



SECTION 32 REPORT Ecosystems and Indigenous Biodiversity

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1 Executive Summary

Biodiversity, or biological diversity, describes the variety of all biological life and the ecosystems of which they are a part. Indigenous biodiversity is biodiversity that is native to New Zealand. Human activity such as extensive vegetation clearance and the introduction of plant and animal species has significantly changed the landscape and as a result, our District now is a highly modified landscape. The Resource Management Act requires the Council to manage indigenous biodiversity.

Maintaining indigenous biodiversity is a joint responsibility between the Taranaki Regional Council (TRC) and the New Plymouth District Council (NPDC) with some overlap between functions assigned under Sections 30 and Section 31 of the RMA. Both Councils have responsibilities in relation to biodiversity and integrated management is required. NPDC's focus is on the protection and maintenance of terrestrial (land-based) ecosystems, and TRC's focus is on non-terrestrial ecosystems (rivers, lakes, wetlands and the coast below mean high water springs). Tangata whenua are also involved in this integrated management.

Since the current District Plan became operative, there has been a large ground swell of support and funding to maintain biodiversity. However, of the 94 Significant Natural Areas (SNAs) identified in the Operative District Plan, only 30 are subject to rules. The Council has also been taken to the Environment Court (twice) around how we protect our native bush. Following Environment Court directives NPDC has undertaken a large project to identify additional SNAs and take a stronger approach to halt the decline of biodiversity. This has involved significant landowner engagement and increased land areas have become legally protected in the district.

The key resource management issues relate to the identification and protection of significant areas of indigenous vegetation and habitats of indigenous fauna, and the maintenance and enhancement of ecosystems and indigenous biodiversity, which can be adversely affected by inappropriate subdivision, use and development. Also, tangata whenua have customary responsibilities as mana whenua and kaitiaki.

The key changes to address these issues for Ecosystems and Indigenous Biodiversity management are:

- Increased number of identified SNAs (376 SNAs, covering approximately 24,000 hectares, over approximately 1,000 properties) subject to District Plan provisions.
- A standalone chapter and specific objectives, policies and workable rules.
- Recognising tangata whenua as kaitiaki.
- Recognition of the role of biodiversity offsets to create positive effects.

The Proposed Plan will provide better outcomes by providing a strengthened approach to the management of Ecosystems and Indigenous Biodiversity in New Plymouth District.

2 Introduction and Purpose

This report contains a section 32 evaluation of the objectives, policies and methods relating to Ecosystems and Indigenous Biodiversity in the Proposed New Plymouth District Plan. It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the District Plan review and Proposed District Plan.

Biodiversity, or biological diversity, describes the variety of all biological life and the ecosystems of which they are a part. Indigenous biodiversity is biodiversity that is native to New Zealand. The arrival of humans radically changed New Zealand's indigenous biodiversity with extensive vegetation clearance and the introduction of plant and animal species. Human activity significantly changed the landscape and as a result, our District now is a highly modified landscape. The RMA requires the New Plymouth District Council to:

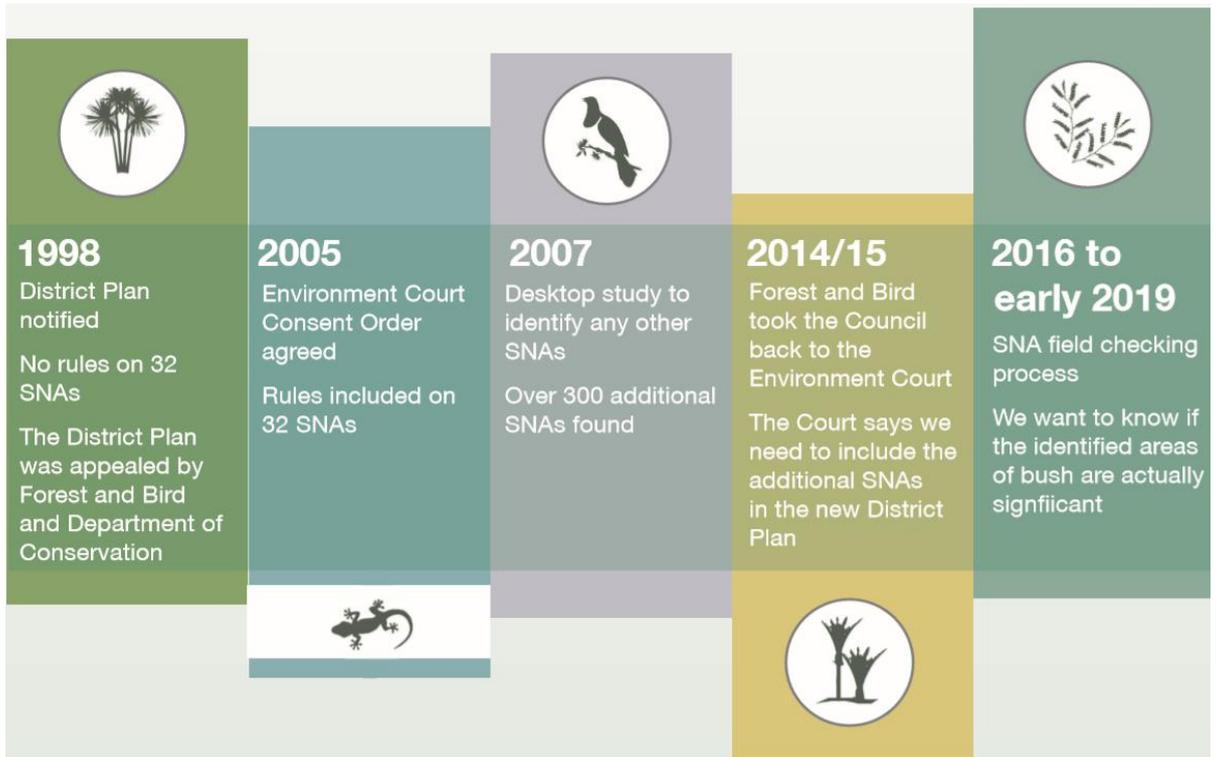
- Identify and protect our remaining areas of significant natural areas (SNAs).
- Maintain indigenous biodiversity.

The New Plymouth District has more remnant indigenous vegetation cover than the national average of 24%, with approximately 37% cover district-wide. The remnants are concentrated in the Egmont National Park and the steep eastern hill country, north of Urenui. However, less than 10% remains on the intensively farmed ring plain. Indigenous vegetation is also poorly represented in the Coastal Environment and on the valley floors in North Taranaki.

Compared to other cities in New Zealand, the New Plymouth urban area contains a relatively high percentage of native bush close to the centre of the city, with approximately 8.9% cover, compared to the national average of 2%¹. However, there are ecological concerns when ecosystems persist at 10% or less of their original extent, in terms of species decline and fragmentation effects.

Of the 94 'Significant Natural Areas' (SNAs) identified in the Operative District Plan, only 30 are subject to rules. The Council has been taken to the Environment Court (twice) around how we protect our native bush. The most recent Court decision says we have to consider a range of options, including rules, to enhance the protection of our native bush. As a result of this, a significant amount of work has been carried out by the Council, with ecologists and a range of interested parties, to identify additional SNAs for the District Plan Review. Approximately 24,000 hectares of 'Likely Significant Natural Area' (LSNA) has been identified for inclusion in the Proposed District Plan. This process is shown in the timeline below.

¹ Clarkson, B. D., Wehi, P. M., & Brabyn, L. K. (2007). A spatial analysis of indigenous cover patterns and implications for ecological restoration in urban centres, New Zealand. *Urban Ecosystems*, 10(4), 441-457.



It is important to protect what indigenous vegetation remains and offer incentives for protection and enhancement of vegetation and habitats. Central government is currently reviewing the National Biodiversity Strategy and is developing a National Policy Statement for Indigenous Biodiversity. There has been a change in approach from single agencies to having a community focus in maintaining biodiversity. NPDC works with landowners, Taranaki Regional Council, tangata whenua, and numerous community groups and agencies with biodiversity interests, to ensure ecosystems and indigenous biodiversity are managed in an integrated way.

Landowners continue to be stewards working with the Council and other biodiversity partners, with increased awareness and areas of land subject to legal protection (such as covenants) and good land management (including fencing and pest control). The Council acknowledges the principal role that landowners play with rating relief, landowner liaison and funding support.

This section 32 report covers the provisions in the Ecosystems and Indigenous Biodiversity Chapter that apply district wide. It sets out the statutory and policy context for the Ecosystems and Indigenous Biodiversity topic, the key resource management issues, and the specific consultation and approach to evaluation taken in developing the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the indigenous biodiversity topic.

The Proposed Plan also contains an Outstanding Natural Features and Landscapes, a Waterbodies, and a Coastal Environment chapter, which are related to, and have some overlap with the indigenous biodiversity topic. The evaluation for the outstanding natural features and landscapes, the waterbodies and the coastal environment are set out in the s32 evaluation reports specific to each topic.

3 Statutory and Policy Context

3.1 Resource Management Act

Section 31 of the RMA sets out the functions of territorial authorities. The key function for the district council is the integrated management of the use, development, or protection of land and associated natural and physical resources of the district. Section 31(b)(iii) requires territorial authorities to control actual or potential effects of the use, development, or protection of land, for the purpose of the maintenance of indigenous biological diversity.

Section 5(1) states that the purpose of the RMA is to promote the sustainable management of natural and physical resources, with sustainable management defined in s5(2). In promoting sustainable management, Section 5 includes safe-guarding the life-supporting capacity of ecosystems. The following matters are also considered relevant in terms of the purpose of the RMA:

- Enabling the owners of land containing ecological sites and indigenous vegetation to provide for their social and economic well-being and for their health and safety.
 - Social and economic well-being in terms of being able to use their land in a reasonable way.
 - Health and safety could relate to provision for modification of vegetation for building and track maintenance or the removal of dead, dying or dangerous vegetation.
- Sustaining the natural biodiversity and indigenous vegetation resources for future generations.
- Safeguarding the life-supporting capacity of indigenous ecosystems, which in turn assist in maintaining the life supporting capacity of air, water and soil.
- Avoiding, remedying or mitigating any adverse effects of activities on the environment including the natural environment of ecological sites and indigenous vegetation.

Section 6 of the RMA specifically requires that the Council recognise and provide for matters of national importance. The Section 6 matters of national importance relevant to the proposed indigenous biodiversity provisions are:

- (a) preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.*
- (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 of the RMA requires the Council to have particular regard to the following matters:

- (a) Kaitiakitanga*
 - (aa) the ethic of stewardship*
 - (b) the efficient use and development of natural and physical resources*
 - (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*
- (i) the effects of climate change*

Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Tangata whenua, through iwi authorities have been consulted as part of the review process and the obligation to make informed decisions based on that consultation is noted. Section 74(2A) of the RMA requires Councils to take into account relevant Iwi Management Plans and their bearing on the resource management issues of the district.

Section 76 (4A) - (4D) of the RMA explains the role and requirements of a schedule for trees in the urban environment. These provisions were introduced with amendments to the RMA in 2012 and 2013, prohibiting blanket tree protection rules in urban environments, and requiring Council's in District Plans to specifically identify individual specimens or groups of native trees in a schedule where rules prohibit or restrict the felling, trimming, damaging, or removal of trees.

Under Section 86B of the RMA rules in proposed plans that protect areas of significant indigenous vegetation or habitats of indigenous fauna have immediate legal effect.

Changes to Sections 104 and 171(1B) of the RMA in 2017 introduced the concepts of offsetting and compensation into the assessment framework for resource consents and Notices of Requirements. For resource consents, Section 104(1)(ab) states that when considering an application for a resource consent, the consent authority must have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity. For NORs, the wording under Section 171(1B) is very similar.

3.1.1 New Zealand Coastal Policy Statement (2010)

The New Zealand Coastal Policy Statement, Policy 11 – states:

To protect indigenous biological diversity in the coastal environment:

- a. avoid adverse effects of activities on:*
 - i. indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;*
 - ii. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;*
 - iii. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;*
 - iv. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;*
 - v. areas containing nationally significant examples of indigenous community types; and*
 - vi. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and*

- b. *avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:*
 - i. *areas of predominantly indigenous vegetation in the coastal environment;*
 - ii. *habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;*
 - iii. *indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;*
 - iv. *habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;*
 - v. *habitats, including areas and routes, important to migratory species; and*
 - vi. *ecological corridors, and areas important for linking or maintaining biological values identified under this policy.*

3.1.2 National Policy Statement for Freshwater Management (2011)

The National Policy Statement for Freshwater Management (NPSFW) came into effect on 1 July 2011. The NPSFW sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, and imposes an obligation on all consent authorities to have regard to the NPSFW in consent decision making. The NPSFW is discussed in more detail in the Section 32 Evaluation Report for Waterbodies.

