Submission on Indigenous Biodiversity

Introduction

My wife and I farm deer, sheep, beef, and dairy grazers in Barrytown. I am a fifth-generation West Coast farmer. Farming is a way of life not just a job. We have a connection to the land and water that many urban people would not understand because we interact with it on multiple levels daily. The land is part of who we are.

It must be remembered that we are farmers. Not lawyers, ecologists, or planners.

Therefore, our submission must be contemplated from the viewpoint of a farmer who is a private landowner. And that we purchased our land through lawful means with the intent of using it for a business, mainly farming. The land had been farmed for many years prior to us purchasing it. Some of it has also been mined. We have kept areas of native vegetation due to our regard for these areas.

We thank you for giving us a chance to have a say about what happens on our land. For the last 22 years, since this SNA process started, it feels to us this is the first opportunity that we have had to speak about the proposed SNA's on our land that we legally bought to make a living off.

West Coast is unique

It seems it is often forgotten how unique the West Coast is. The hearing panel, planners and lawyers giving advice should be taking this into account.

Here are some statistics to show some of the obvious differences between the West Coast and other regions:

- 86% of the West Coast is under DOC control. (See Appendix 1) Many would say 88% but this map does not show that all West Coast riverbed land that is under DOC management.
- 42% of private land is in native vegetation. (See Appendix 3)
- The West Coast makes up just under 9% of New Zealand's land mass (see Appendix 2)
- The West Coast has 26.1% of New Zealand's precipitation (see Appendix 2)
- And has 29.5%; nearly one third of New Zealand's flowing water. (see Appendix 2)
- NIWA stats show that our soils on average are saturated 120 days a year. (In comparison soil saturation in Canterbury may happen for one or two days every second year.)
- The longest region. (Further than the distance from Wellington to Auckland). (See Appendix 4)
- The longest coastline (see Appendix 4).
- The West Coast population has barely changed in the last 50 years. In 1971 the population was 33,294; in 2023 the population was 33,390.
- In comparison the New Zealand population has steadily grown and has nearly doubled over that time. New Zealand population has gone from 2.811m in 1970 to 5.223m in 2023.
- Farms are few and far apart; approximately 650 full time farms.

When looking at these statistics you will find the rest of the country is quite the reverse. When the hearing panel make recommendations, it must be with these differences in mind.

Relief sought

1. All section 6 matters be removed from the TTPP, due to:
    - The uniqueness of the West Coast. 93% of the West Coast is either under DOC control or in native vegetation.
    - The use of mapping and rules to address section 6 matters fails to achieve, and are actually contrary to, the purpose of the RMA - Section 5.
    - These rules are not practical or pragmatic for the West Coast and our unique challenges.

2. That the significant natural area Pun-034 be removed from our property title number RS 3250.

3. That the significant natural area Pun-Wo34 be removed from our property title number RS 2847.

4. That the Indigenous vegetation clearance in the coastal environment rule ECO – R2 be removed from the TTPP.

Entry onto farm

5. The section 42 report stated, "TTPP planning staff contacted the submitter seeking permission to visit the property to check the SNA boundaries, however this permission was refused by the submitter." I feel it is necessary to give our side of this. Up until about two years ago we have tried to engage with all experts from the council, however we seemed to be fighting a losing battle (for reasons I mention below in 6 to 8) and "checking boundaries" for accuracy seemed to be a waste of our and the TTPP time and money.

6. Since 2002, this SNA process has taken up well over 100 hours of our time; if I had to get a contractor in to cover me this would be $100/hr, over $10,000.

7. Even if these boundaries were moved or tweaked this would not remove these areas of our land, which is what we are entitled to formally request after 22 years.

8. We have also found that allowing experts on to our land normally results in more land being identified as SNA's not less. You have heard from us about how amateur archaeologists came onto our property in 1978 and now, as a result we have a SASM.

   Also, while the GDC were doing their assessments we used my parents' driveway as a safe route to an area to be inspected. As a result, my father now has PUN-WO33 on his property. This was not mapped or suggested as being a SNA before the expert from GDC arrived.

