



# PROPOSED PLAN CHANGE 1 TO THE REGIONAL LAND AND WATER PLAN

## SECTION 42A STAFF RECOMMENDING REPORT

### Wetland Boundaries Review

**August 2019**



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## Introduction

This August 2019 Section 42A Staff Recommending Report makes recommendations on submission points relevant to the eight Schedule 2 wetlands for which there was expert caucusing as requested by the Hearing Panel at the January 2019 reconvened hearing.

## Background

On 22 August 2016 the West Coast Regional Council (WCRC, or the Council) publically notified Proposed Plan Change 1 (pPC1) to the Regional Land and Water Plan. Part of the pPC1 sought to correct the boundaries of some Schedule 1 and 2 wetlands which had been identified as not having wetland values through a desktop assessment and/or site visits.

A total of 60 submissions and further submissions were received on pPC1, including in support of, and in opposition to, the proposed boundary amendments. A number of submitters requested that additional areas of designated Schedule 2 wetland be removed from their property.

Council staff analysed submissions, undertook further site visits, and drafted their recommendations to accept, accept in part, or reject, the relief sought by submitters. Refer to the May 2018 Section 42A Staff Recommending Report for staff responses regarding Part 1 of the pPC1, and for submissions on wetlands not covered by this Section 42A Report.

The first Hearing for pPC1 was held on 18<sup>th</sup> and 19<sup>th</sup> June 2018 at the West Coast Regional Council offices in Paroa, Greymouth. On 20<sup>th</sup> June 2018 the hearing panel undertook two site visits to wetland areas to gain a better understanding of the issues at hand. At the completion of the staff right of reply on 21<sup>st</sup> June, the hearing was adjourned as it became apparent to the Hearing Panel, after having carried out the aforementioned site visits and receiving the staff right of reply, that further information was required to make a fully informed and robust decision on those submissions that seek amendments to the wetland boundaries. The Hearing Panel commissioned a report (pursuant to Section 41C (4) of the Act) for an appropriately qualified person (the Assessor) to determine whether the wetland boundaries are correct as notified in pPC1.

In December 2018 the "Schedule 2 Wetland Boundary Review" Report on these areas was completed. Council Planning Staff then completed the December 2018 Section 42A Staff Recommending Report making recommendations on submission points relevant to the 13 Schedule 2 wetlands covered by the "Schedule 2 Wetland Boundary Review Report 2018" as attached in Appendix 1.

In January 2019 the Council completed the January 2019 Section 42A Staff Recommending Report. This report was in response to a request by further submitter Mr William Foster (FOSTW) in regards to wetland HOC004 Candlelight Pakihi. Refer to the January 2019 Section 42A Staff Recommending Report for more information on this wetland area.

## January 2019 Hearing

On 31 January 2019 the Council reconvened the hearing to hear evidence in support of, or in opposition, to the December 2018 and January 2019 Section 42A Staff Recommending Reports. At the hearing evidence was supplied by submitters that questioned the consistency, quantity and strength of evidence presented at the hearing about some of the wetland boundaries. Therefore the Hearing Panel requested the Department of Conservation Ecologist and the Assessor to undertake expert caucusing to determine the wetland status of eight wetland areas. The eight Schedule 2 wetland areas being:

- BULP050 Oweka,
- PUNP001 Barrytown Flats, Maher Swamp,
- HOC004 Candlelight Pakihi,
- KAGP008 Lake Kini,
- HOKP119 Lake Mudgie,
- HARP021 Lake Ianthe
- HOKP099 Little Houhou Creek
- HOKP086 Ross

**August 2019 Section 42A Staff Recommending Report**

The Council has received evidence from the expert caucusing on the eight Schedule 2 wetland areas. The Evidence is attached in the following Appendices:

- Appendix 2: Caucusing evidence file note
- Appendix 3: Caucusing evidence from site visits
- Appendix 4: Map of Schedule 2 wetland HOKP119 Lake Mudgie

The Council's Planning Staff have considered the caucusing evidence. This August 2019 Section 42A Staff Recommending Report makes recommendations on submission points relevant to the eight Schedule 2 wetland areas covered by the caucusing evidence. As a result of considering this evidence, some of the staff recommendations in this August 2019 Section 42A Report are amended to what was in the May 2018 and December 2018 Section 42A Staff Recommending Reports. Where the staff recommendations in this August 2019 Report differ wholly, or in part, to the May 2018 and December 2018 Section 42A Staff Recommending Reports, the recommendations in this report supercede those in the May 2018 and December 2018 Reports.

The hearing will reconvene on Monday 16 September 2019 at the West Coast Regional Council offices in Paroa, Greymouth. Submitters who submitted on one or more of the eight Schedule 2 wetlands addressed in the caucusing evidence, can provide evidence in response to the caucusing evidence, and this August 2019 Section 42A Report, at the hearing.

## Readers Guide

This document follows the same order of Part 2 of the May 2018 Section 42A Staff Recommending Report for those Decision Requested (DR) numbers that relate to the eight Schedule 2 wetlands covered by the caucusing evidence. The individual decisions requested by submitters are grouped under the General Submission section or the relevant Schedule 2 wetland name.

The DR numbers in this Report are the same as those given in the May 2018 Section 42A Staff Recommending Report.

The following shows the format of this August 2019 Section 42A Staff Recommending Report.

|                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |    |       |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-------|
| Section of Proposed Plan Change 1 on which a submission is made | <b>Part 2: Changes to wetland boundaries within Schedule 1 and 2 to omit areas that are not wetland.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |    |       |
| Decision number                                                 | <b>Decision Requested: 2.3</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |    |       |
| Who made submission                                             | <b><i>Submitter</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 15 | ELWEP |
| Who made submission in support or opposition                    | <b><i>Support</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 56 | NDFL  |
|                                                                 | <u>Submission</u><br>I oppose all changes to scheduled wetland boundaries where those changes remove marginal strip-like areas along the wetland margins.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |       |
|                                                                 | Reason:<br>Policies 6.3.1 and 6.3.2 and their explanations in the WCRC's Land and Water Plan refer to protecting wetlands and their margins, and mapping them to include "sufficient margins where necessary to control adjoining land drainage activities that might otherwise affect the natural water level within the wetland itself and have adverse effects on the values present".<br><br>The proposed changes do not make clear whether or not the margins removed are in fact what are "sufficient margins where necessary", and are mapped as integral to the wetland for that reason.                                                                    |    |       |
| Submission/Change Sought                                        | <b>Relief sought:</b><br>Therefore I request that the Proposed Plan Change make clear whether or not the strips proposed for removal have in fact been assessed for their importance or otherwise as "sufficient margins" for the wetlands concerned, and list the qualifications of the person(s) making those assessments, and whether those assessments were peer-reviewed.                                                                                                                                                                                                                                                                                      |    |       |
| Further submission reason for support or opposition             | <u>Further submission (NDFL)</u><br>Oppose; not farming these areas could result in land reverting to weeds, turning sour and many other associated farming and economic issues.<br><br><u>Further submission (BDC)</u><br>Oppose in part (as it relates to FOUN023)<br>It is unclear whether the Submitter's requested relief is intended to apply to FOUN023 Caledonian Terrace.<br><br>The additional wording sought by the Submitter is considered unnecessary in relation to the proposed amendments to the boundaries of FOUN023. The areas to be excluded were developed prior to notification of the Land and Water Plan and are not a functioning wetland. |    |       |
| Council's recommendation                                        | <b>Recommendation</b><br>Accept in part                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |    |       |

Council's reason for the recommendation

**Reason**

The reasons given under Decision Requested 2.3 in the May 2018 Section 42A Staff Recommending Report still apply.

The reasons given under Decision Requested 2.3 in the December 2018 Section 42A Staff Recommending Report also still apply.

Following the January 2019 hearing, the Hearing Panel requested for the Department of Conservation Ecologist and the Assessor to undertake caucusing on the eight remaining Schedule 2 wetlands. The caucusing was completed in July 2019 and included site visits to three of the Schedule 2 wetland areas. The two parties also considered whether removing any of the additional areas would affect the hydrology of the remaining designated areas. Staff have considered the new information and recommend additional boundary adjustments to the eight wetland areas covered by the caucusing evidence in Appendix 2, and the caucusing evidence from the site visit in Appendix 3.

Copies of the submissions made can be downloaded from Council's website at: <https://www.wcrc.govt.nz/publications/regional-plans/regional-land-and-water-plan/regional-land-and-water-plan-proposed-plan-change-1>

The decisions sought by each submitter and further submitter on general wetland boundary matters, or one or more of the eight wetlands in the caucusing evidence can be found by referring to the tables *Index of Decisions Requested: Submissions* and *Index and Decisions Requested: Further submissions* which follow the Tables of Submitters and Further Submitters below. In the two Indexes, the Decision Requested number assigned shows the relevant section of the Plan Change and the number of the individual submission, as described above.

## Table of Submitters

| Submitter Number | Submitter                                                    | ABR   | Wish to be heard | Heard with Others |
|------------------|--------------------------------------------------------------|-------|------------------|-------------------|
| 5                | Buller Conservation Group                                    | BCG   | Yes              | Yes               |
| 8                | Bonar Farms Limited                                          | BFL   | Yes              | Yes               |
| 9                | Gordon Bradley                                               | BRADG | Yes              | Yes               |
| 15               | Paul Elwell-Sutton                                           | ELWEP | Yes              | Yes               |
| 19               | Federated Farmers of New Zealand                             | FFNZ  | Yes              |                   |
| 23               | Andrew Grigg                                                 | GRIGA | No               |                   |
| 27               | Frida Inta                                                   | INTAF | Yes              | Yes               |
| 29               | Kauri 139 Limited / NZG Limited                              | KAURI | Yes              | Yes               |
| 30               | Allan Lowe                                                   | LOWEA | Yes              | Yes               |
| 33               | Minerals West Coast                                          | MWC   | Yes              | Yes               |
| 34               | MJ & CE O'Regan Family Trust                                 | OFT   | Yes              | Yes               |
| 38               | Royal Forest and Bird Protection Society of New Zealand Inc. | RF&B  | Yes              | Yes               |

## Table of Further Submitters

| Further Submitter Number | Submitter                                                    | ABR    | Wish to be heard | Heard with Others |
|--------------------------|--------------------------------------------------------------|--------|------------------|-------------------|
| 5                        | Buller Conservation Group                                    | BCG    | Yes              | Yes               |
| 10                       | Mike and Wendy Brooks                                        | BROM   | No               |                   |
| 19                       | Federated Farmers of New Zealand                             | FFNZ   | Yes              |                   |
| 27                       | Frida Inta                                                   | INTAF  | Yes              | Yes               |
| 30                       | Allan Lowe                                                   | LOWEA  | Yes              | Yes               |
| 38                       | Royal Forest and Bird Protection Society of New Zealand Inc. | RF&B   | Yes              | Yes               |
| 47                       | Buller District Council                                      | BDC    | Yes              | Yes               |
| 48                       | Nonny Caro                                                   | CARN   | No               |                   |
| 49                       | William Foster                                               | FOSTW  | No               |                   |
| 51                       | B.P & C.A Jones And The Kongahu Rating District              | JONKRD | Yes              | Yes               |
| 52                       | Kawhaka Station Limited                                      | KSL    | Yes              | Yes               |
| 53                       | Kongahu Farm                                                 | KONGF  | No               |                   |
| 56                       | Nikau Deer Farm Limited                                      | NDFL   | Yes              | Yes               |
| 58                       | Arthur Thomson                                               | THOMA  | Yes              | Yes               |
| 59                       | Te Rūnanga o Makaawhio                                       | TROM   | Yes              | Yes               |

## Index of Decisions Requested: Submissions

| Submitter Number | Abrv  | Decisions Requested |      |      |  |
|------------------|-------|---------------------|------|------|--|
| 5                | BCG   | 2.9                 | 2.48 |      |  |
| 8                | BFL   | 2.10                |      |      |  |
| 9                | BRADG | 2.57                |      |      |  |
| 15               | ELWEP | 2.3                 |      |      |  |
| 19               | FFNZ  | 2.4                 |      |      |  |
| 23               | GRIGA | 2.70                |      |      |  |
| 27               | INTAF | 2.12                | 2.49 |      |  |
| 29               | KAURI | 2.63                |      |      |  |
| 30               | LOWEA | 2.66                |      |      |  |
| 33               | MWC   | 2.13                | 2.50 | 2.64 |  |
| 34               | OFT   | 2.47                |      |      |  |
| 38               | RF&B  | 2.5                 | 3.1  |      |  |

## Index of Decisions Requested: Further Submissions

| Submitter Number | Abrv   | Decisions Requested |      |      |      |      |      |      |      |
|------------------|--------|---------------------|------|------|------|------|------|------|------|
| 5                | BCG    | 2.4                 |      |      |      |      |      |      |      |
| 10               | BROM   | 2.66                |      |      |      |      |      |      |      |
| 19               | FFNZ   | 2.5                 | 2.9  | 2.10 | 2.12 |      |      |      |      |
| 27               | INTAF  | 2.4                 |      |      |      |      |      |      |      |
| 30               | LOWEA  | 2.66                |      |      |      |      |      |      |      |
| 38               | RF&B   | 2.13                |      |      |      |      |      |      |      |
| 47               | BDC    | 2.3                 | 2.5  | 2.9  | 2.12 |      |      |      |      |
| 48               | CARN   | 2.70                |      |      |      |      |      |      |      |
| 49               | FOSTW  | 2.57                |      |      |      |      |      |      |      |
| 51               | JONKRD | 2.4                 | 2.5  |      |      |      |      |      |      |
| 52               | KSL    | 2.70                |      |      |      |      |      |      |      |
| 53               | KONGF  | 2.4                 | 2.5  |      |      |      |      |      |      |
| 56               | NDFL   | 2.3                 | 2.4  | 2.5  | 2.9  | 2.12 | 2.48 | 2.49 | 2.50 |
| 58               | THOMA  | 2.9                 | 2.12 |      |      |      |      |      |      |
| 59               | TROM   | 3.1                 |      |      |      |      |      |      |      |

## PART 2: CHANGES TO WETLAND BOUNDARIES WITHIN SCHEDULE 1 AND 2 TO OMIT AREAS THAT ARE NOT WETLAND

### General Submissions on Schedule 1 and 2 Wetlands

#### Decision Requested: 2.3

|                       |    |       |
|-----------------------|----|-------|
| <b>Submitter</b>      | 15 | ELWEP |
| <b>Oppose</b>         | 56 | NDFL  |
| <b>Oppose in part</b> | 47 | BDC   |

#### Submission

I oppose all changes to scheduled wetland boundaries where those changes remove marginal strip-like areas along the wetland margins.

#### Reason:

Policies 6.3.1 and 6.3.2 and their explanations in the WCRC's Land and Water Plan refer to protecting wetlands and their margins, and mapping them to include "sufficient margins where necessary to control adjoining land drainage activities that might otherwise affect the natural water level within the wetland itself and have adverse effects on the values present".

