

TIMARU



DISTRICT COUNCIL  
Te Kaunihera ā-Rohe  
o Te Tihi o Maru



YOUR PLAN OUR FUTURE  
TIMARU DISTRICT PLAN REVIEW

## Ecosystems and Indigenous Biodiversity

May 2022



**YOUR PLAN OUR FUTURE**  
**TIMARU DISTRICT PLAN REVIEW**  
LAND USE PLAN

# **Timaru District Council**

## **Section 32**

### **Ecosystems and Indigenous Biodiversity**

**May 2022**

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# 1 Ecosystems and Indigenous Biodiversity

## 1.1 Introduction

The Council has a responsibility under section 6(c) of the Resource Management Act (RMA) to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna, which are collectively referred to as Significant Natural Areas (SNAs). The Council is also required to maintain indigenous biological diversity<sup>1</sup>. This topic addresses the reasons for the identification and protection of SNAs, and methods for this to occur, as well as the broader maintenance of indigenous biodiversity across the district.

The district contains a diverse range of habitats that support indigenous flora and fauna. The district's lowlands have been significantly modified by urban growth, farming activities and rural residential development. Much of the indigenous vegetation habitat has been removed and these areas are identified in the Land Environments of New Zealand Threatened Environment Classification as either acutely or chronically threatened environments, having less than 20% indigenous vegetation remaining. Many highly important species are also resident in the area and require protection e.g., long-tailed bat communities.

The subject of ecosystems and indigenous biodiversity in the Timaru District has a complex history. In developing the first District Plan in the 1990's, the Council used a generic data set, that was not robustly defined, to identify areas for protection through rules. Landowners strongly opposed the approach as it was not detailed enough for them to have certainty as to if they were complying or not.

In response, Council created a stakeholder working group to discuss what approach to take. They recommended that the Council undertake a district wide assessment of significant areas to provide landowners and Council with certainty as to the whereabouts of SNAs. In the interim that group recommended a set of interim rules which were included in the district plan. These rules, which remain in the operative district plan, were always intended by that group, the Council and the wider community, as an interim measure whilst more knowledge was gained. This is relevant context as it is an approach that had the support of all the stakeholders and led to a substantial financial commitment from Council and also a commitment from landowners in allowing access. This has guided the approach undertaken by the Council over intervening years and the current approach to reconsidering appropriate provisions in this district plan review.

In the intervening years, the Council has contracted ecologist Mike Harding to undertake a review of potential SNA sites and to assess these for significance. This has provided an extensive stock take of what is around the district (see **Appendix 1** for the methodology for this process).

Each Significant Natural Area as included in Schedule 7 of the Proposed District Plan has an assessment to support it. Interested parties can determine from Schedule 7, which assessment is relevant to them and locate it within the 'Supporting Documents' section of the Proposed District Plan website.<sup>2</sup>

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<sup>1</sup> S31(1)(b)(iii) RMA.

<sup>2</sup><https://www.timaru.govt.nz/pdp-supporting-info>

## 1.2 Community / Stakeholder / Iwi Engagement

As part of the draft District Plan review consultation process, the Council released a discussion document in November 2016<sup>3</sup>, which focused on Ecosystems and Indigenous Biodiversity. The key issues identified in the discussion document, and the subject of consultation were:

- Significant Natural Areas (SNA's) – identification and protection of such areas.
- Vegetation clearance / High country vegetation outside areas of SNA's – how to manage activities and ensure protection where necessary.
- Enhancement or restoration – opportunities and challenges.
- Riparian margins – protection of significant vegetation and habitats.
- Tree planting (forestry, woodlots, shelter belts etc) – impacts of these activities on biodiversity values.
- Other associated issues including control of potential wildling/pest species.

Following public feedback on the discussion document, the Council decided that it would be appropriate to establish a Working Group to progress the issues. The Ecosystems and Indigenous Biodiversity Stakeholder Group was established for the purpose of:

- Making recommendations to Timaru District Council's Environmental Services Committee regarding:
  - The District Plan's provisions on ecosystems and indigenous biodiversity; and
  - Any non-regulatory actions that could assist the Council in meeting its statutory obligations concerning ecosystems and indigenous biodiversity.
- Providing informal advice to staff regarding communication/consultation with landowners who have SNAs on their properties.

The Group was established to cover all relevant stakeholders and interest groups for this topic and included representatives from Te Rūnanga o Arowhenua, Federated Farmers, Forest and Bird, Environment Canterbury, Department of Conservation, Fish and Game and independent landowners.

The group was supported with specialist advice from Mike Harding (independent ecologist) and Stephanie Styles (planning consultant, Boffa Miskell).

The Group worked within agreed terms of reference which included:

- Be collaborative with one another.
- Be outcome focused.
- Make decisions by consensus. If consensus cannot be reached, a report on the points of disagreement will be provided to the Environmental Services Committee, along with the points of major agreement.
- Agree to recommend provisions that give effect to the Regional Policy Statement and are not inconsistent with any relevant Regional Plan.
- Ensure recommendations are practical and capable of being implemented.
- In making recommendations, be aware of limited agency resources and the need to budget for actions.

The Group met nine times during 2017 and early 2018 to discuss the issues, review the research and develop a recommended set of provisions (objectives, policies and rules) to be included in the Draft District Plan. Prior to the inclusion of the provisions within the draft District Plan, Council undertook further discussion with stakeholders and the public, which resulted in further changes to the provisions. It was clear at this stage that people, particularly landowners had varied views on the issues of SNAs.

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<sup>3</sup> <https://www.timaru.govt.nz/services/planning/district-plan/district-plan-review/discussion-documents>

### Feedback on the draft District Plan

Feedback was also provided on draft provisions that were consulted on in October to December 2020 through the release of a draft District Plan. Key areas of feedback, and the way they have been responded to, are set out below:

Feedback Topic	Response
The need for greater management of indigenous biodiversity outside SNAs	The RMA only requires “protection” of areas that are significant; and maintenance of indigenous biodiversity more broadly, which is reflected in the proposed objectives for this chapter. The proposed provisions applying to areas outside identified SNAs, are targeted to other areas or activities that are considered more sensitive - near water bodies; at higher altitudes; on steep slopes; areas of habitat for long-tailed bats; and limiting planting of pest species. This approach is considered to be the most appropriate balance between efficiency and effectiveness, because it targets provisions aimed at maintaining indigenous biodiversity to areas that are considered more likely to be sensitive.
Relaxation of some standards	It is proposed that a greater range of permitted activities are provided for where they relate to health and safety or removal of unwanted organisms. To better reflect the direction in the EI chapter and SD-08, separate rules are proposed for activities associated with the National Grid or with flood protection works.
Alignment of water body setbacks with those in the National Environmental Standard for Freshwater (NESF)	This is not proposed because the NESF serves a different purpose and application of the setbacks in the NESF is not considered to be adequate to achieve the outcomes sought in the PDP in relation to indigenous biodiversity.
How the rules relate to the Canterbury Regional Pest Management Plan	<p>The CRPMP identifies pest plants and unwanted organisms. Their identification as such within the CRPMP means that they cannot be sold, propagated or distributed. Therefore, restricting their planting in the DDP would result in duplication of control. Pest species or unwanted organisms are therefore not included in the DDP rules, but a note is proposed to alert plan users to the CRPMP restrictions.</p> <p>Restrictions on the planting of other species, including those identified in the CRPMP as ‘organisms of interest’ is considered appropriate, because these</p>

	species are not subject to the restrictions applying to pests/unwanted organisms, but may threaten indigenous biodiversity within the District.
How the rules relate to the Canterbury Regional Pest Management Plan National Environmental Standard for Plantation Forestry (NesPF)	The NesPF manages activities associated with plantation forestry, including planting. The rules in the District Plan can only be more stringent than the NesPF in those circumstances set out in the NesPF. In relation to indigenous biodiversity, this includes rules that recognise and provide for the protection of <i>significant natural areas</i> . The rules have been amended to ensure that in relation to forestry species, the rules are targeted to such areas.

### 1.3 Strategic directions

The strategic directions of relevance to this topic are:

#### SD-O2 The Natural and Historic Environment

The district's natural and historic environment is managed so that:

- i. the health and wellbeing of the community are recognised as being linked to the natural environment;
- ii. an integrated management approach is adopted that recognises that all parts of the environment are interdependent;
- iii. the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development;
- iv. important landscapes and features are protected from inappropriate subdivision, use, and development;
- v. significant indigenous vegetation and significant habitats of indigenous fauna are identified and their values recognised, protected and where appropriate, enhanced;
- vi. the life-supporting capacity of ecosystems and resources is safeguarded for future generations;
- vii. the important contribution of historic heritage to the district's character and identity is recognised, and significant heritage and its values are protected from inappropriate subdivision, use, and development.

#### SD-O5 Mana Whenua

The mana whenua status of Kāti Huirapa is recognised and their historic and contemporary relationship with the district's land, water bodies and wetlands, coastal environment, and indigenous species is recognised and provided for by ensuring:

- i. mahika kai resources and habitats of indigenous species are sustained and opportunities for their enhancement or restoration are encouraged;
- ii. the health of water body and wetland environments is protected from adverse effects of land use and development;
- iii. the values of identified sites and areas of significance to Kāti Huirapa are recognised and protected;
- iv. Kāti Huirapa retains, and where appropriate is able to enhance access to their sites and areas of significance;
- v. Māori reserve lands are able to be used by Kāti Huirapa for their intended purposes;

- vi. Kāti Huirapa are able to carry out customary activities in accordance with tikanga;
- vii. Kāti Huirapa are actively involved in decision making that affects their values and interests in these matters and are able to exercise their kaitiakitaka responsibilities.

The strategic directions identify the importance of indigenous biodiversity to the district and the need to recognise and protect significant biodiversity values and safeguard the life-supporting capacity of ecosystems. There are key cultural values for mana whenua within SNAs, including mahika kai resources, and the relationship of mana whenua with indigenous species, and this needs to be recognised and provided for within the provisions of this chapter.

## **1.4 Problem definition**

### **1.4.1 The efficiency and effectiveness of the Operative District Plan**

The operative District Plan does not list sites of significant indigenous vegetation, neither does it identify SNAs or areas of significant conservation value on its planning maps (see **Appendix 2** for relevant provisions).

The Plan includes definitions of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna which include broad areas such as coastal wetlands, shrublands as well as individual shrubs across large areas of the district i.e., the Plains, soft rock hills and downs and intermontane and mountain ranges. The map that identifies land types covers the entire District, although the rules relating to indigenous vegetation clearance only apply in the Rural Zones. This has been effective in that it captures many types of indigenous vegetation and habitat types across the district, but it relies on site-by-site identification of indigenous vegetation when any clearance is proposed. However, there is a cost to both the Council and the applicant in needing to apply for consent to clear indigenous vegetation that may or may not be significant.

It is also noted that Method 7 states that the Council ‘will endeavour to carry out property assessments within five years of this Plan becoming operative in consultation with landowners to determine significant areas using the following procedure and criteria’. However, the site-by-site assessments were only completed in 2016 and are not yet listed in the Plan. Furthermore, the assessment criteria listed in the Plan do not reflect those in the Canterbury Regional Policy Statement (CRPS). The criteria also contain a consideration of whether the sites should be listed in the Plan. This is not considered to be best practice and should be a separate consideration as to whether the site is significant or not.

