



<b>Notes for:</b>	SDC Ecosystems & Indigenous Biodiversity Working Group –District Plan Review			<b>Date:</b>	15 August 2018
<b>Meeting held at:</b>	SDC Head Quarters, 2 Norman Kirk Drive, Rolleston				
<b>Time:</b>	3.10pm-6.45pm			<b>Room:</b>	Executive 1
<b>Name</b>	<b>Initis</b>	<b>Title/Role</b>	<b>Name</b>	<b>Initis</b>	<b>Title/Role</b>
<b>Working Group Members:</b>					
Murray Lemon	<b>Chair</b>	Chair (Councillor SDC)	Sefeti Erasito	<b>SE</b>	Te Taumutu Rūnanga
Ben Rhodes	<b>BR</b>	S & P Team Leader SDC	James Guild	<b>JG</b>	Landowner
Nicky Snoyink	<b>NS</b>	Forest & Bird	Peter Graham	<b>PG</b>	Landowner
Scott Pearson	<b>SP</b>	Fish & Game NZ	Hamish Rennie	<b>HR</b>	Landowner/ Waihora Ellesmere Trust
Jenny Ladley	<b>JL</b>	Landowner (University Canterbury)	Sam Leonard	<b>SL</b>	Environment Canterbury
<b>Apologies for Lateness</b>					
Ken Murray	<b>KM</b>	Department of Conservation	Elisha Young-Ebert	<b>EYE</b>	Federated Farmers
<b>In Attendance</b>					
Stephanie Styles	<b>SS</b>	Group Co-ordinator Planning Consultant (Boffa Miskell Ltd)	Scott Hoosen	<b>SH</b>	Consultant Ecologist (Boffa Miskell Ltd)
Andrew Mactier	<b>AM</b>	Strategy and Policy Planner SDC	Natasha Brown	<b>NB</b>	District Plan Review Administrator
Laurence Smith	<b>L</b>	Environment Canterbury	Emily Arthur-Moore	<b>EAM</b>	Fish & Game NZ



## Agenda:

Item #	Item	Lead
1.0	1. Follow up from last meeting: <ul style="list-style-type: none"> <li>Any issues arising from the minutes of the last meeting?</li> <li>Reminder on decisions made at the previous meeting:               <ul style="list-style-type: none"> <li>Range of decisions on permitted activities – see “straw man”</li> </ul> </li> <li>Any follow up questions or discussion from the group?</li> </ul>	CHAIR
2.0	2. Discussion on approach to rules: <ul style="list-style-type: none"> <li>Discussion based on the “straw man” concept and the options for general rules</li> <li>Reference material:               <ul style="list-style-type: none"> <li><b>Attachment 1</b> - a “straw man” for discussion</li> <li><b>Attachment 2</b> – prompts for general rules</li> <li><b>Attachment 3</b> - the existing Selwyn rules and comparable plan provisions</li> <li><b>Attachment 4</b> – sample definitions</li> <li><b>Attachment 6</b> - activity status explanations</li> </ul> </li> <li><u>Outputs</u>: group agreement on:               <ul style="list-style-type: none"> <li>basic framework for rules</li> <li>general approach to permitted activities</li> <li>general approach to activities in SNAs</li> <li>general approach to general rules</li> <li>definitions</li> </ul> </li> </ul> <p>[A final decision on these matters can be made at the next meeting.]</p>	SS / CHAIR
3.0	3. Next meeting: <ul style="list-style-type: none"> <li>What material or information does the group want to make a decision on rules?</li> <li>Any other information needed?</li> </ul>	SS
4.0	Next meeting:  <b>19 September 2018</b>	SS

## Notes:



The Chair opened the meeting at 3.10pm

Chair

- Discussed meeting etiquette. Terms of reference were referenced and it was confirmed that any differences will be noted in the minutes. Encouraged all members to participate fully and share their thoughts to achieve real collaboration.
- Welcomed Laurence Smith – Principal resource management advisor biosecurity from Environment Canterbury.
- Welcomed Emily Arthur-Moore (EAM) from Fish & Game NZ. The Chair clarified that Ms Arthur-Moore will hold 'observer' status for this working group meeting.
- Confirmed the minutes of the last meeting with no amendments.

