The Significant Natural Areas Fund which has been running for four years is undersubscribed. Changes are necessary to the Guidelines and Criteria and the Fund Application Form to enable greater flexibility in the use of the Fund.

Recommendation

- 1 **That the report is received.**
- 2 **That Council approve the changes to the Significant Natural Areas Fund Criteria and Application Guidelines.**
- 3 **That Council approve the changes to the Significant Natural Areas Fund Application Form.**

RESOURCE PLANNING AND REGULATION COMMITTEE
FOR THE MEETING OF 20 OCTOBER 2009

Report for Agenda Item No 8

Prepared by - Nicole Dally
Planning Officer

Resource Management Amendment Act 2009 (File P5/5/3/1)

Purpose of Report

To explain changes to the Resource Management Act 2001, effective from 1 October 2009 and which are particularly relevant to territorial authorities.

Background

The new government, as part of its electoral platform, promised changes to the Resource Management Act intended to streamline processes under the Act. This is the first of a series of changes predicted to take place under the current government's term in office.

CHANGES

Notification

There is no longer a presumption that a council must publicly notify a resource consent application unless the proposal meets certain tests.

Despite the fact that Council has discretion as to whether it publicly notifies an application, it must publicly notify an application if it has not yet made a decision whether to publicly or limited notify and the applicant has not provided further information by the set deadline or refuses to supply the information.

Direct referral to the Environment Court for notified applications

Applicants can make a request to council for resource consent applications and applications to change or cancel conditions of consent, to be decided by the Environment Court instead of council.

Hearing by independent commissioner(s) if requested by applicant or submitters

An applicant or submitter can request the council to appoint at least one independent hearing commissioner to hear and decide the application.

A party does not have the right to oppose or object to another party's request for independent commissioner(s). The council has the discretion to decide on the number and composition of panel members.

The applicant and/or submitters are responsible for the costs associated with request(s) for independent commissioner(s), depending on who made the request:

- If the applicant made the request, regardless of whether one or more submitters also requested it, the applicant is responsible for costs.
- If submitter(s) made the request and the applicant did not, the applicant is responsible for the council's charges if the application was decided by the council, and the submitter(s) are responsible in equal shares for the balance of the costs.

Further information and "stopping the clock"

The clock can only be stopped once through a further information request if the application is not notified and twice if it is notified, i.e. once after lodging and once after submissions are received.

The council can ask for further information more than twice but the clock won't stop.

The applicant no longer has the right to object to requests for further information.

When further information is not provided

If council considers it has inadequate information it can decline the application.

If an application was lodged before 10 August 2005 and the applicant does not respond to a further information request within 12 months after *either* the commencement of the amendment act or the date on which the request was made (whichever is the later) the application is deemed to have lapsed.

Discount Policy for Late Consents

A discount policy is to come into effect if resource consents are not processed within the required timeframe and the council is at fault.

The Minister will prepare a default discount policy that sets out how the fault is determined, and what will happen in the event of a dispute. The default policy will be a regulation which will come into force nine months after 1 October 2009.

Council can develop their own discount policy using the special consultative procedure in the LGA 2002. The policy must specify the discount, the method for determining this and the procedure required to obtain the discount.

A council can make its discount more generous than the Minister's but not less.

Requirements for waivers and extensions

A consent authority can extend the 20 working day timeframe in special circumstances, including the scale and complexity of an issue or with the applicant's agreement.

Timeframes can be extended longer again if the applicant agrees.

Plan Development and Plan Change Processes

Plan reviews

Entire plans and policy statements are no longer required to be reviewed in a single review every 10 years.

Council's can choose how to review their plans, provided each provision of the plan or policy statement has undergone a review or alteration at least once in the preceding 10 years.

The Minister for the Environment is able to direct that a plan be reviewed, in whole or in part, by the local authority responsible for it.

Further submissions on plan changes must now be lodged within 10 working days (not 20) from the day on which public notice is given.