3.1.3 National Planning Standards 2019

Released in April 2019, the purpose of the National Planning Standards is to improve consistency in plan and policy structure, format and content.

The standards were introduced as part of the 2017 amendments to the RMA. Their development is enabled by sections 58B-58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

As discussed in the Overview Report, the Proposed District Plan will give effect to the planning standards. Of particular relevance is the application of the planning template "Ecosystems and Indigenous Biodiversity", under the "Natural Environmental Values" heading. The planning standards specify that if the following matters are addressed, they must be located in the Ecosystems and Indigenous Biodiversity chapter:

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

3.2 Regional Policy Statement (2010) and Regional Plans

3.2.1 Regional Policy Statement

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement. Section 9 of the Taranaki Regional Policy Statement (RPS) recognises the importance of maintaining and enhancing indigenous biodiversity, including under-represented habitats of indigenous vegetation particularly in areas of regionally significant biodiversity values and those that provide connections between existing

habitats. Policy 4 provides the criteria for identifying significant indigenous biodiversity values:

- The presence of rare or distinctive indigenous flora and fauna species; or
- The representativeness of an area; or
- The ecological context of an area.
- Under the RPS, District Councils shall consider the following methods:
- Objectives, policies, methods and rules to control of the use of land to maintain indigenous biodiversity in areas of significant indigenous or other vegetation and habitats of indigenous fauna.
- Conditions on resource consents relating to the use of land to maintain indigenous biodiversity.
- District Councils may wish to also consider:
- Providing information and other assistance to resource users and the public that generally promotes the maintenance, enhancement and restoration of indigenous biodiversity.
- Advocating, as appropriate, the protection of areas of significant indigenous vegetation and habitats of indigenous fauna, and granting rate relief of land mandatorily or voluntarily protected.

The District Council is expected to work with regional councils and tangata whenua on integrated management, and on RPS provisions that may direct the District Council to take certain actions in the District Plan.

3.2.2 Regional Plans

In accordance with Section 74 of the RMA, a District Plan must not be inconsistent with a Regional Plan. The Regional Freshwater Plan for Taranaki (2001) controls activities in freshwater including taking, use, damming or diversion of surface water, discharge of contaminants to land or water, construction, maintenance or removal of a structure in waterbodies, introduction or removal of plants in waterbodies, drainage or diversion of water. The Operative Regional Freshwater Plan identifies catchments with high natural, ecological and amenity values and protected wetlands.

The Draft Taranaki Regional Land and Freshwater Plan (May 2015) identifies outstanding freshwater bodies and waterbodies with regionally significant values. It identifies that rivers, lakes and wetlands provide habitat for a wide range of indigenous flora and fauna species, including many species classified as nationally threatened or regionally distinctive, and identifies the need to ensure indigenous freshwater biodiversity, including wetlands with significant biodiversity values, are maintained and protected from inappropriate use and development. Policies relate to a range of biodiversity matters including vegetation clearance, establishment and protection of riparian management in river and lake beds, and instream disturbance of fish habitat. TRC has not yet released its Proposed Regional Land and Freshwater Plan for formal submissions.

3.3 Iwi Environmental Management Plans

For the purposes of the District Plan Review, Iwi Environmental Management Plans must be taken into account under Section 74 (2A) of the RMA. The following iwi management plans have been considered:

3.3.1 Taiao, Taiora: An Iwi Environmental Management Plan for the Taranaki Iwi Rohe (2018) (lodged with Council).

Section 11.6, identifies a number of objectives for Tāne:

- 11.6.2.1. The mauri of Tāne in the Taranaki Iwi rohe will be protected, cared for and restored;
- 11.6.2.2. All waterbodies in the rohe will be planted with native species at least 5-20m wide on either side and fenced to exclude livestock by 2030, with a focus on providing natural corridors of vegetation for extending habitat territory for fauna and enhancing biodiversity;
- 11.6.2.3. Remnant forest patches within the rohe will be protected from serious threats, and their value will be recognised and enhanced so that they thrive and flourish;
- 11.6.2.4. A network of native vegetation zones will form corridors radiating out from Taranaki mouna to Ngā Tai a Kupe, re-establishing connections and cultural relationships with thriving ecosystems of Tāne;
- 11.6.2.5. Important habitats for wildlife will be protected from external threats so they are sustained and are able to flourish;
- 11.6.2.6. The Taranaki Iwi rohe will remain GE organism free; and
- 11.6.2.7. Within the limits of what the forest is able to provide sustainably, Taranaki Iwi uri and descendants will have uninhibited access to traditional plant and animal species for cultural purposes. This could include, but is not limited to, the following:
 - i. unearthing of native timber for cultural purposes;
 - ii. sourcing natural materials for weaving, structures and cultural items;
 - iii. access to plants as wai rākau and for the purposes of rongoā; and
 - iv. access to plants and animals for cultural purposes.

3.3.2 Ngāti Mutunga Iwi Environmental Management Plan (final draft provided; still under revision).

Has a number of policies and objectives relating to biodiversity, ecosystems, mahinga kai, significant natural areas, cultural use of plants, support for species recovery, pest management, coastal ecosystems, and includes a list of Ngāti Mutunga taonga species.

3.3.3 Te Kotahitanga o Te Atiawa, 2019, Tai Whenua, Tai Tangata, Tai Ao: Te Atiawa Iwi Environmental Management Plan. (Council has provided comments on Draft.)

Has a number of policies and objectives relating to ecosystems and biodiversity, including:

- Section 5.1 relates to kaitiakitanga.
- 5.6 “Te Tai o Tāne Tokorangi – Flora and Fauna” addresses matters in the Te Atiawa rohe relating to issues such as mahinga kai, native biodiversity, restoration of native species, and weed and pest management.
- Objective TTHA4.3 is: to protect, maintain and enhance the mauri of natural resources which in turn sustains the social, economic, and cultural wellbeing of our people.
- For land disturbance, Policy TTAN6.6 is: Require that native vegetation removed or damaged during land disturbance is replaced to a level that results in a net biodiversity benefit.

- 3.3.4 The Maniapoto Iwi Environmental Management Plan (Ko Tā Maniapoto Mahere Taiao) (2016). Under revision.

“Part 13.0 – Climate Change”, “Part 14.0 - Fresh Water”, “Part 15.0 – Wetlands”, Part 16.0 – Fisheries”, “Part 17 - Coastal and Marine Environment”, “Part 18.0 – Land” and “Part 19.0 – Natural Heritage and Biodiversity” of this plan identify a number of issues and contain a number of objectives and policies relating to ecology, habitat, indigenous biodiversity, fisheries and food gathering.

- 3.3.5 Te Korowai o Nga Ruahine, 2019, 25-year strategic plan for its iwi Ngaruahine Rangī Includes kaitiakitanga.

3.4 Other Legislation and Policy Documents

There are many New Zealand statutes and policy documents relating to conservation and indigenous biodiversity. The more relevant ones to this report are outlined below, and further instruments are listed in Appendix 1 for background context.

3.4.1 Local Government Act 2002

The LGA provides a broad mandate for local authorities to involve themselves in biodiversity issues and the nature and extent of measures are a matter for Council/community to determine under the LGA processes. NPDC, under Section 85 and 109 of the LGA, provides for rates remission for land that has high biodiversity value (Rates Policy 6). The Council also has a Natural Heritage Fund, provided for under the LGA, to provide financial assistance to private landowners to manage, maintain and preserve the SNAs (including wetlands) on their properties.

3.4.2 The New Zealand Biodiversity Strategy 2000

The New Zealand Biodiversity Strategy February 2000 was prepared in response to the state of decline of New Zealand’s indigenous biodiversity and reflects New Zealand’s commitment, through ratification of the International Convention on Biological Diversity. Of particular relevance is Goal Three, to halt the decline in New Zealand’s indigenous biodiversity, and Goal Two (Treaty of Waitangi) which guides us to actively protect iwi and hapu interests in indigenous biodiversity, and to build and strengthen partnerships between government agencies and iwi and hapu.

A new Biodiversity Strategy is currently being worked on by the government and is anticipated to be finalised and approved by Cabinet by the end of 2019. The New Zealand Biodiversity Action Plan, published in September 2016, is a targeted update of the original Strategy.

3.4.3 Draft National Policy Statement on Indigenous Biodiversity

A National Policy Statement for Indigenous Biodiversity (NPS-IB) is being developed through a stakeholder-led collaborative process. The Biodiversity Collaborative Group (BCG) delivered its recommendations to Ministers on 1 October 2018 and the NPS is anticipated to be finalised and approved by Cabinet mid-2020. The NPS-IB will be a regulatory tool under the RMA, and will sit under the canopy of the New Zealand Biodiversity Strategy.

The draft NPS-IB sets out objectives and policies to help councils, communities and landowners change the way we manage our native biodiversity. Partnership is a critical

element and the draft NPS proposes more integrated and joined up decision making between councils, tangata whenua, and central government, as well as providing support for community and landowner initiatives. The “Hutia Te Rito” approach recognises tangata whenua as kaitiaki over indigenous biodiversity and ecosystems, in particular taonga, and requires involvement of tangata whenua in accordance with tikanga Māori.

The Draft NPS-IB provides for councils to work with tangata whenua to identify species, populations and ecosystems that are taonga, and recommends councils be required to consider the impact of climate change to biodiversity. It proposes that councils adopt a precautionary approach to the management of indigenous biodiversity that is potentially vulnerable to effects from climate change.

A key component of the Draft NPS-IB relates to Significant Natural Areas (SNAs). It proposes that each territorial authority identifies and maps all areas of significant indigenous vegetation and habitat of indigenous fauna within its district, using a standard set of ecological criteria and on both public (ie Crown or Council owned) and land that is privately owned. Local Authorities would be required to manage activities that could affect an SNA, to avoid fragmenting the SNA, loss of extent of the SNA, loss of buffering or connectivity within and between ecosystems or a reduction in population size of any at risk or threatened species. It proposes that territorial authorities play a role in identification and management of highly mobile species, and in monitoring and reporting the condition and state of indigenous biodiversity according to nationally agreed standards.

The draft NPS-IB recognises that it is a balancing act; that we use land for industry, farming, forestry and our social, cultural and economic wellbeing. The NPS-IB is not proposing that we stop using land for existing activities. Additionally, the NPS-IB proposes there be some flexibility to manage the effects of nationally important infrastructure, single dwellings, and customary activities on, and the development of, Māori land.

The Draft NPS-IB also addresses targets for restoration of depleted environments, and provides for transferable development rights, as well as offsetting and compensation of environmental effects.

At this stage the NPS-IB is limited to terrestrial biodiversity, noting that the New NZCPS has provisions relating to coastal biodiversity, and the NPS-FW has provisions relating to freshwater biodiversity.

3.5 Local Policies, Plans and Strategies

3.5.1 New Plymouth District Strategic Framework

The vision for the New Plymouth Strategic Framework is Building a Lifestyle capital (He Whakatutu Haupū Rawa Hei Ahua Noho). The community outcomes this will achieve are: Putting people first (Aroha kit e Tangata), Caring for our place (Manaaki whenua, manaaki tangata, haere whakamua) and Supporting a prosperous community (Awhi mai, Wahi atu, tatou katoa).

3.5.2 The New Plymouth District Blueprint

The Blueprint is a 30-year spatial plan for the district first adopted in June 2015. The key directions and associated high-level initiatives in the Blueprint relevant to the Ecosystems and Indigenous Biodiversity chapter are:

- Environment – Enhance the natural environment with biodiversity links and clean waterways.

This recognises that enhanced biodiversity will not only be positive for the natural environment and clean water but will also have significant cultural and economic spin-offs. Biodiversity outcomes will be achieved through collaborating with landowners and agencies – a multi-agency approach is required to achieve the desired environmental outcomes.

- Destination – Become a world-class destination.

This recognises that our natural assets – our parks, rivers, coast and Mouna Taranaki – are what make the district a unique and special place to live and visit.

3.5.3 Reserves Management Plans

Under the Reserves Act 1977, the Council prepares management plans for reserves under its control, management or administration. The purpose of a management plan is to create policies for the management of reserves so that decisions regarding their use and development do not compromise the long term use of the reserve or conflict unduly with other uses.

The Reserves Act and the management plans created under it:

- Provide for the preservation and management of areas with recreational, wildlife, indigenous flora or fauna, environmental, landscape amenity, natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, or community value for the benefit and enjoyment of the public,
- Ensure, as far as possible, the survival of all indigenous species of flora and fauna,
- Provide for the preservation of representative samples of all natural ecosystems and landscape,
- Ensure, as far as possible, the preservation of access for the public to and along water margins.
- Promote the protection of the natural character of the coastal environment and the margins of lakes and rivers.

