



Shaping Whanganui

Have your say, korero mai...



WHANGANUI DISTRICT COUNCIL

DISTRICT PLAN REVIEW

Plan Change 48, Part 2: Significant Natural Areas

ISSUES, OBJECTIVES AND OPTIONS

DISCUSSION PAPER

April 2017

1 Introduction

The Council has a responsibility to recognise and protect areas of significant indigenous vegetation and habitats of indigenous fauna (condensed to Significant Natural Areas for this report).

This is stated in the following sections of the Resource Management Act (1991):

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

(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:

...

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

...

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

...

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

...

(f) maintenance and enhancement of the quality of the environment:

...

(h) the protection of the habitat of trout and salmon:

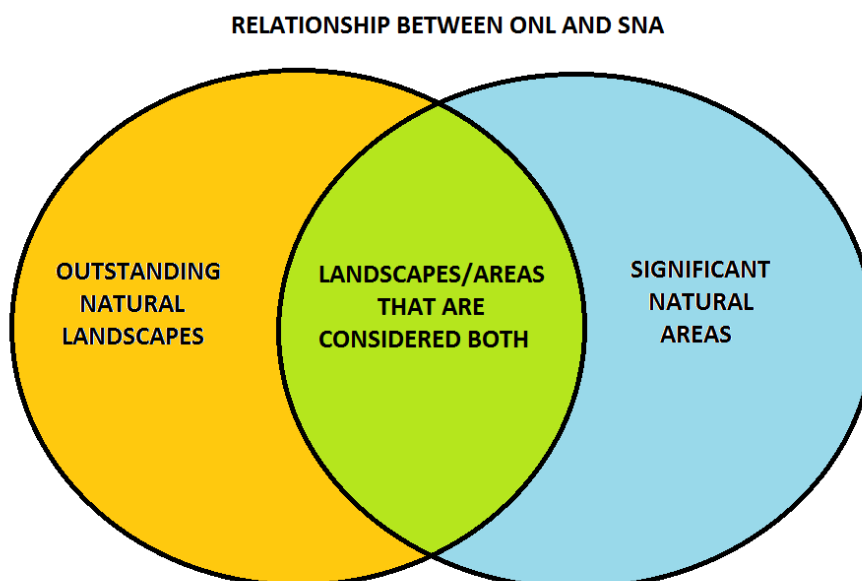
Section 2 defines 'intrinsic values' in relation to ecosystems as:

Those aspects of ecosystems and their constituent parts which have value in their own right including:

(a) their biological and genetic diversity; and

(b) the essential characteristics that determine an ecosystem's integrity, form, functioning and resilience.

This is separate from the requirement to recognise, provide for and protect Outstanding Natural Landscapes (ONL). An ONL can exist without being a Significant Natural Area (SNA) if its geomorphological, memorability and associational values are high enough. Likewise, an SNA can exist outside the ONL if its representativeness and fragility are important enough. Often an area is considered both an ONL and SNA.



2 Background

- 2.1 The Regional Council has the requirement to develop objectives, policies and methods (including rules) to establish a region-wide approach to maintaining indigenous biological diversity (and by association Significant Natural Areas) by controlling the use of land. It has done this by the adoption of the One Plan.
- 2.2 According to the One Plan, Whanganui District Council (WDC) has the responsibility to retain a schedule of notable trees and any other measures as we see fit to recognise the values associated with indigenous biological diversity, except where it is covered by the One Plan rules.
- 2.3 The notable trees were reviewed in 2013/2014 as part of Plan Change 31 – Protected Trees. In 2015/2016 parts of Chapter 10 – Natural Environment were reviewed. This included the rules for indigenous forestry. The rules for Indigenous Forestry were removed as part of this Plan Change because they did not add any additional protection to natural areas beyond what already existed in the One Plan and the Forestry Act.
- 2.4 Schedule F of the One Plan identifies indigenous biological diversity (which includes vegetation types and habitats). It also identifies the risk level for the particular types of vegetation and at when the habitat considered at risk. When an activity occurs within these areas (or within a certain distance for some activities) a resource consent is required from Horizons.
- 2.5 The One Plan reminds WDC to consider indigenous biological diversity when making decisions and allows activities undertaken by Horizons for habitat maintenance or enhancement, but specifically not to protecting areas of significant indigenous vegetation that are already protected by Horizons (Policies 6-1 and 6-2).
- 2.6 Given these policies and the fact that Horizons have the experts to determine how to protect these areas, it is considered that additional provisions to protect Significant Natural Areas at a District Plan level are not required.

3 Plan Change 48 – Significant Natural Areas (SNAs)

3.1 Existing Plan Provisions relating to Significant Natural Areas

See Appendix 1 for full operative text

| | |
|------------------|---|
| Issue 10.1.5 | Protection of natural environment areas of particular significance. |
| Objective 10.2.6 | Natural environment features of particular significance are protected. |
| Policy 10.3.21 | Identify and protect the sites or areas of significance according to set criteria |

Comment

These Plan provisions relate to both Outstanding Natural Landscapes as well as Significant Natural Areas (SNA). Therefore as part of Plan Change 48, which is to review the Outstanding Natural Landscapes, there is a duty to consider if these provisions relating to SNA are relevant.

As discussed in the background section of this report, the One Plan states that the District Plan must not cover anything already covered by the One Plan provisions. The One Plan has developed criteria for assessing indigenous biological diversity (SNA) and protected those areas identified in Table F.1 of Schedule F. There are no known areas outside those identified by the One Plan.