Appeal on plans

An appeal cannot seek the withdrawal of a whole proposed plan or policy statement, but can still request that the plan change or variation be withdrawn.

Designations

- Designations no longer have to be notified.
- They will be subject to similar test as resource consents

Funding Implications

There are potential funding implications should timeframes not be met. This provision becomes regulation in July 2010 but the details of the penalty are yet to be determined.

Recommendation

That the information be received and noted.

RESOURCE PLANNING AND REGULATION COMMITTEE
FOR THE MEETING OF 20 OCTOBER 2009

Report for Agenda Item No 9

Prepared by - Peter Kloosterman
District Planner

Geraldine North - Proposal for Residential Expansion Report

Purpose of Report

For the committee to determine whether to proceed to a Plan Change for the study area in Geraldine North as depicted on the attached plan with the report.

Background

Timaru District Council commissioned Opus International Consultants to undertake a study of the area described as Geraldine North to determine its suitability for residential development. The land is currently zoned Rural 1 and Rural 2.

The 'Proposal for Residential Expansion' report provides a basis for Council to make a decision on whether it is appropriate to extend the residential zone in the Geraldine North area. The report discusses the need for additional residential zoned land, outlines the infrastructure issues, and provides a strategy for the extension of the existing infrastructure to service the additional land.

The Geraldine North area was identified as a potential area for future development in a follow up report to the Demographic Change and Growth Study. This report identified areas within the Timaru District for future residential growth where structure planning could be advantageous to the Council, community, property owners and developers.

The cumulative effect of the proposed 'Lifecare Village' and an additional 100 dwellings needs to be carefully considered. Further research into upgrading of the existing utility networks to accommodate the additional demand is strongly recommended to determine the costs associated with rezoning the study area.

Scope of the Report

The report (enclosed) provides comment on the need for additional residential sites, and looks at the critical issues associated with extension of the existing infrastructure north of the Geraldine Township.

Options

- 1 Maintain the status quo (do nothing);
- 2 Investigate the cost of the infrastructure upgrade necessary to service the study area and then determine whether to proceed with a Plan Change;
- 3 Proceed with a Plan Change to rezone to the study area to "Residential".

Identification of relevant legislation, Council policy and plans

- Resource Management Act 1991
- The Timaru District Plan

Assessment of Significance

The matter is not considered to be significant within Council's Significance Policy.

Consultation

Should the proposal proceed the public notification provisions of the Resource Management Act will provide opportunity for consultation.

Other Considerations

There are no other aspects to be considered.

Funding Implications

There will be additional budgeted costs associated with any plan change.

Conclusion

See the attached report.

Recommendations

- 1 That this report and the attached report "Geraldine North - Proposal for Residential Expansion" be received.
- 2 That the Committee determines whether to
 - Maintain the status quo (do nothing);
 - Investigate the cost of the infrastructure upgrade necessary to service the study area and then determine whether to proceed with a Plan Change;
 - Proceed with a Plan Change to rezone the study area to "Residential".

Added later to agenda



Significant Natural Areas Fund

Fund Criteria & Application Guidelines

Significant Natural Areas Fund Criteria & Application Guidelines

***Please read the fund criteria and guidelines BEFORE filling in your application form.
Reading these will save you time!***

Please Note: *These guidelines specify procedures and conditions that are legally binding for successful applicants.*

Aim of the Significant Natural Areas Fund

“The Timaru District Council’s Significant Natural Areas Fund aims to assist and actively encourage landowners and members of the Timaru District community to manage, protect and enhance significant native vegetation and significant habitats of native fauna.”

Funding Categories

Applications must fall into one of the following categories to be eligible for funding:

- 1 Preservation - Significant natural area preservation includes fencing off and permanently protecting i.e. covenanting, areas of significant native vegetation and significant habitats of native fauna.
- 2 Management - Significant natural area management includes activities like plant and pest management in areas of significant native vegetation and significant habitats of native fauna.