Laurence gave a brief overview of his role and biosecurity practices at Environment Canterbury. The key points are:

- Spoke about the 'Biosecurity Strategy' which is part of the 'Canterbury Regional Pest Management Strategy'. The CRPMS is reviewed every 10 years.
- ECAN have a site-led programme in place to monitor biosecurity issues. Currently \$900k allocated to this and an aim to be pest led and avoid establishment.
- Concentration is on productive land (grassed pasture). When ECAN biosecurity officers are doing their inspections in the high country, they are recommending control strategies (non-invasive scenarios) and recording these conversations. Hill and high country areas are focussed on gorse and broom.

There was a discussion regarding how this will be implemented on the ground. An example was a question about how pine trees will be managed. ECAN answered that the management of conifers falls outside of the plan.

KM asked whether there are controls in the RMP for not planting specific species? Laurence answered that the plan sets out what landowners can do. ECAN have internal procedures that address this. An example was shared about farm biosecurity. It is about protecting any land from invasive pests ie: Hawkes Bay, Marlborough and Canterbury.

Laurence shared ECAN's approach to using their biosecurity units. Wash down units are available for all their field officers, and a wash down system has been developed. Farm biosecurity is a national issue, so the hygiene protocols have been developed to address this.

The Chair commented that the recent proliferation of *Mycoplasma bovis* was a catalyst for this approach.

## **1. RECAP**

There was a robust discussion last meeting in regards to the 'strawman approach'. It was decided that SS would draft the definitions and initial rules and share with the working group to agree on content.

The Chair invited SS to facilitate the next agenda item 'Discussion on approach to rules' and work through each rule.

KM raised an issue in regards to 'improved pasture' definition. It was decided that it will be covered later on in the meeting.



EAM commented that it was good to see the wetland definition included.

## 2. DISCUSSION ON APPROACH TO RULES

The following table contains comments from the August Biodiversity Working Group Meeting Minutes.

SS explained to the group that all feedback was collated and was divided into categories, as per the table below.

Feedback was sought from the group, and recorded in the comments section under each Rule.

EIB - R1	Clearance of Indigenous Vegetation (outside a SNA)	
All zones, but not within a SNA	<p><b>Activity Status: P</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1 Clearance of indigenous vegetation where it has been planted and/or managed as part of a domestic or public garden or has been planted for amenity purposes</li> <li>2 Clearance of indigenous vegetation where it has been planted and managed specifically for the purpose of harvesting</li> <li>3 Clearance of indigenous vegetation where it has grown up under an area of plantation forestry</li> <li>4 Clearance of indigenous vegetation where it is in accordance with an approved reserve management plan or conservation management strategy, or a registered conservation covenant or protective covenant</li> <li>5 Clearance of indigenous vegetation where specified in a biodiversity management plan</li> <li>6 Clearance of indigenous vegetation where it is within an area of improved pasture</li> <li>7 Clearance of indigenous vegetation where it is not located in a Significant Natural Area identified in Appendix 2 and on the Planning Maps and is not subject to rule EIB – R3</li> </ol>	<p><b>Activity status when compliance not achieved: NC</b></p>
<p><b>COMMENTS</b></p> <ul style="list-style-type: none"> <li>• EIB – R1/1 <ul style="list-style-type: none"> <li>◦ Permitted everywhere in the District. All agreed with this rule.</li> </ul> </li> <li>• EIB – R1/2 <ul style="list-style-type: none"> <li>◦ All agreed with this rule.</li> </ul> </li> <li>• EIB – R1/3 <ul style="list-style-type: none"> <li>◦ SS commented that this rule is consistent with the NES – Plantation Forestry (NesPF) – only in SNAs. The NesPF has two parts – Afforestation &amp; Reforestation.</li> <li>◦ SP has concerns around sediment control regarding water quality</li> <li>◦ SS suggested to look at Riparian Margins. Riparian margins include indigenous vegetation that has been left. It is more restrictive than SNAs.</li> </ul> </li> </ul>		