The proposed changes do not make clear whether or not the margins removed are in fact what are "sufficient margins where necessary", and are mapped as integral to the wetland for that reason.

#### **Relief sought:**

Therefore I request that the Proposed Plan Change make clear whether or not the strips proposed for removal have in fact been assessed for their importance or otherwise as "sufficient margins" for the wetlands concerned, and list the qualifications of the person(s) making those assessments, and whether those assessments were peer-reviewed.

#### Further submission (NDFL)

Oppose; not farming these areas could result in land reverting to weeds, turning sour and many other associated farming and economic issues.

#### Further submission (BDC)

Oppose in part (as it relates to FOUP023)

It is unclear whether the Submitter's requested relief is intended to apply to FOUP023 Caledonian Terrace.

The additional wording sought by the Submitter is considered unnecessary in relation to the proposed amendments to the boundaries of FOUP023. The areas to be excluded were developed prior to notification of the Land and Water Plan and are not a functioning wetland.

#### **Recommendation**

Accept in part

#### **Reason**

The reasons given under Decision Requested 2.3 in the May 2018 Section 42A Staff Recommending Report still apply.

The reasons given under Decision Requested 2.3 in the December 2018 Section 42A Staff Recommending Report also still apply.

Following the January 2019 hearing, the Hearing Panel requested for the Department of Conservation (DOC) Ecologist and the Council's wetland Assessor to undertake caucusing on the eight remaining Schedule 2 wetlands where DOC and the Council had different views. The caucusing was completed in July 2019 and included site visits to three of the Schedule 2 wetland areas. The two parties also considered whether removing any of the additional areas would affect the hydrology of the remaining designated areas. Staff have considered the new information and recommend additional boundary adjustments to the eight wetland areas covered by the caucusing evidence in Appendix 2, and the caucusing evidence from the site visit in Appendix 3.

#### Decision Requested: 2.4

|                  |       |            |
|------------------|-------|------------|
| <b>Submitter</b> | 19    | FFNZ       |
| <b>Oppose</b>    | 5, 27 | BCG, INTAF |

|                |    |        |
|----------------|----|--------|
| <b>Support</b> | 51 | JONKRD |
| <b>Support</b> | 53 | KONGF  |
| <b>Support</b> | 56 | NDFL   |

#### Submission

FFNZ supports the boundary changes for wetland areas where these areas are not ecologically significant, especially on farmland, as this allows farmers to use their land as normal. The proposed boundary changes need to consider current land use and should there be no wetland values associated with a mapped area, that area should not be subject to the land use restrictions imposed on wetland areas.

We are concerned that some mapped 'wetland' areas still cover developed and drained farmland, which could unnecessarily restrict normal farming activities.

#### **Relief sought:**

Remove all developed and drained farmland from the mapped 'wetland' areas.

#### Further submission (BCG, INTAF)

Wetlands need hydrological buffers. Also there is public land involved, which has been developed into farmland that are the subject of boundary changes. Any public land involved in these boundary changes should be retained as wetland.

#### Further submission (JONKRD)

Drains Roadways and general farm infrastructure need to be excluded for example Maps KAMP002a & 2b contain farm infrastructure i.e. roadways and drains that have existed since the 1980s along with the main drain for the Kongahu Swamp (referred to as Blackwater Creek).

#### Further submission (KONGF)

Drains, Roadways and general farm infrastructure need to be excluded from maps KAMP002a&2b. It contains farm infrastructure i.e. roadways and drains that have existed since the 1980s along with the main drain for the Kongahu Swamp (referred to as Blackwater Creek).

#### Further submission (NDFL)

Support; removing these areas that are not ecologically significant allows landowners to use this land as they normally would.

#### **Recommendation**

Accept in part

#### **Reason**

The reasons given under Decision Requested 2.4 in the May 2018 Section 42A Staff Recommending Report still apply.

The reasons given under Decision Requested 2.3 in the December 2018 Section 42A Staff Recommending Report also still apply.

Following the January 2019 hearing, the Hearing Panel requested for the Department of Conservation Ecologist and the Assessor to undertake caucusing on the eight remaining Schedule 2 wetlands. The caucusing was completed in July 2019 and included site visits to three of the Schedule 2 wetland areas. The two parties also considered whether removing any of the additional areas would affect the hydrology of the remaining designated areas. Staff have considered the new information and recommend additional boundary adjustments to the eight wetland areas covered by the caucusing evidence in Appendix 2, and the caucusing evidence from the site visit in Appendix 3.

#### **Decision Requested: 2.5**

|                       |    |        |
|-----------------------|----|--------|
| <b>Submitter</b>      | 38 | RF&B   |
| <b>Oppose</b>         | 19 | FFNZ   |
| <b>Oppose</b>         | 51 | JONKRD |
| <b>Oppose</b>         | 53 | KONGF  |
| <b>Oppose</b>         | 56 | NDFL   |
| <b>Oppose in part</b> | 47 | BDC    |

#### Submission

The shapefiles showing the amended wetlands do not identify any hydrological buffer. Failure to delineate a buffer (and in fact in all schedule 1 and 2 wetlands notified in the operative Land and Water Plan) does not give proper effect to

objectives and policies in the proposed Regional Policy Statement, the operative Land and Water Plan and section 6(a) RMA.

The wetland definition set out the Plan Glossary includes the land water margins. Objective 5.2.1, Policy 5.5.2 and the Objective and Policies in Chapter 6 refer to the protection of wetlands and their margins.

The provision of a hydrological buffer was intended to be provided for as an outcome of Environment Court proceedings in relation to the identification of significant wetlands in the Plan. (Friends of Shearer Swamp v WCRC [2012] NZEnvC 006)

#### **Relief sought:**

Add a 20m buffer to each wetland shapefile of amended Schedule 1 and 2 wetlands, and all other scheduled wetlands, to provide for a hydrological buffer and ensure any land owner and decision maker are aware of the need to protect the land margins of these wetlands.

#### Further submission (FFNZ)

Oppose. This proposal simply adds a buffer to a buffer. The substantial buffers proposed by the submitter are not appropriate – the land at issue either has the wetland values or it doesn't. The RMA does not require councils to provide additional buffer areas in the way proposed; this would be to the significant detriment of impacted landowners.

#### Further submission (JONKRD)

20m buffer unfair as for sub1.8 (DoC)

#### Further submission (KONGF)

There are significant wetlands thriving without the need for extra buffer.

#### Further submission (NDFL)

Oppose; not farming these areas could result in land reverting to weeds, turning sour and many other associated farming and economic issues.

#### Further submission (BDC)

Oppose in part (as it relates to FOUP023)

The areas proposed for exclusion from FOUP023 Caledonian Terrace were developed prior to notification of the Land and Water Plan and are not a functioning wetland.

Adding a 20m buffer to the proposed boundaries of FOUP023 would in some places negate the proposed exclusions and in others would incorporate parts of the Westport water infrastructure back into the scheduled wetland. It is considered appropriate that the areas of infrastructure be excluded from the scheduled wetland.

#### **Recommendation**

Reject

#### **Reason**

The reasons given under Decision Requested 2.5 in the May 2018 Section 42A Staff Recommending Report still apply.

The reasons given under Decision Requested 2.3 in the December 2018 Section 42A Staff Recommending Report also still apply.

Following the January 2019 hearing, the Hearing Panel requested for the Department of Conservation Ecologist and the Assessor to undertake caucusing on the eight remaining Schedule 2 wetlands. The caucusing was completed in July 2019 and included site visits to three of the Schedule 2 wetland areas. The two parties also considered whether removing any of the additional areas would affect the hydrology of the remaining designated areas. Staff have considered the new information and recommend additional boundary adjustments to the eight wetland areas covered by the caucusing evidence in Appendix 2, and the caucusing evidence from the site visit in Appendix 3.

#### **Decision Requested: 2.9**

|                              |    |       |
|------------------------------|----|-------|
| <b><i>Submitter</i></b>      | 5  | BCG   |
| <b><i>Oppose</i></b>         | 19 | FFNZ  |
| <b><i>Oppose</i></b>         | 56 | NDFL  |
| <b><i>Oppose</i></b>         | 58 | THOMA |
| <b><i>Oppose in part</i></b> | 47 | BDC   |

#### Submission

There are a lot of deletions involved but very few additions. The only places we found proposed additions are at Otumahana, Mahinapua, Kapitea. There are 77 wetland sites with proposed deletions.

The Land and Water Plan's section 6, objective 1, Explanation, says, "...Mapping included sufficient margins where necessary to control adjoining land drainage activities that might otherwise affect the natural water level within the wetland itself and have adverse effects on the values present."

Most of the deletions are in marginal areas of wetlands. These marginal areas are buffer areas to the wetlands. Note that the Land and Water Plan says that mapping has included sufficient margins to control adjacent activities.

Some areas proposed for removal, especially some block areas, are obviously developed and it is understandable that they be excluded, however a buffer margin to the wetland should still be included from those blocks.

Of major concern is that some areas proposed for exclusion are on public land. Too many adjacent landowners on the west coast have developed, and profit, from public land whilst paying no rates and having no lease. It is a breach of regional and district plans that private activity, including indigenous degradation/ destruction, occurs on our public lands in cases where no permission/ lease for such has been issued.

### **Relief sought:**

We would like to see any marginal areas around these wetlands retained as buffer areas where restricted activities are permitted, with any drainage activity excluded.

These marginal areas could be allowed to continue to function as they are but any land drainage should be prohibited via rules in the Plan.

Exclude such developed block areas but include buffer margin.

Any public land proposed for removal from the wetland schedule is objectionable. Such areas, even if developed, should have any private activity removed from it and the land allowed to revert to its natural state.

### Further submission (FFNZ)

Oppose. Requiring buffers as proposed by the submitter is not appropriate – the land at issue either has the wetland values or it doesn't. The RMA does not require councils to provide additional buffer areas in the way proposed; this would be to the significant detriment of impacted landowners, whether private or otherwise.

We similarly oppose this submitter's objections to a range of mapping changes based on their apparent vague glance at maps and their surmising from this on what the values or land ownership might be; this lacks credibility and any kind of appropriate factual or scientific basis.

### Further submission (NDFL)

Oppose; not farming these areas could result in land reverting to weeds, turning sour and many other associated farming and economic issues.

### Further submission (THOMA)

I oppose Buller Conservation Group and Frida Inta submissions because Council has done a detailed assessment of these wetland boundaries.

### Further submission (BDC)

Oppose in part (as it relates to FOUP023)

FOUP023 Caledonian Terrace is within a reserve for water-conservation purposes vested in the Buller District Council and as such could be considered to be "public land". The areas to be excluded from FOUP023 are considered appropriate exclusions, despite their status as public land, given that they were developed prior to notification of the Land and Water Plan and are not a functioning wetland.

Council supports the exclusions from FOUP023 as notified as a minimum and does not support the addition of any marginal areas or buffers back into the scheduled wetland.

### **Recommendation**

Accept in part

### **Reason**

The reasons given under Decision Requested 2.9 in the May 2018 Section 42A Staff Recommending Report still apply.

The reasons given under Decision Requested 2.3 in the December 2018 Section 42A Staff Recommending Report also still apply.

Following the January 2019 hearing, the Hearing Panel requested for the Department of Conservation Ecologist and the Assessor to undertake caucusing on the eight remaining Schedule 2 wetlands. The caucusing was completed in July 2019 and included site visits to three of the Schedule 2 wetland areas. The two parties also considered whether removing any of the additional areas would affect the hydrology of the remaining designated areas. Staff have considered the new information and recommend additional boundary adjustments to the eight wetland areas covered by the caucusing evidence in Appendix 2, and the caucusing evidence from the site visit in Appendix 3.

The reasons given under Decision Requested 2.9 in the December 2019 Section 42A Staff Recommending Report for further submitter Arthur Thompson (THOMA) still apply. This August 2019 Section 42A Staff Recommending Report does not make any additional recommendations to the area of Schedule 2 wetland on his property because this wetland area is not one of the eight that the Hearing Panel requested caucusing on.

#### **Decision Requested: 2.10**

|                         |    |      |
|-------------------------|----|------|
| <b><i>Submitter</i></b> | 8  | BFL  |
| <b><i>Support</i></b>   | 19 | FFNZ |

#### Submission

##### Process of handling of our situation

Drawing in Boundaries on a Map without proper consultation with us landowner.

#### Boundary

We made a fair offer and was not even considered.

#### River protection

What proportion of river is to be paid DOC/WCRC?

#### Who are we dealing with?

DOC/ WCRC?

Consent put in to finish development, was not expected.

#### **Relief sought:**

Un-bias person to walk our boundary with us.

We want a proper negotiation process.

#### Further submission (FFNZ)

Support. For the same reasons as those within our submission decision requested (2.4); we do not consider adequate input from landowners or appropriate ground-truthing has taken place and that any areas subsequently determined to not contain the required values, must be removed from the maps.

#### **Recommendation**

Accept in part

#### **Reason**

The staff recommendation to reject most of the points in this submission, plus the reasons given, under Decision Requested 2.10 in the May 2018 Section 42A Staff Recommending Report still applies.

The recommendation in the December 2018 Section 42A Staff Recommending Report was to remove the Schedule 2 wetland designation from an additional area as per Figure 13 of the "Schedule 2 Wetland Boundary Review" Report, as attached in Appendix 1. This recommendation included leaving the designation on a small area of forest.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties discussed and reviewed photography of the area shown in Figure 13 of the "Schedule 2 Wetland Boundary Review" Report. They agreed that this area, and the forestry area, do not support wetland species and is no longer a functioning part of the remaining wetland area. They also agreed that removing the designation from this area would not alter the hydrology of the remaining designated area. Therefore, staff recommend removing the designation from the area as shown in the "Schedule 2 Boundary Review" Report, including the area of forest, . Refer to Appendix 2 for the caucusing evidence.

**Decision Requested: 2.12**

|                       |    |       |
|-----------------------|----|-------|
| <b>Submitter</b>      | 27 | INTAF |
| <b>Oppose</b>         | 19 | FFNZ  |
| <b>Oppose</b>         | 56 | NDFL  |
| <b>Oppose</b>         | 58 | THOMA |
| <b>Oppose in part</b> | 47 | BDC   |

Submission

There are a lot of deletions involved but very few additions. The only places I found proposed additions are at Otumahana, Mahinapua, Kapitea. There are 77 wetland sites with proposed deletions.

The Land and Water Plan's section 6, objective 1, Explanation, says, "...Mapping included sufficient margins where necessary to control adjoining land drainage activities that might otherwise affect the natural water level within the wetland itself and have adverse effects on the values present."

Most of the deletions are in marginal areas of wetlands. These marginal areas are buffer areas to the wetlands. Note that the Land and Water Plan says that mapping has included sufficient margins to control adjacent activities.

Some areas proposed for removal, especially some block areas, are obviously developed and it is understandable that they be excluded, however a buffer margin to the wetland should still be included from those blocks.