The provisions in the Plan may not sufficiently control activities in riparian margins and therefore could be adversely affecting indigenous biodiversity values on land and in the adjoining waterway through sedimentation. There is also some duplication of provisions throughout the Plan and the need for consents for some works from both ECan and TDC, which is inefficient and confusing for landowners.

Overall, it is considered that the District Plan needs to be amended to reflect current practice and apply the significance criteria in the CRPS. The sites of significance identified by the comprehensive assessment of indigenous biodiversity throughout the district also need to be listed in the Plan and the rules amended to reflect their inclusion.



## 1.4.2 Issues identified

The Ecosystems and Indigenous Biodiversity Discussion Document prepared by TDC in November 2016 identified the following issues with the operative District Plan:

### **Issue 1: Identification, Protection and Management of Significant Natural Areas and significant indigenous biodiversity**

There is a need to update and amend the criteria for identifying SNAs to match those in the CRPS and best practice, and to identify sites/areas of significant indigenous vegetation and habitat. However, this still may leave many un-surveyed issues e.g., habitats of bats and lizards, which will also need to be addressed in the District Plan.

A comprehensive assessment of indigenous biodiversity has been on-going in the district since 2005. The significance of the surveyed vegetation and habitat was assessed against ecological criteria in the operative District Plan and, in the latter part of the survey, ecological assessment criteria in the CRPS. Changes in species' threat status during the period of the survey has also affected significance assessments in the district. This has meant that greater importance of some habitats (e.g., kereru and rifleman) may have been over-valued in the early years of the project, and the significance of others (e.g., common skink) under-valued.

There is also a need to determine the appropriate balance of protection and continuance of use and activities in the areas/sites identified as being significant. This includes what methods of management should be applied to general indigenous biodiversity in terms of species, areas, etc (rules for areas above 900m and steeper slopes where surveying has not occurred, other areas of river berm, riverbeds, especially braided gravel beds, open water at lakes, ponds, estuaries, water races, rocky sites (lizard habitat)).

Another issue is whether general vegetation clearance provisions (beyond SNAs) remain necessary now that there is a much higher level of knowledge of where the significant areas are located. There is also a lack of best practice guidelines and monitoring systems to achieve integrated management of the actual or potential effects of land use. Furthermore, there is no recognition of the potential effects of climate change on the life-supporting capacity and / or mauri of ecosystems and species distribution.

### **Issue 2: Enhancement and restoration of Significant Natural Areas and significant indigenous biodiversity**

Beyond protection of indigenous biodiversity are issues relating to ways in which biodiversity values can be restored (if lost or degraded) or improved through enhancement or recreation. This relates to methods for enhancement or restoration incentives in relation to subdivision and ensuring that enhancement or restoration activities are managed so that they are compatible with adjacent existing and consented land use activities. This includes providing for, where appropriate, the formation of created wetlands where they will provide biodiversity restoration benefits. It is also noted that the rule framework for riparian management in the operative Plan does not provide for enhancement, and the current setback rules are not tailored specific to activities close to water bodies or the type of water body.

Also related to this is a need to consider if there is a desire to provide explicitly for biodiversity offsets as part of development or changes in land zoning including consideration of the appropriate methods of providing for biodiversity offsets.

### Issue 3: Tree planting and wilding spread

Forestry occurring in areas with high biodiversity values can impact on those values. The issue is the need to manage tree planting in high natural areas and SNAs, especially methods to manage plant species prone to wilding spread to avoid impacts on ecosystems and indigenous biodiversity.

### Issue 4: Plan Administration

There is little understanding of where duplication may occur between the District Plan and regional plan/s and how this can be avoided. There is also an issue of provisions overlapping with other biodiversity management methods and organisations e.g., Department of Conservation land or land under a QEII covenant.

## 1.4.3 Relevant documents and reports

Title	Author	Brief Synopsis	Link
A report on a district-wide survey of areas of significant indigenous vegetation and significant habitats of indigenous fauna.	Mike Harding July 2016	<p>A comprehensive assessment of indigenous biodiversity was undertaken between 2005 and 2016. At completion of the survey, 772 Significant Natural Areas (SNAs) covering a total area of 7260 hectares had been surveyed and mapped. More than 200 properties were assessed during the survey, including small lifestyle blocks, roadsides, low country farms, large hill country farms and high-country stations. Nearly all (95%) of the properties were assessed by field survey. Ten other properties were assessed by desk-top analysis of available information, in consultation with the landowners.</p> <p>The significance of the surveyed vegetation and habitat was assessed against ecological criteria in the operative District Plan and, in the latter part of the survey, ecological assessment criteria in the RPS.</p> <p>Further analysis of these areas has been completed to ensure it is aligned with the CRPS criteria. The SNA assessments sit alongside this document as background material.</p>	<a href="https://www.timaru.govt.nz/data/assets/pdf_file/0010/95860/1025958-Significant-Natural-Area-Survey-Report-July-2016.pdf">https://www.timaru.govt.nz/data/assets/pdf_file/0010/95860/1025958-Significant-Natural-Area-Survey-Report-July-2016.pdf</a>
The Biodiversity Strategy for the	ECan 2008	The purpose of this non-statutory Strategy is to provide guidance and a common focus for policy and decision making, resource allocation, voluntary effort, and on-the-ground project and	<a href="https://www.ecan.govt.nz/your-region/plans-strategies-and-">https://www.ecan.govt.nz/your-region/plans-strategies-and-</a>

Canterbury Region		<p>initiatives relating to biodiversity management in the region. It aims to build on the good work already occurring, to raise awareness of biodiversity values, to facilitate the coordination of agency effort through synergies and partnerships, and to support and encourage the efforts of communities and individuals.</p> <p>The Strategy establishes a common Vision and a number of Goals. It identifies the actions needed to take to achieve those goals together, identifies who has a role to play in those actions, and provides the framework for the development of specific action plans. It establishes strategic approach built around the general concept of first protecting what remains, and secondly restoring what has been lost, and identifies priorities on this basis.</p>	<a href="#">bylaws/canterbury-biodiversity-strategy/</a>
Minutes of all working group meetings	Timaru District Council 2017/18	A description of the discussion of each meeting of the Working Group, the matters considered, and the decisions made by the group. These were all considered by the those drafting the plan and developing the provisions.	
BBOP Standard on Biodiversity Offsets	Business and Biodiversity Offsets Programme 2012	<p>The Business and Biodiversity Offsets Programme (BBOP) grew to be an international collaboration in which more than 130 leading organizations and individuals including companies, financial institutions, government agencies and civil society organizations, were members of its Advisory Group from 2004-2018. Together, the members tested and developed best practice on biodiversity offsets and conservation banking worldwide.</p> <p>The BBOP Standard provides a hierarchy of Criteria and Indicators. The Standard will enable project developers to manage biodiversity related risks by providing an auditable approach to no net loss, as well as enabling auditors and assessors to determine whether an offset has been</p>	<a href="http://bbop.forest-trends.org/pages/guidelines">http://bbop.forest-trends.org/pages/guidelines</a>

		<p>designed and subsequently implemented in accordance with the BBOP Principles. Some companies have also found the Standard to be a useful early-stage risk assessment tool.</p> <p>The Standard provides good guidance on application of biodiversity offsets which has been incorporated into a range of NZ district plan documents at various levels.</p>	
Guidance on Good Practice Biodiversity Offsetting in New Zealand	Department of Conservation August 2014	Non-statutory guidance document (the Guidance) that contains an overview of biodiversity offsetting, including its definition, principles, key concepts, application in New Zealand and the steps necessary to demonstrate good practice when choosing to develop and implement a biodiversity offset and achieve no net loss.	<a href="https://www.doc.govt.nz/globalassets/documents/our-work/biodiversity-offsets/the-guidance.pdf">https://www.doc.govt.nz/globalassets/documents/our-work/biodiversity-offsets/the-guidance.pdf</a>
Biodiversity Policy	Timaru District Council July 2018	An internal Council policy document to support protection and enhancement of biodiversity values in the district. The policy is particularly directed towards providing funding to activities of benefit to SNAs.	<a href="https://www.timarugovt.nz/council/publications/policies/biodiversity-policy">https://www.timarugovt.nz/council/publications/policies/biodiversity-policy</a>

#### 1.4.4 Best Practice / other Council approaches

The identification, protection and management of significant areas of indigenous vegetation and the habitat of indigenous fauna is an issue that has been addressed by councils around New Zealand. In Canterbury and Otago, the following second-generation Plans have been identified to guide TDC as the districts are similar in size to Timaru and the plans reflect best practice, having been prepared recently. None of these have been produced under the National Planning Standards.

Plan	Local Authority	Description of Approach
Dunedin Second Generation Plan <sup>4</sup>	Dunedin City Council	<p>Objectives that seek to maintain and enhance areas of significant indigenous vegetation and the significant habitats of indigenous fauna, and the biodiversity values of the coast and riparian margins.</p> <p>A range of policies that seek to manage effects of activities on Areas of Significant Biodiversity Value (ASBVs), limit the clearance of indigenous vegetation and require restoration.</p>

<sup>4</sup> <https://2gp.dunedin.govt.nz/2gp/index.html>

		<p><b>Permitted:</b></p> <p>Urban conservation: Vegetation clearance in an urban conservation mapped area must not exceed 20m<sup>2</sup>, as measured from stems at ground level, on any site over any three-year period.</p> <p>Otherwise, clearance is generally 500m<sup>2</sup> in the Coastal, Hill and High country, and 100-250m<sup>2</sup> in the other Rural and Rural-Residential Zones on any site over any three-calendar year period.</p> <p>Setbacks apply to wetlands, water bodies, mean high springs. Controls apply to the species of trees that can be planted in all areas.</p> <p>Otherwise, RDA. Along with any indigenous vegetation clearance and forestry in the ONCC, the HNCC, the NCC overlay, a scheduled ASBV.</p>
Hurunui District Plan <sup>5</sup> Operative	Hurunui District Council	<p>Identification of areas of significant indigenous biodiversity value by applying criteria based on CRPS.</p> <p>Concise objective and policy framework based on identification, protection and enhancement whilst setting out matters that will be considered at the time of application.</p> <p>The removal of indigenous vegetation is permitted in identified circumstances.</p> <p>Removal of up to 5,000 m<sup>2</sup> within any site in any 5-year continuous period is RDA.</p> <p>Any indigenous vegetation clearance from a property that is subject to a Biodiversity Management Plan prepared in accordance with Appendix 13.2 except where it is otherwise listed as a permitted or non-complying activity, is RDA.</p> <p>Any indigenous vegetation clearance associated with development or upgrade of the National Grid, except where it is otherwise listed as permitted activity, is RDA.</p>