3.5.4 Biodiversity Strategy for the Taranaki Regional Council 2017

The vision of this strategy is:

- The full range of Taranaki's indigenous ecosystems and species are maintained in a healthy and fully functioning state, from the mountain to the ocean depths and from protected areas to productive landscapes.
- Agencies, community groups and individuals work cooperatively in partnership, taking an integrated, efficient and cost effective approach that is based on sound science.
- People living in Taranaki value and better understand biodiversity so that we can all enjoy and share in its benefits, as the foundation of a sustainable economy and society.

The purpose of the strategy is to set out TRC's priorities and programme of action to be implemented for the maintenance and enhancement of indigenous biodiversity in the Taranaki region. Priorities are:

- Key Native Ecosystems (KNE) (regionally significant sites) work programmes;
- Building on existing programmes such as the Riparian Management and the Self-help Possum Control Programmes;
- Facilitating community collaboration, including Wild for Taranaki; and
- Information management and gathering and working with other agencies.

4 Context, Research and Trends

4.1 Operative District Plan Approach

4.1.1 Context

The Operative District Plan contains a specific 'management strategy' in relation to Council's responsibility under Section 6(c) of the RMA to recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Issue 16 of the Operative District Plan Management Strategy is "Degradation and loss of indigenous vegetation and habitats of indigenous fauna" and identifies that inappropriate subdivision, use and development can adversely affect ecosystems and the quality of the environment. Chapter 16 describes the state of indigenous biodiversity in the District, outlines the SNA identification carried out, and identifies threats to the District's biodiversity.

4.1.2 Plan Changes

Plan Change 23 (Part 1 operative 21 January 2013; Part 2 operative 30 June 2014) amended provisions to reflect the outcomes of a review of the 32 legally unprotected Significant Natural Areas (SNA) identified in the District Plan. The Plan Change amended:

- The spatial extent and boundaries of the SNA currently identified in Appendix 21.2 graphics and on the planning maps.
- The text descriptions of the SNA and their location in Appendix 21.2.
- Appendix 21.3 to identify legally protected SNA land.
- Issue 16 of the Management Strategy to reflect the history and processes around SNA identification and assessment in the New Plymouth District.

4.1.3 Operative District Plan Provisions

Management Strategy

The Operative District Plan contains the following relevant 'Management Strategy' for the coast:

The objectives and policies relating to the degradation and loss of indigenous vegetation and habitats of indigenous fauna are contained in Issue 16, within the Natural Values section of the Management Strategy, and state:

Objective 16 - To sustainably manage, and enhance where practical, indigenous vegetation and habitats.

Policy 16.1 - Land use, development and subdivision should not result in adverse effects on the sustainable management of, and should enhance where practical, significant natural areas.

Policy 16.2 - Land use, development and subdivision should not result in adverse effects on, and should enhance where practical, the quality and intrinsic values of areas of indigenous vegetation and habitats.

Appendix 21 – Significant Natural Areas

The SNAs relevant to Policy 16.1 were identified based on the criteria based on the criteria set out in Appendix 21 of the Operative Plan (21.1 - Criteria for determining Significant Natural Areas), which is:

1. Occurrence of an endemic species that is:
 - Endangered;
 - Vulnerable;
 - Rare;
 - Regionally threatened; or
 - Of limited abundance throughout the country.
2. Areas of important habitat for:
 - nationally vulnerable or rare species; or
 - an internationally uncommon species (breeding and/or migratory)
3. Ecosystems or examples of an original habitat type, sequence, or mosaic which are:
 - Nationally rare or uncommon;
 - Rare within the ecological region;
 - Uncommon elsewhere in that ecological district or region but contain all or almost all species typical of that habitat type (for that region or district); or
 - Not well represented in protected areas.
4. An area where any particular species is exceptional in terms of abundance or habitat.
5. Buffering and connectivity is provided to, or by, the area.
6. Extent of management input required to ensure sustainability.

Appendix 21 of the Operative District Plan lists 94 SNAs:

- Schedule 21.2 lists 30 SNAs not subject to legal protection (within a numbered list of 1 to 32, but two sites have been removed).
- Schedule 21.3 lists 64 legally protected sites.

The areas were identified through the Department of Conservation's Protected Natural Areas Programme, the Wetlands of Representative Importance (WERI) database and the Sites of Special Biological Interest (SSBI) criteria. Excluding areas that were deemed to be protected through covenanting or where in public ownership, a total of 30 SNAs are listed on Schedule 21.2 and subject to District Plan rules.

Definitions

The definitions contained in the Operative Plan are key to understanding how existing uses are addressed, specifically the definitions for Significant Natural Area and Indigenous Vegetation Disturbance. In summary the following activities are permitted in an SNA:

- the grazing of animals;
- actions necessary for the avoidance of imminent danger to human life;
- tree trimming and selective removal of vegetation necessary for the current operation and maintenance of existing infrastructure, including roads, tracks, stream or river access, fire water points, utilities, structures and fence lines;
- the collection of material for scientific purposes or propagation;
- the collection of material by Tangata Whenua for maintaining traditional practices of rongoa (medical purposes), raranga (weaving) and mahi whakairo (carving);
- clearance of planted indigenous vegetation; and
- clearance of indigenous vegetation that has regenerated since this plan was notified (1998).

Rules

The Operative Plan contains the following rules relating to SNAs:

- Rule OL60 – Rule controlling indigenous vegetation disturbance in an SNA. This rule does not apply to the above activities and beyond these activities only applies to the 30 SNAs shown on the planning maps. Only vegetation disturbance which is expressly allowed under the terms of a Conservation Covenant used to legally protect an SNA or part of the SNA is permitted. All other vegetation disturbance is a Restricted Discretionary Activity.
- Rule OL 59 – Rule allowing the subdivision of an additional lot provided that the SNA is legally protected, via a covenant or other legal mechanism which is registered on the title.

4.2 Other Methods

There are a number of other methods outside the District Plan, which are used by the Council to protect and maintain indigenous biodiversity, including:

- Council support for and participation in regional and national collaborative projects for biodiversity, such as Towards Predator Free Taranaki, Wild for Taranaki, Restore Taranaki and Taranaki Mouna Project.
- Promote the voluntary creation of esplanade strips and other protection mechanisms.
- Provide information and technical advice relating to the protection of indigenous biodiversity, including riparian management, in conjunction with Taranaki Regional Council, Wild for Taranaki and the Department of Conservation.
- Landowner liaison programme. The Council works with QEII to support landowners with advice and encouragement to legally protect SNAs.
- Financial assistance from the Council's Heritage Protection Fund to assist landowners in the protection of SNAs, specifically a contribution to fencing for stock exclusion.

- Promote community awareness of the importance of, threats to, and protection of indigenous biodiversity.
- Provide rating relief for areas that are protected by legal instruments on the certificate of title.
- Recording of SNA on the Council's property information database.
- Open space and reserves management planning (maintaining and enhancing indigenous biodiversity on Council owned land).

4.3 State of the Environment

4.3.1 What is the state of the District's biodiversity?

Water quality, soil stability, vegetation cover and ecological diversity are key components of a healthy natural environment. Taranaki's native bush areas, rivers and streams, wetlands and coastal areas provide significant habitats for indigenous flora and fauna species, including an estimated 108 species in the Taranaki region which are considered to be nationally threatened or at risk of extinction. TRC's most recent State of the Environment Report states:

"Taranaki's indigenous vegetation ranges from alpine herb fields to temperate rainforests. It also includes coastal turf and dune vegetation. Like most of New Zealand, Taranaki would once have been covered in thick and diverse forest and shrubland, with smaller areas of wetland vegetation and turf communities. Throughout New Zealand, much of the land cleared for development was in low-lying and coastal areas. Such is the case in Taranaki where approximately 60% of the pre-human native forest and shrubland has been cleared. The remnants of indigenous vegetation on the ring plain and marine terraces are but mere fragments of what they once were. Whilst small, these remnants are highly important for biodiversity."²

It is estimated that prior to human settlement most of Taranaki was covered in indigenous forest, shrubland and wetland. Today, remnant vegetation covers about 40% of the region. This compares well to the rest of New Zealand, which has about 24% native forest cover.³ As shown in Figure 1 the remaining remnant vegetation is concentrated in the Egmont National Park and the steep Eastern Hill Country. Little indigenous vegetation is left on the intensively farmed Ring Plain.

² Taranaki as One - Taranaki Tangata Tū Tahī (2015) p145

³ Taranaki as One - Taranaki Tangata Tū Tahī (2015) p144

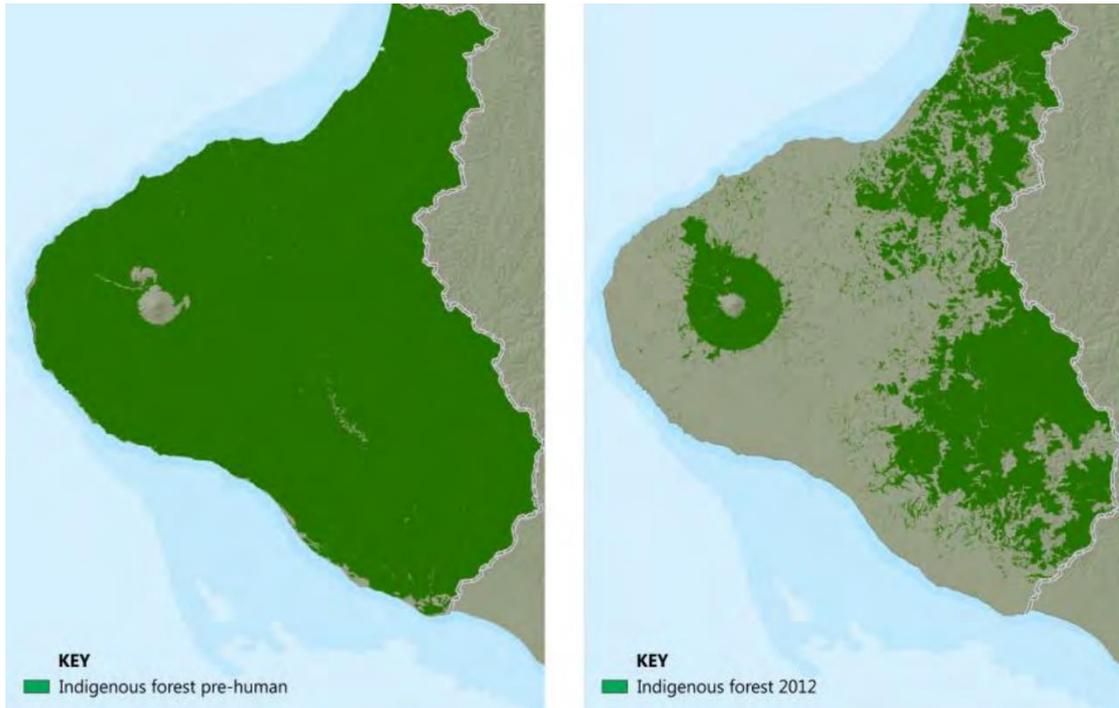


Figure 1: Comparison of pre human to present day vegetation cover

Source: *Biodiversity Strategy for the Taranaki Regional Council (2017) – the abridged version*

New Plymouth District lies within parts of two ecological districts. Much of the vegetation within Egmont Ecological District has been cleared, other than the slopes of Mt Taranaki/Egmont (mostly public land managed by DOC) and numerous but generally small ring plain remnants. Recent analysis carried out by TRC in the development of the *Biodiversity Strategy for the Taranaki Regional Council* (February 2017) estimates less than 10% indigenous vegetation left in the Taranaki Ring Plain.

Considerably more indigenous vegetation remains in the North Taranaki Ecological District, especially in the more rugged inland areas. Approximately 64% of original cover remains in the North Taranaki Ecological District (area north and inland of Urenui). The reason for this difference is that the areas that were most conducive for agricultural production and settlement were cleared first, fastest and most extensively.

A significant portion of the 40% vegetation cover in Taranaki is managed by DOC. DOC is responsible for 146,973 hectares of Crown land (or 21% of the region).

While some threat remains that areas of natural bush and wetland areas on private land could be cleared, the greatest threat is their loss or reduction in quality through infestation by pests and grazing by stock.

4.3.2 Urban biodiversity

The New Plymouth urban area contains a relatively high percentage of native bush close to the centre of the city, compared to other cities in New Zealand. Although the remnants in urban areas are small and tend to be in poorer condition and at a younger successional stage when compared to indigenous vegetation remnants in rural areas, they are still important at a landscape level as well as supporting wildlife corridors to connect the coast and New Plymouth's significant reserves in the urban core to the nearby Egmont National Park.