Of major concern is that some areas proposed for exclusion are on public land. Too many adjacent landowners on the west coast have developed, and profit, from public land whilst paying no rates and having no lease. It is a breach of regional and district plans that private activity, including indigenous degradation/ destruction, occurs on our public lands in cases where no permission/ lease for such has been issued.

**Relief sought:**

I would like to see any marginal areas around these wetlands retained as buffer areas where restricted activities are permitted, with any drainage activity excluded.

These marginal areas could be allowed to continue to function as they are but any land drainage should be prohibited via rules in the Plan.

Exclude such developed block areas but include buffer margin.

Any public land proposed for removal from the wetland schedule is objectionable. Such areas, even if developed, should have any private activity removed from it and the land allowed to revert to its natural state.

Further submission (FFNZ)

Oppose. Requiring buffers as proposed by the submitter is not appropriate – the land at issue either has the wetland values or it doesn't. The RMA does not require councils to provide additional buffer areas in the way proposed; this would be to the significant detriment of impacted landowners, whether private or otherwise.

We similarly oppose this submitter's objections to a range of mapping changes based on their apparent vague glance at maps and their surmising from this on what the values or land ownership might be; this lacks credibility and any kind of appropriate factual or scientific basis.

Further submission (NDFL)

Oppose; not farming these areas could result in land reverting to weeds, turning sour and many other associated farming and economic issues.

Further submission (THOMA)

I oppose Buller Conservation Group and Frida Inta submissions because Council has done a detailed assessment of these wetland boundaries.

Further submission (BDC)

Oppose in part (as it relates to FOUP023)

FOUP023 Caledonian Terrace is within a reserve for water-conservation purposes vested in the Buller District Council and as such could be considered to be "public land". The areas to be excluded from FOUP023 are considered appropriate exclusions, despite their status as public land, given that they were developed prior to notification of the Land and Water Plan and are not a functioning wetland.

Council supports the exclusions from FOUPO23 as notified as a minimum and does not support the addition of any marginal areas or buffers back into the scheduled wetland.

### Recommendation

Accept in part

### Reason

Note that the recommendation to reject this submission in the May 2018 Section 42A Staff Recommending Report was an error. The recommendation should have been Accept in part.

This submission is exactly the same as Decision Requested 2.9 by the Buller Conservation Group. Refer to the reasons given under Decision Requested 2.9 which apply to this submission.

### Decision Requested: 2.13

|                  |    |      |
|------------------|----|------|
| <b>Submitter</b> | 33 | MWC  |
| <b>Oppose</b>    | 38 | RF&B |

### Submission

#### Provisions to which submission relates

- MAIP003
- MAIP004
- HOKP086
- HOKP009
- PUNP001

Minerals West Coast supports the proposed removal of areas of the following wetland areas:

- HOKP009
- PUNP001

Minerals also supports the proposed removal of areas of the following wetlands but also requests that further areas are removed due to previous modification and development of these areas.

- MAIP003
- MAIP004
- MAIP006
- HOKP086

The wetland identified above cover existing minerals permits that allow the holder to either explore or mine for minerals and coal. The incorrect classification or identification of wetlands in these areas will result in increased costs associated with the exploration and development of the mineral and coal resources in these areas.

In some cases this classification has the potential to adversely affect existing mining activities, including current and future investment and employment opportunities.

In assessing the current wetland maps and the associated areas designated for amendment, it appears that there is no consistent approach taken to identification or classification of wetland areas.

In some instances, areas of previous track or road construction and previous land development has been removed where in others this has not.

As a general comment, Minerals West Coast holds concerns regarding the process for identification of the wetlands and the subsequent this process has had on landowners across the region. The inclusion of wetland areas without appropriate assessment has resulted in additional costs being imposed on exploration and mining activities without any information being available to either the land owner or permit holder.

### Relief sought:

The following amendments are sought:

- Removal from MAIP003 all areas of previous modification including Perseverance Road, previous tracking and roading and areas of previous modification associated with logging activities within Minerals Exploration Permit EP60154
- Removal of MAIP006 from within Minerals Mining Permit MP41646 given the level of previous modification within this area as evident on the attached aerial photograph.
- Removal of MAIP004 from within Minerals Mining Permit 52160 given the level of previous modification within this area.

- An increase in the area to be removed from HOKP086 to more fully capture land that has been developed prior to the notification of the Land and Water Plan.
- A more thorough assessment of the values associated with the wetlands identified above and this information provided to the land owners or persons holding interests over the land in question, including minerals permit holders, prior to confirmation or removal or addition to these areas.

The maps attached to this submission show the areas initially identified by the submitter as being consistent with other areas that have been removed from the current wetland areas. Given the significance of the mineral potential underlying these areas a fuller assessment of the identified wetland areas should be undertaken.

[Map submitted in support of submission is included at Appendix 1 of the May 2018 Section 42A Staff Recommending Report, DR 2.52, DR 2.54, DR 2.64, & DR 4.10]

#### Further submission (RF&B)

Forest and Bird is opposed to any further deletions of wetland areas. A thorough (and pragmatic) ecological assessment of the Coast's wetlands has occurred. Further removal would be contrary to Council's responsibilities as set out in the RMA and its own objectives and policies in the Land and Water Plan.

#### **Recommendation**

Accept in part

#### **Reason**

The reasons given under Decision Requested 2.13 in the May 2018 Section 42A Staff Recommending Report for the staff recommendation on wetlands MAIP004 Giles Creek and MAIP006 Te Wharau still apply.

The reasons given under Decision Requested 2.13 in the December 2018 Section 42A Staff Recommending Report for the staff recommendation on wetlands HOKP009 Totara Lagoon and MAIP004 Fletcher Creek still apply.

Refer to Decision Requested 2.63 for the Staff recommendation on wetland area HOKP086 Ross.

The support in part for removal of the areas proposed for wetland PUNP001 is acknowledged. Refer to Decision Requested 2.48 for Council's final recommendation on this area.

### **BULP050 Oweka**

#### **Decision Requested: 2.47**

#### ***Submitter***

34

OFT

#### Submission

Part 1, Oppose. The rules in the original identification of the wetland were unreasonable as they did not allow for consultation with the landowner. As the owner of the land involved I find it unusual that we are now expected to submit on how a proposed change to a decision that was made without any opportunity to submit to the original decision. We do not accept this area is a Wetland.

Part 2, Oppose. This type of land and vegetation is well represented in other land held by the Department of Conservation in the Inangahua Valley.

This land was offered to the Department of Conservation to be purchased through the Heritage Fund by the previous owner, we have offered this land as part of a land swap with the Department of Conservation. Both of these have been turned down.

#### **Relief sought:**

Compensation should be payable for land that is privately owned but cannot be used by the land owner due to it being of significance to the rest of NZ.

If these areas are to stay as recognized wetlands, land owners should be compensated for the cost of seeking a resource consent to use the area.

Rates should not be paid on these areas by the land owner but instead be paid by the central government.

Where applicable a land swap of the same financial value should be offered to the land owner.

Owners should be advised as to the effect on the value of their property that these areas are part of. Banks should be consulted as it is part of their loan security.

This area to be removed from the Wetlands schedule. (Boundaries removed completely).

### Recommendation

Accept in part

### Reason

The reasons given in relation to the submission points about land swaps and compensation under Decision Requested 2.47 in the May 2018 Section 42A Staff Recommending Report still apply.

The recommendation in the December 2018 Section 42A Staff Recommending Report was to remove the Schedule 2 wetland designation from the entire area, as per Figure 2 of the "Schedule 2 Wetland Boundary Review" Report in Appendix 1.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties discussed this wetland area and concluded that a site visit would need to be undertaken to confirm whether the area had wetland values or not. Between March and July 2019 a site visit to the area was undertaken, whereby the parties concluded that the species present indicated that the area does not have wetland values, and so recommended for the designation to be removed from this area. Therefore, staff recommend removing the Schedule 2 wetland designation from the area as per Figure 2 of the "Schedule 2 Wetland Boundary Review" Report. Refer to Appendix 2 for the caucusing evidence and Appendix 3 for the caucusing evidence from the site visits.

## PUNP001 Barrytown Flats, Maher Swamp

### Decision Requested: 2.48

|                  |    |      |
|------------------|----|------|
| <b>Submitter</b> | 5  | BCG  |
| <b>Oppose</b>    | 56 | NDFL |

### Submission

P30 This swamp particularly needs all the protection it can get.

### Relief sought:

Object

### Further submission (NDFL)

Oppose; In a report DOC prepared on the 25<sup>th</sup> August 2009 (file DOCDM463214) declared this area as "not outstanding or remarkable". For this reason the whole of the area on private land should be removed, not just the area identified by WCRC as not ecologically significant.

### Recommendation

Reject submission by BCG

Accept further submission by NDFL

### Reason

The recommendation to reject the submission by the Buller Conservation Group, and the reasons given, under Decision Requested 2.48 in the May 2018 Section 42A Staff Recommending Report still apply.

Regarding the further submission by Nikau Deer Farms Limited, the recommendation in the December 2018 Section 42A Staff Recommending Report, recommended to remove the wetland designation from the entire area as outlined in Figure 82 of the "Schedule 2 Wetland Boundary Review" Report, as attached in Appendix 1.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties discussed this wetland area and concluded that a site visit to the area would need to be undertaken to confirm whether the area had wetland values or not. Between March 2019 and July 2019 a site visit to the area was undertaken, whereby the parties concluded that the forest patch is not wetland. Therefore, staff recommend removing the Schedule 2 wetland designation from the area as per Figure 82 of the "Schedule 2 Wetland Boundary Review" Report. Refer to Appendix 2 for the caucusing evidence and Appendix 3 for the caucusing evidence from the site visits.

### Decision Requested: 2.49

|                  |    |       |
|------------------|----|-------|
| <b>Submitter</b> | 27 | INTAF |
| <b>Oppose</b>    | 56 | NDFL  |

Submission

P30 This swamp particularly needs all the protection it can get.

**Relief sought:**

Object

Further submission (NDFL)

Oppose; In a report DOC prepared on the 25th August 2009 (file DOCDM463214) declared this area as "not outstanding or remarkable". For this reason the whole of the area on private land should be removed, not just the area identified by WCRC as not ecologically significant.

**Recommendation**

Reject

**Reason**

This submission is exactly the same as Decision Requested 2.48 by the Buller Conservation Group. Refer to the reasons given under Decision Requested 2.48 which apply to this submission.

**Decision Requested: 2.50**

|                               |    |      |
|-------------------------------|----|------|
| <b><i>Submitter</i></b>       | 33 | MWC  |
| <b><i>Support in part</i></b> | 56 | NDFL |

Submission

Minerals West Coast supports the proposed removal of areas of the following wetland areas:

- PUNP001

Further submission (NDFL)

Support in part; This area WCRC identified as not ecologically significant should be removed. However this does not go far enough, WCRC should remove the whole area on private land because DOC identified it as "not outstanding or remarkable".

**Recommendation**

Accept

**Reason**

The support from the submitter is acknowledged.

Regarding the further submission, see the response under Decision Requested 2.48 of this Report.

**HOCP004 Candlelight Pakihi****Decision Requested: 2.57**

|                         |    |       |
|-------------------------|----|-------|
| <b><i>Submitter</i></b> | 9  | BRADG |
| <b><i>Support</i></b>   | 49 | FOSTW |

Submission

Support in part.

**Relief sought:**

That the remaining mapped area on my property is removed from the Schedule 2 wetland classification.

The S32 map highlights the reason for removal being that the area is not a functioning wetland, it has conspicuous pasture development, under gone spraying for pest plants and sown with exotic grass seed.

As all the mapped areas of my farm has been modified in exactly the same way (subsurface drainage, pasture development, and sown with exotic grasses) it is unclear why only a portion is proposed to have the wetland classification removed. This area has no wetland values attached to it and should not be subject to the land use restriction imposed on wetland areas.

For consistency and workability all mapped wetlands areas on my farm should be removed.

#### Further submission (FOSTW)

Proposed Plan Change for our Property at Candlelight. This land has been developed and we are happy for it to be removed from a designated wetland.

#### **Recommendation**

Accept

#### **Reason**

The support in part for the wetland designation over the area originally proposed to be removed is acknowledged.

The recommendation in the December 2018 Section 42A Staff Recommending Report was to remove the designation from both the southern area, and the northern area, as per Figure 19 of the "Schedule 2 Wetland Boundary Review" Report in Appendix 1.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties further discussed this area of wetland and concluded that a site visit would need to be undertaken to confirm whether the area had wetland values or not. Two site visits to the area occurred in May and June 2019. The parties surveyed nine plots and found that one third of the area is wetland and two thirds of the area is not wetland. They also concluded that the area that is wetland is located within two larger areas that are not wetland, and so it is likely that the values of the middle wetland area will not be retained in the long term. Based on the information contained within the file note from the two site visits, staff recommend removing the Schedule 2 wetland designation from the area as shown in Figure 19 of the "Schedule 2 Boundary Review" Report. Refer to Appendix 2 for the caucusing evidence and Appendix 3 for the caucusing evidence site visit file note.

### **HOKP086 Ross**

#### **Decision Requested: 2.63**

#### **Submitter**

29

KAURI

#### Submission

Kauri 139 Ltd/ NZG Limited support the removal of part of HOKP086, however the current area of removal does not fully cover the areas that have been modified previously. Therefore an amendment is requested, this is reflected in the attached map.

#### **Relief sought:**

The removal area should be increased to cover the area shown on the attached map.

[Map submitted in support of submission is included at Appendix 1 of the May 2018 Section 42A Staff Recommending Report, D.R 2.63]

#### **Recommendation**

Accept Reject

#### **Reason**

In the December 2018 Section 42A Staff Recommending Report, staff recommended removing the Schedule 2 wetland designation from the entire area of Scheduled2 wetland for the reasons set out in the "Schedule 2 Wetland Boundary Review" Report attached in Appendix 1 of this report. Following notification of the December 2018 Section 42A Staff Recommending Report, the Department of Conservation submitted evidence that questioned how thorough the assessment of the area was, given the Assessor had not penetrated the vegetation beyond the edge of the wetland. Staff considered this view, and so undertook a drone flight over the wetland area to gain a better understanding of the vegetation in the middle of the wetland. Photos from the drone flight showed that the area was largely made up of flax, which staff are aware is a common wetland species. Therefore, at the hearing in January 2019, staff recommended to remove the designation from the area that was originally proposed to be removed, as shown by red hatched lines on page 53 of the "Section 32 Report: Maps Showing Changes to Scheduled Wetland Boundaries" document. Furthermore, staff recommended leaving the designation in place over the remaining wetland area, unless it could be confirmed that the central area is not wetland.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties discussed this area of wetland and agreed to recommend the removal of the designation from the eastern area as per page 53 of the Section 32 Report. Planning Staff support this recommendation.

#### **Decision Requested: 2.64**

**Submitter**

33

MWC

Submission**Relief sought:**

- An increase in the area to be removed from HOKP086 to more fully capture land that has been developed prior to the notification of the Land and Water Plan.