Note:

- 1 The Significant Natural Areas Fund is a contestable fund and each application will be assessed on its merits on a case-by-case basis.
- 2 Funding is only available for projects taking place on land within the boundaries of the Timaru District Council.
- 3 Sites that meet the criteria for significant native vegetation and significant habitats of native fauna and that are subsequently listed as Significant Natural Areas.
- 4 Council reserves the right to allocate the money in other ways so long as the expenditure is consistent with the purpose of the fund.

Preservation Projects

For a project to be eligible in this category it must meet all of the following criteria:

- a) It is for an area of significant native vegetation and significant habitats of native fauna;
- b) It shall not be planted with any exotic vegetation once protected;
- c) Significant native vegetation and significant habitats of native fauna shall not be damaged, disturbed or destroyed;
- d) Domestic stock must be excluded from the area to be protected;
- e) It must have a protective covenant registered on the title of the land (or be entered into as part of the funding application);
- f) It must meet the General Criteria listed in this document; and
- g) It must have a management plan.

Preservation is limited to those areas which require permanent retirement from forestry, farming or general land use activities.

The General Criteria may be changed in the future following the completion of the district wide survey.

Management Projects

For a project to be eligible in this category it must have a significant natural area management plan **unless it is a Council-administered project**.

The funding for significant natural areas in this category may go towards maintenance of the significant natural area.

General Criteria

As contained in the Timaru District Plan.

Note: The General Criteria may be changed in the future following the completion of the district wide survey.

ASSESSMENT PROCEDURE - AREAS OF SIGNIFICANT NATIVE VEGETATION AND SIGNIFICANT HABITATS OF NATIVE FAUNA

In determining whether an area is significant in terms of section 6(c) of the Resource Management Act 1991 the Council will use the following criteria:

Primary Criteria

A The ecological values of the area - the values of the place itself

- (i) *Representativeness - Whether the area contains one of the best examples of an indigenous vegetation type, habitat or ecological process which is typical of its ecological district.*
- (ii) *Rarity - Whether the area supports or is important for the recovery of, an indigenous species, habitat or community of species which is rare or threatened within the ecological district or is threatened nationally.*
- (iii) *Diversity and Pattern - The degree of diversity exhibited by the area in:*
 - *vegetation*
 - *habitat types*
 - *ecotones*
 - *species*
 - *ecological processes*
- (iv) *Distinctiveness/Special ecological character - The type and range of unusual features of the area itself and the role of the area in relationship to other areas locally, regionally and nationally, including:*
 - *presence of indigenous species at their distribution limit*
 - *levels of endemism, (eg, the presence of endemic species)*
 - *supporting protected indigenous fauna for some part of their life cycle (eg breeding, feeding, moulting, roosting), whether on a regular or infrequent basis*
 - *playing a role in the life cycle of migratory indigenous fauna*
 - *containing one of the best examples of an intact sequence, or substantial part of an intact sequence of ecological features or gradients*
 - *supporting predominantly intact habitats with evidence of healthy natural ecosystem functioning*

Other Criteria

B The ecological context of the area including its relationship with its surroundings

- (v) *Size and Shape - The degree to which the size and shape of an existing area is conducive to it being, or becoming ecologically self-sustaining.*
- (vi) *Connectivity - The extent to which the area has ecological value due to its location and functioning in relation to its surroundings. An area may be ecologically significant because of its connections to a neighbouring area, or as part of a network of areas of fauna habitat. For example an area may act as a corridor or stepping stone for movement/migration of species between or to areas of important habitat.*

C The future ecological value of the area

- (vii) *Long Term Sustainability - The degree to which an area is likely to maintain itself, taking into consideration.*
 - *extent to which criteria in paragraphs A and B above are met*
 - *degree of historic modification to the area and its surroundings which affects its future*
 - *degree of resilience of species and habitats present*
 - *the effects of current management on identified ecological values*
 - *the extent to which the area has achievable potential, with management input, for restoration of ecological values which are significant in the ecological district*

