



STAFF REPORT

TO: Environment & Planning Committee

FROM: Lindsay Vaughan, Biosecurity Coordinator/Policy Planner

REFERENCE: B120

SUBJECT: **BRIEFING PAPER ON BIODIVERSITY MANAGEMENT IN TASMAN DISTRICT - REPORT EP07/05/04** - Report prepared for 9 May 2007 Meeting

1. PURPOSE

The purpose of this paper is to provide an overview to Council of the work that has been done on biodiversity management in Tasman District, to note that further work is proposed, and that further information will be provided in a report in June.

2. STATUTORY RESPONSIBILITIES FOR BIODIVERSITY MANAGEMENT

The Resource Management Act 1991 (S 6) has a number of principles that are to be recognised and provided for as matters of national importance. The two principles that are particularly relevant to biodiversity management are:

S 6(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.

S 6(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

As a unitary authority, the Council also has the following functions in relation to biodiversity management:

S 30(1)(ga): The establishment, implementation and review of objectives, policies, and methods for maintaining indigenous biodiversity

S 31(1)(b) The control of any actual or potential effects of the use, development, or protection of land, including the maintenance of indigenous biodiversity.

These matters are recognised in the Tasman Regional Policy Statement (*Issue 6.3 Protection and enhancement of significant indigenous vegetation, plant and animal habitats and natural and heritage features in the District*) and a number of objectives and policies.

These are also recognised in several sections of the Tasman Resource Management Plan. Chapter 10 contains Objective 10.1A.0:

Protection and enhancement of biological diversity and integrity of terrestrial, freshwater and coastal ecosystems, communities and species.

The associated policies refer to the protection of significant indigenous vegetation and habitats, with methods covering rules, investigations into significant natural areas, provision of information, advice, assistance and advocacy to landowners in the enhancement of natural values on their land.

Chapter 17 contains the Zone Rules; within the three rural zones and the rural-residential zone, there are rules that deal with the destruction and removal of indigenous vegetation and forest. Chapter 18.11 and 18.13 contain the rules associated with modification of significant natural areas and Schedule 18.1C lists the Significant Natural Areas currently shown within the District.

3. BACKGROUND

The Tasman Resource Management Plan was publicly notified in 1996. Longer-serving councillors will recall the very strong public response to the inclusion of significant natural areas (previously natural heritage areas) in the Plan in the absence of landowner consultation and Council's decision to withdraw the majority of these areas from the Plan. This was followed by the development of general rural zone rules for indigenous vegetation and forest removal, and for wetland drainage and vegetation removal. Decisions on submissions in the late 1990s resulted in additions and amendments to those rules. It was always intended that there would be an investigation into remnant vegetation to assess their significance (Methods of Implementation 10.1A.20 b (i)).

As reported on 7 February 2007, several appeals relating to the rules affecting these activities were resolved after several years of negotiations. In addition to specific amendments to rural zone rules, the Plan method for collaborative investigation into Significant Natural Areas (SNAs) was further developed. The signing of a Consent Memorandum was assisted by the adoption of a side agreement in which the parties agreed to complete and sign a Memorandum of Understanding by 30 June 2007 that describes the SNA investigation process to be followed by Tasman District Council in conjunction with landowners, Department of Conservation, Federated Farmers, Forest and Bird Society, and others. This process will bring a draft Memorandum of Understanding to the Committee in June for consideration.

There has been a gradual move away from the use of the Significant Natural Areas to the use of the term Biodiversity, a much broader term. Biodiversity (or biological diversity) is described as being all forms of biological life – plants, animals, fungi and micro-organisms – their genes and the communities and ecosystems in which they live. These include terrestrial, freshwater and marine ecosystems.

4. BIODIVERSITY WORK IN TASMAN

The Tasman Natural Areas Enhancement Group was established in 2002 and has met at six-monthly intervals over the last five years. The meetings have focused on attracting high quality speakers to present information on a wide range of ecological issues as well as providing a forum to encourage and support community leaders who are involved in managing restoration projects. They have continued to attract strong support from a wide cross-section of the community with attendances of

30 - 40 from agencies, organisations and individuals. Council has supported the Group by providing a staff member to organise and chair meetings and by making meeting facilities available. A number of councillors and staff members have also attended the meetings. Speakers have included Dr Philip Simpson (on rata), Dr David Butler (on wildlife), Dr Peter Williams (on weeds), Peter Gaze (on native birds), Ian Millar (on insects) and Martin Rutledge (on native fish).