The maps attached to this submission show the areas initially identified by the submitter as being consistent with other areas that have been removed from the current wetland areas. Given the significance of the mineral potential underlying these areas a fuller assessment of the identified wetland areas should be undertaken.

[Map submitted in support of submission is included at Appendix 1 of the May 2018 Section 42A Staff Recommending Report, D.R 2.64]

**Recommendation**

Accept in part Reject

**Reason**

Refer to Decision Requested 2.63 for the staff recommendation on this wetland area.

**HOKP099 Little Houhou Creek****Decision Requested: 2.66****Submitter**

30

LOWEA

**Support**

10

BROM

**Support**

30

LOWEA

Submission

I oppose this section of the Plan as I am a landowner who has lost significant value of my property and also lost the option to build on this land; without any compensation offered.

**Relief sought:**

Withdraw the reclassification of my property, which is now useless to me as an investment, or arrange appropriate compensation for the loss of value.

Further submission (BROM)

We would like to add a further submission to state that we support D Chinn and A Lowe in their submissions to your council. As you know they both boundary our land.

Further submission (LOWEA)

Oppose. Land that I own is directly affected by the proposed Plan in that the land will lose significant valuation and resale values, due to the wetland classification. I would accept appropriate compensation or a land swap for the loss of value I have incurred.

**Recommendation**

Accept in part

**Reason**

The reasons given in the May 2018 Section 42A Staff Recommending Report in relation to rejecting the parts of this submission regarding compensation and land swaps still apply.

In the December 2018 Section 42A Staff Recommending Report staff recommended removing the designation from the area outlined in light blue of Figure 42 of the "Schedule 2 Wetland Boundary Review" Report in Appendix 1.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties discussed this wetland area, and based on the groundwater hydrology of the area and the vegetation found within the area, concluded that the driveway area does not have wetland values, but the remaining designated area does. Therefore Planning staff have changed their previous recommendations, and now recommend removing the designation from driveway area. Refer to Appendix 2 for the caucusing evidence on this area.

## HOKP119 Lake Mudgie

### Decision Requested: 2.70

|                  |    |       |
|------------------|----|-------|
| <b>Submitter</b> | 23 | GRIGA |
| <b>Support</b>   | 48 | CARN  |
| <b>Support</b>   | 52 | KSL   |

#### Submission

I am in support of each separate provision because the land is not wetland and this areas been developed for a long time.

#### Further submission (CARN)

I support the original submission and request an additional adjustment to remove the remaining wetland on my property for the same reason (not wetland and developed). See attached area in white.

[Map submitted in support of submission is included at Appendix 3 of the May 2018 Section 42A Staff Recommending Report, D.R 2.70]

#### Further submission (KSL)

Please note that the Lake Mudgie HOKP119 page 59 of maps is in two distinct catchments.

The one around lake Mudgie itself drains to the west and not through our property, Kawhaka Station. It is of little concern to us. However we do support Andrew Grigg in his further submission. I have told him this in person.

#### Summary

We are not opposed to some of the wetter area going into a wetland but we do want to see a proper assessment done of the eastern area of Lake Mudgie HOKP119. Both the Kawhaka Station land and the DoC land as the present proposal looks quite ludicrous.

#### Our Concerns:

Whoever drew the blue on the map did not take any care whatsoever as spelt out below.

1. The eastern area does drain out through Kawhaka Station via numerous creeks that come down over the terrace and Whisky Creek which also runs down through a neighbouring property that is not affected by the proposal.
2. The blue marked area bisects two of the three sections affected (1121 1064 1062) and isolates the northern parts of two of the sections.
3. On both north and south margins there is undulating to steep land and in parts forested.
4. The Malfroys tram runs through the blue marked area. This tram has drains in operational condition on both sides in parts.
5. There is an old gravel pit within the blue area used to build the tram.
6. Much of the southern part is broken country having eroded over thousands of years and is covered in gorse and scrub. It can be clearly seen on the WCRC provided map under the blue shading.
7. Some of the blue shaded area to the west of our boundary has been V bladed and planted with radiata pine trees some twenty years ago.
8. The DoC area to the east of our boundary and up to the Old Christchurch Road has quite a steady slope (30 metre drop over 400 metre distance) and while it is pakihi, it can be driven through with a two wheel drive tractor in a straight line as I have done back in the 1970s for a proposed water line.
9. Other significant areas of DoC land is hilly and covered in bush.
10. The Supply Water Race runs through the Blue marked area, has its own reserve and is on hilly terrain, much covered in bush.
11. The process of taking control of the so-called wet land leaves a lot to be desired.
12. Initially there was no consultation and was done in secrecy with legal threats if made public.
13. We had a visit from Hamish Fairburn on a rainy day and we walked over the open pakihi. Where we walked there was no pooling water and you could have walked through it in shoes except the vegetation was wet. We discussed that I had little objection to the area along our western boundary being declared a wetland as a creek drains into it leaving the area very wet and you could not walk or make your way through it. It covers both part of 1121 and our neighbours. Whisky Creek comes out of it and drains through part of section 1121.
14. Following Hamish Fairburn's visit we got a letter stating we would need to get a resource consent to do anything relating to the affected area.
15. We believe that the total area identified with the blue shading is totally over the top and whoever drew that did not take particular care whatsoever. Our concerns were not addressed following Hamish Fairburn's visit.

We pay the rates on this area based on potentially being developed for dairying.

DoC has similar land and pays no rates. If our wings are to be clipped then it is only proper that the appropriate area be exempted from rates.

In Summary - Relief sought

We are not opposed to some of the wetter area going into a wetland but we do want to see a proper assessment done of the eastern area of Lake Mudgie HOKP119 on both the Kawhaka Station land and the DoC land as the present proposal looks quite ludicrous.

**Recommendation**

Accept submission by GRIGA

Accept in part further submission by CARN

Accept in part further submission by KSL

**Reason**

The staff recommendation and reasons given in the May 2018 Section 42A Staff Recommending Report for the submission by Andrew Grigg (GRIGA) and further submission by Nony Caro (CARN) still apply.

Regarding further submitter Kawhaka Station Limited (KSL), the December 2018 Section 42A Staff Recommending Report, recommended removing the designation from the area outlined in light blue of Figure 58 of the "Schedule 2 Wetland Boundary Review" Report in Appendix 1.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties discussed this wetland area and agreed that a proportion of the area in Figure 50 of the "Schedule 2 Wetland Boundary Review" Report did not support wetland forest species; rather the area supported a mix of common forest species that are not indicative of wetlands. Therefore, Planning staff have changed their previous recommendation, and now recommend removing the Schedule 2 wetland designation from the area outlined in light blue on the map attached in Appendix 4. Refer to Appendix 2 for the caucusing evidence.

## PART 3: CHANGES TO WETLAND KAGP008 LAKE KINI TO RECOGNISE CULTURAL AND SPIRITUAL VALUES

### KAGP008 Lake Kini

#### Decision Requested: 3.1

|                  |    |      |
|------------------|----|------|
| <b>Submitter</b> | 38 | RF&B |
| <b>Reject</b>    | 59 | TROM |

#### Submission

- It is inappropriate to remove areas of wetlands (KAGP008) from Schedule 2 of the Operative Plan to recognise local Ngāi Tahu cultural and spiritual values.  
The identification of significant wetlands occurs as a result of ecological criteria.  
The recognition of matters in relation to s 6 (e) should occur elsewhere in the Plan to address the management of wetlands with cultural values and these values addressed through a consenting process.
- The tenure of the subject land needs to be established. If it is fully or in part land subject to the South Island Native Land Act (SILNA) the Environment Court (Environment Court A039/01 paras 147-148) has found that a rule in a Plan relating to SILNA land did not 'necessarily fail to take into account the Treaty of Waitangi.
- Forest and Bird submits regardless of whether it is SILNA land or not identifying a wetland as ecologically significant in the Plan and on land owned by iwi does not in itself fail to properly consider the Treaty nor does exempting the land from any Schedule or rule.

#### **Relief sought:**

Retain Schedule 2 wetland status in areas on map KAGP008 proposed to be removed to 'recognise local Ngāi Tahu cultural and spiritual values'.

[Note that the full Environment Court decision was included with the submission and is included at appendix 2 of the May 2018 Section 42A Staff Recommending Report]

#### Further submission (TROM)

Te Rūnanga o Makaawhio support the proposed Plan Change 1.

#### **Recommendation**

Accept in part

#### **Reason**

The reasons given in the May 2018 Section 42A Staff Recommending Report to accept the Forest and Bird submission to leave the wetland designation in place still partly apply. The Plan Change 1 proposal was to remove parts of the wetland designation for cultural and spiritual reasons based on information provided by Te Rūnanga o Makaawhio. In the May 2018 Staff Recommending Report, staff recommended leaving the remaining wetland designation in place for the reasons given in the May 2018 Report.

At the time of the June 2018 hearing, a site visit by Council, DOC staff, or Forest and Bird to the Lake Kini wetland had not been undertaken to view and confirm which parts had wetland values or not. Tim Rochford, on behalf of the Rūnanga, stated at the hearing that there were areas that do not have wetland values.

The recommendation in the December 2018 Section 42A Staff Recommending Report, recommended to remove the Schedule 2 wetland designation from three areas as per Figure 66 of the "Schedule 2 Wetland Boundary Review" Report attached in Appendix 1.

At the caucusing between the Department of Conservation Ecologist and the Assessor in March 2019, the parties agreed that the three areas shown in Figure 66 of the "Schedule 2 Wetland Boundary Review" Report were not wetland and that the removal of these areas is unlikely to affect the adjacent wetland areas. Therefore staff recommend removing the designation from the areas as per Figure 66 of the "Schedule 2 Wetland Boundary Review" Report and as recommending in the caucusing evidence. Refer to Appendix 2 for the caucusing evidence on this wetland area.

Planning staff acknowledge that Te Rūnanga o Makaawhio have concerns regarding wetland designation KAGP008 Lake Kini. Council staff are unable to remove the designation for cultural and spiritual reasons as previously detailed in the May 2018 Section 42A Staff Recommending Report. The Council is committed to undertaking consultation with Te Rūnanga o Makaawhio on future changes to our regional plans to address these concerns.

## Submitter Address for Service

|                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Submitter 5: BCG</b></p> <p>Buller Conservation Group<br/>PO Box 463<br/>Westport 7866</p> <p>Attention: Frida Inta</p> <p><b>Email:</b><br/><a href="mailto:karearea.f@gmail.com">karearea.f@gmail.com</a></p>                | <p><b>Submitter 8: BFL</b></p> <p>Andrew and Jackie Campbell<br/>Bonar Farms Ltd.<br/>Private Bag 758<br/>Hokitika 7842</p> <p><b>Email:</b><br/><a href="mailto:acam@xtra.co.nz">acam@xtra.co.nz</a></p>                      | <p><b>Submitter 9: BRADG</b></p> <p>Gordon Bradley<br/>99 Blair Road<br/>RD1<br/>Dobson7872</p> <p><b>Email:</b><br/><a href="mailto:bradleyfarming@gmail.com">bradleyfarming@gmail.com</a></p>                                                                  |
| <p><b>Submitter 10: BROM</b></p> <p>Mike and Wendy Brooks<br/>Kaihinu Farms Ltd.<br/>82 One Mile Line Road<br/>RD2<br/>Hokitika 7882</p>                                                                                             | <p><b>Submitter 15: ELWEP</b></p> <p>Paul Elwell-Sutton<br/>PO Box 99<br/>Haast 7844</p> <p><b>Email:</b><br/><a href="mailto:pelwellsutton@fastmail.fm">pelwellsutton@fastmail.fm</a></p>                                     | <p><b>Submitter 19: FFNZ</b></p> <p>Federated Farmers of New Zealand<br/>PO Box 20448<br/>Bishopdale<br/>Christchurch 8543</p> <p>Attention: Angela Johnston</p> <p><b>Email:</b><br/><a href="mailto:ajohnston@fedfarm.org.nz">ajohnston@fedfarm.org.nz</a></p> |
| <p><b>Submitter 23: GRIGA</b></p> <p>Andrew Grigg<br/>PO Box 206<br/>Hokitika 7842</p> <p><b>Email:</b><br/><a href="mailto:bushmanz2002@yahoo.co.nz">bushmanz2002@yahoo.co.nz</a></p>                                               | <p><b>Submitter 27: INTAF</b></p> <p>Frida Inta<br/>PO Box 463<br/>Westport 7866</p> <p><b>Email:</b> <a href="mailto:karearea.f@gmail.com">karearea.f@gmail.com</a></p>                                                       | <p><b>Submitter 29: KAURI</b></p> <p>Kauri 139 Ltd. /NZG Ltd.<br/>C/- Resource Solutions West Coast<br/>Ltd.<br/>PO Box 257<br/>Greymouth 7840</p> <p>Attention: Phillip McKinnel</p> <p><b>Email:</b> <a href="mailto:phil@rswc.co.nz">phil@rswc.co.nz</a></p>  |
| <p><b>Submitter 30: LOWEA</b></p> <p>Allan Lowe<br/>3314 Karamea Highway<br/>RD1<br/>Westport 7891</p> <p><b>Email:</b><br/><a href="mailto:GeorgiaWilkinson@gghannabee@hotmail.com">GeorgiaWilkinson@gghannabee@hotmail.com</a></p> | <p><b>Submitter 33: MWC</b></p> <p>Minerals West Coast<br/>PO Box 77<br/>Greymouth 7840</p> <p>Attention: Peter O'Sullivan</p> <p><b>Email:</b><br/><a href="mailto:petero@mwco.org.nz">petero@mwco.org.nz</a></p>             | <p><b>Submitter 34: OFT</b></p> <p>MJ &amp; CE O'Regan Family Trust<br/>223 O'Regans Road<br/>RD1<br/>Reefton 7895</p> <p>Attention: Matthew O'Regan</p> <p><b>Email:</b><br/><a href="mailto:mcoregan@ihug.co.nz">mcoregan@ihug.co.nz</a></p>                   |
| <p><b>Submitter 38: RF&amp;B</b></p> <p>Royal Forest and Bird Protection<br/>Society of New Zealand<br/>PO Box 2516<br/>Christchurch 8140</p> <p>Attention: Nicky Snoyink</p> <p><b>Email:</b></p>                                   | <p><b>Submitter 47: BDC</b></p> <p>Rachel Townrow<br/>Team Leader Planning<br/>Buller District Council<br/>PO Box 21<br/>Westport 7866</p> <p><b>Email:</b><br/><a href="mailto:rachel@bdc.govt.nz">rachel@bdc.govt.nz</a></p> | <p><b>Submitter 48: CARN</b></p> <p>Nonny Caro<br/>112 Holliss Avenue<br/>Cashmere<br/>Christchurch 8022</p> <p><b>Email:</b> <a href="mailto:Nonnynz13@gmail.com">Nonnynz13@gmail.com</a></p>                                                                   |

