

## Biodiversity principles

Generally OK objectives but they are not correctly translated into rules. E.g objective 1 – if only dealing with significant biodiversity, that would be OK, but the rules appear to be targeting all biodiversity.

Objectives 2 should split into 2

- (i) relating to restoration and enhancement
- (ii) relating to legal protection

Two different objectives

Overarching feedback

- feel they are good – devil is in the detail
- Why only native species protected? – birdlife requires variety of food sources
- doesn't take account of right + care for private property holders
- Need to balance against council's emphasis on the need for development across urban and neighbourhood area
- Recognising that rewarding protection of indigenous biodiversity as the starting point
- Issue of resourcing to achieve objectives – how this is allocated – put money in right place to make things happen – local experts. A well organised community can monitor the few more effectively
- Not enough focussing on non-significant areas – some areas are significant to locals - need ability to nominate
- Less studies – more action - Weight conflicting concerns / responses
- Is encouraging restoration and enhancement enough?
- Restoration comes at a cost
- Needs to be more recognition of the fact that land owners look after their land / biodiversity.
- protection comes at a cost
- Urban and rural should have a different approach
- Definition of significant is critical
- Need large biodiversity nodes plus corridors – importance of urban areas – loss of backyards
- Weed problems outside (ESP adjacent to SEAs) the SEAs – need for buffer areas around SEAs; not an island suggested: 50m buffer
- Have SEAs been correctly identified?
- Need to separate this issue from principles
- Non-regulatory methods (e.g policy 2) should not be limited to identified SEAs
- Biodiversity nodes need to be not more than 20m apart
- Lack of focus on 'what's important'
- No room for restoration of degraded area.
- Question whether Waitakere Ranges + Hauraki Gulf should be picked out – separate legislation
- Landowner backlash – a stepped assessment of SEA

### **Communication and education**

- packages need to be user-friendly to all audiences
- Targeted communications to specific audiences – including freshwater areas / stormwater mitigating risks – ensure we have this! Increase this to reach objectives – partnerships working with interest groups / community volunteer
- Need for education by council regarding weed control
- showcase to overseas visitors eg public + private partnerships
- more focus on education, especially to communities + owners of SEAs

### **Also need to include**

Manukau + Kaipara Harbours

Hunua should be added (to No. 3)

Regional parks

## SEAs

- Broad perspectives: less prescriptive regulations – more education + support to land owners
- Need to explain clearly the reasons for the rule eg shade management, tree roots, fire protection
- Landowners in SEA areas are generally keen and committed+ ‘doing good’ but the rule-based approach almost casts them as the ‘villains’.

SEAs – have only 4.5% of these in urban area

- we need to encourage development of SEAs in city for amenity values etc.

- Risk of community ignoring overly-restrictive regulations ‘loony greenies’

Needs to be high value land to be worthwhile

Urban environment is part of the amenity value

Rates remission on covenanted bush rural

Urban areas

Doesn't address the broader biodiversity issues across the wider region – allows degradation

- issue of intensification on biodiversity with smaller section etc

Example of Marlborough District Council who worked with all affected landowners to develop individual property plans

There are examples of how council has worked well with householders to address issues

## Pruning of Indigenous Vegetation within SEAs

- general agreement on need for pruning – some support for retention of 3 meters but could extend to 4.5 to 5m.
- 3m rules conflicts with 4.5m<sup>2</sup> area ‘directly accessible to private outdoor living space’
- proposed rule too onerous
- include damage from other trees.
- Local circumstances should dictate process (large lot sizes vs urban areas)
- Empower communities to monitor objectives
- (permitted activities but with other strategies)
- In public places where communities are affected by “other council objectives” need a mediation process.
- Fire risk – not just houses – rural issue – isolation
- Other rules – height, slope, type of vegetation
- Blanket rule – different urban / rural (20m? Over 3m tall)
- Apply rule to outer 3m from edge
- refer to ‘old rule’ – 7m + x%pa – limitation
- Need more restrictive rules for urban areas (note not SEAs)
- Suggest – legacy rules are better (e.g. 20%)
- need range of measures rural / urban different possible to use a ‘light shaft’ rule, similar to building consent rule
- protecting assets / infrastructure
- free applications
- non-notified

- controlled activity should include services
- clearance around services should be permitted
- New tracks non-notified – restricted discretionary
  - Little trust that council maintains privacy of complainants
  - Effect on vegetation over time – devt in SEAs set expectations for light
  - Dwellings – should not cut into edge of SEA – people want: light, access, views
  - Expectations of people buying into an area
  - Growth of trees over time affects amenity over time – need a consent every year?
  - Prune to boundary? Pruning can be beneficial for plants and trees