The Tasman Environmental Trust was set up in 2001 with the purpose of assisting in the protection and restoration of natural areas within Tasman District. Projects involving the Trust, usually working with other parties including Council, include a major restoration project at Pearl Creek, the development of walkways along the Waimea and Wai-iti River banks, assisting landowners with management of their QEII covenants, developing a plan for the proposed Waimea Regional Park, and administering the Cobb Power Ltd Mitigation Fund for projects that will enhance freshwater resources in Golden Bay. Council has supported the Group by providing a staff member to administer the Trust, support Trustees and manage the Pearl Creek project.

The Council has also organised field days in association with outside organisations. One very successful workshop on planting native forest, organised in association with Tane's Tree Trust in 2006, attracted more than 80 people.

The Council has been very successful in bidding for co-funding for local projects from the Biodiversity Condition and Advice Fund, a fund set up by central government to support implementation of the Biodiversity Strategy. Since 2002, over \$220,000 has been approved for advisory and condition-funded projects in Tasman District; this has been matched with funding from TDC, QEII and TET. This has been used to:

- Provide landowners in Tasman District with free biodiversity advice. Over one hundred requests have been received over the last four years; more than ninety have now received visits and written or verbal reports.
- Run a series of workshops for landowners on controlling predators and plant pests
- Assist landowners with pest control and fencing in covenanted sites.
- Assist community groups that managing major conservation projects and involved in predator control with additional traps and advice on improving the effectiveness of their existing predator control programmes

The Council has also undertaken work on the identification and assessment of wetlands, commencing with an overview in 2000. An initial survey of wetlands in Tasman District was completed in 2002 using the topographic maps and aerial photographs. This work is currently being updated using the updated aerial photos of rural Tasman to provide more accurate locational data and a preliminary assessment of the type and ecological significance of the wetlands.

In 2004, Council commissioned two eminent botanists, Philip Simpson and Geoff Walls, to provide an overview of indigenous vegetation on private land within Tasman District; their report highlighted the huge diversity of ecosystems in Tasman District, while listing those that were most poorly represented. The overview was published in 2004 and provided a comprehensive description of remaining ecosystem types in ecological districts across the District, with information on values, threats and management issues.

In 2006, Dr David Butler was commissioned to report on the native animals (vertebrates and invertebrates) that are present within the District. His report is in draft form and will be ready for publication within the next two months. He notes that Tasman is one of the most biologically rich districts in the country; this is partly a function of its geological complexity and its history of uplift, faulting, glaciation, and changes in sea level.

Proposed Biodiversity Work in Tasman

Central government had been considering the need to produce a National Policy Statement on Biodiversity; there were differing views being promoted by the Department of Conservation and the Ministry for the Environment. It has recently decided not to proceed with this. On 27 April, it released the Statement of National Priorities. A summary of this Statement is attached (Appendix 1). It affirms that local government will be responsible for ensuring protection of nationally significant areas of biodiversity on private land and emphasises that existing funding provisions will be used to achieve these outcomes. These include the Biodiversity Condition and Advice Fund and the funding channelled through agencies such as the QEII National Trust and the National Heritage Trust. They have also indicated that they will be monitoring progress on biodiversity protection over the next five years. It is clear that regional government will need to undertake biodiversity assessment work of high value sites on private land, assess their management needs and monitor their condition over time. It would be logical to look at methods of assisting landowners with a range of programmes for fencing for stock exclusion and predator and weed control in areas set aside for biodiversity protection.

A number of councils have already been involved in setting up programmes to identify significant natural areas. One of the most successful programmes has been running in Marlborough District for the last six years and is based on voluntary participation by landowners, inspection by botanists and the landowner (where possible), the provision of the draft report to landowners for comment, and access to a landowner assistance programme to assist them with stock exclusion and pest control (weeds, predators and browsing animals). It has resulted in uptake by around 70% of the landowners. One key feature of this programme has been effective communication with landowners and the use of an independent person outside council to liaise with landowners and arrange the programme for the botanists.

A group of signatories associated with one of the Consent Memorandum arising from the resolution of the Plan appeals have been working on a biodiversity assessment proposal for Tasman. This proposal will be put before Council in June for approval. It will contain information on methodology, communication, storage and use of biodiversity data, and options for time frames and resource requirements.

5. RECOMMENDATIONS

It is recommended that the Committee:

1. **receive** this report for information
2. **note** that further work is proposed, and that further information on the proposed collaborative process for investigating significant natural areas will be provided in a report in June.

Lindsay Vaughan
Policy Planner

Message from the Ministers

Private landowners have a crucial role to play in saving New Zealand's at-risk native plants and animals. Some of our most rare and threatened ecosystems and species are now found only on private land; their long term survival will depend largely on the stewardship (kaitiakitanga) of landowners.

We are fortunate in New Zealand because many of our landowners are already showing a growing interest in and commitment to conservation. To build on this, and stimulate new thinking, the government has been exploring ways of supporting and encouraging private landowners in their endeavours.