Note: *the application of some ecological criteria such as representativeness, rarity and connectivity may not be able to be confirmed until a extensive number of properties have been surveyed in a particular locality and the overall pattern of remnant indigenous vegetation and habitats can be assessed.*

Final consideration

D Before deciding whether or not any identified area should be confirmed as being significant, Council will have regard to the following matters:

- (a) *existing land use and the degree of modification associated with the site;*
- (b) *economic effects on the landowner (eg, management costs, lost development potential);*
- (c) *other options for ensuring the identified values and their needs are recognised and protected;*
- (d) *presence and level of animal pests and weeds;*
- (e) *resources required to implement effective protection;*
- (f) *whether or not identified values are under threat;*
- (g) *the extent to which values are or are not protected elsewhere;*
- (h) *any other relevant factor.*

Glossary of Terms

Endemic: *Refers to species of plants and animals, which are unique to an area, or animals, which may migrate but only to breed in the area.*

Ecological District: One of the major levels used for the ecological classification of land. New Zealand has been divided up into 85 ecological regions and 269 ecological districts according to geological, topographical, climatic and biological features and processes. This reflects the small-scale variability of New Zealand's ecological patterns. An ecological district is a land where topographical, climatic, soils and biological features and broad cultural patterns produce a characteristic landscape of biological communities. An ecological region comprises adjacent ecological districts with closely related characteristics, or may only include one ecological district with very distinct features.

Habitat: The environment in which a particular species or group of species live. It includes the physical and biotic characteristics that are relevant to the species concerned. For example, the habitat of who/blue duck consists of swift water with an abundance of freshwater insects.

Ecotone: A transitional zone between two habitats, which has distinct species or ecological characteristics of its own.

Resilience: The ability of a community or species to recover quickly (return to its original state) from perturbation, disturbance or displacement.

Community: The species that occur together in the same place at the same time.

Population: A group of individuals of one species in an area.

Ecosystem: A biological system comprising a community of living organisms and its associated non-living environment (such as sunlight, air, water, minerals and nutrients), interacting as an ecological unit.

Rare: Species with small world populations that are not at present endangered or vulnerable but are at risk of extinction. The species are usually localised within restricted geographical areas or habitats, or thinly scattered over a more extensive range.

Endangered: Species in danger of extinction and whose survival is unlikely if the factors causing their decline continue to operate.

Vulnerable: Species likely to move into the endangered category in the near future if the factors causing their decline continue to operate.

Threatened species: A species or community that is vulnerable or endangered.

Biological diversity: The variability among living organisms from all sources, this includes diversity within species, between species and ecosystems. Components include genetic diversity, species diversity and ecosystem diversity.

Representativeness	<ul style="list-style-type: none"> Contains an ecosystem that is underrepresented or unique in the ecological district *
Rarity	<ul style="list-style-type: none"> contains threatened ecosystems *; contains threatened species *; contains species that are endemic to the ecological district *
Diversity	<ul style="list-style-type: none"> diversity of ecosystems, species, vegetation *
Distinctiveness	<ul style="list-style-type: none"> contains large/dense population of viable species *; largely in its natural state or restorable *;

	<ul style="list-style-type: none"> • <i>uninterrupted ecological sequence</i> *; • <i>contains significant land forms</i> *
Continuity & Linkage within Landscape	<ul style="list-style-type: none"> • <i>provides, or has potential to provide, corridor/buffer zone to an existing area</i> *
Cultural Values	<ul style="list-style-type: none"> • <i>traditionally important for Maori</i> • <i>recreational values</i> • <i>significant landscape value</i> • <i>protection of soil values</i> • <i>water catchment protection</i> • <i>recreation or tourism importance</i> • <i>aesthetic coherence</i>
Ecological Restoration	<ul style="list-style-type: none"> • <i>ability to be restored</i> * • <i>reasonable cost and time for restoration (eg up to \$5,000)</i>
Landscape Integrity	<ul style="list-style-type: none"> • <i>significance to the original character of the landscape</i> • <i>isolated feature, does it stand out or blend in</i> • <i>does it have a role in landscape protection</i>
Sustainability	<ul style="list-style-type: none"> • <i>size and shape of area</i> • <i>activities occurring on the boundaries which may affect its sustainability</i> • <i>adjoins another protected area</i> • <i>links</i> • <i>easily managed</i>