<sup>5</sup> <https://dp.hurunui.govt.nz/eplan/#Rules/0/15/1/0>

		<p>Forestry, shelterbelts and tree planting are generally permitted subject to standards including the type of species that is planted.</p> <p>More than 5000m<sup>2</sup> indigenous vegetation clearance is NCA throughout the district.</p> <p>Any indigenous vegetation clearance of the following vegetation communities or in the following situations is NCA:</p> <ul style="list-style-type: none"> <li>• within an area of Outstanding Natural Character in the Coastal Environment (as shown on the Planning Maps).</li> <li>• in or within 20m of the bed or margins of any wetland, river or lake.</li> <li>• above 900m in altitude.</li> <li>• on limestone substrate that underlies limestone outcrops, rock, or bluffs.</li> <li>• of any short tussock grassland.</li> <li>• of any indigenous forest containing podocarp tree species (e.g., totara, matai, miro, kahikatea, rimu).</li> <li>• of any beech forest.</li> </ul>
Christchurch District Plan <sup>6</sup> Operative	Christchurch City Council.	<p>Objectives seeking those areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected so as to ensure there is no net loss of indigenous biodiversity; and that the district’s indigenous biodiversity is maintained and enhanced.</p> <p>The Plan recognises that the list of significant sites is not comprehensive and seeks to prioritise the assessment of identified sites. Sets out the criteria to identify significance and the mechanisms for protection including rules to avoid, remedy and mitigate potential adverse effects, covenants, listing in the Plan and landowner commitment to conservation. A commitment to a plan changes within six years of this Plan becoming operative to:</p> <ul style="list-style-type: none"> <li>• include any other sites of indigenous vegetation and habitats of indigenous fauna assessed as being significant and warranting protection remove those sites</li> </ul>

<sup>6</sup> <https://districtplan.ccc.govt.nz/pages/plan/book.aspx?exhibit=DistrictPlan>

		<p>listed in Schedule B of Appendix 9.1.6.1 that have been assessed for significance; and remove Appendix 9.1.6.6 and associated rules.</p> <p>Enables activities that maintain and enhance indigenous biodiversity and establish a collaborative approach with rural landowners/land managers through the development of Farm Biodiversity Plans. The policies also allow for biodiversity off setting and incentives, assistance to maintain and enhance indigenous biodiversity and monitoring.</p> <p>Indigenous vegetation clearance that is within areas identified as being or which could be significant is permitted for a limited number of identified activities. Outside of these areas, any removal is permitted.</p> <p>Clearance undertaken in accordance with a Farm Biodiversity Plan and for new, or upgrades to, utilities or network infrastructure operated by network utility operators, including associated access tracks is RDA.</p> <p>Planting and plantation forestry is generally RDA.</p> <p>All other indigenous vegetation removal and plantation forestry in a Site of Ecological Significance is NCA.</p>
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## 1.5 Statutory and Planning Context

District plans are part of a hierarchy of RMA policy and planning instruments. The RMA prescribes how district plans are to align with other instruments, and this is summarised in the table below:

Statutory document	Alignment requirement for Proposed District Plan	Comment
NZCPS	Give effect to	Implement according to the applicable policy statement's intentions.
NPS/NES		
CRPS		
Regional Coastal Environment Plan	Not be inconsistent with	

Canterbury Land and Water Plan		Are the provisions of the Proposed DP compatible with the provisions of these higher order documents? Do the provisions alter the essential nature or character of what the higher order documents allow or provide for?
Specific management plans and strategies prepared under other legislation	Have regard to	Give genuine attention and thought to the matter As above.
Adjoining district plans: <ul style="list-style-type: none"> <li>• Ashburton District Plan</li> <li>• Waimate District Plan</li> <li>• Westland District Plan</li> <li>• Mackenzie District Plan</li> </ul>	Have regard to the extent to which there is a need for consistency	
Iwi Management Plan of Kati Huirapa Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region	Take into account	Address the matter and record

### 1.5.1 Resource Management Act 1991 (RMA)

The key provisions of the Resource Management Act of direct relevance to this topic include:

#### Section 6 – Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:



### Section 7 – Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to:

- (a) kaitiakitanga:
- (aa) the ethic of stewardship:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon.

### 8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

### Section 31 – Functions of territorial authorities

- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of:
  - (iii) the maintenance of indigenous biological diversity

## 1.5.2 National Policy Statements

A territorial authority must prepare and change its district plan in accordance with national policy statements<sup>7</sup>. The proposed District Plan must give effect to National Policy Statements. The following National Policy Statements are of relevance to the Natural Character topic:

National Policy Statements	Relevance
<b>National Policy Statement for Freshwater Management 2020 (NPSFM)</b>	<p>Relevant where indigenous biodiversity contributes to or is affected by freshwater management.</p> <p>The overarching objective of the NPSFM seeks to ensure that natural and physical resources are managed in a way that prioritises the health and well-being of waterbodies and freshwater ecosystems.</p> <p>While the majority of the policies are directed to regional councils, some are also relevant to all local authorities, including: 3.4(1) which directs those authorities actively involve tangata whenua in freshwater management; and 3.5(1) which requires adoption of a ki uta ki tai approach, including recognition of the interconnectedness of the whole environment, as well as interactions between freshwater, land, water bodies, ecosystems and receiving environments.</p>

<sup>7</sup> RMA section 74(1)(ea)

<p><b>New Zealand Coastal Policy Statement 2010 (NZCPS)</b></p>	<p>Relevant to indigenous biodiversity within the coastal environment.</p> <p>Indigenous biodiversity is mentioned in relation to a range of policies (policy 10 on reclamation and de-reclamation and policy 26 on natural defences against coastal hazards).</p> <p>Of particular relevance is policy 11 which is specific to indigenous biological diversity in the coastal environment and sets out a hierarchy of avoidance, mitigation and remediation of effects depending on the type and nature of the biodiversity values identified.</p>
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Also of relevance is the Proposed NPS for Indigenous Biodiversity (MfE, November 2019) which is currently under development. This NPS is intended to provide clearer direction to local authorities on their responsibilities for managing indigenous biodiversity. It outlines policies and decision-making frameworks for identifying and managing indigenous biodiversity found outside the public conservation estate.

The proposed NPS would require district and some regional plans to identify areas of significant biodiversity within five years of the NPS taking effect. It contains criteria (based on the Government’s Statement of National Priorities for Protecting Rare and Threatened Biodiversity on Private Land) for identifying areas of indigenous vegetation and habitats of indigenous animals that have been recognised as being rare and/or threatened at a national level.

Under the current proposed NPS, local authorities would be required to manage the effects of activities through district and regional plans and resource consent decisions (or be satisfied that effects are managed by other methods) to ensure there is no net loss of significant indigenous biodiversity. The proposed NPS seeks to promote the maintenance of indigenous biodiversity while recognising the rights and responsibilities of landowners and the interests of Māori.

### 1.5.3 National Environmental Standards

A territorial authority must prepare and change its district plan in accordance with any regulations. The following National Environmental Standards are regulations and are of relevance to the Natural Character topic:

National environment standard	Relevance
<p>Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2018</p>	<p>The NES-PF contains regulations that relate to various plantation forestry activities including afforestation, pruning, earthworks, river crossings, forestry quarrying, harvesting, mechanical land preparation, replanting, and ancillary activities.</p> <p>The NES-PF enables more stringent controls over forestry activity where it impacts on an identified SNA; but does not allow more stringent controls in relation to the</p>

National environment standard	Relevance
	maintenance of indigenous biodiversity more broadly.
National Environmental Standards for Telecommunication Facilities 2016 (NESTF)	<p>The NESTF provides national consistency for a greater range of low impact telecommunications infrastructure.</p> <p>Regulations 48 and 49 are relevant as they require compliance with district plan rules in relation to significant indigenous vegetation and significant habitats of indigenous fauna.</p>
Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA)	The NES provides a nationally consistent approach to managing activities associated with the National Grid. Regulation 30 is relevant as it does not enable trimming, felling, or removing any tree or vegetation, or earthworks, as a permitted activity in relation to an existing transmission line where it is within a natural area (which includes a SNA).

### 1.5.4 National Planning Standards

A territorial authority must prepare and change its district plan in accordance with any regulations.<sup>8</sup> The National Planning Standards require that all District Plans must include an Ecosystems and Indigenous Biodiversity chapter if relevant to the district.<sup>9</sup> This chapter must be included under the Natural Environment Values of the District Plan, in Part 2: District Wide Matters.

If the following matters are addressed, they must be located in the Ecosystems and indigenous biodiversity chapter:

- identification and management of significant natural areas, including under s6(c) of the RMA
- maintenance of biological diversity
- intrinsic values of ecosystems and indigenous biodiversity.

The National Planning Standards sets out the spatial layers for district plans (Table 18). Of specific relevance to the Natural Character chapter, Table 18 states that an overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions, and that overlays are likely to address matters covered in district-wide chapters. SNAs are proposed to be identified as an overlay on the planning maps.

### 1.5.5 Canterbury Regional Policy Statement 2013 (CRPS)

A district plan must give effect to any regional policy statement.<sup>10</sup> The key provisions of the CRPS of direct relevance to this topic include:

#### Chapter 9 Ecosystems and Indigenous Biodiversity

The RPS includes key objectives seeking:

- A halt in the decline of Canterbury’s ecosystems and indigenous biodiversity<sup>11</sup>

<sup>8</sup> RMA section 74(1)(ea)

<sup>9</sup> National Planning Standards, District Plan Structure Standard, Mandatory direction 3.

<sup>10</sup> RMA section 75(3)(c)

<sup>11</sup> Objective 9.2.1

- Restoration or enhancement of ecosystem functioning and indigenous biodiversity<sup>12</sup>
- Identification of significant indigenous vegetation and significant habitats of indigenous fauna and protection of their values and ecosystem functions<sup>13</sup>

The CRPS provides the criteria for determining significant values and includes methods for inclusion in District Plans, including:

- They **will** include objectives and policies to identify and protect significant natural areas.
- They **may** include methods to identify and protect SNAs.
- They are **required** to include appropriate rule(s) that manage the clearance of indigenous vegetation.

## 1.5.6 Other relevant documents

The other relevant documents for this topic include:

<p><b>Canterbury Regional Plans</b></p>	<p>The Canterbury Land &amp; Water Regional Plan (LWRP), Opihi River Regional Plan, Pareora Catchment Environmental Flow and the Water Allocation Regional Plan provide direction and help deliver community aspirations for the management of water quantity and quality, and the beds of lakes and rivers in both urban and rural areas. Relevantly, objective 3.14 of the LWRP seeks that outstanding freshwater bodies and hāpua are maintained in a healthy state or improved where degraded.</p> <p>The Orari River and tributaries upstream of the gorge are identified as a high-naturalness water body in the LWRP due to its high degree of naturalness and high visual amenity value. It is identified as having very high scenic and recreational values, and very high-water quality.</p> <p>Plan Change 7 to the LWRP identifies the Milford Lagoon and Orakipoa Creek as a high-naturalness water body due to its high cultural significance to papatipu rūnanga and high ecological and biodiversity values. The decisions on Plan Change 7 were notified in November 2021.</p>
<p><b>Rangitata Water Conservation Order 2006</b></p>	<p>The Water Conservation (Rangitata River) Order came into effect on the 19th of June 2006. The Order identifies the upper Rangitata River, including the Clyde and Havelock Rivers and the Rangitata Gorge, as possessing outstanding characteristics and features. The Rangitata main stem from the confluence with the Clyde and Havelock Rivers to the water level recorder at Klondyke has wild, scenic and other natural characteristics. The Clyde and Havelock Rivers</p>

<sup>12</sup> Objective 9.2.2

<sup>13</sup> Objective 9.2.3

	have wild, scenic and other natural characteristics. The waters of these rivers are to be retained in a natural state by managing the quality, quantity, level and rate of flow of water.
<b>Iwi Management Plan of Kāti Huirapa</b>	The Iwi Management Plan of Kāti Huirapa sets out a series of outcomes in relation to Mahika Kai, water quality and quantity, the protection and restoration of ecological biodiversity, indigenous vegetation removal, discharges to air, and place names. There are overlaps between matters relating to indigenous vegetation clearance and biodiversity with natural character values.
<b>Te Whakatau Kaupapa Ngāi Tahu Resource Management Strategy for the Canterbury Region</b>	Te Whakatau Kaupapa Ngāi Tahu Resource Management Strategy is a statement of Ngāi Tahu beliefs and values and was prepared while the then Ngāi Tahu claim was before the Waitangi Tribunal, and prior to the RMA being enacted. It includes an overview of values and attitudes relating to natural resources, and policy statements concerning their future management. This includes policy direction towards protection of biodiversity values.