|                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <a href="mailto:n.snoyink@forestandbird.org.nz">n.snoyink@forestandbird.org.nz</a>                                                                                                                                                            |                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                  |
| <p><b>Submitter 49: FOSTW</b></p> <p>William and Caroline Foster<br/>19 Matai Street<br/>Dobson 7805</p>                                                                                                                                      | <p><b>Submitter 51: JONKRD</b></p> <p>B Jones &amp; Kongahu Rating District<br/>4300 Karamea Highway<br/>RD3 Karamea 7893</p> <p><b>Email:</b><br/><a href="mailto:cb.jones@farmside.co.nz">cb.jones@farmside.co.nz</a></p>                                         | <p><b>Submitter 52: KSL</b></p> <p>Kawhaka Station Limited<br/>1616 Old Christchurch Road<br/>RD2<br/>Hokitika 7882</p> <p>Attention: Cornelius (Kees) Adrianus van Beek</p> <p><b>Email:</b> <a href="mailto:kees46@outlook.co.nz">kees46@outlook.co.nz</a></p> |
| <p><b>Submitter 53: KONGF</b></p> <p>Stuart McGregor<br/>Kongahu Farm Limited<br/>107 Puawai Road<br/>RD7<br/>Palmerston North 4477</p> <p><b>Email:</b><br/><a href="mailto:smcgregor.family@xtra.co.nz">smcgregor.family@xtra.co.nz</a></p> | <p><b>Submitter 56: NDFL</b></p> <p>GE &amp; CE Coates<br/>Nikau Deer Farm Limited<br/>3789 Coast Road<br/>RD1<br/>Runanga 7873</p> <p><b>Email:</b> <a href="mailto:grgncryl@xtra.co.nz">grgncryl@xtra.co.nz</a></p>                                               | <p><b>Submitter 58: THOMA</b></p> <p>Arthur Thomson<br/>PO Box 4<br/>Ross 7860</p>                                                                                                                                                                               |
| <p><b>Submitter 59: TROM</b></p> <p>Te Rūnanga o Makaawhio<br/>Po Box 225<br/>Hokitika 7842</p> <p>Attention: Tim Rochford</p> <p><b>Email:</b> <a href="mailto:rocht@tpk.govt.nz">rocht@tpk.govt.nz</a></p>                                  | <p><b>Submitter 14: DOC</b></p> <p>RMA Shared Services<br/>Department of Conservation<br/>Private Bag 4715<br/>Christchurch Mail Centre 8140</p> <p>Attention: Ken Murray</p> <p><b>Email:</b><br/><a href="mailto:kmurray@doc.govt.nz">kmurray@doc.govt.nz</a></p> |                                                                                                                                                                                                                                                                  |

**Appendix 1**

# Schedule 2 Wetland Boundary Review 2018

Charlotte Phelps

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## Introduction

The purpose of this project was to review specific areas of Schedule 2 wetlands where a submitter on Proposed Plan Change 1 to the Regional Land and Water Plan (pPC1) had requested to have part of the wetland designation removed from areas on their land that are not wetland, through the pPC1 process.

The Hearing Panel requested that I undertake the site visits and assessments of certain Schedule 2 wetland boundaries. I hold a Bachelor of Science in Biological Sciences and Geography with an endorsement in Environmental Sciences (University of Canterbury). In conjunction with this, I have completed the Level 4 Plant Identification course through the Nelson Marlborough Institute of Technology. Relevant employment experience includes biodiversity monitoring with the Department of Conservation, vegetation auditing with Canterbury University and conducting ecological assessments while employed by VCS Environmental.

In carrying out this task, the Resource Management Act 1991 definition of a wetland was applied:

*“Wetland includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.”*

The following Report states the presence, extent and depth of water at each wetland designation. Furthermore, the presence of plants and animals adapted to wet conditions and the firmness of the ground was also recorded along with recommended boundary adjustments.

Note that the following wetland designations were not assessed:

MAI004 Giles Creek was not assessed as the submitter did not see it as necessary.

BRUP003 Lake Poerua was not assessed as planner Alyce Melrose confirmed that the landowner was not seeking a boundary adjustment.

FOUP014 Okari Lagoon was not assessed as there has been a change in landowner and approval for a site visit was not granted. The new landowner of FOUP014 Okari Lagoon is Jennifer Lake, based in the United States. Warren Stratford, the former landowner, informed me of this, saying he had not been part of the property for over a year. Several attempts were made to contact Ms Lake however these were unsuccessful, therefore no site visit occurred.

## **BULP050 Oweka**

**Date of Visit:** 5 September 2018

**Wetland:** BULP050 Oweka

**Location:** Inangahua

**Total Rainfall Seven Days Prior to Visit:** 36.5mm

**Owner:** Matthew O'Regan

### **Summary:**

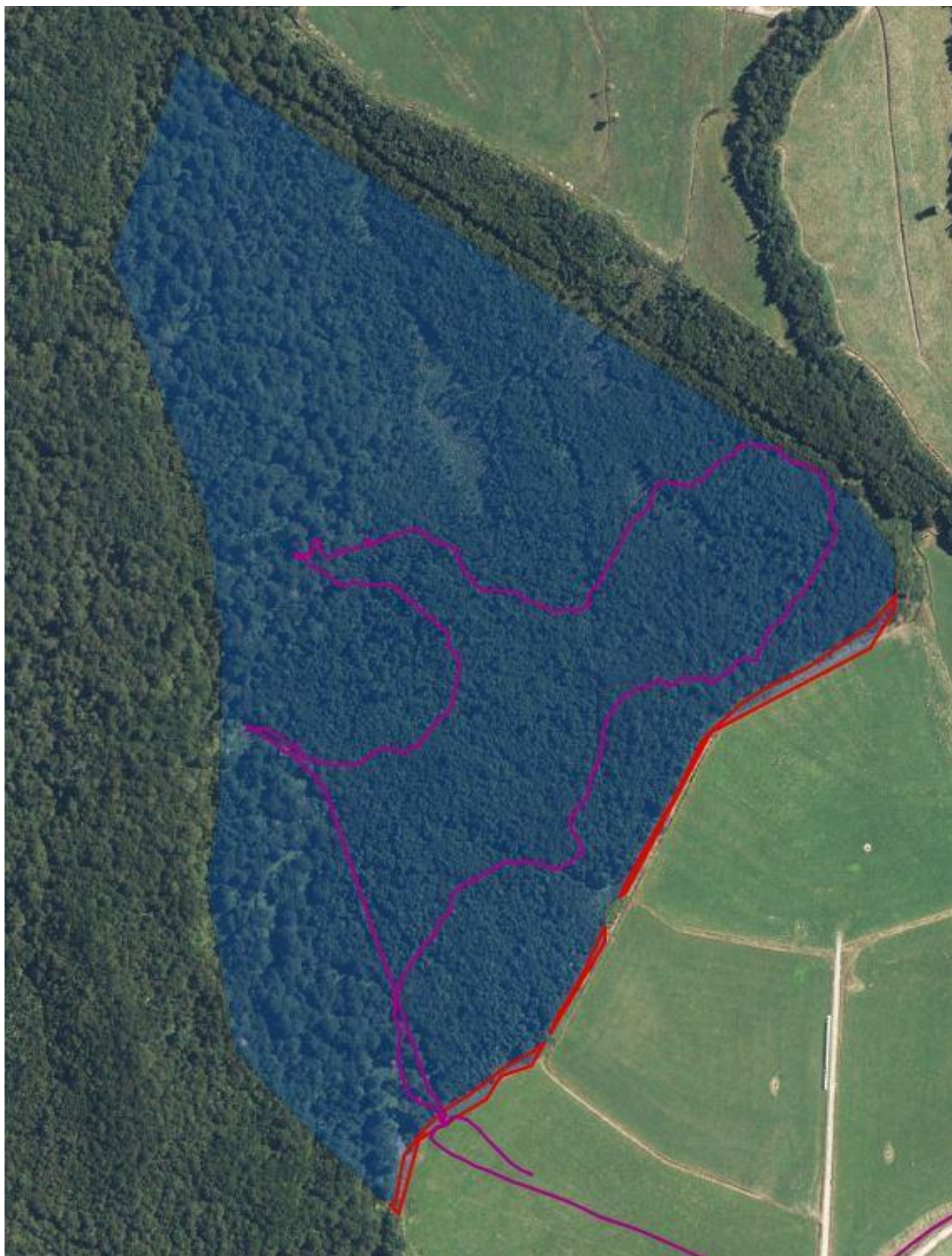
During the hearing, Mr O'Regan questioned the Environment Court process and requested that the designation be removed from another area aside from the already proposed three areas to be removed from the south eastern boundary.

I met with Mr O'Regan on site and we discussed the history of the whole designated area. He stated that the area has been drained, it was logged in the 1950's and is comprised mainly of regenerating podocarp vegetation. A site visit onto the designated site has not occurred during the Plan Change 1 process.

From my site visit, I can confirm that the area has been extensively drained – there is a drain running along the eastern side of the designation. The ground was solid underfoot and I did not observe any pooling of water or any communities of species that would give me reason to consider the area as a wetland.

Vegetation consisted of, but was not limited to: regenerating Kahikatea, Rimu, Pepperwood, Five Finger, Lancewood, flax and gorse. Pell Creek runs north up the western side of the designation. I observed evidence of pig rooting around the site and saw a female goat with two kids. Access to areas of the designation was limited due to the density of gorse present, which indicates the ground is dry and unlikely to support a community of wetland species.

Based on my site visit, I suggest removing the entire designation of wetland BULP050 Oweka as I do not consider it to be representative of a wetland.



*Figure 1 Area Assessed. Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple*



Figure 2 Figure 2 Recommended Adjustments



*Figure 3 Photo representative of the designation*



*Figure 4 Evidence of pig rooting*



*Figure 5 Gorse within the designation*



*Figure 6 Grass within the designation*



*Figure 7 Pell Creek*

## HAAP012 Turnbull Waiatoto

**Date of Visit:** 11 September 2018

**Wetland:** HAAP012 Turnbull Waiatoto

**Location:** Haast

**Total Rainfall Seven Days Prior to Visit:** 1mm

**Owner:** Gerald Essenburg

### Summary:

Mr Essenburg made a submission on pPC1, however he was unable to give planning staff more information about the wetland as he was based in Kaikoura (now based in Balclutha), and was unable to get to the wetland as it was not long after the Kaikoura earthquakes. No areas are proposed to be removed from Mr Essenburg's property through the Plan Change 1 process.

South Turnbull Road runs down the eastern side of the designation, with a drain running parallel between the designation and South Turnbull Road. There had been little rainfall during the week prior to the assessment, however the area was permanently wet indicating poor drainage and the ground was soft underfoot. There was no water flow through the wetland. The wetland was flat overall, however the ground was very uneven, with a number of large dips. I anticipate that during periods of high rainfall the area will retain a large amount of pooled water.

Indicative communities of wetland species observed included, but were not limited to, tangle fern, wire rush, Sphagnum Moss, bog pine, inaka and ghania. Around the western periphery of the pakihi the wetland begins to merge into forest. This area was very soft underfoot, at one point I sunk knee deep into the ground. Vegetation in this area consisted of Totara, Kahikatea, wire rush and Sphagnum Moss.

Overall, the area is made up of a community of wetland species, is poorly drained and I would class this area as predominantly pakihi (a type of wetland). It would be my recommendation for the designation to remain and for no adjustments to be made.



*Figure 8 HAAP012 Area Assessed*

*Key: Designated Wetland – Blue, GPS track of this site visit - Purple*



*Figure 9 Photo representative of the area*



*Figure 10 Looking east towards South Turnbull Road*



*Figure 11 Drain running along South Turnbull Road*

## HARP021 Lake lanthe

**Date Assessed:** 20 August 2018

**Wetland:** HARP021 Lake lanthe

**Location:** Lake lanthe

**Total Rainfall Seven Days Prior to Visit:** 25.5mm (15.5mm on day of visit)

**Owner:** Andrew and Jackie Campbell (Bonar Farms Ltd)

### Summary:

In March 2013, the Council's Wetland Coordinator undertook a site visit to the Campbell's property and concluded that the Department of Conservation (DOC) Ecologist would need to undertake a site visit. However, Mr and Mrs Campbell were not comfortable allowing the DOC Ecologist onto their property. Consequently, only a very small area of the designated wetland was able to be assessed and recommended to be removed. The Campbell's submission requested another opinion of the area. At the hearing they indicated that an area on the landward side of the drain near the lake is, in their view, not wetland.

I walked around the area that Mr and Mrs Campbell had said was not wetland, and where they had begun development of the land prior to the Plan Change 1 process. At the time of the visit, there was relatively heavy rainfall (15.5mm total), as well as a substantial amount of rain during the days leading up to the site visit (25.5mm total). The ground that I covered was hard underfoot, and there was no permanent pooling of water observed. Due to the current and previous day's rainfall, there was surface water up to approximately 5cm deep.

In terms of vegetation and wetland values in the designation, I did not observe communities of flora or fauna that would lead me to believe the area assessed is wetland or has wetland values. The area has been previously developed and was made up of grass, gorse, blackberry and Manuka. There is a stand of trees in the centre of the area assessed, which the submitter advised was predominantly Kahikatea and ferns. I did not access this area, however from conversations with Mr and Mrs Campbell, I am led to believe that this area does have wetland values and should remain as part of the scheduled wetland designation, which Mr and Mrs Campbell are in agreement with.

We headed down the cattle race on the southern boundary of the wetland (the race is proposed to have the designation removed from it) to assess the area northward. Mr Campbell requested for the wetland boundary to be moved approximately 50m northward from the race for the purpose of potential future development. The ground was, again, hard underfoot, there was no permanent surface water observed and vegetation consisted of gorse, Manuka and some Kahikatea.

Based on my site visit I recommend removing part of the designation as shown on the attached map. This is due to the land being previously modified, the ground being solid underfoot, no permanent surface water observed and the vegetation in the area not being typical of that of a wetland.