The urban SNAs contribute to the environmental aesthetics of our urban areas and improve people's connection with nature. Restoration of the urban SNAs in conjunction with the Council's open space network has the potential to reconnect the linkages from the Mountain to the Sea.

Research by Dr Bruce Clarkson et al (2007) identifies New Plymouth's urban area has approximately 8.9% of native bush close to the centre of the city, but little bush found in the intensively farmed peri urban areas. This is a result of a combination of history and topography with many urban reserves being established in the early 1900s. Clarkson's research strongly supports the establishment of corridors to connect New Plymouth's significant reserves in the urban core to the nearby Egmont National Park.

A variant of ecological studies suggest that below 10% residual habitat cover in a landscape may trigger a decline in many species with severe fragmentation effects. The management of urban depleted environments, and adopting a 10% target of vegetation cover, is a focus of the Draft NPS-IB. The Background Report for the Draft NPS-IB states that:

*"adoption of a formal target is important to provide a goal to inform and develop biodiversity protection strategies, and that for urban and peri-urban areas, that target should be at least 10 per cent indigenous cover. Urban centres would, on average, require 396 ha of additional indigenous cover to reach a 10 per cent target. The minimum topup required is in New Plymouth (one per cent or 35 ha) and the maximum in Christchurch (9.5 per cent or 1365 ha). Achieving the target would require different combinations of protection, restoration and reconstruction depending on the different characteristics of each urban centre."*⁴

Over the summer of 2018/2019 a New Plymouth Urban Ecosystem Reconstruction Study (still in draft at the time of writing this report) was carried out which identifies locations available for the 10% target to be reached in the city of New Plymouth, within Council-owned reserve land. This work will be implemented as part of the Parks work programme.

4.3.3 Wetlands

Wetlands are hotspots for indigenous biodiversity, but continue to be lost as land-use intensifies in rural areas and urban areas expand. Until recently there has been a lack of understanding and appreciation of the wetlands and the ecosystem services they provide.⁵ Threats to wetlands include discharges, clearance of vegetation, drainage, earthworks, and increased built form. The TRC State of the Environment Report states:

*"Wetlands, such as swamps, marshes, and bogs are the meeting ground of land and fresh water. They are some of the most diverse ecosystems in the world and support a huge variety of life. An important characteristic of wetlands is that they filter out nutrients and sediment from farm run-off. This is important in controlling water flow and improving water quality. The wetlands of Taranaki are home to a variety of native species, including rare and threatened species. As with land species, a reduction in habitat also affects wetland species, often leading to a reduction in biodiversity."*⁶

⁴ Report of the Biodiversity Collaborative Group (2018), page 35.

⁵ Report of the Biodiversity Collaborative Group (2018), page 107.

⁶ Taranaki as One - Taranaki Tangata Tū Tahi (2015) p162

TRC plays the key role in the sustainable management of wetlands in the Region and New Plymouth District, including monitoring. The State of the Environment Report (2015) states that since the time of human settlement of New Zealand, much of the region's original wetland area has disappeared. Estimates are that as of 2007:

- only about 10.1% of New Zealand's original wetlands remain;
- less than 5% remain in the North Island; and
- about 8.1% or 3,291 hectares of wetland habitat remains in Taranaki.

The report identifies that between 2001 and 2007, an estimated 121 hectares of wetland in the region was lost, and between 2007 and 2012, 42 hectares of wetland in the region was lost. This indicates a reduction in the area lost more recently, and this is also accompanied by a measured increase in the number of wetlands subject to legal protection, and an improvement to the condition of wetlands.

Wetlands are a key environment where integrated management between regional and district councils is required, due to the overlap of freshwater management responsibilities of TRC, and land use responsibilities of NPDC.

4.3.4 Biodiversity protection and enhancement work occurring in the District

Since the current District Plan became operative, there has been a ground swell for biodiversity protection and enhancement to maintain biodiversity, at all levels from central government to the individual landowner. There has been a change in approach from single agencies to having a community focus in maintaining biodiversity.

New Plymouth District has seen a large increase in the area of land subject to legal protection (one of the highest in New Zealand) by way of covenants, and many SNAs and other natural areas have been fenced for stock exclusion, with the assistance of the Council's Natural Heritage Fund, landowner liaison work and relationship with QEII Trust.

DOC has a range of projects focused on protecting and enhancing biodiversity and conservation values across the region, including invasive plant and animal control on the public conservation estate.⁷ TRC also plays a leading role in managing biodiversity in the Taranaki Region, including the Key Native Ecosystem and Riparian Management programmes.

DOC and other groups including Project Mouna, East Taranaki Environment Trust, the Nga Motu Marine Reserve Society, Tiaki te Mauri o Parininihi Trust and others also undertake threatened species recovery programmes, including recovery of the Western North Island brown kiwi, robin and the whio (blue duck) in and adjacent to Egmont National Park, and the re-establishment of kōkako in Taranaki (successfully breeding at Parininihi after being absent for 18 years) and at Purangi.

Towards Predator Free Taranaki

Towards Predator Free Taranaki is the first large-scale community project in New Zealand aiming to remove introduced predators from a region, restoring the sound and movement of our wildlife and rejuvenating native plants across Taranaki's urban, rural and conservation land.

⁷ Taranaki as One - Taranaki Tangata Tū Tahi (2015) p154

Towards a Predator Free Taranaki will cost \$47 million in the first five years with the ultimate aim of removing stoats, rats, and possums from all land types across the region – farmland, urban land, public parks, reserves and Mt Taranaki – by 2050. NPDC is a key partner in the project, with over 1200 traps now out across our public parks, reserves and walkways in New Plymouth District.

Project Taranaki Mounga

Project Taranaki Mounga is a ten plus year project involving pest eradication and reintroduction of species over the 34,000ha of Egmont National Park and off-shore islands. It is a collaborative project involving DOC, iwi, the NEXT Foundation and the local community including the Council. The vision of the project is to 'protect our mountain for our wellbeing - Ko Taranaki tooku whakaruruhau'.

Key Native Ecosystems (KNEs)

In 2006 TRC began identifying natural areas with regionally significant indigenous biodiversity values including remnant wetlands, native forests, dunelands and other indigenous habitats. The KNE programme is non-regulatory and focuses on maintaining and improving the biodiversity values of a specified site. Biodiversity plans are developed and implemented to cover actions such as fencing and planting, and controlling pest plants and animals.

Riparian Management Programme

TRC's Riparian Management Programme has been running for approximately 20 years and has resulted in thousands of kilometres of streambanks and wetlands being fenced and planted to protect and enhance the region's waterways. TRC assists landowners by developing riparian management plans, primarily on the ring plain.

Wild for Taranaki

Wild for Taranaki is a regional biodiversity Trust, created in 2015 and including over 40 environmental groups working within Taranaki to protect and enhance the region's unique native plants, animals, and ecosystems. Wild for Taranaki is the coordinator for the Restore Taranaki Initiative and has the vision of restoring Taranaki's biodiversity by 2050. NPDC is a signatory to Wild for Taranaki.

4.3.5 Resource Consent Trends/Data

From 2007 to the present day only three land use resource consents have been granted under Rule OL60 to clear vegetation in SNAs listed in the Schedule of the Operative Plan. All related to the trimming of vegetation within an SNA in order to carry out seismic surveying.

This low number of consents applied for reflects the small number of SNAs subject to rules (30), and points to a general lack of need or desire for SNA landowners to clear indigenous vegetation within SNAs.

OL59, the extra subdivision allotment incentive rule, has only been triggered on one occasion.

The most significant project in the district in terms of adverse effects on biodiversity was the processing of the Notice of Requirement for the Mt Messenger Bypass. This proposal is currently before the Environment Court, and involves clearance of

approximately 35 hectares of indigenous vegetation between Ahititi and Uruti in North Taranaki, including some “Likely Significant Natural Area” (LSNA). Biodiversity offsets and compensation are a key component of the effects management package.

In general the Council relies on public reports or complaints to report clearance within the operative SNAs. There has only been one reported instance of vegetation clearance in a SNA. Upon further investigation it was found the clearance was related to the maintenance of existing tracks on the property and no further action was taken because this is a permitted activity under the Operative Plan.

A monitoring project undertaken by the Council in 2012⁸ found that there has been a gradual increase in legally protected indigenous vegetation in the District. Approximately 55,000 hectares of land within the District is subject to legal protection outside any protection afforded by the District Plan. The monitoring found that between 2008 and 2012, approximately 1200 hectares of land within the district changed from indigenous to exotic vegetation, but the majority of this was Manuka and/or kanuka which was more likely regenerating rather than original. A conclusion of the study was that only a minor degree of change in indigenous vegetation took place in the District between 2008 and 2012. It also reported that of 143 properties that had been visited as part of the LSNA project at that time, there was a high level of awareness of biodiversity among owners, approximately half of those visited actively managed the remnant with fencing or pest control, and approximately one third were open to discussions about legal protection.

Native areas legally protected via a QEII covenant are monitored every two years by QEII.

4.4 Effectiveness of the Operative District Plan Approach

When the current District Plan first became operative, it promoted using non-regulatory methods to work with landowners to manage biodiversity in the district. The Operative Plan identifies 94 SNAs, and includes details about the 30 SNAs that are not legally protected.

The Council has been before the Environment Court on two occasions in relation to Indigenous Biodiversity; in 2005 and 2015. The Council was found to be failing to adequately recognise and provide for the protection of areas of significant indigenous vegetation. The main issues with the Operative Plan are as follows:

4.4.1 Criteria for determining significant indigenous vegetation and significant habitats of indigenous fauna

While the RMA requires district councils to provide for the protection of areas of significant indigenous vegetation and habitats of indigenous fauna it does not provide a definition of ecological ‘significance’.

The criteria for identifying SNA and the schedules which listed these areas were subject to the 2005 Environment Court case. In 2007 Wildlands made the following findings:

- The terminology used to describe the threat classification is outdated. The New Zealand Threat Classification System (NCTCS) was subsequently revised in 2008

⁸ Brief of Evidence of Martha Mary Dravitzki Dated 7 May 2015 Before the Environment Court ENV-2014-WLG-000056.

and now uses the terms Threatened Species which covers Nationally Critical, National Endangered and Nationally Vulnerable; and At Risk Species which covers Declining, Relict, Naturally Uncommon and Recovering.

- Criterion 6: *the extent of management input required to ensure sustainability* was ambiguous. There is disagreement amongst ecologists about the use of “management input” as a criterion for assessing significance, but the Environment Court case 2015 held that Criterion 6 was irrelevant.

Subsequent to the Wildland’s 2007 report TRC developed a definition and list of regionally distinctive species. Also, the Government released the Statement of National Priorities for Protecting Rare and Threatened Biodiversity on Private Land 2007, which has as a priority to protect native vegetation associated with land environments, (defined by Land Environments of New Zealand at level IV), that has 20% or less remaining in native cover.

‘Representative’ biodiversity means the extent to which is typical of the natural diversity of the relevant Ecological District. Representativeness is regarded by the Department of Conservation 2016 Guidelines for Assessing Significant Ecological Values as a key criterion for significance assessment under the RMA. However, The Operative District Plan criteria does not explicitly include the term representativeness.

The significance criteria for the Operative District Plan is therefore not considered to be appropriate.

4.4.2 Effective recognition and identification areas of significant indigenous vegetation and indigenous habitat

As previously stated, the Environment Court determined that the Operative Plan fails to adequately recognise and provide for the protection of areas of significant indigenous vegetation. The plan lists only 94 SNAs (64 of these are legally protected), whereas Wildlands have identified 376 SNAs that meet the significance criteria. The Operative District Plan is therefore considered to be inadequate in its recognition of SNAs.

4.4.3 Protection of areas of significant indigenous vegetation and indigenous habitat

The Restricted Discretionary activity status for the clearance of vegetation is not considered directive or precautionary enough, considering the importance the RMA places on:

- the life supporting capacity of ecosystems (Section 5);
- the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (Section 6);
- the intrinsic values of ecosystems, the maintenance and enhancement of the quality of the environment, and any finite characteristics of natural and physical resources (section 7);
- the maintenance of indigenous biological diversity (Section 31); and
- the immediate legal effect of rules in proposed plans that protect areas of significant indigenous vegetation or habitats of indigenous fauna (Section 86B).
- Similarly, Policy 11 of the NZCPS uses the words “protect” and “avoid” which are considered to direct a precautionary approach.