Note:

- 1 Sites listed as a Significant Natural Area may be inspected by the Timaru District Council prior to the consideration of an application.
- 2 The Timaru District Council will inspect sites not already listed as a Significant Natural Area so as to ensure that the project is eligible for funding.

Significant Natural Area Management Plans

Significant Natural Area Management Plans are required for any Significant Natural Areas Fund application under the categories of Preservation or Management.

The landowner must comply with the significant natural area management plan once an application has been approved for funding.

A significant natural areas management plan:

- a) Is a document which sets out the approach to works and/or maintenance of the feature/site for future years;
- b) May have conditions (as is appropriate) that the landowner will be required to meet such as fencing, weed and pest control, keeping stock/domestic animals out of the area and restoration;
- c) Will help ensure that the site is managed in a manner that protects and enhances the significant natural area;
- d) Does not have to be complex and typically involves the following:
 - A line drawing of the property/farm on a A4 aerial photograph (photo can be obtained free of charge from the GIS Unit or Planning Unit) showing the area of concern and the proposed management measures;
 - A description of the current problem/threats to the area (eg cattle grazing undergrowth of remnant forest, plant pests or animal pests like possums, goats, stoats etc which need controlling/eradicating);
 - The proposed annual work/maintenance programme to be carried out over the next 3-5 years.

Information to assist you in preparing your management plan to the standard required by Council is available from the Timaru District Council's Planning Unit.

Timing of Applications

In each financial year, there will be one round of funding under the Significant Natural Areas Fund. Each round will be allocated a portion of the total annual funding amount set aside. It is not essential that all funding be allocated for a particular funding round. Any funding not spent can be rolled over into the next funding round.

Applications will be considered by the Resource Planning and Regulation Committee. All applications will need to be received by the Planning Unit by the end of the advertised application period.

Financial Details

In the application form sufficient details are required to enable the proposed project to be fully costed.

- If you are registered for GST please **do not** include GST in your costs.
- Please attach **quotes** and any other supporting documentation to your application.

The following costs are **not** eligible:

- Project costs incurred prior to the lodging of the application;
- Any costs involved in preparing the application; and
- Debt servicing.

The purchase of equipment is generally NOT eligible for funding unless it can be demonstrated that it is essential for the project (ie it cannot be leased, rented/hired etc) and is a reasonable cost. Each item of equipment will be evaluated on its relative merit to the project.

It is recognised that labour contributions (and associated tools and machinery) are an important component of many projects. However, this scheme is not a subsidised employment programme. Labour contributions are eligible as a project cost but should ideally not form more than a third of the total project cost.

What level of grant assistance can I get?

The maximum total grant allocated under the scheme is **\$5,000** (excl GST). There is no minimum grant amount. **Council-administered projects may exceed this maximum allocation.**

A maximum grant of **\$500** (excl GST) applies to administration costs (includes photocopying, mailouts/postage etc) and the reimbursement of resource consent fees.

All grants are allocated on the basis of a cost sharing arrangement. The maximum grant rate for all projects is a cost sharing of 50:50, ie the Council will only fund up to half of the project cost. The applicant must make a contribution to the costs.

Example: Project cost \$2,000 at 50% (excl GST):

Significant Natural Areas Fund Grant	-	\$1,000
Individual share	-	\$1,000

The applicant's share of the cost can be by way of in-kind contributions (eg labour), or cash.

