



<b>Notes for:</b>	SDC Ecosystems & Indigenous Biodiversity Working Group –District Plan Review			<b>Date:</b>	18. July 2018
<b>Meeting held at:</b>	SDC Head Quarters, 2 Norman Kirk Drive, Rolleston				
<b>Time:</b>	3.10pm-6.35pm			<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)	Elisha Young-Ebert	<b>EYE</b>	Federated Farmers
Ben Rhodes	<b>BR</b>	S & P Team Leader SDC	Ken Murray	<b>KM</b>	Department of Conservation
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>	Waihora Ellesmere Trust
Jenny Ladley	<b>JL</b>	Landowner (University Canterbury)	Sam Leonard	<b>SL</b>	Environment Canterbury
Sefeti Erasito	<b>SE</b>	Te Taumutu Rūnanga	James Guild	<b>JG</b>	Landowner
<b>Apologies</b>					
<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			



## Agenda:

Item #	Item	Lead
1.0	Presentation by Scott Hooson – What are the ecological values of the Selwyn District? and an ecological perspective on general rules	SH
2.0	Refresher on last meeting:	SS / CHAIR
3.0	Discussion on Approach to rules	SS
4.0	Next meeting:	SS

## Notes:

Chair – Opened meeting at 3.10pm

Chair – Welcomed Scott Hooson (SH) – consultant ecologist from Boffa Miskell Ltd

### 1. SCOTT HOOSON PRESENTATION

**SH** gave a presentation on the ecological values of the Selwyn District, followed by an ecological perspective on general rules.

**Chair** thanked SH for the presentation then asked the Working Group whether there were any questions.

**BR** – From SH perspective – how do the operative Plan rules stack up against other examples around the country?

**SH** – Not all second generation Plans get it right, but there will be examples out there that are worth looking at

**NS** – Noted that good baseline surveys and information is needed. How much do we know about the District – from an ecological perspective?

**SH** – Some areas we know better than others – for example Te Waihora, while many others there is limited information.

**HR** – Often ecologists disagree on the values when they appear in Hearings or the Courts – How do we make sure there is agreement between ecologists – is there a place for ecological reports to be peer reviewed?

**SH** – Often differences are in the interpretation of the rules or assessment criteria. With RPS criteria those differences should be narrowed. Differences can also occur due to the



nature of the investigation/assessment, especially when constrained by time/cost. Peer review is important, within Boffa Miskell all assessments are peer reviewed internally.

**KM** – Raised the issue of fish in drains and encroachment issues associated with river beds.

**SH** – Agreed – referred back to presentation where he spoke about reliance of some indigenous fauna on exotic ecosystems (such as willows and water races)

## **2. REFRESHER ON LAST MEETING:**

**CHAIR** – Asked whether there were any further corrections to be made to the minutes of the last meeting.

**SP** – queried the rationale for the decision on **proposal 3(b)** *(That not only is participation in the assessment process voluntary, but also once a site has been assessed and deemed to be significant in accord with the CRPS SNA Assessment Criteria, then listing in the District Plan is also voluntary).*

**SS, AM and BR** – Provided background context and reasons – including that if sites not listed in the Plan that they are still subject to the general vegetation clearance rules,. Also commentary around the use of LIMS to highlight values on a property. The intent with the process policy identifying the ongoing SNA process is to reinforce the need for SNA identification and the intent to include these in the Plan where possible.

**NS** – What if people still do the wrong things and destroy habitat.

**BR** – We have the baseline data collected through the SNA assessment – the general vegetation rules would then come into play (and need to align with various vegetation types likely to be found in SNAs, or at least offer protection to sites that have been identified as SNA but which are not listed in the Plan)

**PG** – How long are the SNA records kept on property files?

**SS** – in perpetuity – unlike financial records which have a limited shelf life.

**SP** – Do we need a policy to direct the keeping of records?

**PG** - What happens if the values degrade over time?

**AM** – Then we have failed in our duty to manage and protect those values.

**SH** – Has the Council, or the Working Group given any thought to providing incentives to list SNA's?

**NS** – Council's duty under the RMA more than just identification and protection of SNA/6(c) – Council also need to give effect to s31(1)(b)(iii) – the maintenance of indigenous biological diversity



### **3. DISCUSSION ON RULES**

**SS** – The last few sessions have all been leading to this discussion. This issue is huge and decisions may not be finalised tonight.