Furthermore, the mechanism of identifying an area as an SNA in the District Plan and applying vegetation clearance rules does not fully address the main threats to the indigenous vegetation as these areas can remain unmanaged, and be accessible to livestock or other browsing pest animals and/or plant weed species can be present or introduced.

4.4.4 Implementation of rules

Landowners, practitioners and Federated Farmers expressed frustration about the difficulty of determining what kind of activities were permitted within an SNA, without the need for a resource consent.

The Operative District Plan is an effects based plan, where activities are not listed in the rules, but in the case of implementing Rule OL60 plan users must look up a number of definitions. The definition contains provisions that would be more appropriate and easier to understand, if they were located within the rule itself.

While Federated Farmers fundamentally oppose the need for clearance rules in SNAs, Federated Farmers and many rural landowners were generally happy with the content of the rules, especially in codifying existing farming practices, such as allowing cattle to graze in SNAs and being able to maintain existing tracks and fences, they requested that the rules be rewritten in a more user friendly way.

Rule OL59, which is an incentive rule allowing for additional subdivision entitlement providing a SNA is legally protected, has only been used once since 1998. This rule may not be seen as an incentive and as drafted is complex, and requires a 20ha minimum lot size. With the increase to 376 SNAs consideration of how this rule could be more of an incentive is warranted.

4.4.5 Biodiversity offsetting

Changes to Sections 104 and 171(1B) of the RMA in 2017 strengthened the role in the resource consent and designation processes of positive effects such as from offsets. A biodiversity offset is a measurable conservation outcome resulting from actions designed to compensate for residual, adverse biodiversity effects arising from activities after appropriate avoidance, remediation, and mitigation measures have been applied. The goal of a biodiversity offset is to achieve no-net-loss, and preferably a net-gain, of indigenous biodiversity values.⁹

The practice of offsetting is complex and is a relatively new practice within District Plans. The Operative Plan does allow for offsetting to some extent because the assessment criteria for resource consents under Rule OL60 states "The extent to which more than minor effects of disturbance can be remedied, avoided or mitigated by off-site means." However, with the recent changes to Sections 104 and 171(1B) of the RMA in 2017, it is necessary to review this aspect.

The response to the identified issues is summarised below:

⁹ Maseyk, F., Ussher, G., Kessels, G., Christensen, M., Brown, M. (2018) Biodiversity Offsetting under the Resource Management Act – A guidance document.

Issue	Comment	Response
Issue 1: Appropriateness of the criteria used for identifying SNAs.	<p>The Environment Court determined that the extent of management input required to ensure sustainability of indigenous vegetation is irrelevant to significance assessments.</p> <p>The criteria does not specify representativeness or regional distinctiveness, which are considered to be relevant determinants of significance.</p>	Remove Criterion 6 and adopt the criteria agreed between NPDC and Wildlands. This is also generally consistent with the Draft NPS-IB.
Issue 2: Identification and management of areas of significant indigenous vegetation and habitats of indigenous fauna is not best practice and does not give effect to higher order documents.	<p>As declared by the Environment Court, the Operative District Plan is deficient in that it does not include all known areas of significant indigenous vegetation and habitats of indigenous fauna.</p> <p>Wildlands have identified 11 SNAs, affecting approximately 200 properties, in urban New Plymouth, and 365 SNAs in the rural environment. The Court directed that the Council must consider the use of rules to manage these areas.</p> <p>The District Plan does not take a precautionary approach to the protection of SNAs. The restricted discretionary activity status, and the matters of discretion listed, are not considered strong enough.</p> <p>Rules relating to the clearance of coastal vegetation are not clear and are difficult to administer.</p> <p>Sections 104 and 171(1B) of the RMA in 2017 introduced the concepts of offsetting and compensation into the assessment framework for resource consents and Notices of Requirements.</p>	<p>Refine SNA mapping to include additional sites identified, including Urban SNAs.</p> <p>Apply appropriate controls to the identified areas. Consider non-complying activity status for vegetation clearance in identified SNAs and the Coastal Environment to align with RMA:</p> <ul style="list-style-type: none"> • Section 5(2)(b); • Section 6(c); • Section 7(d), (f) and (g); • Section 31; • And Policy 11 of the NZCPS.
Issue 3: Rules are not workable	<p>The definitions section contains provisions that would be more appropriate in the rule itself. To understand what activities may be permitted, plan-users must refer to the definitions, where certain activities are excluded from the definition of 'Indigenous vegetation disturbance'.</p>	Make it more clear within the rule what may occur in identified SNAs
Issue 4: No specific provision for Tangata whenua as kaitiaki	The SNA provisions do not require, or even encourage, engagement or the ability for kaitiakitanga to occur, due to the restricted matters of discretion that are to be assessed.	Identify tangata whenua as kaitiaki of indigenous vegetation and require engagement where development may impact of ecological values.

4.5 Effectiveness of Other Methods

The Landowner Liaison project and the Council's Heritage Protection Fund to assist landowners in the protection of SNAs are considered very effective and as a result of this work the New Plymouth District is experiencing an increased demand for new QEII covenants. New Plymouth District has the highest number of new QEII covenants in New Zealand; in the current financial year (approximately):

- 120 new QEII covenants nationwide
- 30 of these are located in Taranaki
- And 25 in New Plymouth District¹⁰

SNA 23 of the Operative Plan, being a 160 hectare remnant of swamp forest on Alfred Road adjoining the Egmont National Park, came under legal protection in 2017. In the 1980s it was recognised as one of 13 category one pieces of bush within Taranaki, and it was the only regionally significant unprotected forest on lahar deposits. This took years of collaboration by many organisations and people to get to this point and is considered a big step forward in retaining biodiversity on the ring plain.

Financial assistance from the Council's Heritage Protection Fund to assist landowners in the protection of SNAs has contributed to the sustainable management of approximately 32 SNAs/LSNAs, to the value of approximately \$145,000, over the last two years, typically covering fencing costs for stock exclusion. The allocated fund currently sits at \$100,000 per year.

Rating relief for legally protected SNAs is an effective way to recognise the contribution individual landowners make to the environment on behalf of the community. This acknowledges that landowners play a principal role in sustainably managing native bush, and addresses the scenario that a landowner may otherwise gain economic benefit from their land, such as from forest clearance for pasture or development.

The recording of SNAs on the Council's property information database is an effective method of alerting potential property purchasers of the significance of the ecosystem and biodiversity values on a property, and alerting them to District Plan provisions, such as through property information enquiries and Land Information Memoranda.

The Council's open space and reserves management planning, and support for and participation in regional and national collaborative projects for biodiversity, such as Restore Taranaki, Taranaki Mouna and Towards Predator Free Taranaki are considered effective within the combination of strategies to manage indigenous biodiversity.

4.6 Relevant Research/Documents

The following material provides useful background and supplementary information on the Ecosystems and Indigenous Biodiversity topic:

- Biodiversity Collaborative Group (2018): Background Report for the Biodiversity Collaborative Group's Draft National Policy Statement for Indigenous Biodiversity

¹⁰ Pers.com Neil Phillips, QEII Trust.

- Clarkson, B. D., Wehi, P. M., & Brabyn, L. K. (2007). A spatial analysis of indigenous cover patterns and implications for ecological restoration in urban centres, New Zealand. *Urban Ecosystems*, 10(4), 441-457.
- Dravitzki, M. (7 May 2015): Brief of Evidence of Martha Mary Dravitzki: Before the Environment Court ENV-2014-WLG-000056.
- M. Davis, N.J. Head, S.C. Myers and S.H. Moore (May 2016). *Department of Conservation guidelines for assessing significant ecological values*. Science for Conservation 327, Department of Conservation, Wellington, New Zealand.
- Maseyk, F., Ussher, G., Kessels, G., Christensen, M., Brown, M. (2018) Biodiversity Offsetting under the Resource Management Act – A guidance document.
- Royal Forest and Bird Protection Society of New Zealand Incorporated vs New Plymouth District Council [2015] ENV-2014-WLG-000056.
- Taranaki Regional Council (February 2017) *Biodiversity Strategy for the Taranaki Regional Council* The abridged version.
- Taranaki Regional Council (2015):TARANAKI AS ONE—Taranaki Tāngata Tū Tahī: State of the Environment Report 2015
- Wildlands Consultants (March 2007) *Criteria for Evaluating the Ecological Significance of Natural Areas in New Plymouth District*. Contract Report No. 1623 Report Prepared for the New Plymouth District Council. (ECM 903401)
- Wildlands Consultants (March 2011) *Desk-Top Analysis of Level 1 Natural Areas of Potential Significance in New Plymouth District*. Contract Report No. 2611 Report Prepared for the New Plymouth District Council. (ECM 1128448)

5 Consultation

Please refer to the summary document for an outline of general consultation carried out in the development of the Proposed District Plan.

5.1 Consultation Specific to Significant Natural Areas

In addition to this general consultation, a significant consultation and ecological effort has been undertaken by the Council to map SNAs on private land, to understand concerns of landowners, and to draft workable rules.

Between December 2016 and March 2019 685 letters were sent to rural landowners with a LSNA identified on their property, sent in batches via community board areas. Included with the letters were maps and a factsheet, and the letter advised that a public viewer of all LSNAs was available on the Council website. Landowners were invited to request a free ecological assessment. The timing and uptake of this engagement is outline below.

SNA Landowner engagement letters

Clifton Community Board	30 November 2016 – 264 letters
Inglewood Community Board	24 February 2017 – 199 letters
Kaitake Community Board	17 May 2017 – 149 letters
Waitara Community Board	14 July 2017 – 20 letters
Rural areas outside Community Board areas	25 March 2019 – 53 letters

SNA Open Days

Urenui	19 December 2016 – 50 attendees
Inglewood	8 March 2017 – 38 attendees
Oākura	30 May 2017 – 40 attendees
Waitara	1 and 25 August 2017

The Open Days were an opportunity for landowners to discuss their property one-on-one with Council staff and the Council's contract ecologist. They were well received, and allowed for landowners to have open discussions about their concerns. QEII National Trust and Federated Farmers representatives and Community Board members also attended the open days that were held throughout the District (Urenui, Inglewood, Oakura and Waitara) from December 2016 to May 2017. The Open Days allowed Council staff to gain significant insight into understanding individual landowner concerns about having a LSNA identified on their property.

Landowners who had requested a site visit and been sent their assessments were invited to further Open Days in Waitara on the 1 August and 25 August 2017. The further Open Days were well attended¹¹ and enabled discussion on the results of assessments with Council staff and the ecologist who undertook the assessment. In a few cases the ecologists revisited the properties to address particular landowner concerns.

As a result of this landowner liaison, approximately one third of the 363 LSNA identified in the desktop review were visited (or a part of the LSNA was visited) at the request of landowners. In total Wildlands completed 235 field check assessments, which involved 141 landowners who were sent a letter informing them that they had an LSNA on their property. Where this could be identified (both via desktop analysis and field checks) indigenous vegetation less than 25 years old was not included in a SNA, especially where it occurred on the periphery of a SNA. However not all SNAs have had a field check and further assessment may be needed to determine whether a LSNA meets the criteria for significance.

The results of the field checks resulted in:

- 22% of LSNA field checked have been deleted from the revised draft LSNA GIS layer (mostly peri-urban Waitara);
- Boundary changes were made to 57% of the sites visited to exclude areas of exotic species forestry plantation (mostly Eucalyptus), tōtara forestry plantation, areas of pasture, areas of regenerated indigenous scrub less than 25 years old (i.e. regenerated since 1998), and areas of mānuka and kānuka over grazed pasture that sometimes included indigenous grass species. Areas of mānuka and kānuka which had an understorey of other indigenous tree, shrub or fern species were retained.
- The remaining 21% of visits were to sites that were significant and were retained in the LSNA GIS layer without modification.

¹¹ Exact numbers are unknown but as not all interested stakeholders were engaged with on 1 August, the second date of 25 August was arranged.

After landowner consultation and field checking, the number of LSNA were reduced to 343, covering 19,765 hectares and these additional SNA were included in the online Draft District Plan (alongside the 30 operative SNAs), which was publicly released on 5 February 2018. Where boundary changes were made to field checked SNA to remove areas of pasture, exotic forestry and areas of Manuka and Kanuka which were less than 25 years of age. These amended maps were sent back to landowners, and in a small number of cases, further site visits were conducted.