## 2 Approach to Evaluation

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

The proposed provisions relevant to the Ecosystems and indigenous biodiversity chapter have been assessed in accordance with the following issues:

**Issue 1:** Identification, Protection and Management of Significant Natural Areas and significant indigenous biodiversity.

**Issue 2:** Enhancement and restoration of Significant Natural Areas and significant indigenous biodiversity.

**Issue 3:** Tree planting and wilding spread.

**Issue 4:** Plan administration.

## 2.1 Scale and significance

<b>Issue:</b> <i>Protection of Significant Indigenous Vegetation and Habitats of Significant Fauna</i>		
Reasons for change in policy	<ul style="list-style-type: none"> <li>• District Plan Review</li> <li>• Giving effect to a matter of national importance in the Resource Management Act</li> <li>• Giving effect to higher level RMA document (NZCPS, NPSFM, RPS)</li> </ul>	High
Relevant Statutory Considerations / Drivers	<ul style="list-style-type: none"> <li>• RMA sections 6, 7, 8 and 31</li> <li>• RPS Chapter 9</li> <li>• National Policy Statement for Freshwater Management 2014</li> <li>• New Zealand Coastal Policy Statement 2010</li> <li>• Land and Water Regional Plan</li> <li>• Rangitata Water Conservation Order 2006</li> <li>• Regional Coastal Environment Plan</li> <li>• Regional River Plans</li> <li>• National Environmental Standards for Plantation Forestry 2018</li> <li>• National Environmental Standards for Telecommunication Facilities 2016</li> <li>• National Environmental Standards for Electricity Transmission Activities) Regulations 2009</li> <li>• Iwi Management Plan of Kati Huirapa</li> <li>• Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region</li> </ul>	High
Degree of shift from status quo required	<p>A moderate shift is required as the operative District Plan provides an interim solution to the protection of biodiversity through general rules. The current approach needs to be updated to reflect increased knowledge of the area (SNA assessments), changes in best practice, and changes in relevant higher order documents (RPS criteria).</p> <p>All elements of provisions in the current Plan will be updated or replaced.</p>	Medium/High
Who and how many will be affected?	<p>There is a moderate/high degree of interest in this issue from stakeholders and the community, particularly:</p> <ul style="list-style-type: none"> <li>• Federated Farmers</li> <li>• Department of Conservation</li> <li>• Forest and Bird</li> <li>• Fish and Game</li> <li>• Environment Canterbury</li> <li>• Zone committee</li> <li>• QEII Trust</li> </ul>	Medium/High

	<ul style="list-style-type: none"> <li>Landowners with properties containing indigenous vegetation</li> <li>General public</li> </ul>	
Degree of impact on, or interest from iwi / Maori	Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu have a particular interest in this topic. Biodiversity values are of high importance to iwi, especially where this topic overlaps with identified areas of cultural value, mahika kai areas, wāhi tapu areas and the like.	Medium/High
When will affects occur?	Effects will occur on an ongoing basis into the future as developments and land use impact on areas of indigenous vegetation and habitats of indigenous fauna.	Medium/High
Geographic scale of impacts / issue	Biodiversity values are found throughout the whole district and in all zones and areas. These relate to areas, species, habitats and all types of landownerships.	Medium/High
Type of effect(s)	<p>The loss of indigenous biodiversity values has the potential for acute and cumulative negative adverse effects, most, if not all being irreversible.</p> <p>There is the potential for effects on social, economic and cultural wellbeing, as well as on environmental wellbeing.</p>	Medium/High
Degree of policy risk, implementation risk, or uncertainty	<p>The SNA assessments over the last 10+ years have provided a very high level of knowledge of the biodiversity resource of the district and a good evidence base. There is a high level of understanding of the potential risks to biodiversity and the policy approach has been tailored to this understanding. There is a good level of understanding of benefits and costs, and the approach is similar to that employed elsewhere.</p> <p>It is noted that the biodiversity topic is in some part dependent on other non-RMA initiatives for successful outcomes e.g., education, financial support through the biodiversity fund.</p>	Low
<b>Overall Assessment of Scale and Significance</b>		<b>Medium/High</b>

## 2.2 Approach to Managing Biodiversity Issues

The objective and policy framework are intended to provide clear direction on the intent for protection as a matter of national importance and for general maintenance and enhancement of biodiversity values across the district to meet the needs of people and communities. It is intended that the objective and policy framework will clearly set out the approach to assessment and management of biodiversity values.

It is proposed to utilise a dual method of dealing with biodiversity values: managing activities within identified SNAs; and managing other areas or activities that are considered more sensitive. This enables a set of rules relating to the identified areas with strict rules and more flexible management approach to areas also likely to be sensitive, to enable appropriate assessment when biodiversity values may be affected by activities.

The key activities to be managed are those that will or could damage biodiversity values and primarily include removal of indigenous vegetation or key habitats and earthworks. The approach is to generally make consents involving indigenous vegetation clearance and earthworks a non-complying activity within identified SNAs to ensure protection is able to be achieved. The provisions also make clear that some activities are desirable e.g., removal of pest plant species, and some activities are to be enabled e.g., customary harvest.

## 2.2.1 Changes proposed

Operative Plan	Proposed Plan
Objective and policy framework broadly addresses biodiversity values.	Objective and policy framework emphasising SNAs and protection.
<p>Permitted activities:</p> <p>Tree planting or vegetation removal for river control purposes that has been authorised by the Canterbury Regional Council.</p> <p>Minor trimming or disturbance (i.e., the removal of branches from trees/shrubs and the removal of seedlings/saplings) of significant indigenous vegetation or significant habitats of indigenous fauna within 5 metres of existing fences, existing stock access tracks, state highways, public roads, utility services, public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities.</p> <p>The harvesting of indigenous vegetation carried out under a sustainable management plan approved under Part III(a) of the Forests Act 1949.</p> <p>Trimming and removal of significant indigenous vegetation which is necessary for the maintenance of existing transmission lines and that this activity shall not be subject to compliance with the performance standards.</p>	<p><b>Permitted activities:</b></p> <p>Clearance of indigenous vegetation within an SNA or other identified sensitive areas<sup>14</sup>:</p> <ul style="list-style-type: none"> <li>• The vegetation to be cleared is causing an imminent danger to human life, structures, or utilities and the clearance is undertaken in accordance with advice from a suitably qualified arborist.</li> <li>• It is carried out by Ngāi Tahu whānui for the purposes of mahika kai or other customary uses, where it has been certified by Te Rūnanga o Arowhenua that the activity will meet tikaka protocol.</li> <li>• It is carried out solely by the Regional Council, Timaru District Council, or an agent authorized by one of these parties, for the purpose of flood protection works, and where the indigenous vegetation removed is only pohuehue (<i>muehlenbeckia australis</i>, <i>muehlenbeckia axillaris</i> or <i>muehlenbeckia complexia</i> only).</li> <li>• It is to provide for the operation, maintenance or repair of the National Grid, including maintenance of existing access to National Grid support structures and is carried out by or on behalf of Transpower New Zealand Limited.</li> <li>• It is carried out to remove material infected by unwanted organisms as declared by the Minister for Primary Industries Chief Technical Officer, or an emergency declared under the Biosecurity Act 1993.</li> </ul>

<sup>14</sup> Within 50m of any wetland, 20m of mean high-water springs, 20m of the bank of any waterbody, 20m of any waipuna (spring), at an altitude of 900m or higher, on land with an average slope of 30° or greater.



	<p>In addition to the above, clearance of indigenous vegetation within identified sensitive areas, where:</p> <ul style="list-style-type: none"> <li>• It is within 2m, and for the purpose, of maintenance, repair or replacement of existing lawfully established infrastructure.</li> <li>• The clearance is of indigenous vegetation that: has been planted and managed specifically for the purpose of harvesting; or has grown up under an area of lawfully established plantation forestry; or has been planted and/or managed as part of a domestic or public garden or has been planted for amenity purposes as a shelterbelt; or is within an area of improved pasture.</li> <li>• is necessary in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or where this occurs as part of indigenous biodiversity restoration or enhancement.</li> </ul> <p>Clearance of indigenous vegetation within the long-tailed bat protection area overlay, where the trees being cleared: were planted for timber production (plantation forest and woodlots); or are within a domestic garden; or are causing an imminent danger to human life, structures, or utilities and the clearance is undertaken in accordance with advice from a suitably qualified arborist; and the tree meets specified criteria in terms of its circumference.</p>
	<p><b>Controlled activities:</b> Clearance of indigenous vegetation for flood protection works where:</p> <ul style="list-style-type: none"> <li>• It is carried out solely by the Regional Council, Timaru District Council, or an agent authorized by one of these parties, for the purpose of flood protection works and involves clearance of species not identified in the permitted activity rule. .</li> </ul>
-	<p><b>Restricted discretionary activities:</b></p> <p>Clearance of indigenous vegetation in sensitive areas that is not specified as a permitted activity.</p>

	Clearance of vegetation in the long-tailed bat protection area that does not meet the permitted activity standards.
<p>Discretionary activities (breach of the following): Any harvesting of trees or clearance of vegetation within riverbeds or the riparian areas carried out so as to avoid detritus and soil from entering any wetland, river or stream.</p> <p>Clearance of indigenous vegetation within 5 metres of a river or stream or within 30 metres of a wetland shall not exceed 100 square metres in any hectare in any five-year period.</p> <p>The planting of trees shall avoid the clearance or over planting of areas of indigenous vegetation or habitats of indigenous fauna listed in the schedules to the planning maps.</p> <p>Shelterbelt, woodlot or forestry plantings shall be set back at least to the dripline of mature trees of the species being planted where such planting adjoins areas of significant indigenous vegetation.</p> <p>Construction of fencing shall avoid the clearance of areas of significant indigenous vegetation or significant habitats of indigenous fauna.</p>	Earthworks for flood protection works or associated with National Grid activities
<p>Non-complying activities: Clearance by any means (including burning and spraying with herbicides) or over-planting of significant indigenous vegetation and significant habitats of indigenous fauna.</p>	<p>Non-complying activities: Clearance of indigenous vegetation or earthworks in a significant natural area that is not otherwise specified as a permitted, controlled, restricted discretionary or discretionary activity. Planting of potential pest species (as listed).</p>
No SNAs identified.	SNAs identified.
Assessment process and criteria for SNAs.	Assessment criteria for SNAs aligned with RPS.

