

Summary of SNA practice in a sample of regional and district councils

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This paper is a summary of three sources¹ to describe a sample of councils' approaches to determine Significant Natural Areas (SNAs). The summary describes the most recent planning documents of all 16 regional and unitary councils, and a sample of 19 district/city councils (see Appendix 1). Each plan and regional policy statement has been reviewed to determine what criteria are used to describe SNAs, how those SNAs are spatially identified (e.g. using mapping or other specific identification), and what approach is taken between regional and district councils for allocating biodiversity management responsibilities.

The **division of responsibilities** between local and regional councils can be complex. Our research has found that the most common approach is for regional councils to set out criteria for SNAs in its regional policy statements, and then apply those criteria via rules to wetlands, the beds of lakes and rivers and the coast. Districts in that region are expected to apply the criteria to other environments, and this can sometimes overlap with regional council responsibilities. For example, in Otago where there is joint regional and district council responsibility on the margins of the SNA, beds of lakes and rivers and wetlands.

The **number of criteria** used varies widely, from 3 (Taranaki) to 17 (Bay of Plenty). However 12 regional and unitary councils use less than 8 criteria and a core set of common criteria is apparent; Representativeness, rarity or distinctiveness, diversity or pattern and ecological context. These align with the DOC and EIANZ guidance.

There is wide variation in **how councils identify SNAs, including mapping and scheduling**. In the sample studied, 31% of councils identified all SNAs in their regions (this included all unitary authorities) suggesting that having responsibility for both district and regional planning functions makes it more likely that SNAs will be identified. Half the regional councils mapped SNAs to some degree – usually for wetlands and river/lake ecosystems which they have primary responsibility for. The other half (mostly North Island regional councils) did not identify terrestrial SNAs. In some cases this is because insufficient fieldwork has been done to make an informed choice about what is significant in the region.

Of the district councils sampled, nearly two-thirds (62%) had mapped or scheduled at least some of their SNAs. Some councils relied on broad identification of habitat types and a case by case assessment of significance at resource consent stage.

This review has shown a **degree of commonality** in how councils are recognising and providing for S6(c) *“the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna”* under the RMA including; the use of criteria, mapping conventions and/or scheduling and in many cases requirements for resource consents to modify identified SNAs. The review also shows some key differences in approach by some councils that cannot be entirely accounted for by regional environment, social, economic or cultural variations. There is some evidence that SNA mapping produces a better level of protection and monitoring of SNAs but this

¹ 4Sight Consulting (2017). *National Environmental Standard for Plantation Forestry - Significant Natural Areas Assessment*. Beca Limited and Wildlands Consultants Ltd (2016). *Ministry for the Environment – Biodiversity Planning and Management Research*. Draft internal working paper, *The use of Significant Natural Areas for protecting biodiversity*.

would need to be further investigated before conclusions could be drawn. It appears that non-regulatory intervention is not strong enough on its own to provide the level of protection required under the RMA.

Initial thinking in the paper has highlighted some **gaps and questions** that require further investigation before conclusions can be drawn to support an NPS, including;

- The effectiveness of SNAs in protecting and maintaining biodiversity under the Resource Management Act.
- How SNAs are monitored and their rules enforced, and;
- whether there is a data gap in measuring changes in ecological condition of an area and establishing monitoring baselines.
- The predominant approach in planning documents is to protect habitat, with less emphasis on protecting indigenous fauna. Is the protection of indigenous fauna under represented in SNAs?
- Is there a case for restoration of some significant areas that have been degraded over time?
- What non-regulatory approaches have worked in combination with regulatory approaches to best protect significant biodiversity?
- It is clear from case law that the significance of a site is a purely scientific assessment, however some councils are using non-science based criteria to determine significance that can distort the effectiveness of protection measures including; the legal status of land, the size of the area or the presence of certain landscape features. Should these non-scientific criteria be a consideration for the protection of SNAs?

Appendix 1: Councils reviewed in this summary of SNA practice

The councils reviewed were all regional councils and a selection of city/district councils (note that districts with * in Canterbury and Otago were covered in the 4Sight report, and other city/district councils were chosen to cover a breadth of issues across New Zealand). Where there were proposed plans or policy statements (i.e. beyond early draft stage but not yet operative), these were reviewed as a better indication of the current thinking (as operative plans can be 10 years old or more).

Northland Regional Council	Tasman District Council (Unitary)
Kaipara District Council	Marlborough District Council (Unitary)
Auckland Unitary Council	West Coast Regional Council
Waikato Regional Council	Westland District Council
Waipa District Council	Canterbury Regional Council*
Bay of Plenty Regional Council	Christchurch City Council*
Gisborne District Council (Unitary)	Ashburton District Council*
Hawkes Bay Regional Council	Hurunui District Council*
Napier City Council	Kaikoura District Council*
Taranaki Regional Council	Mackenzie District Council*
Stratford District Council	Selwyn District Council*
Horizons Regional Council	Otago Regional Council
Palmerston North City Council	Dunedin City Council
Wellington	Southland Regional Council*
Porirua City Council	Gore District Council*
Masterton District Council	Southland District Council*
Nelson City Council (Unitary)	Invercargill District Council *