Landowners raised the following concerns (during the field checks and at SNA open days):

- How does this impact on my private property rights? Will it devalue my property? Will I still be able to farm my land?
- Do I need to fence the SNA?
- Can I still graze the areas within the SNA which are open pasture?
- Can I maintain the farm access tracks and fences within the SNA?
- Can I clear an area to put in a hut/cabin/walking track?
- Can I cut down the exotic trees within the SNA for firewood?
- Will the areas that are in pasture or have been planted, i.e exotic and native woodlots, be excluded from the SNA?
- Can I clear the vegetation which has regenerated in the last 25 years to re-instate pasture?
- Will I still be able to manage the areas of Manuka within the SNA as a crop for honey?
- Is the Council going to provide funding to help me manage the SNA?
- Will I get rates relief or will the council purchase the land?
- Do I have to let 1080 be used on my land?

A small number of SNA landowners phoned to express the view that the identification SNA on their properties and the rules which restrict the removal of the indigenous vegetation within those areas contravenes their private property rights. While these landowners expressed no intention of removing the identified bush on their property and had all consented to field checks which confirmed that the area was significant they viewed the listing of their property as land confiscation.

Approximately 200 landowners in urban New Plymouth have LSNA identified on their properties. While the urban areas were shown on the Draft Digital District Plan, urban landowners were not sent individual letters but consulted via the general release of the Draft District Plan in February 2018. In 2019 more ecological work has been carried out to identify, refine and describe urban SNAs.

The Council also undertook targeted engagement with identified key stakeholders:

- Federated Farmers
- TRC
- Forest and Bird
- DOC
- Property Owners Action Group
- QEII

This engagement included meetings, discussions about provision drafting, and the sharing of drafted provisions for comment prior to public release of the Draft Plan in February 2018.

Engagement with Federated Farmers and the Property Owners Action Group was focused around policies that enable farming and do not limit farming practices. Federated Farmers fundamentally oppose the need for clearance rules in SNAs, but consider if there are rules, they should recognise clearance allowed by other mechanisms, such as covenants and Forest permits. They support a rule which explicitly permits clearance of vegetation which is not significant.

Feedback from the Department of Conservation related to the need for offsetting to reflect best practice. DOC do not support new clearance within a SNA as a permitted activity. Forest and Bird raised a number of concerns about vegetation clearance having permitted activity status, and disagree with permitted activity standards which allow additional clearance of indigenous vegetation in a SNA, over what is provided for by existing use rights. Forest and Bird consider that vegetation clearance within a SNA which does not meet the permitted activity standards, should be a non-complying activity.

TRC indicated that provisions should focus on areas of indigenous biodiversity rather than habitat, and questioned why there is no general vegetation clearance rules for indigenous biodiversity which has not been identified as a SNA.

A number of approaches and matters were considered and consulted on with stakeholders prior to the finalising of provisions for public notification of the Proposed District Plan, including:

- A potential role for Biodiversity Plans for SNAs (similar to TRC's voluntary KNE biodiversity plans),
- Whether the SNA rules would apply to legally protected land,
- Whether the significance criteria and rules applied to regenerating indigenous vegetation,
- Whether indigenous vegetation planted to harvest should be managed by the provisions,
- Whether a small and defined amount of indigenous vegetation could be cleared for new activities,
- Whether biodiversity offsets would apply only to clearance of vegetation in a SNA or to all indigenous vegetation, and whether offsetting is necessary for all or only significant residual effects.

Seven written comments were received on the Indigenous Biodiversity chapter of the Draft District Plan (February 2018). The comments included the need for strong controls on removal of vegetation, specifically old trees within SNAs, and the workability of definitions and individual rules.

5.2 Consultation with Iwi Authorities

Nga Kaitiaki provided feedback on the Draft District Plan (2016) Indigenous Biodiversity section. The comments from Nga Kaitiaki are summarised below:

- Seek an objective that acknowledges or supports kaitiakitanga and landowner stewardship in conserving important indigenous ecosystems;

- Seek provisions regarding the incorporation of Mātauranga Māori in the identification and management of important indigenous ecosystems, to acknowledge and provide for the relationship tangata whenua have with biodiversity;
- Comments regarding taonga species and the importance of using local seed stock;
- Concern regarding the provision of an extra allotment and the impact this may have on rural character;
- Question regarding what constitutes farm maintenance and enabling the on-going provision of essential infrastructure;
- Comments regarding biodiversity offsetting:
 - should set clear guidance that offsetting is only appropriate in very limited situations, and there is a need to avoid, remedy or mitigate potential adverse effects of an activity on biodiversity before considering offsetting;
 - should be clear whether the outcome sought is “no net loss” of biodiversity.

6 Key Resource Management Issues

The key resource management issues for Ecosystems and Indigenous Biodiversity are:

- Indigenous vegetation and habitats of indigenous fauna are adversely affected by inappropriate subdivision, use and development through intensified use (urban and rural).
- Tangata whenua are not able to exercise their kaitiaki role in respect of indigenous biodiversity.

7 Proposed District Plan Provisions (Objectives, Policies and Methods/Rules)

The proposed provisions are set out in the ‘Ecosystems and Indigenous Biodiversity’ Section of the Proposed District Plan. These provisions should be referred to in conjunction with this evaluation report.

7.1 Strategic Objectives

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals requiring resource consent under the Proposed District Plan. Of particular relevance to Ecosystems and Indigenous Biodiversity provisions are the following proposed Strategic Objectives:

HC-3 Tangata whenua's relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance are recognised and provided for.

NE-4 The district's natural environment contributes to our district's sense of place and identity and is recognised and provided for.

NE-5 A well-functioning and resilient natural environment is sustained that provides for the social, economic and cultural well-being of communities and for the needs of future generations.

NE-6 An integrated management approach is taken where land use activities impact on waterbodies and coastal environment, in collaboration with government, councils and tangata whenua.

NE-7 Tangata whenua are able to exercise their customary responsibilities as mana whenua and kaitiaki in the protection and management of the natural environment.

TW-8 Tangata whenua actively participate in resource management processes.

TW-9 Recognise that only tangata whenua can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.

TW-10 Tangata whenua are able to protect, develop and use Māori land in a way which is consistent with their culture and traditions and their social and economic aspirations.

TW-11 Provide for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.

TW-12 Recognise the contribution that tangata whenua and their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance make to the district's identity and sense of belonging.

7.2 Management Approach

Ecosystems and Indigenous Biodiversity falls under the prescribed heading of "Natural Environmental Values". Under the planning standards, coastal ecosystems and indigenous biodiversity matters are to be considered within the Ecosystems and Indigenous Biodiversity chapter, rather than the Coastal Environment topic.

The planning standards outline the spatial layers that can be used in a District Plan, including zones, overlays, precincts, special controls, development areas and designations. Identified Significant Natural Areas may be expressed in an overlay, which is a mechanism that spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.

The areas identified in the overlay are listed in two schedules:

- SCHED6 - Schedule of Rural Significant Natural Areas
- SCHED7 - Schedule of Urban Biodiversity Areas

In summary, the proposed Ecosystems and Indigenous Biodiversity provisions focus on the identification, recognition, scheduling and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (SNAs), and recognition of the role of tangata whenua as kaitiaki of indigenous vegetation and fauna (taonga). The provisions also seek to maintain and enhance the District's indigenous biological diversity, the intrinsic values of ecosystems and the quality of the environment.

The proposed provisions comprise:

- The identification and mapping of 376 SNAs which are unprotected. Many SNAs are over more than one property and this impacts approximately 1,000 properties across the entire District.
- The introduction of an Ecosystems and Indigenous Biodiversity section to the District Plan.

7.3 Objectives and Policies

The objective and policy framework for Indigenous Biodiversity focuses on:

- Updating criteria for significance;
- Identification and protection of SNAs;
- Maintenance of indigenous biodiversity;
- Enabling biodiversity off-setting to be considered;
- Managing potential effects of activities on SNAs;
- Avoiding vegetation disturbance in SNAs and in the Coastal Environment, except in particular limited circumstances;
- Maintaining and enhancing indigenous habitats and ecosystems with policy guidance including encouraging restoration; and
- Recognising tangata whenua as kaitiaki and requiring engagement.

The significance criteria for the Proposed District Plan has been refined (including the removal of Criterion 6: the extent of management input required to ensure sustainability), and is set out in ECO-P1. The process of SNA identification with Wildlands has used this refined criteria. Although the wording is not exactly the same, this criteria is consistent with the criteria contained in the Draft NPS-IB.

The process for identifying Rural SNAs is summarised in Appendix 1 of this report. In summary, it comprised three stages:

- Stage 1 - Identification via desktop analysis
- Stage 2 – Landowner liaison and field checks
- Step 3 – Desktop tidy up (Removal of QEII covenant land from SNA, coastal LSNA, exotic vegetation and extremely small areas)

Urban SNAs generally followed the same process, with the exception of the landowner liaison component. The work in identifying and mapping SNAs in accordance with the above criteria has resulted in the inclusion of 376 sites (including existing unprotected SNAs), covering approximately 24,000 hectares, being considered significant and subject to proposed provisions. This results in a significant increase in the role of the District Plan in the sustainable management of ecosystems and indigenous biodiversity, in terms of land area affected.

The Proposed Plan places greater emphasis on biodiversity offsetting, which is a useful tool in relation to the sustainable management of Indigenous Biodiversity. While not widely used in the district in the past, offsetting was a key aspect considered in a recent assessment for a major roading project in North Taranaki (Mt Messenger Bypass SH3 upgrade). Given the recent change to legislation, the emergence of this approach in the District, and emerging guidance from central government to assist the implementation of the legislation change, it is appropriate that the District Plan provides for this mechanism.

Some Council's in New Zealand have an offsetting policy within their District Plans, such as Waikato District Council. With offsetting being an emerging effects management tool, it is considered more appropriate to signal that the plan allows for offsetting and to direct that it is only appropriate after avoidance, remediation and mitigation measures are exhausted, and to consider the detail for offsetting in the

District on a case by case basis, based on current best practice, and anticipating further guidance with the release of the NPS-IB.

7.4 Rules

- 7.4.1 ECO-R1: Permit vegetation disturbance within an SNA under certain limited circumstances; otherwise take an avoidance (with non-complying activity status) approach

The significant change from the Operative Plan is to clearly state as permitted what activities are able to be undertaken in a SNA without the need for a resource consent, rather relying on the exemptions in definitions. The primary reason for this change was to make it clearer as to the type of activities, including for customary uses and existing use rights that did not require a consent. This rule allows for some pragmatic and appropriate clearance, however where clearance is not a permitted activity, any proposal will be assessed as a Non-Complying Activity. This is a stronger direction and a precautionary approach compared to the Operative Plan provisions, which is considered consistent with the importance placed on indigenous biodiversity in the RMA, and the precautionary or avoidance direction provided in the Draft NPS-IB.

This rule allows for vegetation disturbance that is in accordance with a covenant (e.g., QEII, Conservation Land, Ngā Whenua Rāhui) and considerable thought has been given to the regulation of legally protected land under the District Plan. Schedule 21 of the Operative Plan lists 94 SNAs, however OL60 does not apply to the SNAs which are legally protected. In mapping SNAs the approach for the Proposed Plan was to remove protected areas from the SNAs. The Council does not wish to duplicate processes that occur under other mechanisms.

- 7.4.2 ECO-R2: Permit a small amount of indigenous vegetation disturbance in the rural Coastal Environment for certain limited activities; otherwise assess as a Discretionary Activity

This is a precautionary rule, which is appropriate given the avoidance requirement of Policy 11 of the NZCPS. However it is not considered appropriate to default to non-complying activity status (like ECO-R1) due to the identification process having been less robust than for scheduled SNAs. This is a blanket vegetation disturbance rule for rural coastal land. Urban areas are not included due to the highly modified nature of settlements. Consideration was given to applying this rule to Open Space zoned land, however most of this land is managed under Reserves Management Plans and to apply rules would severely impede Parks operations, as well as not being required due to the direction within the management plans regarding indigenous biodiversity.

- 7.4.3 ECO-R3: Manage disturbance of indigenous vegetation within a SNA in accordance with an approved plan or permit issued under the Forest Act 1949 as a controlled activity

A new rule was in the Draft District Plan which allowed a permitted activity for vegetation clearance if it was in accordance with a plan or permit under the Forest Act 1949. The reason for this addition was to reduce duplication of process. There are only 5 Forest Act permits that have been issued in the New Plymouth District. The Forest Act permits already require landowners to assess the sustainable management of the indigenous vegetation and given the low number of permits, allowing this activity to occur without a resource consent needed was considered low risk so the permitted

activity status was considered appropriated. However this was reconsidered in response to feedback from DOC and Forest and Bird, and is now proposed as a Controlled Activity rule. This will enable the Council to monitor clearance within a SNA.