## 2.3 Quantification of Costs and Benefits

Quantification of costs and benefits has not been undertaken for this topic. Impacts on biodiversity values (and associated amenity, social, spiritual values, iwi/Māori, etc) are difficult to value in monetary terms and it is seen as inappropriate to try to do so.

## 2.4 Choice of Evaluation Method(s)

The approach to evaluation for this topic is a cost-benefit analysis as the issue is complex and of medium/high significance and because it is difficult to monetise the benefits and costs.

### 3 Evaluation of Objectives

#### 3.1 Proposed objectives

The Proposed Objectives for the Ecosystems and indigenous biodiversity chapter are:

<b>ECO-01</b>	<b>Protection of significant indigenous biodiversity</b>
The values of significant indigenous vegetation and significant habitats of indigenous fauna across the District are protected.	
<b>ECO-02</b>	<b>Maintenance and enhancement of indigenous biodiversity</b>
The indigenous biodiversity of the District is maintained or enhanced.	
<b>ECO-03</b>	<b>Recognition of Ngāi Tahu</b>
The relationship of Ngāi Tahu whanui with indigenous biodiversity is recognised and provided for.	

#### 3.2 Evaluation of objectives

Category	Criteria	Comments
	Directed to addressing a resource management issue	Achieves. These objectives are directly related to the issues of identification, protection of areas of significance and the maintenance and enhancement of indigenous biodiversity, as well as recognising tākata whenua values.
	Focused on achieving the purpose of the Act	<p>These objectives achieve s5 in relation to:</p> <ul style="list-style-type: none"> <li>b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</li> <li>c. avoiding, remedying, or mitigating any adverse effects of activities on the environment.</li> </ul> <p>These objectives achieve s6(c) as they seek to identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>Objective 3 achieves s6(e), 7(a) and 8 in terms of recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</p>

		<p>These objectives also achieve s7 in relation to:</p> <ul style="list-style-type: none"> <li>a. the ethic of stewardship;</li> <li>b. the maintenance and enhancement of amenity values;</li> <li>c. intrinsic values of ecosystems;</li> <li>d. (f) maintenance and enhancement of the quality of the environment;</li> <li>e. (g) any finite characteristics of natural and physical resources; and</li> <li>f. (h) the protection of the habitat of trout and salmon.</li> </ul>
	Assists a council to carry out its statutory functions	Achieves s31 as to achieve the objectives will clearly require polices and rules to control any actual or potential effects of the use, development, or protection of land, including for the purpose of maintaining indigenous biological diversity.
	Within scope of higher-level documents	<p>Achieves. The proposed objectives will give effect to the CRPS as they seek to halt the decline in the quality and quantity of Canterbury's ecosystems and indigenous biodiversity and promote the restoration or enhancement of ecosystem functioning and indigenous biodiversity. Furthermore, areas of significant indigenous vegetation and significant habitats of indigenous fauna will be identified, and their values and ecosystem functions protected.</p> <p>The objectives will also align with the expectations of the NPSFM and NZCPS in relation to the protection of biodiversity values.</p>
Feasibility	Acceptable level of uncertainty and risk	There is a low level of uncertainty and risk given that the objectives necessarily reflect language in s6 of the RMA relating to significant areas.
	Realistically able to be achieved within council's powers, skills and resources	The provisions will be able to be achieved within council's powers, skills and resources.
Acceptability	Consistent with identified iwi/Māori and community outcomes	The feedback from the community on the discussion document suggests that there is general support,

		<p>amongst the respondents, for the proposed amendments to the indigenous biodiversity provisions.</p> <p>The biodiversity working group, representing iwi, many stakeholders and aspects of the community, supported the draft proposed provisions<sup>15</sup>, which have been updated in the proposed plan version, but are considered to maintain the intent of the original drafting.</p>
	<p>Will not result in unjustifiably high costs on the community or parts of the community</p>	<p>The proposed provisions are based on similar provisions in the operative Plan and other district plans, with a more tailored approach and are not expected to result in unjustifiably high costs on the community or parts of the community.</p>

## 4 Identification of Options

### 4.1 Option 1: Status Quo

This option involves a continuation of the (temporary) operative District Plan provisions including the current criteria, policies and rules.

### 4.2 Option 2: Collaborative Working Group provisions

This option is based on the provisions developed through the Ecosystems and Indigenous Biodiversity Stakeholder Group process. That group developed a recommended set of provisions (objectives, polices and rules) for this topic. The provisions developed rely on the criteria for significance being aligned with those in the CRPS, the SNA process having identified areas and values to influence rules and the use of a simple policy and rule framework to achieve protection of significance.

This option would be supported by a non-statutory process associated with the Council’s biodiversity policy including funding for SNA protection<sup>16</sup>, and the continuation of a stakeholder group to focus on implementation of the biodiversity policy<sup>17</sup>.

### 4.3 Option 3: Simple vegetation clearance rules

This option would be a very simple approach of requiring resource consent for the clearance of any indigenous vegetation throughout the District, with significance being considered through the resouce consent process.

### 4.4 Option 4: Non-regulatory approach

<sup>15</sup> With the exception of Forest and Bird, see footnote above.

<sup>16</sup> Noting the Council has made the decision through the annual plan / long term plan process to increase the funding for SNA protection from \$30,000/yr to \$100,000/yr.

<sup>17</sup> This is a re-purposing of the Collaborative Working Group for the purpose of implementing the policy and advising on methods of working with the community and improving biodiversity protection. This includes recommendations on a three yearly work program, recommendations on the use of the SNA fund and management of Council land and assets.

This option is to not include any rules in the District Plan but rather rely on non-regulatory and voluntary methods, such as riparian planting, information, advice and financial assistance for fencing and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and waterbodies. However this option would not give effect to the direction in the CRPS to include provisions to identify and protect SNAs and include appropriate rules to manage clearance of indigenous vegetation, so as to provide for the case-by-case assessment of whether the indigenous vegetation comprises an SNA that warrants protection.<sup>18</sup> Therefore, it has not been assessed further below as it is not considered to be a reasonably practicable option.

## 5 Evaluation of Options

### 5.1 Evaluation tables

<b>OPTION 1</b> <i>Status-quo</i>			
<b>Benefits</b>	<b>Economic</b>	<b>Social</b>	<b>Cultural</b>
<p><b>Environmental</b></p> <p>The areas of significant indigenous vegetation or significant habitats of indigenous fauna are broad and therefore protect a wide range of vegetation and habitat types.</p> <p>The clearance of significant indigenous vegetation generally requires consent as a non-complying activity and therefore an assessment of potential effects. Such applications can be declined if the adverse effects are likely to be significant.</p> <p>There is control over the planting of woodlots and shelterbelts to manage effects on significant biodiversity values.</p>	<p>The clearance of indigenous vegetation around existing utilities and roads is permitted, thus minimising the costs of compliance for utility providers.</p>	<p>The public and the Council are familiar with the provisions of the Plan and their current operation.</p> <p>Protection of indigenous biodiversity can assist in creating pleasant places for the public to enjoy. Also, it contributes to outstanding natural landscapes that are valued by the community.</p>	<p>General protection of indigenous vegetation is likely to retain cultural values, at least in part.</p>
<b>Costs</b>			

<sup>18</sup> Method 3 under Policy 9.3.1

Environmental	Economic	Social	Cultural
<p>Some types of significant habitats are not identified or protected i.e., long tail bat habitat. There is no specific provision for areas of significance or identification of these areas.</p> <p>The current rules are broad and can be difficult to interpret and apply which potentially leads to the loss of biodiversity values.</p> <p>Consideration of significance is bound with consideration of whether to list, whereas to ensure appropriate environmental outcomes, this should be two separate considerations.</p> <p>The criteria used to identify significant indigenous vegetation or significant habitats of indigenous fauna does not reflect that in the CRPS or current best practice. Thus, it may miss habitats that are currently at risk.</p> <p>The management of activities in riparian margins is not considered robust enough to protect or maintain indigenous vegetation.</p>	<p>The costs to the public and the Council of applying to remove significant indigenous vegetation or significant habitats of indigenous fauna when these areas are so spatially extensive, and property surveys have not been completed, is likely to be high. May unnecessarily limit landowner ability to utilise land.</p> <p>Cost to the applicant to undertake an assessment of indigenous vegetation to determine if it is significant.</p>	<p>The rules differ between the rural zones, potentially causing confusion for the public.</p> <p>The community may be unhappy with the outcomes for areas of biodiversity value</p>	<p>There is no specific mention of cultural values or provision for cultural harvest.</p>

<p>There is no requirement or guidance on enhancement or restoration of indigenous vegetation.</p> <p>There is no provision for biodiversity offsetting so there is limited opportunity for enhancement.</p> <p>There is no requirement to protect indigenous vegetation when undertaking subdivision.</p> <p>These costs fall on the Council, landowners and the wider community.</p>			
<b>Efficiency</b>	It is considered that the status quo is not an efficient method of meeting the objectives given the costs identified above and the issues identified with the status quo provisions.		
<b>Effectiveness</b>	<p>It is considered that it would be difficult to achieve the proposed objectives with the status quo provisions, given the lack of provisions that provide for the restoration and enhancement of indigenous vegetation and the management of activities in riparian margins is not robust. Neither is there any provision for biodiversity offsetting.</p> <p>However, the protection of significant indigenous vegetation or significant habitats of indigenous fauna would be generally achieved but the criteria used to identify future sites would not reflect those in the CRPS.</p>		
<b>Strategic Direction(s)</b>	This option would not fully achieve strategic objective SD-O2 as significant areas would not be specifically identified. However, the framework would go some way to recognise and protect the values of SNAs by way of rules generally requiring consent to clear significant indigenous vegetation.		
<b>Overall Appropriateness of Option 1</b>	This option is not considered to be an appropriate way to achieve the objectives.		