### **Deadwood Removals**

Overarching View

One size doesn't fit all / get the balance

Situations are different so more about education than regulation

Support - with landowners + provide ecological protection

Encourage - with landowners + provide ecological protection

Work - with landowners + provide ecological protection

e.g helping to fence a stream

### Issues

- pests, weeds – can manage with poison
- no support for retaining current rule
- X - should be able to remove deadwood within \_ meters of SEA within a house sight line.
- dead trees standing should be cut down in accordance with arboricultural practice for firewood.
- Within 10m P, status quo, (P)
- Argentine ants (biosecurity) permitted activity not enough
- Natural hazard management (e.g. Keri Keri) depend on topography
- Firewood collectors can be a nuisance
- Reorganise deadwood rather than removal
- Need appropriate threshold between all and none
- Emergency tree works cover hazardous trees
- Criteria 1 if it is a habitat for a threatened species, need to be kept
  - 2 impact on capacity of surrounding habitat to support displaced species
  - 3 felled in a controlled manner to protect species
- deadwood can restrict access
- Issue – the cost of getting arborist
- Issue with hazards
- standing dead wood should be permitted
- rates relief if stock excluded and active weed / pest management
- help with weed control
- rates relief in urban to make up for lost potential

- deadwood a hazard but need to educate why deadwood has eco value.

### **Incentives for owners of SEAs**

- rates relief according to % of area because adding to benefit of area
- pest/weed control assistance eg bins / bags
- SEA Club card – gives discounts for plants etc, gardening supplies
- More speedy assistance of Council on request
  - Free workshops
  - Growsafe qualification
  - Animals and plants
  - Streamside assistance
  - Loan of backpack sprayers
  - assistance for enhancement planting and walking tracks to enjoy bush
  - Assessed no consent – support it through to completion to ensure work appropriate (e.g. free-non-notified consent)
  - Expert advice readily / freely available and if apt. - Ratio of parks and user ur vs population reducing so need incentives for private property owners – monetary? – cover costs of looking after the area (at least), free tickets to the dump?
  - Fencing
  - Free weed bins (eg in Piha) available in other areas
    - Consistent biodiversity incentives scheme across region
  - Where support from community (e.g. local boards and deputised) greater empowerment to improve biodiversity outcomes
  - UP integrated with biosecurity (e.g. arg ants and other pests, rabbits) support other plans / strategies – blanket rules not enough – combination of scientific / ecological factors and discreet communities (e.g. precinct planning)
  - Issues for management in specific communities (e.g sandspit totara forests need little support due to lot sizes)
  - View shafts and moisture concerns need to be accommodated in rules.
  - Development rights with legal caveats for smaller projects (not just transferrable development rights)
  - rural areas – transferable titles were an incentive
  - council needs to play lead role to encourage and support and educate.
  - have put a lot of restrictions on rural landowners
  - needs flexible mechanism
  - process + the lack of information about the reasons for this
  - - assumption 're property ownership – involve the 'goal' org e.g individual property plans
  - when will this be done again? – review process
  - strongly supported – acknowledging the cost + contribution of land owners to the wider community environment
  - Drop controls
  - Low impact on urban land

- Put resources into education

### **Exotic Tree (removal)**

Permit the removal subject to controls eg managing erosion

Should include not just trees but bushes

Some feeling that removal should only be for pest plants

Proposed rules too restrictive

Need to recognise role of exotic species in the ecosystem

How do you take out exotics without affecting fauna

Education and guidance – including info on best practise

### Discussion

- Target specific species in specific areas (e.g. pines woodhill)
- Banksia, and black locusts, tree lucern provide valuable ecoservices - need this to be recognised
- Remove all non-natives or retain link with RPMS?
- Allow people to manage their properties / will people know what's native?
- Restriction linked to height / size of trees?
- Concern about amount of staff time needed to assess this
- Significance of the SEA could be used as a criteria
- Allow for removal apart from heritage trees/vegetation
- Like permission to remove exotic trees in native vegetation
- Cost of getting an arborist etc
- need to look @ tree planting + rules in urban areas.
- Issues need to be explicit on property info
- Note the 'perverse disincentives' with the protection of native trees
- Issue re building rights
- need a degree of flexibility in application
- General principle to allow land owner removal of exotic trees
- EXCEPT for scheduled / protected trees
- recognise differences in urban + rural areas.
- should include not just trees but bushes
- some feeling that removal should only be for pest plants.
- Removal of Exotic Trees within SEAs - permit these, subject to guidelines e.g. managing erosion.
- check other vegetation e.g. bushes.
- 1 Broaden to all non-natives (except protected trees)
- Too restrictive to limit to RPMS
- \*buffer = contiguous vegetation
- Non-RPMs weeds include Pine; Magnolia (flametree)
- need to take into consideration the urban forest network / corridors

Coastal Yards – cliff top properties vs blanket buffers

- Existing / established development – sometimes erosion protects structures

## Significant Ecological Area (SEA) Discussion:

### General discussions + questions

- when will the SEA locations be renewed? Need to have a review process in place (5 yrs?)

- Example of Marlborough DC process which worked with all affected landowners to develop individual property plans etc
- The rationale for SEAs + details of them haven't been well articulated.
- The process has been rather arbitrary to date – there are examples of how council has worked well with householders to address issues.