7.4.4 ECO-R4: Manage indigenous vegetation disturbance within a SNA for new tracks and fences not related to conservation purposes

New tracks and fences within a SNA, not associated with conservation or pest control work, are proposed to be assessed as a restricted discretionary activity. Discussions with Federated Farmers following the release of the Draft Plan highlighted the importance of enabling farmers to establish new access tracks through SNAs, where due to landslips this may be the only viable route to connect areas of productive land in farms. This rule will enable the Council to monitor the amount of clearance occurring and impose conditions to mitigate the adverse effects, such as edge effects.

7.4.5 ECO-R5 and ECO-R6: Manage the effects of subdivision on SNAs, and incentive legal protection of SNAs through subdivision

The subdivision rules in respect of the Ecosystems and Indigenous Biodiversity chapter are an opportunity to result in legal protection and good land management for SNAs, and an opportunity to recognise the role landowners play in the sustainable management of biodiversity. ECO-R5 allows for a lot solely for legal protection, and would not require subdivision elements such as services and building platforms to apply; legal access would however be required in order to ensure maintenance and monitoring is possible.

7.4.6 ECO-R6 provides an incentive to landowners by allowing extra allotment(s) in the rural production zone in exchange for legal protection. Within the assessment criteria consideration must be given to the location of building platforms (and a requirement for a 20m setback between SNAs and building platforms), and a range of ecological management factors (including pest plants and animal control). ECO-R6 provides for:

- One 4000m² allotment with a 4ha balance as a controlled activity (compared with the Subdivision Chapter which allows one 4000m² allotment with a 20ha balance as controlled).
- Two or three 4000m² allotments with a 20ha balance as a restricted discretionary activity (compared with the Subdivision Chapter which allows two or three 4000m² allotments with a 20ha balance as discretionary).
- Four 4000m² allotments with a 20ha balance as a discretionary activity (compared with the Subdivision Chapter which makes four 4000m² allotments with a 20ha balance non-complying).

Under ECO-R6, in all other zones (than Rural Production Zone), subdivision is a discretionary activity so that the objectives and policies of the Ecosystems and Indigenous Biodiversity chapter are relevant for any subdivision involving a SNA.

7.5 Other Methods

Other methods outside the plan which will continue to be used to achieve the objectives are:

- Recording of protected land on a Council database.
- Financial assistance from the Council's Heritage Protection Fund to assist landowners in the protection of SNAs.

8 Approach to Evaluation

Section 32(1)(a) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal.

The section of the RMA requires that:

- New proposals must be examined for their appropriateness in achieving the purpose of the RMA.
- The benefits and costs, and risks of new policies and rules on the community, the economy and the environment need to be clearly identified and assessed.
- All advice received from iwi authorities and the response to the advice needs to be summarised.
- The analysis must be documented, so stakeholders and decision-makers can understand the rationale for policy choices.

8.1 Evaluation of Scale and Significance

	Minor	Low	Medium	High
Degree of change from the Operative Plan				✓
Effects on matters of national importance				✓
Scale of effects – geographically (local, district wide, regional, national).			✓	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).			✓	
Scale of effects on those with specific interests, e.g., Tangata Whenua			✓	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?			✓	
Likelihood of increased costs or restrictions on individuals, communities or businesses.			✓	

8.2 Explanation Summary

In summary:

- The degree of change from the Operative District Plan is high because of the large increase in the number of landowners affected by the rules, following the identification of additional SNAs meeting the significance criteria. (The Operative Plan applies rules to 30 SNA and the Proposed Plan would apply rules to 376 SNA). Furthermore, the activity status for vegetation disturbance in SNAs and the Coastal Environment is proposed to be assessed as a non-complying activity and

discretionary activity respectively, whereas under the Operative Plan the activity status is restricted discretionary.

- The effects on matters of national significance is rated as high, due to the proposal relating to:
 - the life supporting capacity of ecosystems (Section 5);
 - the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (Section 6(c));
 - the relationship of Maori and their culture and traditions with their ancestral lands, water, and other taonga (Section 6(e) and kaitiakitanga (Section 7(a));
 - the intrinsic values of ecosystems, the maintenance and enhancement of the quality of the environment, and any finite characteristics of natural and physical resources (section 7);
 - the maintenance of indigenous biological diversity (Section 31); and
 - the immediate legal effect of rules in proposed plans that protect areas of significant indigenous vegetation or habitats of indigenous fauna (Section 86B).
 - Similarly, Policy 11 of the NZCPS uses the words “protect” and “avoid” which are considered to direct a precautionary approach.
 - In addition, while currently having no legal status, the Draft NPS-IB is anticipated to be operative prior to the Proposed Plan becoming operative, and that document is directive and precautionary.
- The geographical scale of effects and effects of people, including future generations, is district-wide and ranked as medium. The operative District Plan lists 30 SNAs whereas the Proposed District Plan lists 376 SNAs.
- The scale of effects on tangata whenua is ranked medium. The tangata whenua role of kaitiaki is recognised, and the provisions allow for customary activities.
- The degree of policy risk is also ranked medium. The Council has been taken to the Environment Court in the past regarding SNA provisions. Some affected landowners have indicated that they consider the identification of SNAs on their property as land theft. However, the risk of not acting also presents risk, and would not be in accordance with the Council’s responsibilities under the RMA.
- The proposal is directly related to the strategic blueprint matter to ‘Enhance the natural environment with biodiversity links and key waterways’
- The likelihood of increased costs or restrictions on individuals, communities or businesses is also medium. On one hand, many identified SNAs are on land that is less desirable for development, such as being in steep gullies, however increasing infill and pressures on land productivity may result in landowners wanting to develop SNA land. The integrated management approach between agencies combine to provide support landowners with indigenous vegetation on their properties, and Council’s rating relief policy recognises the loss of production potential.

Overall, it is considered that the scale and significance of the proposal is medium. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the indigenous vegetation

9 Evaluation of Objectives

Existing Objective(s)	Appropriateness to existing objectives
<p><i>Objective 16</i> - To sustainably manage, and enhance where practical, indigenous vegetation and habitats.</p>	<p>This objective is vague and does not recognise that it is a matter of national importance under Section 6(c) of the RMA to <i>protect</i> areas of significant indigenous vegetation and significant habitats of indigenous fauna. This objective does to some extent reflect the Council’s function to maintain indigenous biodiversity under Section 31(1)(b)(iii) of the RMA. However, as most land use consents under the Operative Plan have controlled or restricted discretionary activity status, the objective has limited application in practice. Therefore, it is not effective in addressing the purpose of the RMA.</p>

Proposed Objective(s)	Appropriateness to achieve the purpose of the Act
<p><i>ECO-01</i>: Areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected, and where appropriate, enhanced.</p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being, sustaining resources to meet the reasonably foreseeable needs of future generations, and safeguarding the life-supporting capacity of air, water, soil, and ecosystems.</p> <p>Under Section 6 of the RMA, as a matter of national importance NPDC must recognise and provide for (a) the preservation of the natural character of the coastal environment, wetlands, lakes, rivers and their margins and the protection of them from inappropriate subdivision, use and development. Indigenous vegetation and habitats are an element of natural character. Also under Section 6 (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and (e) the relationship of Māori and their culture and traditions with their ancestral lands and other taonga are also required to be recognised and provided for as matters of national importance.</p> <p>In addition, under Section 7 of the RMA, the Council must have particular regard to kaitiakitanga, the maintenance and enhancement of amenity values, intrinsic values of</p>
<p><i>ECO-02</i>: Indigenous biodiversity is maintained and, where appropriate, enhanced.</p>	
<p><i>ECO-03</i>: The relationship of tangata whenua and their traditions associated with indigenous vegetation and fauna are recognised and provided for.</p>	

	<p>ecosystems, maintenance and enhancement of the quality of the environment, and any finite characteristics of natural and physical resources.</p> <p>The three proposed objectives are considered the most appropriate to achieve the purpose of the Act, specifically the above matters. The objectives directly relate to the identified resource management issues for Ecosystems and Indigenous Biodiversity, the purpose of the RMA, and provide certainty to Plan users of the outcomes that are appropriate and expected under the District Plan framework. These objectives are aligned with best-practice, and considered reasonable and achievable.</p>
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Evaluation of Alternative Options	Appropriateness to achieve the purpose of the Act
<p>Do not define expectations for Ecosystems and Indigenous Vegetation.</p>	<p>This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to properly recognise and provide for the preservation of natural character, the protection of significant vegetation and habitats, and protect these values from inappropriate subdivision, use and development. It would also not recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands and taonga.</p> <p>It is also not appropriate given the Environment Court’s direction in relation to NPDC’s legal obligations to protect, maintain and enhance indigenous biodiversity in the district.</p>

<p>Summary</p> <p>The proposed objectives will achieve the purpose of the RMA as they are a clear statement of intent that significant natural areas will be identified and protected, and indigenous biodiversity will be maintained and where appropriate enhanced. They also recognise and provide for the kaitiaki role of tangata whenua. They provide certainty as to the outcomes that are appropriate under the District Plan provisions and are aligned with best-practice throughout New Zealand.</p>
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10 Evaluation of Options to Achieve the Objectives

Options to achieve the District Plan objectives relating to Ecosystems and Indigenous Biodiversity	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<p>Option A: Proposed approach considered most appropriate to achieve the objectives.</p> <ul style="list-style-type: none"> • Identification on District Plan spatial layer of 30 existing SNAs and 342 additional SNAs. • Objective and policies for the identification and protection of SNAs. • Policies provide framework for managing activities within SNAs. • Workable rules, where landowners know what they can do. • Precautionary approach to clearance. • New policy on biodiversity offsetting. • Policy on maintaining indigenous biodiversity which are not SNAs. 	<ul style="list-style-type: none"> • SNAs have been identified using updated methodology, largely consistent with the criteria in the Draft NPS-IB. • Activities that are appropriate and that contribute to the values of SNA can occur without the need for resource consent. • Provides a framework for biodiversity offsetting. • Encourages the maintenance and restoration of indigenous biodiversity which is not a SNA. • The relationship of Tangata Whenua and their traditions associated with indigenous vegetation and fauna is recognised 	<ul style="list-style-type: none"> • Potential impacts on property values and development potential with approximately 1,000 properties who have an SNA identified. • Potential increase in resource consent applications and effects on Council. 	<ul style="list-style-type: none"> • This approach is effective and efficient as it protects SNAs from inappropriate subdivision, use and development. The approach is practical and pragmatic (“fit for purpose”). • The works requiring resource consent are limited to those that are considered “inappropriate” and decision-makers could make an informed decision based on detailed policy guidance, and on the values of the SNA. • Permitted activity standards reflect best practice, and provide clarity to plan users about when resource consent would be required. This approach 	<ul style="list-style-type: none"> • The risk of acting on these provisions is that landowners and stakeholders may appeal to the Environment Court. In terms of submissions, this issue is often contentious and subject to appeal. There is a risk that landowners may disturb their indigenous vegetation, without Council knowing. • This risk may be exacerbated by the immediate legal effect of rules in proposed plans that protect areas of significant indigenous vegetation or habitats of indigenous fauna (under RMA Section 86B). • In the other hand, Council has received feedback from the community that the

Options to achieve the District Plan objectives relating to Ecosystems and Indigenous Biodiversity	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<ul style="list-style-type: none"> Rules for Urban SNAs. Identify Tangata whenua as kaitiaki of indigenous vegetation and habitats. 	<p>and provided for, consistent with Sections 6(e) and 7(a) of the RMA, Policy 2 of the NZCPS, and the Hutia Te Rito approach intended to underpin decision making under the Draft NPS-IB.</p>		<p>is not considered to be overly restrictive or onerous for landowners.</p> <ul style="list-style-type: none"> This approach addresses current issues, by providing a balance between protecting livelihoods and looking after our native biodiversity. 	<p>protection of biodiversity is an important issue, and that native vegetation and habitats are highly valued by the community.</p> <ul style="list-style-type: none"> Not acting may mean that SNAs and their values could be degraded or lost, in particular if the additional 343 SNAs are not identified and protected through the District Plan Review. Overall, it is considered that there is sufficient information to act, and that risks of acting outweigh those of not acting.
<p>Option B: Status quo</p> <ul style="list-style-type: none"> Retain effects based plan and policies. Rules only applying to existing 30 SNA. 	<ul style="list-style-type: none"> No extra properties would be restricted by vegetation clearance rules. Fewer properties are eligible for rating relief; no increase in the demand for rating relief. 	<ul style="list-style-type: none"> High risk that Council would be taken to the Environment Court for not adequately protecting SNA throughout the District. 	<ul style="list-style-type: none"> This approach is not considered effective or efficient. The Council now has sufficient information to include the 376 SNAs as a district plan layer, and the Operative Plan is now considered deficient 	<p>The risk of acting on these status quo provisions is that:</p> <ul style="list-style-type: none"> Not all indigenous vegetation and habitats that are significant will be identified or