GST will be paid in addition to the grant where:

- the applicant is GST registered;
- the project is part of the applicant's taxable activity; and
- the GST number is supplied on the application form.

How can the District Planning staff assist me?

Applicants are encouraged to complete the application form themselves. Anyone experiencing difficulty in filling in the form should contact the Planning Unit for assistance. (Note: Staff assistance does not imply success or preferential treatment in the approval process).

The Council will also assist the applicant with their applications by making freely available to them all information about the natural values of the site recorded by the Council when inspecting the Significant Natural Area.

Inspections of projects allocated funding will be undertaken by Planning Unit staff.

How will the Council select successful applications?

As the number of projects and their total value may exceed the amount of grant money made available by Council each year, funding will be prioritised.

Significant Natural Areas Funding will be prioritised by the following criteria:

- 1 The significance of the site.
- 2 The natural values that will be protected by the project.
- 3 The likely benefits/outcomes of the project.
- 4 The urgency of the project.
- 5 The sustainability of the project.

Note:

- 1 Funding will only be allocated for projects taking place on land within the boundaries of the Timaru District Council.
- 2 Only sites listed as Significant Natural Areas in the District Plan are eligible for funding.
- 3 Discussion and consultation will be undertaken with other agencies such as the Department of Conservation, Environment Canterbury and the Queen Elizabeth II National Trust, as is appropriate.

How will applications be processed?

Applications shall be forwarded to the Planning Unit. All applications will be acknowledged within 10 working days of receipt.

Applications will be checked by staff to ensure they have been completed correctly and sufficient detail has been provided. Where applications are considered incomplete or deficient, they will be returned to the applicant for further information or clarification.

Where an application is referred back to the applicant for further clarification or information, the applicant will be given a set period to respond.

At the close of the application period, applications will be sorted into two categories:

- 1 Applications that will be given to the Resource Planning and Regulation Committee for full consideration; and
- 2 Applications that are considered to fall outside the criteria and/or contain insufficient information.

Meetings of the Resource Planning and Regulation Committee are advertised and any member of the public is welcome to attend.

The applicant will be notified in writing within 10 working days of the Resource Planning and Regulation Committee making a decision on their application.

Where an application is approved, the applicant will be sent a letter of approval specifying the grant and conditions and requesting acceptance of the offer by entering into a formal agreement.

The following conditions apply to any grants made:

- 1 The applicant must notify the Planning Unit of the acceptance of the grant by signing the legal agreement supplied with the letter of offer and returning it.
- 2 Any expenditure on a project prior to the application being lodged will not be accepted for funding.
- 3 All costs associated with the project are first paid by the applicant. Receipts should be forwarded to the Planning Unit for processing. The grant will only be paid for approved costs on the basis of original invoices matched to original receipts.
- 4 The applicant must notify the Planning Unit once the project has been completed, and at this time a final report on the project must be prepared by the applicant and forwarded to the Planning Unit. The final report shall be presented to the Resource Planning and Regulation Committee. Ten percent of each eligible claim may be withheld and only paid out after the final report is received.
- 5 Any grant approval is personal to the applicant and cannot be reassigned without the written approval of the Resource Planning and Regulation Committee.
- 6 Grants must be uplifted within the time specified in the approval. The Resource Planning and Regulation Committee may consider an extension on request.

- 7 Grants are made subject to the Resource Planning and Regulation Committee being satisfied that the information given is true and correct and that there has been no omission of any relevant fact or any misrepresentation given. The Resource Planning and Regulation Committee retains the right to refuse payments to approved applicants in cases where it determines that it has been misled by the applicant or if the applicant has been placed in receivership, voluntary liquidation or declared bankrupt.
- 8 In all cases, the decision of the Resource Planning and Regulation Committee shall be final and there will be no rights of appeal or review.
- 9 The Timaru District Council reserves the right to visit any project or use it for promotional purposes where grant assistance has been given. In all cases the applicant will be notified of a visit.
- 10 The Timaru District Council reserves the right to suspend and to refuse further grant payments if in the opinion of the Resource Planning and Regulation Committee the grantee wilfully or through neglect causes the project to fail. The decision of the Council shall be final and there shall be no rights of appeal or review and no right to compensation or damages of any nature.