### Broader notes / comments

- Beware of perverse incentive – i.e. people not planting native trees because they might face problems later about pruning them
- Need to generate a community-driven response – land owners being involved in maintaining the biodiversity values.
- Need to also look at the non-SEA areas as biodiversity + green spaces are critical throughout the region

Feeling that the environmental burden is unfairly resting on landowners **of SEA property.**

- Benefits of vegetation across the region need to be promoted.
- No difficulty with principles per SEA but they need to be 'nuanced' in their application
- One size doesn't fit all situations

## **Mangrove Management**

Why are mangroves treated differently to other biodiversity issues e.g. why not a general resource consent process as with other issues?

### **1996 date**

- misleading date 1980? Maps palatable
- easy to change with evidence
- scientific evidence questionable e.g. banded rail
- data missing from Waiuku – have caused damage e.g. to mussel beds
- should be able to provide evidence to support mangrove removal from earlier date than 1996
- 1996 date – largely irrelevant; deal with the wider rule.
- Earlier date if evidence is available.
- Information is available back to 1940
- 1996 appropriate if unitary plan includes sufficient regulation of sedimentation – symptom of wider environmental issue of sediment and nutrient input
- 1996 environment court has thrown out arbitrary dates – need to take into account issues in coastal areas. No rationale for any date.

### **Decision-making process**

- Removal of mangroves without landowner / iwi approval
- add to permitted standard – rule not needed
- approval of adjacent landowners (including DoC as landowner).
- notice given to iwi
- Consent shouldn't be required from adjacent landowners but from the community
- Doesn't seem right to remove without talking to community and council
- To get approval where there's a myriad of landowners long winded need to be consulted but benefit to getting agreement.
- local management and knowledge important

### **Mangrove removal**

- If considering removal – need to look at ecological values – subject to a community decision because land is publicly owned
- If you identify an area where the driver is being addressed, no problem with removing mangroves
- Should be a discretionary permit for large-scale removal – monitoring required \*use of a permit rather than a consent
  - Boat ramps – lump into category of approved infrastructure
  - NZ CPS – Council officers to discuss with DOC consented – significance thresholds 30m<sup>2</sup> small
  - Loss of salt marsh areas – consented, not consented
  - - removal of mangroves to allow public access / use of boat ramps / marae – supported as permitted activity
  - Any mangroves outside SEA could be able to be removed without a resource consent PROVIDING stage 2 has been completed

- We need to encourage enhancement of SEAs in urban area.

Council manage mangroves since 1996 – would need performance indicator

- access to experts / timely (can't council do this?)
- mitigating actions?
- need more riparian planting

Phasing of options – “should be a permitted activity except”...

- less consents expensive time-consuming
- access to boat ramps etc – should be permitted – no discussion needed
- holistic view – deal with underlying issues
- contaminants – fine them – riparian planting – improve water flow
  - Salt marsh/sea grass – should be able to map with aerial photography – don't feel that these should be in mangrove areas
  - Everyone pays contribution e.g. from rates to clean up Manukau Harbour – council leads by example, need landowner buy-in
  - Raglan pilot with just one landowner – now been taken up by others and has improved biodiversity in the harbour
  - Education also important – impact of actions further down chain schools are doing good job – not enough
- Recreational opportunities and other amenity for land owners, visitors to esplanade areas
- Proactive approach to support
- Focus should be on best practice options
  - Support for phase 2 based on trial and error – plan change holistic approach to integrated catchment management
  - Better to focus on holistic management approach (e.g. hydrology, sedimentation, tidal characteristics)
  - For phase 1 – wrong date
- Approvals no, partnerships
- Non-notified, controlled only (not RD, D)
- Forestry allowing farmers soil erosion septic tanks

### **Erosion**

- Council should identify areas subject to coastal erosion. Has a statutory obligation.
- Saltgrass + seamarsh – education required to tell people about value. Require method of removal

### **Wider Issues**

- Mangrove removal + spread is a consequence of wider issues of silt + sedimentation. If these issues are not addressed then a limited focus on mangrove removal is ineffective.
- Need to recognise differences in different harbours / sites– and develop catchment specific plans

Guiding principles:

- What are the biodiversity / ecological values of this catchment , and how can we manage them?

Overriding question:

- Has mangrove removal achieved its objectives (eg of decreased sedimentation, inter tidal flow etc)

Cost

- A problem – cost of removal – cost of consents s/b bore by council
  - Cost too high – general public shouldn't bear the cost – not community fault
  - Costs of management justify permissive approach – flow on benefits further justification e.g. navigation, access to spoonbills, cultural opportunities
- One consent only should be needed over an area not an individual consent for each project.
  - more collaborative working for solutions e.g. mana whenua, DOC, adjacent landowners
  - pre-hearing approach through local board
  - reduce need for legal formal process
  - time key performance indicator (keep it quick)
  - dedicated funding – stormwater, riparian margins
  - Cost of consents: - small removal should be permitted
  - Issue is council has not controlled sediment – needs to be sorted
  - Cost need to be relative to size + scale of activity
  - could reduce costs by community involvement / knowledge rather than expert advice
  - Permit shouldn't cost anything
  - Cost of removal should be borne by council because it is the result of poor policy historically.

Not advocating wholesale clearances – get on with it!!

## Other issues

- Lack of consultation
- Principles not the issue but poor process + treatment of landowners as adversary
- Implementation issue
- Lack of consultation on co groups on public land
- Better look @ overall matrix