*Figure 12 HARP021 Area Assessed*

*Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple*

*Please note, there was a technical issue with the tracker and the straight purple lines north of the drain line are not part of the track.*

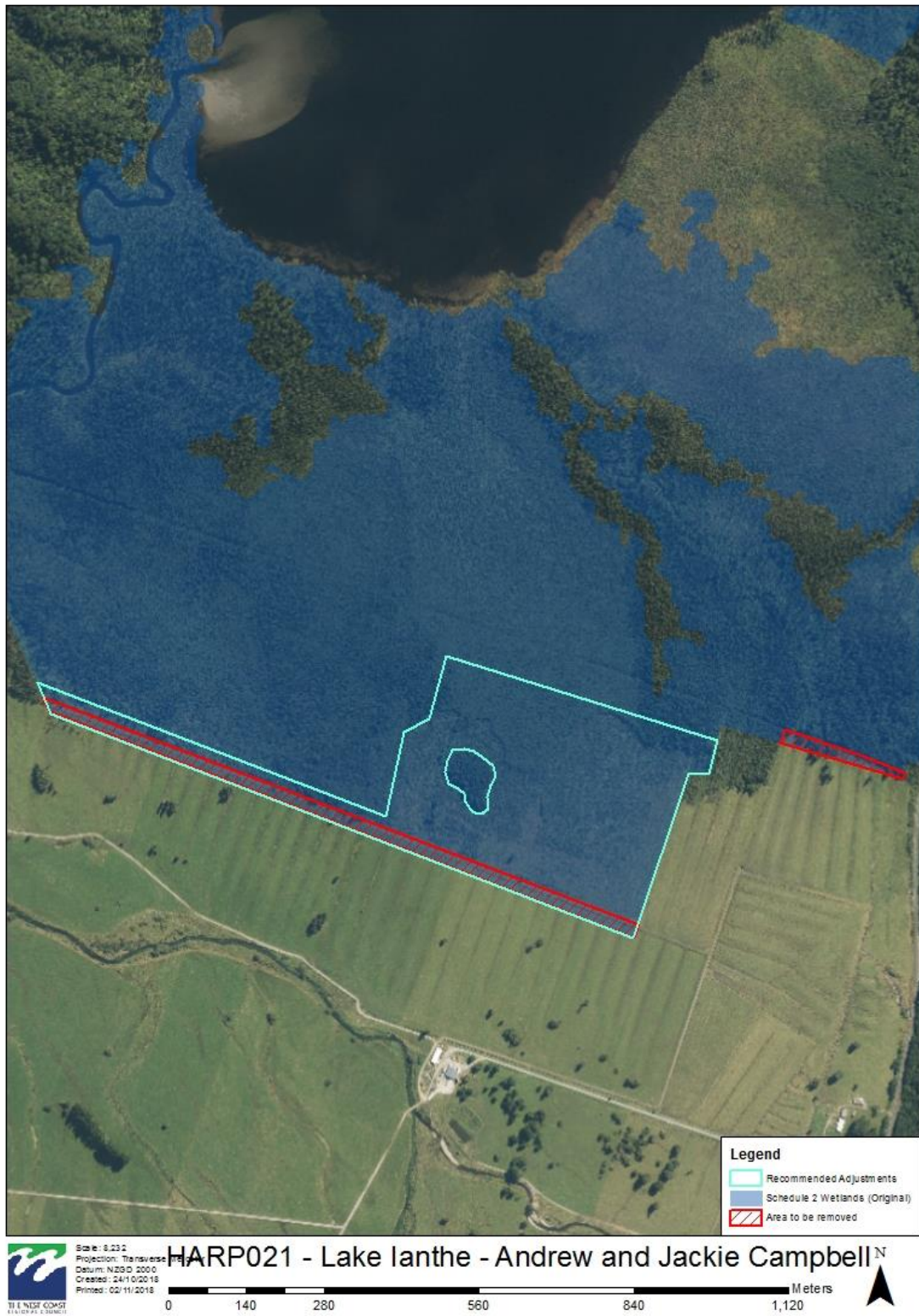


Figure 13 Recommended Adjustments



*Figure 14 Area within the designation recommended to be removed*



*Figure 15 Area within the designation recommended to be removed*



*Figure 16 Area within the proposed 50m buffer from the race*



*Figure 17 Area within the proposed 50m buffer from the race*

## HOCP004 Candlelight Pakihi

**Date Assessed:** 17 August 2018

**Wetland:** HOCP004 Candlelight Pakihi

**Location:** Stillwater

**Total Rainfall Seven Days Prior to Visit:** 25.5mm

**Owner:** Gordon and Dianne Bradley

**Summary:**

During the hearing Mr and Mrs Bradley requested that some areas within the designation be removed. They consider them to not be wetland as they were highly developed prior to the wetland designation coming into effect. Mr and Mrs Bradley intend to further develop the paddocks and control invasion from exotic vegetation such as gorse.

The entirety of the area that I looked at was not wetland. The land was as Mr and Mrs Bradley described it - highly modified and the vegetation consisted of gorse, rushes and grass. The ground was gravelly, dry and there was no indication of wetland communities within the area in question.

Based on the site visit, I would recommend removing the entirety of the wetland designation that the submitter requested. This would leave smaller areas of designated wetland remaining which surround the proposed area to be removed (I did not visit these areas as they have not been requested to be removed).



Figure 18 Area Assessed Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple

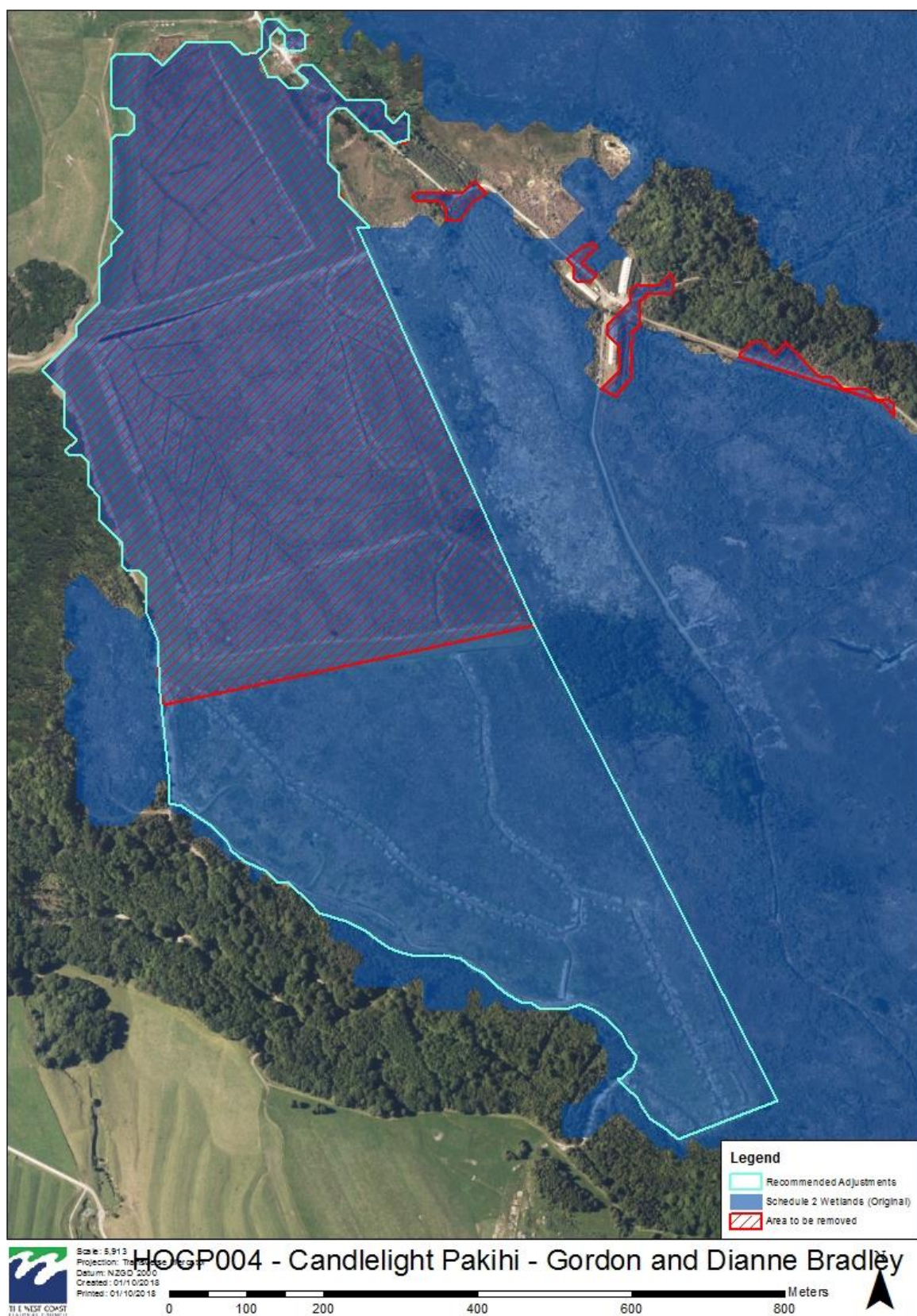


Figure 19 Recommended Adjustments – light blue



*Figure 20 Area within the designation recommended to be removed*



*Figure 21 Area within the designation recommended to be removed*



*Figure 22 Photo showing modification*

## HOKP009 and HOKP064 Totara Lagoon

**Date Assessed:** 14 August 2018

**Wetland:** HOKP009 and HOKP064 Totara Lagoon

**Location:** Ross

**Total Rainfall Seven Days Prior to Visit:** 67.5mm

**Owner:** Arthur Thompson

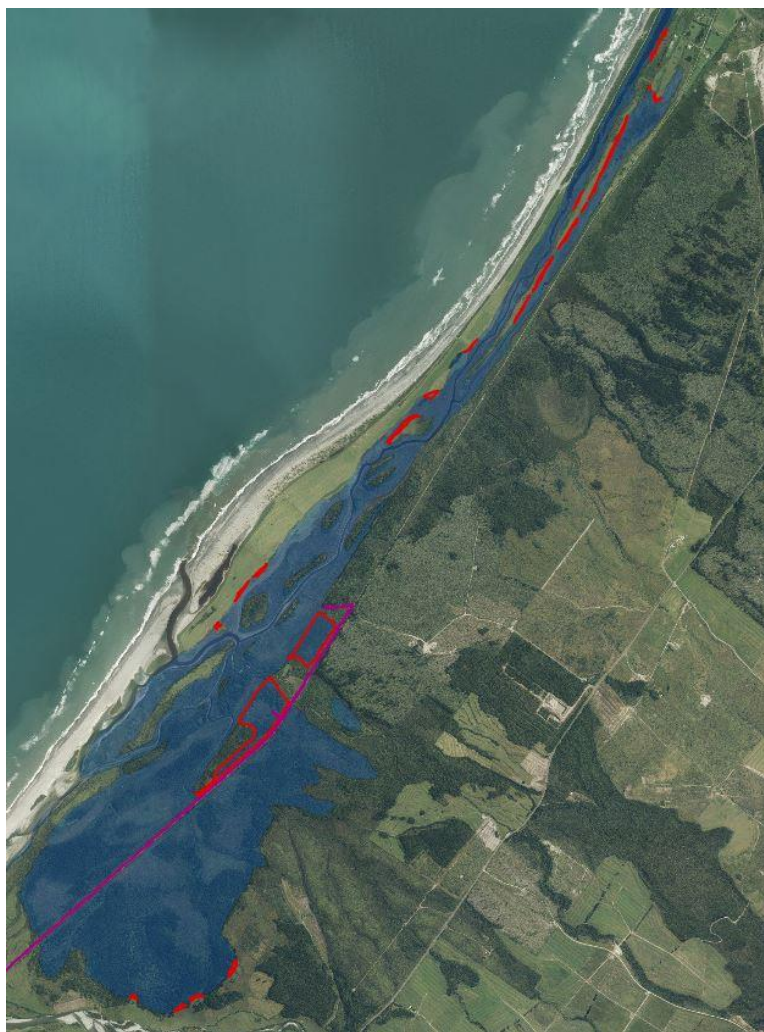
### Summary:

Multiple site visits have occurred to this wetland by the Council Planner and DOC Ecologist. This led to areas being proposed to be removed. The Wetland Coordinator attempted to facilitate the Nature Heritage Fund in purchasing the remaining wetland, however this did not occur during that funding round.

Mr Thompson is seeking the land to be purchased by DOC. During my visit Mr Thompson informed me that the initial plan of mining areas, if they were to have the wetland designation removed, is no longer relevant and he wants the land to be purchased as he does not want to be paying rates on land that he cannot utilise or sell.

Based on my site visit, I support removing the areas recommended by Proposed Plan Change 1 as they are comprised predominantly of gorse and are not wetland.

No additional areas are recommended to be removed. Both Stenhouse and Woolhouse Creeks run through the wetland, running east to west. From what I observed, I would recommend retaining the remaining designation as wetland as it includes communities of wetland vegetation such as Cabbage trees, flax and Kahikatea. We were unable to go to these areas for further assessment as the submitter advised it would be unsafe, as these areas are very wet.



*Figure 23 HOKP009 and HOKP084 Area Assessed*

*Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit - Purple*



*Figure 24 Looking into one of the areas proposed to be removed*



*Figure 25 At the northern end of the designation near Stenhouse Creek*



*Figure 26 At the northern end of the designation near Stenhouse Creek*

## HOKP018 Whiley Creek

**Date Assessed:** 30 July 2018

**Wetland:** HOKP018 Whiley Creek

**Location:** Hokitika

**Total Rainfall Seven Days Prior to Visit:** 106.1mm

**Owner:** Arthur Provis (Assessment done with his son, Graham Provis)

**Summary:**

During the hearing, Mr Graham Provis, on behalf of his father Arthur, requested that some areas within the designation be removed.

A small portion of the designation was accessed. In the areas assessed, the ground was soft underfoot and there was permanently pooled surface water to a depth of approximately 30cm. Walking through the designation I observed a community of wetland species typical of a pakihi wetland. These species included, but were not limited to, tangle fern, Sphagnum moss, Manuka, wire rush and Juncus. Drains are running north to south through the northern half of the wetland. Although I did not walk out to the area further north towards the boundary, it looked to be similar to what was observed in the area we accessed on foot, and I would anticipate the nature of that area to also be pakihi.

The area outlined in red on the map (proposed to be removed in Plan Change 1) was not accessible due to the density of gorse surrounding it, which indicates this area is dry and does not have wetland values.

Based on my site visit, I support removing the area recommended in the proposed Plan Change 1, and retaining the remainder of the designation as I consider the remaining area to be wetland.



*Figure 27 HOKP018 Area Assessed*

*Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple*



*Figure 28 Looking at the area outlined in red*



*Figure 29 Looking north on the property*



*Figure 30 Surface Water*

## HOKP079 Cropp Road, Kowhitirangi

**Date of Visit:** 26 July 2018

**Wetland:** HOKP079 Cropp Road, Kowhitirangi

**Location:** Kowhitirangi

**Total Rainfall Seven Days Prior to Visit:** 69mm

**Owner:** Colin and Juliette Henry

### Summary:

In October 2013, the Wetland Coordinator undertook a site visit to Mr and Mrs Henry's property to review the area. It was concluded that a small area is not wetland, but the remaining area is. DOC attempted to get the Nature Heritage Fund to purchase the area as DOC considered it has significant wetland values. However, the area was not purchased. In Mr and Mrs Henry's submission, they requested that the area is either purchased or the entire designation is removed.

The area outlined in red in Figure 1 was not accessible due to the density of gorse surrounding it. This is an indication that the area is predominantly dry and is not wetland, so I would support removing this area from the designation as proposed in Plan Change 1.

Walking in and around other areas of the designation, the ground was soft underfoot, it was permanently wet and pooled water was at a depth of approximately 20cm. There are two drains running through the designation, with poor natural drainage. Communities of wetland species seen include Sphagnum Moss, Manuka and Juncus. I would class this area as pakihi (a type of wetland). Further around the designation the area represented more of a swamp (another type of wetland) and vegetation in that area included species such as flax, swamp coprosma, swamp kiokio, Totara and Kahikatea.