Options to achieve the District Plan objectives relating to Ecosystems and Indigenous Biodiversity	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<ul style="list-style-type: none"> Tangata whenua not recognised as kaitiaki. 		<ul style="list-style-type: none"> Some landowners would be happier without regulation of their SNA. 	<p>in respect of its protection of SNAs.</p> <ul style="list-style-type: none"> District Plan does not take a precautionary approach to the protection of SNAs. The restricted discretionary activity status is not considered strong enough. With over 300 new SNAs being proposed for inclusion, an increased potential risk has been identified. <p>The status quo is ineffective at meeting RMA requirements to:</p> <ul style="list-style-type: none"> safeguard the life supporting capacity of ecosystems protect areas of significant indigenous vegetation and significant habitats of indigenous fauna have regard to the intrinsic values of ecosystems, the maintenance and 	<p>protected in the District Plan.</p> <ul style="list-style-type: none"> The current policy framework lacks detail and specific direction on appropriate or inappropriate activities, and Flexible provisions could lead to inappropriate activities which adversely affects ecosystems and indigenous biodiversity. The ineffectiveness of the current planning framework is demonstrated in Section Error! Reference source not found., and is no longer considered to be 'best practice'. It is considered that there is sufficient information to determine that retaining the status quo approach is not appropriate (i.e. there is

Options to achieve the District Plan objectives relating to Ecosystems and Indigenous Biodiversity	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
			<p>enhancement of the quality of the environment, and any finite characteristics of natural and physical resources</p> <ul style="list-style-type: none"> the maintenance of indigenous biological diversity; and Policy 11 of the NZCPS uses the words “protect” and “avoid” which are considered to direct a precautionary approach. 	<p>sufficient information so a low risk of acting).</p>
<p>Option C:</p> <ul style="list-style-type: none"> Objectives and policies as per Option A, but does not identify SNAs; instead uses a general vegetation clearance rule. 	<ul style="list-style-type: none"> No need for individual properties to be identified. 	<ul style="list-style-type: none"> Uncertainty for landowners. NPS-IB requires the identification i.e. mapping of SNAs. 	<ul style="list-style-type: none"> As the Council has already undertaken significant work from (2007 – 2019) to identify via a desk top exercise, and then to field check 30% of SNA sites a general clearance rule is not considered to be efficient or effective. The Council has sufficient knowledge to identify SNAs which gives greater certainty for landowners. 	<ul style="list-style-type: none"> Risks of acting in accordance with this approach includes landowners with SNAs not being aware the vegetation on their property is significant, and increased likelihood for disturbance and local extinction. This approach fails to recognise the role landowners pay in protecting indigenous vegetation and fauna.

Options to achieve the District Plan objectives relating to Ecosystems and Indigenous Biodiversity	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
				<ul style="list-style-type: none"> • A general clearance rule is not appropriate in the urban environment under Section 76 (4A) - (4D) of the RMA.
<p>Option D: Methods outside the District Plan</p> <ul style="list-style-type: none"> • Rely on non-regulatory and voluntary methods, such as information, advice and financial assistance for protection of significant vegetation and habitats. 	<ul style="list-style-type: none"> • Public awareness of the importance of protecting native areas is increased. • Increased economic and development opportunities and flexibility for landowners as they are not subject to regulatory restrictions to protect biodiversity. 	<ul style="list-style-type: none"> • No regulatory controls increase uncertainty as the onus is on private landowners to protect biodiversity for the public good, with economic implications for landowners. • Loss of the important values of ecosystems and natural character of ecosystems, and their contribution to community identity, sense of place, amenity values and quality of the environment. • Additional costs for council in providing free technical advice, support and information. 	<ul style="list-style-type: none"> • No rules would enable inappropriate activities, subdivision and development which could lead to the detriment or loss of the SNAs, without any constraints. This approach has no certainty and has the potential to result in significant adverse effects. No rules or standards in the District Plan is not considered effective to achieve the objectives or the requirements of the RMA, particularly Sections 6(c) and 7(a). 	<ul style="list-style-type: none"> • The risk of acting on the non-regulatory approach means that Council may not be carrying out its duty/requirements under the RMA and it is likely to result in adverse effects on the natural character and ecosystems. • It is considered that there is sufficient information to determine that Option C on its own is not appropriate (i.e. there is sufficient information so a low risk of acting).

Options to achieve the District Plan objectives relating to Ecosystems and Indigenous Biodiversity	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<p>Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.</p> <p>Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs was not considered necessary, beneficial or practicable.</p>				
<p>Summary The above table demonstrates that Option A is the most appropriate method for identifying, recognising and protecting the values of indigenous biodiversity throughout in the district. However vegetation clearance rules are one method which should be used alongside non-regulatory and voluntary methods.</p> <p>The status quo regulatory approach (Option B) is permissive, has been criticised by the Environment Court, and does not adequately provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>Option C does not recognise the two pronged approach in the RMA of maintaining and enhancing biodiversity generally, and protecting significant indigenous vegetation and habitats. Section 76 (4A) - (4D) of the RMA precludes this approach in urban areas. Option C is also not consistent with the NPS-IB which requires the identification of SNAs.</p> <p>Option D has merit, and is recommended to complement a strong regulatory approach, however alone Option D is likely to result in loss of biodiversity values in the district.</p>				

11 Summary

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The objective and policies provide for the identification, recognition and protection of significant vegetation and habitats, including specific detail, direction and certainty on appropriate and inappropriate activities in relation to identified SNAs.
- Permitted activity rules allow for activities that are generally appropriate and/or contribute to the values of SNAs, and resource consent is required to enable an assessment of activities that may be inappropriate or have adverse effects on the values of SNAs.
- Non-regulatory methods such as technical advice and rating relief and promotion will continue to be used in conjunction to the proposed provisions to achieve the proposed objectives.
- The policy framework also provides specific recognition of the cultural values and association tangata whenua have with their ancestral lands and taonga, and their kaitiaki role.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions.

12 Appendices

Appendix 1: Other Legislation and Policy Documents

Appendix 2: Process Undertaken for the Identification of Significant Natural Areas

Appendix 1: Other Legislation and Policy Documents

Statement of National Priorities for Protecting Rare and Threatened Biodiversity on Private Land 2007

This statement, which was issued by the Minister of Conservation and the Minister for the Environment contains four national priorities:

1. To protect native vegetation associated with land environments, (defined by Land Environments of New Zealand at level IV), that 20 per cent or less remaining in native cover.
2. To protect native vegetation associated with sand dunes and wetlands, ecosystem types that have become uncommon due to human activity.
3. To protect native vegetation associated with 'originally rare' terrestrial ecosystem types not already covered by priorities 1 and 2.
4. To protect habitat of acutely and chronically threatened native species.

Conservation Act 1987

The Conservation Act 1987 created the existence of the Department of Conservation (DOC) and promotes the conservation of New Zealand's natural and historic resources. DOC is the principal central government agency involved in the conservation of biodiversity. Its role is broad and multifaceted operating under a number of different statutes, including the Conservation Act 1987, the National Parks Act 1980, the Wildlife Act 1953 and the Reserves Act 1977. DOC is responsible for managing the public conservation estate, which includes national parks, marine reserves and other conservation areas. DOC is also responsible for protecting native plants and animals. All native animals are Crown property and the department has considerable experience and expertise in wildlife management, including threatened species recovery. DOC has a strong advocacy role, promoting conservation and administering funding grants.

National Parks Act 1980

The National Parks Act 1980 aims to preserve our national parks in perpetuity for their intrinsic worth and for the benefit use and enjoyment of the public.

Wildlife Act 1953

The Wildlife Act deals with the protection and control of wild animals and birds and the management of game. Permits are necessary to deal with certain wildlife.

Forests Act 1949

The harvesting, milling and exporting of indigenous timber is managed under the Forests Act 1949, administered by the Ministry of Primary Industries. Under the Act, native timber can only be taken from forests in a way that maintains forest cover and ecological balance.

Biosecurity Act 1993

The Biosecurity Act provides the legal framework for the Ministry for Primary Industries and others to help keep harmful organisms out of New Zealand.

Appendix 2: Process Undertaken for the Identification of Significant Natural Areas

Following the 2005 case, the Council, with the help of Wildland Consultants Ltd (Wildlands), began a project, undertaken from 2007 to 2012, to determine if any other natural areas meet the criteria for SNA.

The following process was carried out:

Stage 1 -Identification via desktop analysis

Wildlands reviewed the list of the 32 SNA listed in the Operative plan and began to identify other unprotected natural areas which had the potential of meet the criteria set out in Appendix 21.1 of the Operative District Plan. The Desktop exercise involved the use of two databases: the Land Environments of New Zealand (LENZ) database¹² developed by Landcare Research, and the Landcover Database 2nd edition (LCDB2) data set (Terralink 2004). Together these databases build a picture of the land environment which existed prior to human settlement, by quantifying land cover, and consider environmental variables such as rainfall, water vapour pressure and temperature.

This data was then overlaid on aerial photographs of the district. Colour coding was used to show natural areas in the threatened land environment as predicted by LENZ. The existing SNA layer and protected land layer were also overlaid onto the aerial photograph. The resulting maps were then assessed visually, and extremely small fragmented areas, or areas of exotic vegetation were removed. This resulted in the identification of 363 Likely Significant Natural Areas (LSNAs). These 363 were not field checked but the information was peer reviewed by the Department of Conservation in 2012 who supported the methodology used by Wildlands in the identification of the LSNA sites.

While it is acknowledged that LCDB2 contains a number of discrepancies, mainly the confusion of natural and planted areas, the Environment Court case 2015 held that the use of this desktop methodology can be relied on to identify natural areas and assess them for significance.

In 2016, as a result of the findings of the 2015 Court case the Council began a process to incorporate the additional 363 identified by Wildlands¹³.

Stage 2 – Landowner liaison and field checks

Following the 2015 Environment Court case the Council began a process of informing landowners, and offering field checks to 'ground-truth' the desktop study findings.

After landowner consultation and field checking, the number of LSNA were reduced to 343, covering 19,765 hectares and these additional SNA are included in the online Draft District Plan, which was publicly released on 5 February 2018.

¹² Leathwick JR, Wilson G, Rutledge D, Wardle P, Morgan F, Johnston K, McLeod M, Kirkpatrick R (2003), Land environments of New Zealand. Auckland, New Zealand

¹³ Wildland Consultants Limited (March 2011) Desk-Top Analysis of Potential Significance in New Plymouth District.

In addition, 55,391 hectares of land is legally protected through various mechanisms such as public reserve, conservation land managed by DOC, Ngā Whenua Rahui or Queen Elizabeth II covenants. The combined area (District Plan and legal protection) covers about 37.2% of the New Plymouth District.

Stage 3 – Desktop tidy up (Removal of QEII covenant land from SNA, coastal LSNA, exotic vegetation and extremely small areas)

Removal of QEII covenanted land from SNA layer in the District Plan

The Council made an undertaking to landowners that areas of LSNA that had been put into QEII covenants would not be subject to District Plan rules. To implement this all QEII sites were removed from the LSNA District Plan layer. The local QEII representative also analysed the remaining slithers and recommended to Wildlands if these remaining areas on the boundary of the covenanted site should also be removed or retained.

Removal of coastal SNA

In Wildland's initial desktop analysis they identified a large SNA which ran the length of the coast, but excluded areas which were already protected or in public ownership. In total this single SNA covered parts of 196 individual private properties.

Before letters were sent to coastal SNA landowners the Council had this area peer reviewed by DOC and TRC. The conclusion of experts within those agencies is that the identification of such a large area was highly inaccurate and that there were no known records to support the inclusion of this area, as the coastal margins which are privately within the New Plymouth area are highly modified. Instead it was agreed that a general vegetation clearance rule within the coastal environment area was a valid consideration.

Urban SNAs

LSNAs within New Plymouth District were identified in a desktop exercise (Wildlands 2011). In 2017, 12 LSNA within urban areas of New Plymouth District were viewed from publicly accessible vantage points which resulted in the deletion of one LSNA and edits to the mapped boundaries of the remaining 11 LSNA (Wildlands 2017). In 2019, New Plymouth District Council commissioned Wildlands to prepare a schedule of these 11 urban SNAs for inclusion in the proposed District Plan, in accordance with S76 of the RMA.

The New Plymouth's urban area contains a relatively high percentage of native bush close to the centre of the city in New Zealand (8.9%, compared to a national average of 2%). Although the remnants in urban areas are small and tend to be in poorer condition and at a younger successional stage when compared to indigenous vegetation remnants in rural areas, there are still important at a landscape and biodiversity level.