- EIB – R1/4
  - EYE asked for clarification on: What is the view if a registered covenant? Is it possible to split? So, if the covenant is in the SNA, then will it protect values within the SNA?
  - SH commented that it is seen as similar.
  - NS agrees with SH
  - SS asked the group whether they want to specify types of covenants?
  - The group answered, “No”.
  - BR commented on the wording – perhaps it should read “explicitly specified”.
  - KM commented that the National Park Management plan includes the Reserves Act.
  - **ACTION:** KM to review “National Park Management Plan” in context of this discussion, and feedback to the group next meeting.
  - In summary, agreement for SS to revise wording “explicitly specified”. If applied to SNA or not. This will be discussed at the next meeting, once KM provides feedback.
  - SH commented that Yarrs Lagoon is a good example.
- EIB – R1/5
  - All agreed with this rule, but further discussion to occur at next meeting with more information on biodiversity management plans.
- EIB – R1/6
  - The group discussed issues around improved pasture at length. There are many concerns over the scope of a definition and the nature of an associated rule. Many varied views.
  - Particular issues around balancing certainty and protection with the ability to continue to use farm land.
  - **ACTION:** SH to provide feedback to the next meeting on the impact of a rule on rare dryland species within improved pasture.
  - **ACTION:** Farmer representatives to provide feedback to the next meeting on the day to day impact of a rule on their own operations and potential issues that could resolve concerns.
  - It was decided to put this discussion on hold – awaiting consideration of issues and feedback from farmers to the group next meeting.
- EIB – R1/7
  - SS commented that this is a ‘fallback/placeholder rule’ – for anything that doesn’t fall in the other rules.
  - All agreed that this rule is applicable, but it’s unclear the effect of this. The discussion was put on hold for the moment. Discussion around the impact followed.
  - AM commented that it is critical that environments, ecosystems and species are identified. There was a discussion about what should and shouldn’t be on the list.
  - EYE asked why this rule was in this section, rather than in EIB – R3
  - AM asked whether the rules apply across the whole of the District, including Urban areas, or just rural areas. .
  - There was a short discussion on the clearing of indigenous vegetation. JL gave an example about cutting down the host plant of a pest tree (i.e. native mistletoe on a wilding pine spp.).
  - The Chair asked whether that situation would be covered by the proposed rules.
  - SS answered that it would through the general rules, if it’s on the species list.
  - SS clarified that if the details fall within R1/7, then exceptions will be redundant.
  - SS commented that R1/7 operates different to Rules 1/1-6 and may be moved to a different part of the rules.
- Summary:
  - Rules 1/1-3 agreed by group
  - Rules 1/4-7 to have further discussion at next meeting

EIB – R2

Clearance of Indigenous Vegetation (including within a SNA)



<p><b>All zones, all areas (including within a SNA)</b></p>	<p><b>Activity Status: P</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1 <b>Clearance of indigenous vegetation</b> for <b>maintenance, repair or replacement</b> of existing fences, vehicle tracks, roads, walkways, firebreaks, drains (except as specified in EIB – R4), man-made ponds or dams, waterway crossings, flood protection works administered by a Territorial Authority, or utilities</li> <li>2 <b>Clearance of indigenous vegetation</b> for <b>maintenance, repair or replacement</b> of existing <b>buildings</b></li> <li>3 <b>Clearance of indigenous vegetation</b> where trees cause an imminent danger to human life, structures or utilities</li> <li>4 <b>Clearance of indigenous vegetation</b> where it cannot be reasonably avoided in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993</li> <li>5 <b>Clearance of indigenous vegetation</b> by Ngāi Tahu whānui for the purposes of mahinga kai or other customary uses, where the clearance is in accordance with tikanga protocols, and where it is approved by Nga Rūnanga</li> </ol> <p><b>Note:</b> Nga Rūnanga shall notify the Selwyn District Council prior to such activities occurring and this rule does not override private property rights</p>	<p><b>Activity status when compliance not achieved:</b> NC</p>
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#### COMMENTS