<b>OPTION 2</b> <i>Working Group provisions</i>			
<b>Benefits Environmental</b>	<b>Economic</b>	<b>Social</b>	<b>Cultural</b>



<p>Significant Natural Areas will be identified using criteria set out in the CRPS and protected by way of listing in the Plan and to the application of rules to these areas.</p> <p>Protects a broader range of habitats including long tail bat habitat.</p> <p>Identifies pest species that cannot be planted, which are intended to prevent adverse effects on indigenous vegetation.</p>	<p>The clearance of indigenous vegetation around existing utilities and roads is permitted, thus minimising the costs of compliance for utility providers.</p> <p>The work to identify SNAs is largely complete and thus no additional cost is incurred in this regard</p>	<p>Protection of indigenous biodiversity can assist in creating pleasant places for the public to enjoy. Also contribute to ONL's that are valued by the community.</p> <p>Generic district wide rules provide a clear framework for the public to follow.</p> <p>Landowners of SNAs are aware of their significance and values and the rules that would apply for their protection.</p> <p>Protection of indigenous vegetation supports the protection of our natural heritage.</p> <p>A commitment to working with the community through the Biodiversity Implementation Group</p>	<p>General protection of indigenous vegetation is likely to retain cultural values.</p> <p>There is specific mention of cultural values and provision for cultural harvest</p>
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<b>Costs</b>			
<b>Environmental</b>	<b>Economic</b>	<b>Social</b>	<b>Cultural</b>
There is no explicit provision for biodiversity offsetting which could limit opportunity for enhancement <sup>19</sup> .	May limit landowners' ability to utilise land or require resource consent for activities with a high bar to get over where the activity is within a SNA. Council commitment to supporting the Implementation Group and SNA fund	Time required for new rules to be understood by landowners and the public.	None identified
<b>Efficiency</b>	It is considered that this option is an efficient method of meeting the objectives given the benefits and costs identified above		
<b>Effectiveness</b>	It is considered that the proposed option will be effective at achieving the objectives as: <ul style="list-style-type: none"> <li>• SNAs will be identified using criteria that match those in the CRPS.</li> <li>• Indigenous biodiversity will be maintained and enhanced.</li> <li>• all relevant provisions have been subject to consideration under Part 2 of the RMA and are clear and easy to understand.</li> <li>• the structure of the chapter has been simplified and follows the national planning standards template.</li> <li>• the rules provide for the enhancement and restoration of indigenous vegetation as matters of discretion.</li> </ul> the rules provide for customary harvest		
<b>Strategic Direction(s)</b>	This option would achieve the strategic objectives SD-O2 and SD-O5 as indigenous biodiversity would be identified, and its values protected through a targeted policy and rule framework and cultural values are explicitly considered		
<b>Overall Appropriateness of Option 2</b>	This option is considered to be the most appropriate option given that the benefits outweigh the costs, there are efficiencies to be gained from adopting this approach relative to the status quo, and overall, it is considered to be more affective at achieving the outcomes sought.		

<b>OPTION 3</b> <i>Simple vegetation clearance rules</i>			
<b>Benefits</b>			
<b>Environmental</b>	<b>Economic</b>	<b>Social</b>	<b>Cultural</b>

<sup>19</sup> The working group were of the view that specifically providing for offsetting in the policy or rule framework could lead to detrimental outcomes if it is applied inappropriately and determined that this does not need to be stated to be applied at the time of a consent application where it is appropriate to do so.

<p>Potentially all indigenous vegetation in the district is protected. Enables consideration of the effects of any removal of indigenous vegetation to be assessed and applications declined. Council could impose requirement to enhance and restore indigenous vegetation as condition of consent.</p>	<p>Cost saving, if the Council chooses to apply a blanket rule rather than undertaking a district wide assessment to identify sites of significant indigenous vegetation (however this assessment is largely complete).</p>	<p>Protection of indigenous biodiversity can assist in creating pleasant places for the public to enjoy. Also contribute to ONL's that are valued by the community. Removes ambiguity with the application of the existing rules.</p>	<p>General protection of indigenous vegetation is likely to retain cultural values. Council can consider effects on cultural values at the time of application.</p>
<p><b>Costs</b> <b>Environmental</b></p>	<p><b>Economic</b></p>	<p><b>Social</b></p>	<p><b>Cultural</b></p>
<p>There will be some loss of indigenous vegetation as the Council cannot monitor activities across the entire District.</p> <p>If the Council does not undertake a district wide assessment to identify SNAs or equivalent, it would be difficult to understand and monitor areas of significant indigenous vegetation/biodiversity in the district</p>	<p>The costs to the public and the Council of applying to remove indigenous vegetation regardless of its significance.</p> <p>Economic implications for affected landowners, such as potential loss of opportunities to increase extent of productive land.</p> <p>The cost to landowners of site-by-site assessment at the time of application.</p> <p>Cost to utility operators and infrastructure providers to apply to clear indigenous vegetation around existing utilities and roads</p>	<p>Time required for new rules to be understood by landowners and the public.</p> <p>A general vegetation clearance rule would undermine the investment made by the Council and the agreement of the stakeholders and landowners at the time of the operative district plan decisions.</p>	<p>Cost to iwi of being involved in an increased number of resource consents.</p>
<p><b>Efficiency</b></p>	<p>It is considered that this option is not an efficient method of meeting the objectives given the costs identified above. Whilst these are mainly economic, they are an important consideration and there are no high benefits.</p>		

<b>Effectiveness</b>	It is considered that this option may be an effective method of meeting the objectives as it would require any clearance of indigenous vegetation and planting to be assessed. This enables the Council to impose conditions of consent requiring protection and enhancement of indigenous vegetation, as well as being able to decline applications. However, it is also likely that indigenous vegetation would be cleared without consent and the Council may be unaware of this activity if it has not undertaken a district wide assessment to identify areas of indigenous vegetation. This is a very blunt approach to a complex issue.
<b>Strategic Direction(s)</b>	This option would partly achieve strategic objective SD-O2 as significant indigenous biodiversity would not be specifically identified but its values would be protected by requiring consent to clear any indigenous vegetation. This option is likely to be an efficient way to achieve strategic objective SD-O5.
<b>Overall Appropriateness of Option 3</b>	This option is not the most appropriate option given that the costs outweigh the benefits, especially in terms of the economic costs on landowners. Furthermore, such a blanket requirement could result in landowners simply clearing vegetation and the Council may be unaware of its existence. Thus, its loss would go unchecked.

## 5.2 Risk of Acting or Not Acting

Where there is uncertain or insufficient information, an evaluation of the risk of acting or not acting is important. In this case it is considered that there is little uncertainty in the issue or the potential significance of the issue. It is considered that there is sufficient information known about biodiversity issues and values in the district and also about the mechanisms for dealing with this issue. It is concluded that there is a low risk of acting in the proposed manner to introduce updated and replacement provisions to appropriately manage biodiversity.

## 6 Preferred Option

Based on the analysis undertaken above, Option 2 is considered to be the most appropriate option. This option is based on the extensive process undertaken by the Indigenous Biodiversity Stakeholder Group working together to develop a set of provisions that are appropriate to the district. The provisions focus on the areas identified as having significance through the considerable ecological assessment work undertaken over recent years and are tailored to best fit the issues. Maintenance of indigenous biodiversity outside these SNAs is achieved through provisions targeted to areas also considered likely to be sensitive to the effects of indigenous vegetation clearance.

The provisions included in option 2 are designed to have high environmental benefits by focussing on protection of identified areas of high significance and on areas of high likelihood of significance. They incorporate recognition of cultural values and are clear and simple to understand.

The collaborative group process has enabled a better understanding of the varied issues and concerns of all parties and has led to a robust set of provisions.

# Appendix 1: Significant Natural Areas (SNA) Survey: Method, Assessment and Mapping, April 2020, Mike Harding

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## **TIMARU DISTRICT COUNCIL SIGNIFICANT NATURAL AREAS (SNA) SURVEY METHOD, ASSESSMENT AND MAPPING**

April 2020

### **Background**

The Timaru District survey of Significant Natural Areas (SNAs) arose from Timaru District Plan Variation 18. Variation 18 made extensive changes to the Timaru District Plan (1995) for rural areas. These changes were the outcome (in 2002) of three year's deliberation by Council's Rural 3 Zone Working Party. The Working Party concluded that existing general studies of the District's SNAs were inadequate, and that further work was needed to confirm individual SNAs.

Plan Variation 18 introduced interim definitions for native vegetation and habitat (Timaru District Plan, Table B2), and amended Rural Zone rules to make clearance of the newly- defined indigenous vegetation a non-complying activity. Plan Variation 18 also introduced a procedure by which property-by-property assessments would be completed by professional ecologists as part of a district-wide SNA survey.

I was awarded the contract for the property assessments and district-wide survey in May 2004. For the duration of the survey (2005-2016), I was an independent ecologist based in Timaru District, initially at Woodbury and then at Geraldine. The initial contract was for a five-year period. The contract period was extended when it became apparent that was insufficient time for completion of a district-wide survey of SNAs.

### **Project Administration**

The survey contract was administered by the head of Council's planning department (District Planner; then Planning Manager), initially Andrew Hammond, then Peter Kloosterman, and then Mark Geddes. Initial parts of the survey included liaison with and reporting to Council's Rural 3 Zone Working Party.

Working Party members were representatives of the following agencies and organisations:

1. Farm Forestry Association
2. South Canterbury Federated Farmers
3. Environment Canterbury

4. NZ Tree Crops Association
5. MAF Policy
6. Agriculture NZ
7. Arowhenua Rununga
8. Royal Forest and Bird Protection Society
9. Department of Conservation
10. Federated Mountain Clubs
11. Central South Island Fish and Game Council
12. Peel Forest Enhancement Group
13. Timaru District Council

The Working Party met on several occasions prior to and during the early part of the survey. I attended those meetings, discussed the proposed survey and assessment method, and presented the following documents for Working Party comment and eventual endorsement:

- Guidelines for the Application of the District Plan Criteria (Harding, 2004).
- Letter template for initial contact with landowners.

The Working Party had concluded in 2002 that the district-wide survey should ensure that landowners had been fully informed and involved, and that areas to be fully protected had been carefully assessed. To provide that reassurance to Council and the Working Party, the survey method and landowner consultation process were trialled on three properties prior to finalising the survey and assessment procedure.

#### **Identification of Potential SNAs**

Potential areas of significant indigenous vegetation were identified from existing information, stereoscopic analysis of aerial photographs, local knowledge and a road-based inspection of most parts of the district. Potential significant habitats of indigenous fauna were more difficult to determine and were identified from readily available information and local knowledge.

More than 700 areas of indigenous vegetation and habitat were initially identified for survey. A number of these sites were later assessed as not significant, either through field survey or because, as the survey progressed, the attributes required to meet the significance criteria were better understood. A considerable number of new sites were discovered and assessed during the survey. These were sites that are hidden from public view, or sites at which the significance of the attributes became apparent during the survey.

#### **Arranging Access to Properties**

The first property assessments were trials, through which the survey and assessment method, report template, and landowner consultation process were finalised. Following that trial, a small number of landowners were sent a letter outlining the purpose of the survey and seeking permission for access. This was only partly successful. Some landowners misinterpreted the purpose of the survey and were unreceptive when later contacted by telephone. Therefore, the landowner contact method was changed to a personal approach by telephone or visit. This “cold calling” method was more successful because any questions posed by the landowner could be answered immediately and a clearer explanation of the nature and purpose of the survey provided.

Landowners were advised verbally, and in the SNA, survey reports, that the purpose of the assessment was to provide up-to-date information on ecological values to Council for planning purposes, and to landowners for their interest and for site management. They were also advised that Council’s intention was to eventually include the assessed sites as SNAs in the District Plan and to provide protection for vegetation/habitat at those SNAs (see 9 below). Details of the means by which sites would be protected were not clarified because, at that stage, Council had not decided upon the protection mechanisms.