We have already established a fund to provide financial assistance for conservation work on private land, and over \$10 million has been given in grants. Another \$40.6 million has also been provided through agencies like the QE II Trust and Nga Whenua Rahui to help people covenant private land.

Nevertheless, there remains a need to provide a better framework for decision-making about biodiversity on private land, particularly for regional and district councils who work directly with landowners in local areas. To this end, we have developed a statement of national priorities to focus conservation efforts on private land where the need is greatest. We have sought to do so while providing the flexibility for local decision-making.

Our expectation is that the priorities in this statement will be used to support and inform councils' biodiversity responsibilities under the Resource Management Act. We believe this can be best achieved within a cooperative rather than a legislative framework. It is important to remember that many of the species and environments encompassed in this statement are crucial to our national identity. They are part of what makes our country such a spectacular place to live and they play a larger part than just scenery.

Our biodiversity provides important resources and services, such as clean air and water, fertile soils, pollution and flood control. As we adapt to the fluctuations and disturbances of climate change, we must remember that biodiversity helps provide stability and resilience, allowing ecosystems and species to cope with and adapt to change.

This statement of national priorities for protecting rare and threatened species on private land recognises these needs, and seeks to help landowners, councils, central government, the public and others play their part in preserving our heritage for all of us.

Chris Carter
MINISTER OF CONSERVATION

David Benson-Pope
MINISTER FOR THE ENVIRONMENT

Why the Statement of National Priorities has been developed

Much of our rare and threatened native biodiversity is found on private land – in fact, some species are now only found on private land. The national priorities in the statement identify the types of ecosystems and habitats most in need of protection.

The statement supports the government's pledge to maintain and preserve New Zealand's natural heritage. This began in 1992 when we signed the United Nations Convention on Biodiversity; followed in 2000 with the release of the New Zealand Biodiversity Strategy. The statement will be of particular use to local government, which has the primary responsibility for protecting native biodiversity on private land – a role assigned to them under the Resource Management Act (RMA) 1991. Along with clear priorities, the statement provides a national perspective which councils can use in planning and decision-making.

Central government will work with local government and landowners to develop a broad programme of guidance about biodiversity protection, including the mechanisms available to achieve it and increasing knowledge about the national priorities at a regional and local level. Progress on biodiversity protection achieved through this work programme, including this statement, will be monitored over the next five years.

New Zealand has about 14 million hectares or around half of its original native vegetation left, of which about 8.2 million hectares are legally protected. Scattered across the country are 5.8 million hectares with no formal protection.

What's currently happening?

Efforts by private landowners

Landowners' commitment to protecting indigenous biodiversity is reflected in the growing popularity of Queen Elizabeth II National Trust (QEII) covenants. It took about 20 years to register the 1000th covenant, but the next 1000 took half that time. By January 2005, more than 70,000 hectares had been covenanted.

Local government initiatives

Councils use a range of policy tools and other mechanisms to support biodiversity. There is an investment of \$4.26 million per year by regional councils in contestable biodiversity funds. Most councils support on-the-ground activities such as covenants, landcare groups, education and landowner advice.

Central government initiatives

The efforts of councils, communities, landowners and iwi have been backed up by funding of \$40.6 million for the QEII Trust, Nga Whenua Rahui and the Nature Heritage Fund over the first five years of the New Zealand Biodiversity Strategy. A further \$6.5 million has been allocated to community initiatives through the Biodiversity Condition Fund, with another \$3.6 million through the Biodiversity Advice Fund.

The National Priorities

Four national priorities for biodiversity protection have been set, and are described here. They are based on the latest and best scientific research available.

National Priority 1: To protect indigenous vegetation associated with land environments, (defined by Land Environments of New Zealand at Level IV), that have 20 percent or less remaining in indigenous cover.

Land Environments of New Zealand (LENZ) is a national classification system used to map areas that are similar to each other, regardless of where they occur. LENZ uses 15 climate, landform and soil variables that can influence the distribution of species to identify areas with similar environment or ecosystem character. These are known as 'land environments'. By combining LENZ maps with satellite images from the Land Cover Database, as well as databases showing land tenure, we can identify changes in vegetation cover over time and see what vegetation is formally protected.

We now know that close to 468,000 hectares of unprotected native vegetation is in land environments reduced to less than 20 percent of their original extent. This is a concern, because scientific research has shown that the rate of biodiversity loss increases dramatically when native vegetation cover drops below 20 percent of what it was before humans arrived.

National Priority 2: To protect indigenous vegetation associated with sand dunes and wetlands; ecosystem types that have become uncommon due to human activity.