- EIB – R2/1
  - SP asked about drains and how they fall in these rules.
  - SS answered that the application of this rule on drains would only apply to drains WITHOUT specific rules, including man-made ponds – yet to discuss whether to have specific rules for drains.
  - BR commented that it could be covered generally, and could be added to over time.
  - SS commented that some man-made bodies could have specific rules, all agreed this should be considered.
  - AM commented that a list was needed - to identify man-made ponds by definition or spatially.
  - BR commented that it is impinging on ability to manage water race if applied generally.
  - SH commented that drains will have mudfish and a range of at risk freshwater fish –, ie: long fin eel. In terms of the RPS, it could meet the criteria for significance.
  - The Chair commented that it is an evolving process and acknowledged the work that EAM from Fish and Game has conducted in this area.
  - SS clarified that the group cannot influence the consents implementation process.
  - AM asked about species not part of the restoration programme.
  - EAM commented that there is a separation between clearing exotics vs natives – it's different.
  - BR asked whether drains are SNAs or permitted?
  - AM answered that it is an iterative process
  - KM asked whether there is a conflict between drains vs utilities?
  - AM answered that it depends on the definition and is subject to the NPS.
  - There was a short discussion about the effect on utilities company. An example was given regarding an irrigation company. SS commented that if you take it out of the RMA, there are other processes such as Acts of Parliament. The Plan can be superseded. There is a Notice of Requirements process also.





- BR explained that there is a Plan Change process, so it can be dealt with in another way.
- Group agreed on the inclusion of all other parts of this rule.
- EIB – R2/2
  - SS made reference to Page 16 – “Definitions”. There was a discussion whether a building is a structure. The terms are used interchangeably. There are triggers that have a spatial element (ie: height). Different Councils have taken differing approaches.
  - KM gave an example and asked about clearing a totara tree.
  - SS answered that if it was for “maintenance, repair or replacement of an existing building” only, then it would apply. Clarification was given that this does not apply to an expansion of a building.
  - There was a discussion regarding curtilage and whether this was included?
  - BR answered that the rules need to be clear and specific (in terms of a set distance/parameters) or the rule should be removed.
  - SS asked the group whether parameters should be given?
  - The group agreed that “Yes”, there should be set parameters.
  - BR stated that he agrees with Rule 2/2 with set parameters added.
  - SS clarified that the definition won’t change, just when it applies.
  - **ACTION:** SS to bring back to the group what is a realistic area around surrounding buildings for clearance.
- EIB – R2/3
  - KM asked about ‘defendable areas’.
  - It was agreed that defendable areas are part of R2/2.
  - Group agreed with inclusion of this rule.
- EIB – R2/4
  - Key wording is where it cannot be ‘reasonably avoided’.
  - KM commented that the wording is problematic.
  - BR answered that it can’t be more specific.
  - SS suggested taking out the word ‘reasonable’
  - The Chair gave an example about maintaining land and putting a different means in place.
  - NS referred to the Biodiversity Management Plan
  - PG commented that it should not be made difficult for the landowner.
  - SL commented that the Pest Management Plan includes “productive land”.
  - SH asked whether there are approved methods of clearance?
  - SL answered that methods of clearance are outlined in the biodiversity management plan.
  - SP commented that there needs to be more discussion around vegetation clearance methods.
  - The Chair stated that an increase of biodiversity funds can be proposed, if needed.
  - The Chair summarised the discussion and asked that questions are channelled back through SL to discuss with Laurence.
  - SL agreed to gather feedback from Laurence, to feedback to the group next meeting. Laurence likely has experience with and access to past examples.
  - JL raised a concern about methodology becoming outdated, and gave an example of clearance methods.
  - SL answered that the biodiversity management plan could provide direction on this.
  - BR commented that it was challenging using management plans.
  - The Chair summarised that it comes back to the Biodiversity Management Plan, and the parameters to fit
- EIB – R2/5
  - Group agreed to wording around customary uses.



### 3. NEXT MEETING

**Chair – closed the meeting at 6.45pm.** Next meeting (19 September 2018) the focus will be on completing the permitted activity rules and progressing the general rules.

#### Action Table:

Team Member	Action
<b>KM</b>	EIB 1/4 - Review "National Park Management Plan" in context of this discussion, and feedback to the group next meeting.
<b>SH</b>	EIB 1/6 – feedback on impact of improved pasture rule on dryland species
<b>Farmer reps</b>	EIB 1/6 – feedback on impact of improved pasture rule on farming operation
<b>SS</b>	Rule EIB 2/2 - Determine what is a realistic curtilage area around surrounding buildings for clearance.
<b>SL</b>	EIB 2/4 Sam to get feedback from Laurence on approved methods of pest plant clearance
<b>AM</b>	Email to remind the group to send emails to SS o if they need any other information on the issue of improved pasture
	Email the group asking them to send any questions regarding the methods of pest management – to be passed on to Sam and Laurence at ECan.