Note: Additional conditions maybe imposed at the discretion of the Timaru District Council.

Once I have an approved grant, how do I claim it?

All accounts are first paid by the applicant



Receipts are sent to the Planning Unit of the Timaru District Council for processing.

***A maximum claim value of \$5,000 applies (excluding administration/resource consent fee costs where a \$500 maximum claim value applies)
10% of each grant may be withheld, at the Resource Planning and Regulation Committee's discretion, and only paid out after the final report has been received by the Committee***



Completed project is inspected by a Council Officer



Grant at the approved rate is paid as reimbursement of paid accounts on the recommendation of the Council Officer

Can I change the contract?

Once the cost of a project and the grant rate has been approved by the Resource Planning and Regulation Committee that amount may not be increased or any new categories of expenditure be introduced.

Progress reporting and notification of project completion

All successful applicants will be required to report back to the Resource Planning and Regulation Committee on a regular basis detailing their progress in completing the project, particularly the completion of significant milestones.

Successful applicants must notify the Planning Unit once their project has been completed. At this time a final report on the project must be prepared by the applicant and forwarded to the Planning Unit. The final report will be presented to the Resource Planning and Regulation Committee.

Council staff who can help

Planning Unit

Duty Planner:

Phone: (03) 687 7271

District Planner - Peter Kloosterman

Phone: (03) 687 7283

Email: peter.kloosterman@timdc.govt.nz



Significant Natural Areas Fund Application Form

Please refer to the Significant Natural Areas Fund Criteria and Application Guidelines for information and guidance on the Significant Natural Areas Fund.

1. **Name of applying person or organisation** _____
2. **Name cheque to be made out to** _____
3. **Address of person or organisation** _____

4. **Postal address of person or organisation** _____

5. **Please give the name and telephone contacts for one person.**

Name _____

Phone (day) _____ **Phone (night)** _____

6. **How many members does your organisation service? (provide number)**

Financial Members (Senior) _____

Financial Members (Junior) _____

Financial Members (Social) _____

Non Financial Members _____

Total Members _____

7. **Is your organisation a Legally Constituted Society or Trust? (Please Tick)**

Yes No

8. **Are you registered for GST?** Yes No

If "YES" please write your GST number here

9. **Property Details:**

Property location/physical address:

.....
.....

.....
Legal description of property where the Significant Natural Area is located
(eg Lot 1 DP 00707):

.....
Assessment Number *(from rates demand notice):*

10. Owner Details:

Who pays the rates on the property where the significant natural area is located?

First Name:

Surname:

Contact Address:

.....
.....

Contact Phone No: Day: **Night:**

11. Occupier Details:

Who occupies/lives on the property where the significant natural area is located?

First Name:

Surname:

Contact Address:

.....
.....

Contact Phone No: Day: **Night:**

12. Application Details:

Funding category being applied for *(please tick one):*

- Preservation project
- Management project

Refer to guidelines document for explanation.

Please describe the details of your proposed project, eg:

- What is the significant natural area you are managing/protecting/enhancing, eg wetland, native bush, individual native tree, grasslands

13. Funding Details:

The maximum total grant allocated under the Significant Natural Areas Fund Scheme is **\$5,000** (excluding GST). There is no minimum grant amount. A maximum grant of **\$500** (excluding GST) applies to administration costs (includes photocopying, mail outs/postage etc) and the reimbursement of resource consent fees. **Council-administered projects may exceed this maximum allocation.**

All grants are allocated on the basis of a cost sharing arrangement. The maximum grant rate for all projects is a cost sharing 50:50, ie the Council will only fund up to half of the project cost. The applicant must make a contribution to the cost of the project.