**Chair** – Perhaps look at the operative District Plan Rules?

**SS** – Need to be cautious about that as they are very dated, and were only intended to be interim rules. Discussed the rules and their structure

**BR** - Is this a common or uncommon structure, or are more recent Plan's moving away from this?

**SS** – There is no consistent approach

**Chair** – Has Timaru District Council used this approach?

**SS** – There is no consistent approach

**SH** – The current rules talk about what you can't do – maybe look at structure so that the rules are more about what you can do.

**KM** – Noted the split of functions between ECan and SDC in relation to wetlands and river beds.

**Chair** – noted discussions at the Selwyn Waihora Zone Committee regarding Wetland vs wetted pasture

**SS** – Questions around exploring specifics about definitions to ensure that rules are clear and cover the matters relevant to the district council.

**HR** – Definition of vegetation – means more than 1 plant not individual plants – how is that defined?

**JG** – Have the current rules package worked?

**SS** – Comes back to baseline data and what we know

**JG** – Is there a general consensus that we want to avoid overregulation? Noted that there is a lot of detail that he feels he is not qualified to comment on. Do we know about the implications of regulation Feeling uncomfortable about working on the detail of rules.

**SS** – Rules need to be clear including which rules apply to which plants etc. – To aid identification could have links to photos/descriptions (in response to comment that lay people may not know Latin names). Could come up with a 'Strawman' set of provisions – but don't want to be seen to be imposing on the Working Groups role in coming up with a preferred option – and still struggling to get a sense of the Working Groups middle ground to the extent that I could craft a set of draft rules.



**Chair** -That may not be a silly idea – gets us to the point of writing a set of strawman rules to prompt further discussion. What more do you need from the working Group to get an understanding of that middle ground that you don't currently have?

**PG** – Lets just start at number 1 (Permitted activities as set out in Attachment 3) and see how far we get.

**KM** – Issues with new utilities – such as drains

**PG** – Fences not always where they should be how do you write a rule for that?  
Currently going through a process of re-aligning fences – don't want to get bogged down in detail – if you straighten a fence you should be exempt from compliance with rules

**SS** – Issue is how to be flexible enough to allow for some minor realignments, without being so flexible that works can occur in a different area and impact on significant values

**KM** – Happy for Sheep fence or 2m deer fence to be exempt – may be an issue if buildings were exempt. Do we want drains to be exempt from rules as well?

**BR** – Drains should be exempt – issues are dealt with by operational plans.

**KM** – Exempt all existing drains, other than those in a specified area to be spatially defined to pick up the main mudfish populations locations

**Agreed Exemptions:**

- Existing facilities including fences, tracks/roads, walkways, firebreaks, created ponds/dams, utilities, waterway crossings, and Buildings/structures exempt subject to Working Group reviewing Strawman rules, and associated definitions.
- Amenity Planting as per Timaru approach
- Where in accordance with management plan or conservation covenant
- Where specified in a biodiversity management plan
- For customary harvest/cultural purposes (need to get advice from MKT regarding whether a process similar to TDC use - i.e. where monitoring carried out by kaitiaki, 'permit' issued by Rūnanga, and only for Rūnanga affiliates)
- Any other vegetation clearance not captured by the rules
- Within plantation forestry (SP – noted some issues if adjacent to waterways. AM and others noted this likely covered by NES – PF)
- Causes imminent danger to people etc. (SL queried whether this excludes fire risk?)
- Necessary for the removals of pest plants (HR noted shouldn't be a permitted activity; PG Argued should be exempt – discussions around notices of direction from ECan SL to investigate)
- Agreed that only the existing facilities, pest management and customary harvest provisions should “trump” SNA rules

Working Group to come back to the issue of Clearance in improved pasture and clearance on land that has been the subject of land clearance in previous x years.

**Chair – closed the meeting at 6.35 pm.** Next meeting (15 August 2018) the focus will be continued discussion on Rules ('Strawman'),



**Action Table:**

Team Member	Action