Based on the site visit, I support removing the area outlined in red on the following map as proposed in Plan Change 1, and retaining the remainder of the designation as I consider it to be wetland. Due to time constraints and limited resources, a more thorough assessment was unable to be undertaken. If the submitter seeks removal of further specific areas of designation, they may wish to commission their own specialist to complete this work.



*Figure 31 HOKP079 Area Assessed*

*Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit - Purple*



*Figure 32 Looking into the area outlined in red suggested to be removed*



*Figure 33 Within the designation*



*Figure 34 Surface water within the designation*



*Figure 35 On the edge of the wetland looking into the designation*

## HOKP086 Ross

**Date Assessed:** 06 September 2018

**Wetland:** HOKP086 Ross

**Location:** Ross

**Total Rainfall Seven Days Prior to Visit:** 5mm

**Owner:** Kauri Limited

### Summary:

The submitter supports the removal of part of HOKP086 Ross as proposed in Plan Change 1, however they further propose that this does not fully cover the previously modified areas.

I observed on the site visit that the area has been extensively drained, with a drain running around the edge of the designation. Vegetation included, but was not limited to, Kahikatea, flax, Cabbage trees, gorse, grass and blackberry. Both Tui and Kereru were observed within the area. The ground was hard underfoot and I did not observe any pooling of water within the designation aside from minor areas near the proposed area to be removed. Access within the wetland was limited due to the density of vegetation such as flax and gorse.

Commenting on the area I did access, I would not class the area to be wetland or to hold wetland values and recommend that the entire designation be removed.



Figure 36 HOKP086 Area Assessed

*Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple*



Figure 37 Recommended Adjustments



*Figure 38 Looking into the designation from the south east corner*



*Figure 39 Looking into the designation from the south east point proposed to be removed*



*Figure 40 Drain on the edge of the south side of designation*

## **HOKP099 Little Houhou Creek (Allan Lowe)**

**Date of Visit:** 30 July 2018

**Wetland:** HOKP009 Little Houhou Creek

**Location:** Hokitika

**Total Rainfall Seven Days Prior to Visit:** 106.1mm

**Owner:** Allan Lowe

### **Summary:**

In May 2013, the Wetland Coordinator undertook a site visit to Mr Lowe's property and concluded that a large part of the area was wetland, however a boundary adjustment needed to occur to remove the designation from the area of land that he had previously cleared. A DOC Ecologist applied to the Nature Heritage Fund (NHF) to purchase the wetland on this property and the neighbouring properties. However the purchase did not occur.

Mr Lowe obtained a Schedule 3 Ecological Assessment of this area on the 2nd July 2013 from Boffa Miskell. The report was prepared by Scott Hooson, Senior Ecologist, and reviewed by Diane Robertson Senior Principal Ecologist. Staff recently reviewed this Report in more detail and found that on Page 8, section 5.2 Wetland boundaries, it states "...it is recommended that the boundary of the wetland is amended to exclude the building site and vehicle accessway." Staff presume that this was not included in Plan Change 1 as the DOC Ecologist was in the process of applying to the NHF to purchase the area.

During the submission period Mr Lowe requested that the wetland designation be removed from the previously cleared area as he considers it to not be wetland and wants to further develop it into a site for a residential dwelling.

From my observations on the site visit, I do not consider the vehicle accessway, and the immediate land either side of the accessway that are currently designated, to be wetland. The area was hard under foot, there was no pooling of water and vegetation consisted of plants such as wineberry, marble leaf and whiteywood which are not typically found as part of a wetland community. The building site contains weeds such as gorse and blackberry and some regenerating wetland species, and has permanent surface water.

Towards the rear part of the designation on Mr Lowe's property, the land is very soft underfoot and there is permanent surface water present, as well as a community of wetland species such as swamp kiekie and Kahikatea.

Based on my site visit and the Schedule 3 Ecological Assessment from 2013, I suggest the area in and around the building site (as shown in Figure 42) and the driveway, including a buffer along either side of the driveway, be removed from the designation as I do not consider them to have characteristics of a wetland.



*Figure 41 HOKP099 (Lowe) Area Assessed*

*Key: Designated Wetland – Blue, GPS track of this site visit – Purple*

*Note: The red area recommended to be removed as part of Plan Change 1 is on the neighbouring property and not part of Mr Lowe's property.*



Figure 42 Recommended Adjustments

Please note the area to be removed in red is on a different property to Mr Lowe's.



*Figure 43 Looking into the house site*



*Figure 44 Looking towards the back of the designation behind the house site*



*Figure 45 Pooling within the designation*



*Figure 46 Water within the designation*



*Figure 47 Looking into the wetland from the west side*



*Figure 48 House Site*

## HOKP099 Little Houhou Creek (Douglas Chinn)

**Date of Visit:** 01 August 2018

**Wetland:** HOKP099 Little Houhou Creek

**Location:** Hokitika

**Total Rainfall Seven Days Prior to Visit:** 145.5mm

**Owner:** Douglas Chinn

### Summary:

The proposed Plan Change 1 (pPC1) recommended to remove three small areas from the south-west corner of the wetland. During the submission period, Mr Chinn requested the boundary of the wetland to have additional adjustments made, and for a further area around the pond to be removed. A general visual observation of the designation reveals the dominant vegetation to be common to wetlands, including species such as flax, Kahikatea, Rimu, Cabbage trees and Manuka.

I walked around the entire edge of the designation where Mr Chinn is seeking the boundary adjustment, and on the true left side (wetland side) of the drain adjoining the south-west corner of the wetland, these areas have no wetland values. Mr Chinn requests the adjustment so he can clean out the drain, which requires cleaning approximately every twenty years. Adjusting the boundary on the wetland side of the drain will not have an effect on the wetland, therefore I recommend the boundary be adjusted to move inwards three metres from where it currently is.

The second designation area the submitter has requested to remove is a wider area in and around a manmade pond (created by the submitter). The pond is approximately 1.3 metres deep and is near the edge of the designation. Removing the wider area in and around the pond, in my opinion, will not have an adverse effect on the greater wetland. I walked to the pond and around a portion of it. From what I saw, the vegetation was a combination of planted exotic trees such as Banksia and Oak and native trees such as Kowhai and Totara. The ground was relatively firm underfoot and I did not observe any surface water.

The areas outlined in red on the map below that are already proposed to be removed in PC1 have been developed and do not have wetland values. The ground in these areas is firm and comprises of grass, gorse and blackberry.

Based on my site visit I recommend removing the additional requested area in and around the manmade pond so it is not part of the designation.



*Figure 49 HOKP099 Area Assessed*

*Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple*



Figure 50 Recommended Adjustments



*Figure 51 Looking into the western end of the designation showing the drain*



*Figure 52 Looking into the designation from the adjacent side of the drain*



*Figure 53 At the corner of the eastern end of the designation*



*Figure 54 Bridge that crosses over the creek that leads to the man-made pond and planted exotic vegetation*



*Figure 55 Grassed area is one of the areas identified in red recommended to be removed in Plan Change 1*



*Figure 56 Area near the man made pond*

## HOKP119 Lake Mudgie

**Date of Visit:** 01 August 2018

**Wetland:** HOKP119 Lake Mudgie

**Location:** Hokitika

**Total Rainfall Seven Days Prior to Visit:** 145.5mm

**Owner:** Kawhaka Station Limited (Cornelius (Kees) Van Beek)

### Summary:

In December 2012, the Wetland Coordinator met with Mr van Beek to view the area of Schedule 2 wetland on his property, and concluded that the area is wetland. Mr van Beek's further submission requested that the Schedule 2 wetland designation be removed from this area. At the hearing, Mr van Beek provided an aerial photo and ground photos of the site, showing areas that he considers are not wetland as they are drier.

I walked around a large area of the wetland. At the time of the visit the ground was generally very soft underfoot and at times I walked through patches of water that were over 50cm deep.

Whiskey Creek runs along the northern end of the property east to west, and feeds into the swamp. I did not go to the western boundary, however I was advised by the submitter that it is very wet. There are two drains towards the southern end of the property going east to west. One area requested to be removed is at the southern extent of the designation and this was partially accessed. Access to this area was limited due to the density of gorse and other vegetation surrounding it such as Manuka and Kamahi. From the observations I was able to identify this area as being different to the other ground cover in the designation. Here, the area had been previously developed, the ground was firm underfoot and there was no pooling of water.

Based on my site visit I recommend removing the designation at the south-west extent shown in Figure 56 as the land there has been previously modified, I did not observe a community of wetland species there, and the ground was hard underfoot.

I would class the balance of the designation to be wetland as the ground was very soft underfoot, there was a large amount of surface water present and vegetation was made up of a community of wetland species such as moss, juncus and tangle fern.



*Figure 57 HOKP119 Area Assessed*

*Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit - Purple*

*Please note that the GPS's tracker tracked a straight line through the designation as seen in Figure 1, this was not assessed.*



Figure 58 Recommended Adjustments



*Figure 59 At the south east end of the designation*



*Figure 60 Looking into the designation*



*Figure 61 Surface water within the designation*



*Figure 62 Small channel within the designation*



*Figure 63 Looking to the area recommended to be removed*

## KAGP008 Lake Kini

**Date of Visit:** 18 and 24th September 2019

**Wetland:** KAGP008 Lake Kini

**Location:** Bruce Bay

**Total Rainfall Seven Days Prior to Visit:** 186mm

**Owner:** Te Rūnanga o Makaawhio

### Summary:

The Royal Forest and Bird Protection Society of New Zealand (Forest and Bird) submitted against removing the wetland designation for cultural and spiritual reasons, as sought by Te Rūnanga o Makaawhio. It was noted that Forest and Bird requested being present at the site visit, however when contacting Nicky Snoyink (representative for Forest and Bird), a site visit was unable to be coordinated. I was advised by Ms Snoyink to undertake the site visit without Forest and Bird present as long as there was an ecologist present.

I met with Paul Wilson of Te Rūnanga o Makaawhio as the Rūnanga representative at the Hearing, Tim Rochford, was unavailable, (he is based in Wellington). The area is important for mahinga kai and there are potentially some canoes buried in a part of the designation that Te Rūnanga o Makaawhio would want rights to if ever discovered.

The designation is large in size, only a small portion was assessed. Access was limited in some areas of both the northern and southern designations due to pooling of water and drains running around the edge. At the first few areas accessed in the northern designation, the ground was soft underfoot and dominated by moss. The area was poorly drained with a significant amount of surface water and pooling of water over 30cm. Vegetation was that typical of a wetland and included, but was not limited to, Bryophytes, Kahikatea, tangle fern and Rimu.

The south-western corner of the northern designation that was assessed was different. This area was hard underfoot and well drained. There were patches of pooled water, however these were low. Unlike the other area assessed, the ground here was not a mossfield. This area had vegetation such as Miro, Kahikatea, Lancewood, Matai, Rimu and Totara. There were deer droppings found in several locations in this area.

I would not consider this specific area to be wetland, however to what extent the surrounding area is the same is unknown, as only a small portion was assessed. I would recommend more extensive work be carried out within this designation to determine overall wetland values.

At the northern end of the southern designation shown in Figure 63, the ground was hard underfoot with vegetation being a mixture of Totara, Supplejack, Rimu and Miro. Further away from the road boundary the vegetation changed slightly and included Sphagnum Moss and filmy ferns.

At the eastern end of the most southern designation there is an area that has been developed into pasture which was hard underfoot and comprised of grass and gorse. The remaining area of the southern designation was made up of a community of wetland species including

watercress, swamp fern, Cabbage trees, moss and reeds. This area was soft underfoot with pooling of water exceeding 30cm in depth.

Looking at whether the remaining southern designation areas hold characteristics of those associated with a wetland, I recommend retaining the designation aside from what has been identified in Figure 64 as the vegetation types and ground conditions indicate that the remaining areas are also likely to be wetland.



Figure 64 Area Assessed – Northern

Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple

Please note, there was a technical issue with the tracker and the straight purple lines are not part of the track.



Figure 65 Area Assessed - Southern

Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red, GPS track of this site visit – Purple



Figure 66 Recommended Adjustments



*Figures 67 and 68 Pooled water within the northern designation*



*Figure 69 Ground within the northern designation*



*Figure 70 Pooled water within the northern designation*



*Figure 71 Drain around the northern designation*



*Figure 72 Ground within the area recommended to be removed at the Northern designation*



*Figure 73 Photo showing watercress within the Southern designation*



*Figure 74 Developed land within the southern designation*

## MAI003 Fletcher Creek

**Date Assessed:** 04 September 2018

**Wetland:** MAI003 Fletcher Creek

**Location:** Reefton

**Total Rainfall Seven Days Prior to Visit:** 36.5mm

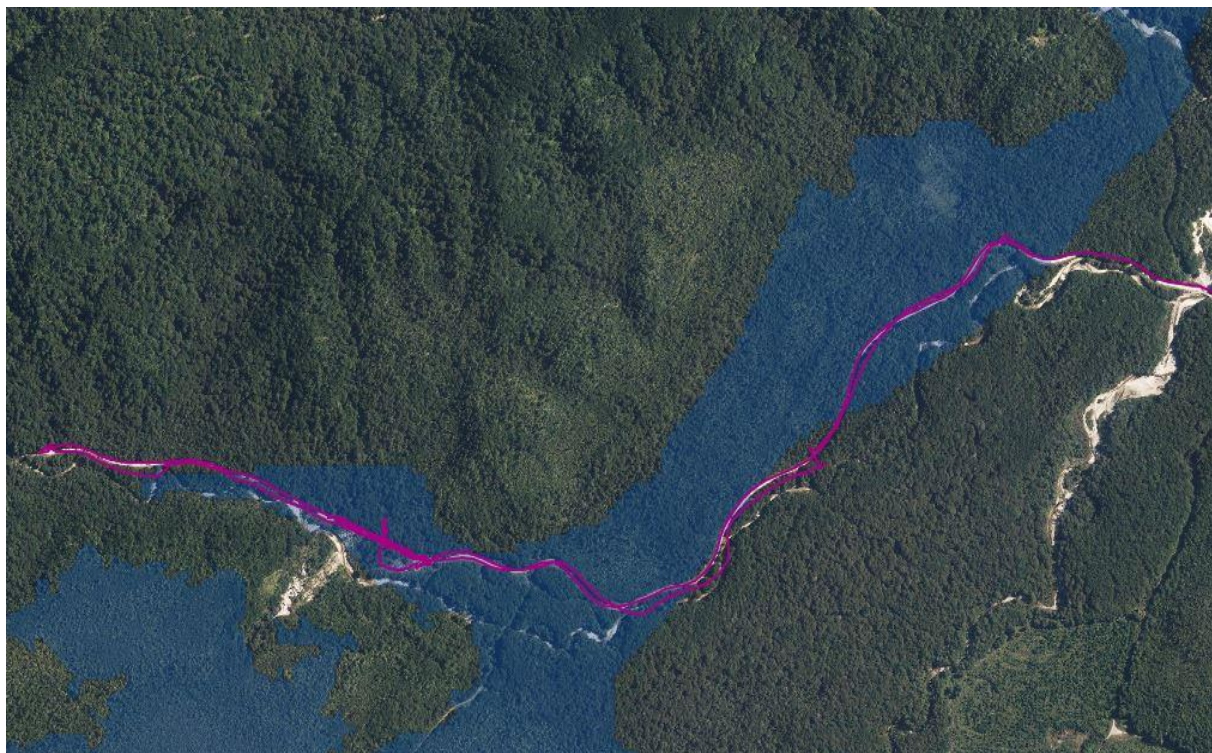
**Owner:** Birchfield Coal Mines Limited (Site visit attended by Luke McNeish on behalf of the owner)

### Summary:

The submitter requested some additional areas to be removed from the Fletcher Creek designation due to previous modification and development. These areas include Perseverance Road and previous tracking and logging roads. Due to the enormity of the area, the assessment was limited to areas in and immediately around Perseverance Road.