Assessments of some properties were prompted by land-use consent applications. In these situations, Council offered to assess the significance of affected areas as part of a property- wide survey of SNAs. Surveys of a small number of properties were prompted by requests from landowners.

Towards the end of the project, ten property owners continued to refuse access for surveys. SNAs on these ten properties were assessed from desk-top analysis of aerial photographs and survey data from adjacent properties. This process was discussed with landowners and any comments on draft property reports were addressed.

### **Property Assessments**

Properties were assessed by geographic area, so that (where possible) all properties with potential SNAs in one part of the district were surveyed over a continuous period. This helped generate community interest in and understanding of the SNA survey, easing landowners' concerns and assisting with permission for access to properties. It also provided important information on ecological context for the assessment of vegetation and habitat.

Once permission for access to a property was obtained, the whole property was surveyed and all potential SNAs assessed. Landowners were invited to participate in the property surveys, though most did not. Surveys were arranged at times suitable to landowners if necessary, and every effort was made to meet with landowners at the time of the survey.

Survey coverage and effort on each property was guided by recent aerial images and knowledge of the flora and fauna likely to be present in the local plant communities and habitats. Particular effort was made to survey of Land Environments (Leathwick *et al*, 2003) in which vegetation is classified as 'threatened' or 'at risk' (Walker *et al*, 2006; Cieraad *et al*, 2015), and 'historically rare' ecosystems as defined by Williams *et al* (2007) and especially those listed as threatened (Holdaway *et al*, 2012). As the project progressed it became much easier to predict which areas of vegetation or habitat were likely to be significant.

High altitude areas (above 900m altitude) were not covered by the survey due to limited resources and the fact that activities above that altitude are (and were expected to be) covered by other plan rules.

### **Site (SNA) Survey Method**

The site surveys were not exhaustive; there were insufficient funds and time to permit that level of survey effort. Instead, sites were sampled to the extent necessary to determine whether vegetation or habitat at the site was significant. All plant communities at a site and all likely habitats of 'threatened' and 'at risk' plant species were sampled. Most sites were surveyed only once in whatever conditions were prevailing at the time, though most survey work was undertaken during favourable weather. Surveys of sites with cryptic or seasonal plant species (e.g., limestone scarps and lowland grasslands) were undertaken wherever possible during summer months.

Site surveys were primarily surveys of vegetation. Observations of indigenous fauna were recorded but, at most sites, no substantial additional effort was spent surveying fauna. Effective fauna surveys require specialised techniques, flexibility with timing (weather and season), greater survey effort, and knowledge of habitat use in surrounding areas.

Vegetation at sites was assessed by walk-through surveys and closer sampling at representative sites using the unbounded RECCE plot method Allen (1992). Naming of vegetation types followed the method proposed by Atkinson (1985). All plant species observed were recorded in the plant community descriptions in the SNA reports, and separately on a spreadsheet for each ecological district.

The presence and location of ‘threatened’ and ‘at risk’ species (as defined in national lists), and locally uncommon species, were also recorded. Trunk diameters (at breast height) of larger trees were measured. Plant communities and notable species were photographed.

Assessments of fauna habitat were informed by recent survey data on long-tailed bat (*Chalinolobus tuberculatus* “South Island”), whio/blue duck (*Hymenolaimus malacorhynchos*), and lizards. The distribution of long-tailed bats in South Canterbury was documented just prior to commencement of the SNA survey (O’Donnell, 2000), and bat populations are subject to ongoing monitoring. Blue ducks were present in foothills valleys at commencement of the SNA survey, so the main foothills streams were surveyed for blue ducks and significant habitats identified during the early part of the SNA project. Lizard distribution data were provided by Hermann Frank at the end of the survey. Areas of significant habitat for lizards not already included in existing SNAs were described as additional SNAs.

### **Assessing Significance**

The Timaru District Plan assessment procedure for determining whether an area is significant in terms of section 6(c) of the Resource Management Act 1991 is defined in Method 7 (Part B2) of the plan. This procedure contains ‘primary’ and ‘other’ ecological criteria. It also assesses future ecological value (long term sustainability) of an area and lists final considerations that Council will have regard to before an area is confirmed as significant. The Timaru District Plan ecological criteria are:

#### Primary Criteria:

- Representativeness
- Rarity
- Diversity and Pattern
- Distinctiveness/Special Features

#### Other Criteria:

- Size/Shape
- Connectivity
- Long Term Sustainability

At commencement of the survey project, these ecological criteria and the way they would be interpreted and applied were described in a document: “Guidelines for the Application of the District Plan Criteria” (Harding, 2004).

The guidelines require assessment of the attributes of each site (potential SNA) as High, Medium-High, Medium, Low-Medium or Low against each of the primary and other criteria. If a site was assessed as High for any of the primary criteria, it was deemed significant. Otherwise, a combination of Medium-High and Medium assessments for primary and other criteria were required for a site to meet the significance threshold. For example, High to Medium assessments for size/shape or connectivity enabled otherwise marginal sites to meet the significance threshold. The sustainability criterion was not used to assess significance. The assessments and a description of the assessed attributes are set out in each SNA report.

During the period of the survey, Environment Canterbury (Canterbury Regional Council) adopted a Regional Policy Statement (RPS) which includes a policy (9.3.1) for the protection of significant natural areas. Appendix 3 of Policy 9.3.1 provides criteria for “determining significant indigenous vegetation and significant habitat of indigenous biodiversity”. Guidelines for the application of these ecological criteria were prepared by Wildlands (2013).



The RPS and Timaru District Plan ecological assessment criteria are similar and compatible. Following adoption of the RPS, SNAs were assessed against the RPS criteria. Towards the end of the survey, all pre-RPS SNAs were reassessed against the RPS criteria.

### **Defining and Mapping SNAs**

The extent (boundaries) of SNAs were determined from the field survey and aerial images. A recent aerial image was taken on each property assessment, to guide the site surveys. SNA boundaries were hand-drawn onto the hard-copy aerial image, guided by vegetation boundaries and other landmarks. Key boundary locations and other features were recorded by hand-held GPS.

Following the survey, SNAs were assessed against the significance criteria. Once confirmed as significant, each site (SNA) was mapped directly onto Timaru District Councils GIS (ArcView), with the assistance of Council's technical staff. During the latter part of the property assessments, SNAs were mapped on my own computer-based system (QGIS) and the data transferred to Council as shape files.

### **Landowner Consultation**

The results of the survey were usually discussed with the landowner (or farm manager) on site when reporting back at the end of the day. If that consultation was not possible, the survey result was discussed with the landowner/manager by telephone (or occasionally email) that evening, or soon after.

A draft property report was provided to the landowner within two weeks of the survey and assessment, or soon after. During the early stage of the survey, hard copies of draft reports were posted to landowners and Council. During the latter stages, draft reports were usually sent as email attachments. Each draft property report contains a brief description of the property, and details of each surveyed SNA on separate Site Inspection Forms. At the end of each property report is a list of the scientific names of plant species cited by common name in the report.

The SNA Site Inspection Form template has the following headings:

- General Description
- Plant Communities
- Birds/Fauna Observed
- Notable Flora, Fauna and Habitats
- Notable Plant and Animal Pests
- Boundaries
- Assessment Against Significance Criteria
- Property Owner Comment
- Final Consideration
- Discussion
- References Cited

The reports contain the following statement (or a very similar statement) about planning implications:

“These areas [SNAs] meet the ecological significance criteria in the Timaru District Plan<sup>1</sup> (criteria i-vi, pages B18-B19) and are considered to be sustainable in the long term, or sustainable with appropriate management (criterion vii, page B19). SNAs are subject to confirmation by Council after regarding the matters listed in the District Plan (pages B19- B20). SNAs are proposed to be listed in the District Plan by way of a notified plan review. At present, consent is required from Council for clearance of areas of indigenous vegetation or habitat which meet the Interim Definitions in the District Plan. Clearance includes burning, track construction, spraying with herbicides and over-

planting. To assist with the protection and management of any SNA, landowners can apply to Council for financial assistance.

Any questions regarding the protection, management and use of SNAs should be directed to the District Planner”.

(Note 1: this was later replaced with “Appendix 3 of the Canterbury Regional Policy Statement”).

The landowner/manager was telephoned, usually within four weeks of posting (or emailing) the draft report. The contents and implications of the SNA assessment were discussed. I responded to questions and comments, and then edited the reports to correct errors or to add information about site features, history or management. The ecological assessments within the reports were not changed. General comments about the survey, property assessment process, or other wider concerns, were referred to Council. I kept a hand-written record of the telephone calls, documenting any concerns or issues discussed. Towards the end of the survey, some landowner consultations were conducted by email.

Following consultation, the draft property report was edited (if necessary) and copies posted (or emailed) to the landowner and Council. The mapped SNAs were confirmed (or edited) on Council’s GIS and the details of each SNA entered onto a spreadsheet.

#### **Review of SNAs**

Two important changes occurred during the term of this district-wide SNA survey: updated threat classifications for indigenous species; and introduction of new significance assessment criteria by the Canterbury Regional Policy Statement (RPS).

Species’ threat classifications are determined by the Department of Conservation using established criteria (Townsend *et al*, 2008). These classifications are revised periodically. The status of several indigenous species that are relatively common in Timaru District (e.g., kereru/NZ pigeon, rifleman, common skink/southern grass skink) changed during the term of this SNA survey.

To ensure that identified SNAs in Timaru District were based on current species’ threat classifications, and were consistent with the RPS, all SNAs were re-assessed in 2016. This re-assessment confirmed the significance of all previously surveyed SNAs. It also identified additional un-surveyed sites that would meet the RPS significance criteria and new threat classifications, notably habitats of the now ‘at risk’ (declining) southern grass skink (*Oligosoma aff. polychroma* Clade 5).

The Timaru District Plan assessment procedure for determining whether an area is significant (Method 7; Part B2) requires that “before deciding whether or not any identified area should be confirmed as being significant, Council will have regard to the following matters:

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

The 2016 re-assessment of SNAs also considered the matters listed above and, where the above matters were relevant, provided recommendations for Council consideration.

#### **Consultation of Property Assessments (SNA Survey)**

In 2016, the results of the SNA survey were summarized in a report to Timaru District Council (Harding, 2016). Since that time, a number of additional properties have been assessed and an additional 69 SNAs described. Many of these SNAs are significant for the habitat they provide for indigenous fauna, notably lizards and penguins.

The total number of SNAs mapped and described through property assessments in Timaru District is 841 (in April 2020). All these SNAs have been assessed by field survey, except for 63 SNAs on ten properties, mostly in the upper Rangitata valley, which have been mapped and described by desk-top assessment.

An assessment of the extent to which the Timaru District SNA survey meets the requirements of the draft National Policy Statement for Indigenous Biodiversity (2019) was undertaken in February 2020 (Harding, 2020). It concluded that the Timaru District SNA survey largely meets the requirements of that draft policy statement, except for the classification of SNAs as 'high' or 'medium', the amalgamation of SNAs across property boundaries, and the assessment of SNAs on public conservation land.

At present (April 2020), the accuracy and completeness of the SNA schedule and mapping are being checked in preparation for inclusion in the District Plan review.