The District Plan currently notes in several places that Plan users have the duty to comply with the One Plan. During the consideration of any resource consent application, the processing officer must have regard to any relevant regional policy statement or plan. Therefore SNAs in this District are recognised and protected as required under section 6 of the RMA.

3.2 Options

Options for addressing Significant Natural Areas:

- (a) Status quo – No rules for Significant Natural Areas, but leave the issue, objective and policy unclear about what the purpose of protection is.
- (b) Remove the existing issue, objective and policy and rely on the One Plan provisions to recognise and protect Significant Natural Areas.
- (c) Undertake additional research to develop a schedule of additional Significant Natural Areas (beyond those recognised by the One Plan) and discuss methods for protection. It is considered that the most effective and efficient method of protection for additional sites would be via the One Plan and not the Whanganui District Plan.

Recommendation

Confirm with identified stakeholders (particularly Horizons) whether any additional areas beyond those identified in the One Plan are known and discuss methods for protection. It is considered likely that the most effective and efficient method of protection for additional sites would be via the One Plan and not the Whanganui District Plan (options b and c)

Appendix 1 – Operative District Plan text

10.1 ISSUES

10.1.5 Protection of natural environment areas of particular significance.

The Whanganui District has many significant natural features and landscape areas. Significant natural features include indigenous forest remnants, wetlands and indigenous vegetation. Some of these have recently been identified in the Whanganui Landscape and Ecology Study as:

- a. Important to Tangata Whenua.
- b. Places recognised by the public as being significant.
- c. Rare or unusual within the Ecological District.
- d. Protected by other means (Reserves Act, National Park, Protected Natural Areas Survey etc).
- e. Recommended for protection by DOC or under Protected Natural Areas Survey programme.
- f. Identified in the Regional Coastal Plan for Manawatu-Whanganui.
- g. Critical as habitat for indigenous species (vegetation or animals).
- h. Comprising more than 0.5ha of indigenous woody vegetation with average canopy height 6 metres or taller or with a continuous canopy of tree species which have the potential to reach trunk diameter of 30cm.
- i. Contributing to the character or quality of an area which has locally/regionally significant or outstanding landscape value.
- j. Catchment management values for protection of soil and water values and natural hazard mitigation.
- k. Recommended for protection by the Regional Policy Statement for Manawatu-Whanganui.

At the time the study was completed not all of the above criteria could be applied to the District. Accordingly the Plan has identified the significant features as:

- a. Protected Areas managed by the Department of Conservation (DOC).
- b. Council's reserves of conservation value.
- c. QEII National Trust areas protected by QEII open space covenants or owned by the Trust.
- d. New Zealand Fish and Game Council significant sites.
- e. Geo-preservation sites.
- f. Areas of dominant indigenous vegetation cover.
- g. Natural features and landscapes which are outstanding and regionally significant as defined in the Regional Policy Statement for Manawatu-Whanganui. In the Whanganui District, these are:
 - the Whanganui River and river valley upstream of Aramoana;
 - the Whanganui National Park; and
 - the district's coastline.

- h. Those areas of significant indigenous vegetation and habitats defined in terms of policy P9.1 of the Regional Policy Statement for Manawatu-Whanganui.

It should be noted that while significant areas of indigenous vegetation have been identified through the Department of Conservation Protected Natural Areas Programme, it is preferred not to identify and protect these sites in this review of the Whanganui District Plan. Rather a programme of consultation and negotiation is envisaged for each identified site with the goal of reflecting the level of protection to which the community aspires.

These features are noted on the Plan Maps and in the GIS Database.

While many of the significant features are known, the risk of their loss through human activity is not. Some of these features are protected through public ownership or covenant while others rely on their private owner for protection. At present, little is known about the risks associated with many of these significant natural areas. It may be that private owners are providing appropriate management regimes for these areas without any regulation or facilitation. Equally significant natural areas may be neglected or destroyed.

In addition to the identification of specific “outstanding” and “significant” natural features, Section 6(a) of the Resource Management Act also states that “the preservation of the natural character of the coastal environment ..., wetlands, lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development” is a matter of national importance. This applies in general terms even in the absence of any specifically identified features. Section 6(d) of the Act states that “the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers” is also a matter of national importance. The above resource management issues are also of significance in the Whanganui District.

10.2 OBJECTIVES

- 10.2.6 Natural environment features of particular significance are protected.**
A number of sites and areas within the District have particularly important characteristics which include scientific, ecological, landscape, heritage and amenity values. Many sites of national significance, or of significance within the Region or District, have already been identified, but many others may remain unrecognised or of indeterminate value.

10.3 POLICIES

- 10.3.21 Identify and protect the sites or areas of significance according to set criteria.**

It is important to protect the known existing areas of significance. The Regional Policy Statement for Manawatu-Wanganui has identified the Whanganui River and river valley upstream of Aramoana; the Manganui A Te Ao River and river valley, including the Makatote and Mangaturuturu Rivers and their valleys; the Coastline of the Region as significant natural areas. Other areas of known natural heritage are therefore listed in Appendix A - Heritage Items, and rules on the subdivision and development of land relating to these resources take a precautionary approach.

However, it is not sufficient to protect the sites or areas per se, but to understand the qualities which make them valuable and ensure that the sites or areas are managed in a way which protects those qualities. While the Department of Conservation has a major responsibility for conservation within the District, and the Regional Council shares with the District some responsibility for land and water resources, the District Council will ensure that sites of local or District significance are managed sustainably. It is important for people to know why a site or area is considered significant and what activities would potentially adversely affect it. The Council will work with other agencies such as the Department of Conservation, to ensure that the evaluation systems are compatible.