The following costs are **not** eligible:

- Project costs incurred prior to the lodging of the application;
- Any costs involved in preparing the application; and
- Debt servicing.

The purchase of equipment is generally NOT eligible for funding unless it can be demonstrated that it is essential for the project (ie it cannot be leased, rented/hired etc) and is a reasonable cost. Each item of equipment will be evaluated on its individual merit to the project.

It is recognised that labour contributions (and associated tools and machinery) are an important component of many projects. However, this scheme is not a subsidised employment programme. Labour contributions are eligible as a project cost but should ideally not form more than one-third of the total project cost.

The applicant's share of the cost can be by way of in-kind contributions (eg labour) or cash.

GST will be paid in addition to the grant where:

- the applicant is GST registered;
- the project is part of the applicant's taxable activity; and
- the GST number is supplied on the application form.

Please provide details on the estimated cost of your proposed project. Sufficient details are required to enable the proposed project to be fully costed.

- **If you are registered for GST please do not include GST in your costs**
- Please attach **quotes** and any other supporting documentation to your application

Please provide details on the cost of the project, breaking the project down into tasks if appropriate

Project Task Estimated Cost	Estimated Cost
Total cost of project	\$

Contribution to be made to the project cost by the applicant:

.....

14. If you have applied to any other organisations for funds towards this project and are yet to receive the funding, please specify to whom and how much.

Name	Amount	Decision Expected

15. What funding have you received from other organisations in the last two years, ie Lottery, Community Trust, Pub Charity, Hillary Commission?

Name	Amount

16. Have you received funds in the past from the Timaru District Council for any other projects?

Date	Amount	Project

17. **Significant Natural Areas Management Plan:**

Significant Natural Area Management Plans are required for Significant Natural Area Fund applications made for **Preservation and Management** Projects. **A management plan may not be required for a Council-administered project.** Successful applicants must comply with an agreed Significant Natural Area Management Plan once an application has been approved for funding.

A Significant Natural Area Management Plan is essentially a straightforward document which sets out the approach to works and/or maintenance of the feature/site for future years, and may set out specific conditions to be met.

To support the preparation of a Significant Natural Area Management Plan for your project, please provide the following information:

- **A line drawing of the property/farm on an A4 aerial photograph (can be obtained free of charge from the Planning Unit) showing the area of concern and the proposed management measures;**

- A description of the current problem/threats to the area (eg cattle grazing undergrowth of remnant forest, plant pests or animal pests like possums, goats, stoats etc which need controlling/eradicating);
- An indication of the annual work/maintenance programme required over the next 3 to 5 years.

DECLARATION:

I have read and understood all the terms and conditions imposed by the Timaru District Council in this application and hereby agree to accept and abide by them. I consent to the Timaru District Council collecting the personal contact details provided in this application form, retaining and using these details. I undertake that I have obtained the consent of the contact person to provide these details. I acknowledge our right to have access to this information. This consent is given in accordance with the Privacy Act 1993.

Name: _____

Position in Organisation: _____

Signature: _____ Date: _____

Checklist:

Have you...

- Completed all sections of this form?
- Attached all relevant supporting documentation, including copies of quotes, copies of covenant documents etc?
- Included a description of your project, including what is involved, resources required, expected timeframe etc?
- Included a description of how your project meets the Significant Natural Areas Fund criteria?
- Provided details on the estimated cost of the project and your proposed contribution?
- If relevant, provided initial details for a Significant Natural Area Management Plan outlined under section 17 of this form?
- Signed and dated the application form?

If you require any assistance in completing this form, please contact the Planning Unit:

Duty Planner:

Phone: (03) 687 7271

District Planner - Peter Kloosterman:

Phone: (03) 687 7283

Email: peter.kloosterman@timdc.govt.nz