Mike Harding 27 April 2020

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# Appendix 2: Current (Operative) District Plan provisions

## Part B

### Natural Environment

#### Objectives

**Objective 1:** Safeguard the indigenous biodiversity and ecosystem functioning of the district through the protection and restoration of significant indigenous flora and fauna habitat; the maintenance and enhancement of natural biological and physical processes; and retention (as far as possible) of the remaining indigenous vegetation and habitat generally

**Objective 2:** Protect and enhance the natural character and functioning and habitat values of the coastal environment and wetlands, streams, rivers and their margins.

#### Policies

##### Natural Values

**Policy 1:** To protect and enhance the natural character of the landscape and those areas and features most highly valued in the district, including those identified as being of regional and national importance, from inappropriate subdivision and the adverse effects of any use or development of land.

**Policy 2:** To protect the heritage, cultural and traditional values associated with natural areas identified by the Council.

When implementing this policy Council shall have regard to the following adverse environmental effects:

- clearance of indigenous vegetation by any means, including burning;
- soil cover;
- over planting with exotic species;
- landscape and visual effects;
- habitat values.

**Policy 3:** To promote the enhancement of areas of indigenous vegetation and habitats of indigenous fauna. Where areas with important ecological values exist in a degraded state, enhancement should be promoted particularly where it will achieve long term improvement and:

- i) Contribute to the indigenous biodiversity of the area, particularly for ecosystem types that are threatened or under-represented in protected areas; or
- ii) Improve the life supporting capacity of the indigenous ecosystems; or
- iii) Improve or establish connections between habitats and create corridors for wildlife dispersal

**Policy 4:** To protect as far as possible the full range of biological and physical diversity that is or was typical of, or unique to the Timaru District

**Policy 5:** To avoid the loss or significant reduction in the ecological integrity and functioning, habitat values, natural character or amenity values of any significant natural area.

When implementing this policy Council shall have regard to adverse environmental effects on the natural character and indigenous land and water ecosystem functions of the district, including:

- landform, physical processes and hydrology;
- remaining areas of indigenous vegetation and habitat, and linkages and ecotones between these areas;
- aquatic habitat and water quality and quantity.

**Policy 8:** To ensure the protection of significant indigenous vegetation and significant habitats of indigenous fauna within the district that is:

- defined in Table B2 or
- identified using the assessment criteria under Method (7)

**Policy 9:** To encourage landowners to protect and enhance significant natural areas and support them in a co-operative manner by considering a range of options and protection mechanisms. Where the community will benefit from protection or enhancement of areas on private land, landowners' costs should be recognised and shared by the wider community.

**Policy 10:** To encourage protection of indigenous vegetation which is not covered by the definitions in Table B2, particularly any naturally occurring native trees or plant communities on the plains within the district.

**Policy 14:** To control tree planting, vegetation clearance, structures and earthworks within or adjacent to significant wetlands, rivers and the coast where these activities have the potential to adversely affect natural character and functioning, habitat values, amenity or cultural values.

## Methods

**Method 1:** Advocate increased protection of natural features including indigenous vegetation and habitats of indigenous animals and seek the co-operation of landowners, the Canterbury Regional Council, Department of Conservation and other agencies and interested groups to ensure the greatest range possible of the original biodiversity of the district is protected through reserves, covenants or other management agreements.

**Method 2:** Assisting landowners to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna where sharing of costs by the community is appropriate, by the Council providing funding through a Natural Heritage Fund which can be used to support worthwhile projects.

**Method 3:** Improving the integrity of remaining indigenous vegetation through the use of locally genetically sourced plants in re-vegetation programmes implemented by the Council.

**Method 4:** Supplying information to landowners and the general public to improve their awareness of significant natural areas and of those activities contributing to the degradation of river or coastal margins, the quality of water resources, and aquatic habitats in rivers, wetlands and coastal areas.

Method 5 a) Establishing rules on activities which control or avoid the adverse effects of development on or in areas adjacent to the coastal environment, outstanding landscapes, significant amenity landscapes, significant indigenous vegetation and habitats, wetlands and riparian areas adjoining water bodies (see rules for Rural Zones).

5(b) Establishing rules to control vegetation clearance, earthworks, tree planting, cultivation, grazing and other land uses that can adversely affect areas of significant indigenous vegetation and significant habitats of indigenous fauna, significant natural features, sites and areas; wetlands; and riparian areas adjacent to water bodies (see rules for Rural Zones).

**Method 7:** To provide interim Definitions of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna (refer Table B2), and will endeavour to carry out property assessments within five years of this Plan becoming operative in consultation with landowners to determine significant areas using the following procedure and criteria: .....

## **Part D 1 Rural Zones**

### **Rules for Rural Zones**

#### **Permitted Activities**

- Shelterbelts and the harvesting of trees in shelterbelts in R1, R2 and R3.
- Harvesting of trees in woodlots and forestry in R3.
- Woodlots and forestry except over 600 metres in altitude within an Outstanding Landscape Area however this does not apply to existing forestry planting located on Lot 2 DP 42718 and Lot 2 DP 321130 which is located above 600 metres in altitude and within an Outstanding Landscape Area in R1 and R2.
- Tree planting or vegetation removal for river control purposes that has been authorised by the Canterbury Regional Council in R1 and R2.
- Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna, or significant trees in all Rural Zones and Rural Residential Zone.
- Minor trimming or disturbance (i.e., the removal of branches from trees/shrubs and the removal of seedlings/saplings) of significant indigenous vegetation or significant habitats of indigenous fauna within 5 metres of existing fences, existing stock access tracks, state highways, public roads, utility services, public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities in all Rural Zones.
- The harvesting of indigenous vegetation carried out under a sustainable management plan approved under Part III(a) of the Forests Act 1949 in R1
- Trimming and removal of significant indigenous vegetation which is necessary for the maintenance of existing transmission lines and that this activity shall not be subject to compliance with the performance standards in R1, R2, R4B and 5
- Protection and/or enhancement of indigenous vegetation and habitats of indigenous fauna in R3.
- Amenity planting, natural habitat enhancement and planting of indigenous vegetation in the road reserve. This does not include shelterbelts, woodlots and forestry activities that require resource consent under another rule in R4.
- Woodlots and forestry less than 2ha in area in the Geraldine Downs Rural Production Sub Zone and Rural Lifestyle Sub Zone provided that they are not located within 50 metres of any boundary in R4.
- Shelterbelts (including hedges), in the Geraldine Downs Rural Production Sub Zone and Lifestyle Sub Zone provided that they are not located within 50 metres of an existing dwelling on an adjoining property in R4.
- Shelterbelts (including hedges) up to 2 metres high in the Geraldine Downs Rural Residential Sub Zone in R4.
- Shelterbelts and harvesting of trees in shelterbelts below 900 metres altitude in R5.
- Tree planting for land stability or river control purposes not in an Outstanding Landscape Area in R5.

### **Controlled Activities**

- Tree planting, earthworks (including tracking) and structures above 900 metres in altitude. Council shall restrict its discretion to the environmental effects associated with visual effects, retaining vegetation cover and the risk of wilding tree spread in R1.
- Any programme of restoration or rehabilitation to enhance the natural values of an area where a use involves the excavation or accumulation of soil or other materials. Council shall restrict its discretion to the environmental effects associated with the matters in Policy 1.3.3 and Policy 1.3.6 in R4B.
- Woodlots and forestry below 900 metres in altitude and not in an Outstanding Landscape Area and not in the Hewson River Catchment in R5.

### **Restricted Discretionary Activities**

- Shelterbelts (including hedges), woodlots and forestry, with the exception of a shelter belt which has the sole purpose of protecting Talbot Forest from the effects of the wind, which do not comply with Rule 1.12 in R4.

### **Discretionary Activities**

- Woodlots and forestry except over 600 metres in altitude within an Outstanding Landscape Area however this does not apply to existing forestry planting located on Lot 2 DP 42718 and Lot 2 DP 321130 which is located above 600 metres in altitude and within an Outstanding Landscape Area in R1.
- Any programme of restoration or rehabilitation to enhance the amenity, ecological, or landscape values of an area which involves the excavation or accumulation of soil or other materials. Council shall restrict its discretion to the environmental effects associated with the matters in Policy 1.1.7 and Policy 1.3.3 in R3.
- Utility services within significant indigenous vegetation and significant habitats of indigenous fauna in R3.
- Shelterbelts, woodlots and forestry in R4B.
- Woodlots and forestry in an Outstanding Landscape Area in R5.
- Tree planting for land stability, or river control purposes in Outstanding Landscape Areas in R5.

### **Non-Complying Activities**

- Clearance by any means (including burning and spraying with herbicides) or over-planting of significant indigenous vegetation and significant habitats of indigenous fauna in all Rural Zones and Rural-Residential Zone.
- Exotic tree planting above 900 metres in altitude in R5.

### **Performance Standards in Rural Zones**

- Clearance of indigenous vegetation within 5 metres of a river or stream or within 30 metres of a wetland shall not exceed 100 square metres in any hectare in any five-year period. R1 R2 R3
- The planting of trees shall avoid the clearance or over planting of areas of indigenous vegetation or habitats of indigenous fauna listed in the schedules to the planning maps. R1 R2 R3 R5
- Shelterbelt, woodlot or forestry plantings shall be set back at least to the dripline of mature trees of the species being planted where such planting adjoins areas of significant indigenous vegetation. R1 R2 R3 R5
- Construction of fencing shall avoid the clearance of areas of significant indigenous vegetation or significant habitats of indigenous fauna. R1 R2 R3 R5
- All shelterbelts, woodlots or forestry plantings shall be set back a minimum of 30 metres from the edge of any wetland; and set back landward of active beach systems, and landward of any coastal



stop bank, and landward of the legal road along the coastline between Scarborough Road and Ellis Road. R3

- Shelterbelt, woodlot or forestry plantings within riparian areas adjoining any river or stream shall be set back 5 metres on slopes < 5 degrees gradient; 10 metres on slopes between 5 and 15 degrees; and 20 metres on slopes over 15 degrees. R3
- This does not apply to the planting of indigenous species being carried out as part of a restoration or enhancement programme in which case there shall be no set back.
- Any harvesting of trees or clearance of vegetation within the riparian areas defined in 5.7 and 5.8 shall be carried out so as to avoid detritus and soil from entering any wetland, river or stream. R3
- New landscape planting, woodlots and forest should respond to and not detract from the surrounding landscape. The following guidance is provided: ... R4A
- The closest part of any shelterbelt, woodlot or forest shall not exceed a recession plane of 1 in 5, originating from the closest part of any household unit or Residential Zone boundary. R4B
- Restoration and clearance of debris from land within 10 metres of a river following vegetation clearance. R4B
- Planting and harvesting of timber trees shall be set back a minimum of 20 metres from the bank of any river or stream, and 30 metres from any wetland; except that the ends of shelter belts may intrude into the 20 metre margin beside any river or stream. R5
- Any harvesting of trees or clearance of vegetation within the riparian areas defined in 5.7 shall be carried out so as to prevent detritus and soil from entering any wetland, river or stream. R5
- Clearance of indigenous vegetation within 5 metres of a river or stream or within 30 metres of a wetland shall not exceed 100 square metres in any hectare in any five-year period. R5