Only 45,600 hectares of wetlands remain in New Zealand – just 9.4 percent of the original extent. It is probable that most wetlands in lowland areas are in private hands. At least 20 percent of our vascular (sappy) plant species depend on short-lived (ephemeral) wetlands that occupy less than one percent of the country's land area. Only 21,300 hectares of dunelands are left in New Zealand – 11.6 percent of their original extent. Coastal dunelands are identified as a national priority ecosystem under the New Zealand Coastal Policy Statement.

National Priority 3: To protect indigenous vegetation associated with 'originally rare' terrestrial ecosystem types not already covered by priorities 1 and 2.

This priority includes native vegetation associated with:

- twelve types of coastal systems, such as coastal turf and coastal rock stacks
- twenty-five inland and alpine systems, ranging from recent lava flows to braided riverbeds
- four types of other inland systems, such as salt pans and geothermal systems
- two types of semi-subterranean systems – sinkholes and cave entrances.

The full list of originally rare terrestrial ecosystem types is on the www.biodiversity.govt.nz website. The list was compiled by Landcare Research, and our knowledge will be updated as new research results come to hand. The ecosystem types are not necessarily found in all regions or districts, and some of them will be protected on public conservation land.

Originally means the ecosystem type was present when Maori arrived, and still exists today.

Rare means the total extent of each originally rare ecosystem type is less than 0.5 percent of New Zealand's total area – that is, less than 134,000 hectares.

Originally rare ecosystem types encompass those that are small in area but geographically widespread, as well as those that are larger, but are geographically restricted. In New Zealand, much indigenous biodiversity is concentrated in rare ecosystems (such as bluffs, karst, and geothermal vents and coastal turfs). Originally, rare plant community types make up about half of all nationally threatened plant species, but are present in only a small area. This makes them prime candidates for attention in biodiversity conservation initiatives.

How the Statement of National Priorities can be used

It is expected that working to the same national priorities will help local and central government agencies coordinate their decisions and on-the-ground actions in relation to biodiversity.

Local government

Because of their responsibilities for biodiversity on private land (under Sections 30 and 31 of the Resource Management Act), councils have the lead in putting the statement of national priorities into practice. They can do this in a number of ways, such as, in communications about biodiversity, management of their own council land, by bringing these priorities into their statutory RMA policies and plans,¹ and using the priorities to decide where to allocate council-provided funding for community and landowner-based biodiversity programmes.

Central government

The priorities in this statement will guide central government's grant decisions under the Biodiversity Condition and Advice Funds, jointly administered by the Department of Conservation and the Ministry for the Environment. This statement will also be used to inform the government's own Crown land management programmes and government funding decisions that may affect biodiversity on private land; for example, funding decisions for the Queen Elizabeth II National Trust, Nga Whenua Rahui, and the Nature Heritage Fund.

National Priority 4: To protect habitats of acutely and chronically threatened indigenous species.

The Department of Conservation has direct responsibility for the protection of threatened species and carries out habitat protection work on public conservation lands. But many threatened species exist on private land as well as on public conservation lands, and some occur exclusively on private land. Protecting the habitats of species on private land will help towards protecting the species themselves.

Acutely and *chronically* threatened native species meet specific criteria in the *New Zealand Threat Classification System Lists* created by the Department of Conservation. Up-to-date lists are published on the department's website (see www.doc.govt.nz and search under New Zealand Threat Classification System). At December 2006, 668 species were considered to be *acutely* threatened and 257 were listed as *chronically* threatened.

Stakeholders

The statement provides a focus for agencies that allocate science and research funding, as well as industry and private sector investors in biodiversity protection. Other agencies and stakeholders (including industry groups, non-government organisations, environmental groups and landowners) can use the priorities to guide their decisions on where to focus their funds and efforts.

What the National Priorities mean for your region

Regional information will become available over the next year from your council and at www.biodiversity.govt.nz/

Terms used in this brochure

Biodiversity (biological diversity): This describes the variety of all biological life – plants, animals, fungi and micro-organisms – the genes they contain and the ecosystems on land or in water where they live. It is the diversity of life on Earth and includes diversity within species, between species, and of ecosystems.

Habitat: The place or type of area in which a living thing naturally occurs.

Ecosystem: An interacting system of living and non-living parts, including sunlight, air, water, minerals and nutrients. Ecosystems can be small and short-lived, for example, water-filled tree holes or logs rotting on a forest floor; or they can be large and long-lived, such as forests and lakes.

Indigenous (native) vegetation: A plant community containing naturally occurring native species. It includes vegetation that has regenerated with human help following disturbance, but does not include plantations or vegetation established for commercial and/or aesthetic purposes.

Land environment: Describes an area whose boundaries encompass similar environmental characteristics caused by non-living variables, such as climate, landform and soil.