The wetland characteristics of the Fletcher Creek designation have been previously assessed by Boffa Miskell for an application by the submitter to DOC for access to the area. In August 2018, the consultant for the submitter advised that the conclusion from this assessment was that there are substantial areas that are not wetland, however due to the size and extent of the current area, an accurate determination of the boundary is not possible without extensive field work that will cost in excess of \$50,000. A copy of this report was requested from Phil McKinnel on 05/11/2018 to gain more of an understanding of the area however at the date of this report being finalised the report had not been received.

Based on my site visit I recommend removing the entirety of Perseverance Road from the designation along with a buffer on both sides of the road as shown in Figure 75. From my observations along Perseverance Road, the ground was hard underfoot, there was no pooling of water and the vegetation consisted of, but was not limited to, Pepperwood, Lancewood and Beech trees, which are not indicative wetland species.



*Figure 75 MAI003 Area Assessed*

*Key: Designated Wetland – Blue, GPS track of this site visit – Purple*

*Note that areas proposed to be removed through Plan Change 1 are in other parts of the Fletcher Creek wetland, and are not shown on this map.*



Figure 76 Recommended Adjustments



*Figure 77 Photo taken within the designation*



*Figure 78 Perseverance Road*



*Figure 79 Photo taken within the designation*



*Figure 80 Modified area within the designation*

## **PUNP001 Barrytown Flats, Maher Swamp**

**Date of Visit:** 25 July 2018

**Wetland:** PUNP001 Barrytown Flats, Maher Swamp

**Location:** Barrytown

**Total Rainfall Seven Days Prior to Visit:** 55.5mm

**Owner:** George and Caryl Coates

### **Summary:**

At the hearing, Mr and Mrs Coates did not appear to request for the boundary of the wetland on their land to be adjusted, however the Hearing Panel requested clarification by a site visit.

I assessed a large majority of the designation. At the time of the site visit the ground was boggy, however not particularly soft underfoot and I would consider that this is due to recent rain. I did find small areas of pooled water up to approximately 20cm deep, however I concluded that this is also a result of the recent rainfall and not permanent due to the ground condition being reasonably firm.

There is a drain and a small creek running through the property towards the adjacent Department of Conservation land to the West. The submitter stated that the small creek does not permanently flow as it tends to dry up in the summer time.

The areas outlined in red in Figure 72 which are proposed to be removed in Plan Change 1 have been developed, are in pasture and do not have wetland values. The remaining areas of the designation also did not make up a community of wetland species. In the remaining areas, the vegetation observed included, but was not limited to, marble leaf, pigeon wood, wineberry, Kahikatea and Lancewood.

Based on the site visit I recommend removing the entire wetland designation on the Nikau Deer Farms Ltd property (including the red areas identified in Plan Change 1). This is because I did not observe a community of wetland flora and fauna, the ground was mostly solid underfoot and there were no permanent water tables seen.



*Figure 81 PUNP001 Area Assessed Key: Designated Wetland – Blue, Changes recommended in Plan Change 1 – Red. Due to losing satellite coverage a GPS track of the area walked is not able to be provided. The boundary fence running from east to west at the top of the map, then southward, was followed.*



Figure 82 Recommended Adjustments



*Figure 83 Looking towards one of the developed areas identified to be removed*



*Figure 84 Within the designation*



*Figure 85 Creek running through the designation towards the adjoining DOC land*



*Figure 86 Photo representative of the designation*



*Figure 87 Surface water within the designation*

## Appendix 2: Caucusing Evidence

### File Note 20 March 2019

Meeting between Charlotte Phelps (CP) for the West Coast Regional Council and Jane Marshall (JM) for the Department of Conservation in relation to eight of the properties identified in the Land and Water Plan.

### Summary

After further discussion, reference to file notes and desktop views of properties some progress has been made on reaching full and partial agreement at three sites. No progress was made about three sites. The potential to resolve the differences in assessment is high. A quantitative assessment using the Landcare Research guideline, conducted by both CP and JM would take approx 6 - 8 hours per site to complete and resolve the issues permanently for the landowners.

### Site assessments

- In three cases no further agreement was reached however both CP and JM agree that resolving these properties is possible with a combined field trip should the owners allow that.
- In two cases JM has agreed that the areas are not part of the functioning wetland because of the suite of plants (composition and abundance).
- In two cases agreement was reached for changes to the current proposal based on vegetation association.
- In one case CP has agreed the property fits the wetland definition on over 95% of the property.

### BULP050 Oweka

CP was unable to produce further evidence that the ground was consistently dry, as on the day of her visit. We discussed the presence of beech species but CP was unable to confidently recall which species of beech is present. This is important as an indicator of a site not being wetland. JM was unable to assess the forest composition and abundance of wetland (obligate or facultative) species on site from photos and reports.

### PUNP001 Punakiaki

JM was unable to assess wetland species abundance in photos and unable to see clear difference in the forest associations on either side of the wetland boundary. The ground appears very wet underfoot and many of the individual *Carex* in the photos appear to be the wetland obligate species *Carex virgata*.

### HOCP004 Candlelight

JM agreed after further conversation with CP that the photos looked like those areas were well developed and lacked dominance by native wetland species, but JM did not agree that the photos were representative of the whole wetland and therefore does still not agree with CP's recommendation.

KAGP008 Kini

JM agreed that the northern area areas assessed by CP sounded like a coastal forest association that was not indicative of wetland nor did the developed southern area identified by CP. The removal of these areas is unlikely to affect the functioning of the adjacent wetland due to the directional flow of ground water at the sites.

HOKP119 Lake Mudgie

After reference to other photos and file notes JM agreed that two small areas of the part assessed by CP did not support wetland forest species, but rather a mix of common forest species not indicative of wetlands. CP will draw up an amended map of the area.

HARP021 Lake Ianthe

Based on further discussion and photography from other reports JM has agreed that the area identified by CP as not supporting wetland species is no longer a functioning part of the wetland and that its removal from the shapefile, will not alter the hydrology of the greater wetland in large part because of the large drain which runs between the cleared area and the wetland and lake beyond. Whilst the small forest block is dominated by kahikatea, unless it is fenced it is too small to persist in the long term and any change of land use around it will also reduce its viability.

HOKP099 Houhou

CP and JM agreed the driveway is not wetland but the rest of Mr Lowes land is wetland based on ground water hydrology and vegetation.

HOKP086

After further discussion and assessment of further information that was provided, JM and CP agreed to recommend the removal of the area eastern area which was originally recommended to be removed (shaded in red). It is recommended by both JM and CP that the remainder of the designation is retained as Scheduled Wetland.



## Appendix 3: Caucusing Evidence from Site Visits

### FILE NOTE

OFFICE: Hokitika

DATE: July 7 2019

STAFF: J Marshall DOC and C Phelps WCRC

SUBJECT: Variation 1 WCRC Land and Water Plan – outstanding wetland delineation.

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#### Background

The Commissioners hearing submissions on Variation 1 to the West Coast Regional Council Land and Water Plan requested a determination of wetland status on three outstanding properties; BULP050 Oweka, HOC004 Candlelight and part PUNP001 Barrytown.

Each of the properties were visited by DOC Ecology and Regional Council Planning staff, and surveys were undertaken in accordance with the methodology described in Clarkson (2013) using the prevalence and dominance of hydrophytic vegetation as an indication of wetlands (refer Appendix 1).

#### Coates part PUNP001 Barrytown

Two plots were in the L shaped 1.3ha of forest cover in the section of the Coates property adjacent to the Coast Road Scenic reserve and Barrytown Flat Conservation Area. At the widest part the patch of forest was approximately 80m. The forest understory is very disturbed and there is little undergrowth or regeneration of forest species. The land use to the south and east of this forest edge has affected the vegetation structure and composition in this edge of the Maher Swamp Schedule 2 wetland.

The results of the Dominance and Prevalence tests show that the forest patch was determined not to be wetland (Table 1) using the methods provided in Clarkson et al (2013).

| Plot number | Dominance Test<br>DT >50 = hydrophytic<br>species dominance | Prevalence Test<br>PI ≤ 3 = Hydrophytic<br>species prevalence | Conclusions             |
|-------------|-------------------------------------------------------------|---------------------------------------------------------------|-------------------------|
| 1           | 28                                                          | 3.08                                                          | Clearly not hydrophytic |
| 2           | 33.3                                                        | 3.22                                                          | Clearly not hydrophytic |

**Table 1.** Result of the Vegetation tests of Dominance and Prevalence at PUNP001.

The public conservation lands adjacent to the western and northern boundary of the Coates property remain in Schedule 2 of the Land and Water Plan and this area is highly likely to hold significant wetland values. Some activities on the boundary, such as development of new drains, are very likely to have adverse effects on the adjacent areas of PUNP001 Schedule 2 wetland.



### **O'Regan Oweka BULP050**

BULP050 is approx. 23ha forest vegetation, described as kahikatea, and is entirely within the O'Regans property. It is adjacent to and connected with other public conservation lands which also support forest vegetation.

Four plots were located in the 23ha forest. The forest, which had been described as kahikatea forest also contained significant amounts of silver beech and rimu. The soils were not saturated however, they were soft to the probe at all 4 sites.

The interpretation of the dominance and prevalence of wetland species tests were not definitive (Table 2). Only one obligate wetland species was recorded, and six of the seven dominant species were facultative upland species, in two plots kahikatea dominated and in two plots it was co- dominant with silver beech and rimu. For these reasons we recommend the area is removed from Schedule 2.

| Plot number | Dominance Test<br>DT >50 = hydrophytic<br>species dominance | Prevalence Test<br>PI ≤ 3 = Hydrophytic<br>species prevalence | Conclusions                |
|-------------|-------------------------------------------------------------|---------------------------------------------------------------|----------------------------|
| 1           | 40                                                          | 2.98                                                          | Marginally not hydrophytic |
| 2           | 28.6                                                        | 4                                                             | Clearly not hydrophytic    |
| 3           | 50                                                          | 3.7                                                           | Not hydrophytic            |
| 4           | 50                                                          | 2.78                                                          | Unclear                    |

Table 2

### **Bradleys - Part Candlelight Pakihi HOC004**

The large 650ha wetland identified in Schedule 2 of the Land and Water Plan lies partly (approx. 55ha) on the Bradleys property. The Bradleys disputed the inclusion of their land in the wetland. In 2014 DOC and WCRC assessed the wetland on the Bradleys property and agreed with the Bradleys that approx. 30ha of the northern part of the wetland had been so altered by the combination of multiple drains, grazing, and over-sowing, that it was no longer a functioning wetland, however the southern 25ha of the wetland was assessed as wetland (Figure1).

Nine plots were surveyed on the approx. 25ha area in question on the Bradleys property during two field trips of May and June 2019 (Figure 2). The plots were positioned on three transects that ran east to west across the area. Two plots were placed in the narrow southern end of the wetland, three plots across a transect through the middle and four plots across the northern end of the area of interest. Plot 1 and 9 appear to be on the boundary of the Bradleys property and road reserve (Fig 3). The eastern edge of the area in question on the Bradleys property is functionally connected to the larger part of the Candlelight Pakihi along approx. 700m of the boundary. The soils through - out the area of interest were soft and easily probed to a depth of 0.5 m in most plots.



**Figure 1.** The southern section of wetland at 23/11/2014.



**Figure 2.** The southern part of the wetland in 2019 with position of vegetation plots. Red line indicates connected part of wetland.



Four of the nine plots are clearly hydrophytic, three plots are clearly not hydrophytic and at two plots the data is not conclusive (Table 3).

| Plot number | Dominance Test<br>DT >50 = hydrophytic<br>species dominance | Prevalence Test<br>PI ≤ 3 = Hydrophytic<br>species prevalence | Conclusions             |
|-------------|-------------------------------------------------------------|---------------------------------------------------------------|-------------------------|
| 1           | 50                                                          | 2.96                                                          | Marginally hydrophytic  |
| 2           | 50                                                          | 2.53                                                          | Marginally hydrophytic  |
| 3           | 33                                                          | 3.12                                                          | Clearly not hydrophytic |
| 4           | 75                                                          | 2                                                             | Clearly hydrophytic     |
| 5           | 100                                                         | 2                                                             | Clearly hydrophytic     |
| 6           | 66.6                                                        | 2.78                                                          | Clearly hydrophytic     |
| 7           | 75                                                          | 2.22                                                          | Clearly hydrophytic     |
| 8           | 50                                                          | 3.19                                                          | Clearly not hydrophytic |
| 9           | 50                                                          | 3.5                                                           | Clearly not hydrophytic |

Table 3



**Figure 3.** Property boundaries and vegetation plots at the Bradleys.

The data suggests that one third of the area is wetland (plots 4,5,6,7) the most northern third of the area of interest. The southern two thirds (described by plots 1,2,3,8,9) do not support hydrophytic vegetation.



The part of the Bradleys property adjacent to the rest of the Candlelight Pakihi on the western boundary (Figure 2) has greatest value as it is still connected to the larger wetland, and hydrophytic vegetation is present in the area.

Fragmentation of the area as determined by the results of the data analysis would result in an impractical outcome; approximately 5 ha has been determined to be wetland but it would sit between two larger dry areas, and likely its value as wetland would not be retained in the long term.

### **Reference:**

Clarkson, B.R. 2013: A vegetation tool for wetland delineation in New Zealand. Landcare Research. Waikato.

### **Appendix 1**

#### Definitions

Hydrophytic vegetation: wetland species -including wetland obligates, facultative wetland species and facultative species

Obligate species: almost always is wetlands, rarely in uplands.

Facultative wetland: usually is in wetlands but occasionally found in uplands  
Facultative: commonly occurs in wetlands and in areas which are not wetlands.

Dominance Test. Determines the proportion of dominant species on the plot that are hydrophytic.

Prevalence Test: determines whether the plot is covered mostly by hydrophytic or non-hydrophytic species.

## Appendix 4: Map of Wetland HOKP119 Lake Mudgie