Pun-034; Burke Road North; RS 3250

9. You will find an aerial photo of this SNA is in Appendix 5. The green area is the SNA and the yellow area is a OCNC (as discussed in the coastal environment chapter). This area is on title number RS 3250.

Points of inaccuracies

10. The flat area in the northern part of the Barrytown flats is known as a sand dune floodplain. Where the southern part of the Barrytown flats is more of an alluvial fan. So, from a laypersons point of view the northern end of the Barrytown flats is a different ecological area. At the time of mapping in 2007 "ecosystems were considered under-represented if they had less than 20% of their former cover". (This was in the Boffa Miskell report on SNA's for Grey district council in 2007.)

    By my calculations the area under DOC control is 275ha, or 28%; of the flat sand dune floodplain area. (See Appendix 6). This does not include large areas of land that is under the protection of QE11 Trust or owned by Forest & Bird.

    This makes at least 8% more land area under some form of protection. This is a clear mapping and reporting inaccuracy.

11. 42% of the West Coast private land is in native vegetation. This indicates that there is no need for SNA's at a regional level; that Boffa Miskell should have reported on. Another reporting error.

12. While we make numerous comments about the accuracy of mapping, our core concern is about using mapping and rules (SNAs/SASMs/ONC etc) to address section 6 issues.

Assessments

13. Wetland assessments:

This area was originally identified as a significant natural wetland (SNW). The Regional Council expert came and examined this and decided it was not a SNW. Then it went through the Environment Court and a desktop review from DOC resulted in it being reidentified as a SNW and the Regional Council had to get experts out again to review it. It was again decided that it was not SNW.
The cost of getting experts in to do this, must have cost the West Coast Regional Council a very large sum of money. To add to this cost the experts were usually accompanied by at least one member of the Council staff. This process happened to many farmers.

14. SNA assessments

The GDC decided it may be a Significant Natural Area SNA (PUN-Wo34). So, we decided to get the Nature Heritage Fund and DOC involved. DOC got their experts out and assessed it (please find the report in Appendix 7). From a laypersons point of view, it said it was not worth purchasing or buying, but possibly good enough to be a SNA.

To me what DOC are saying is, because they can get control of it for free, they won't buy it. Dr Muriel Newman sums this up nicely in her document Private property rights, and wrongs. "My prediction is that the confiscation of property rights without compensation, under the guise of conserving the environment for future generations, will continue unabated until a 'no regulation without compensation clause is introduced into the resource management act."

15. NCA 40 assessment

There were a number of assumptions from this assessment that we feel were inaccurate (please see Appendix 8).

Assumptions from the OCNC appraisal

1. Sequence **of rolling to steep coastal hills and valleys**

The area we own is flat. In fact, all the area to the west of SH6 is flat.
We disagree with this point.

2. **Varied amalgam of exposed landforms, very strong elevated relief**

A layperson would not expect to see exposed landforms and elevated relief on flat land. The area of NCA40, on our land is flat.
We disagree with this point.

3. **Windswept vegetation**

The vegetation is not windswept. It is upright growing white pine Kahikatea.
We disagree with this point.

16. How many more assessments

How many more assessments and appraisals are needed for a small area of land. This is what Hon. Mark Cameron was pointing out when he said, "it's a waste of time, money, and attention." (See Appendix 9).

Pun-Wo34; Cowans dredge pond; RS 2847

The map of this area can be found in Appendix 10

17. **Dredge pond**
    This area marked as a Significant Natural Area (SNA) is an old dredge pond. When did a man-made dredge pond become a "natural" area. As a layperson living on the West Coast with already 86% under DOC control this interpretation of natural seems absurd.
    To put this into context, if a dairy farmer's effluent pond has native vegetation growing in it, it too could become a SNA? Then it may not be allowed to be used as an effluent pond, the purpose the pond was built for.

18. **Erosion**
    The ocean has broken through into most of this area marked as green (the proposed SNA) since the report was done in 2007. Most of this area, now no longer has native vegetation, as you will see from the map.

19. **Contiguous**
    The very small remaining bit of native vegetation is no longer contiguous to the rest of the SNA. I see no reason for keeping this as a SNA when there is still at least 28% under protection in this ecological area.

20. I disagree with the section 42A that suggests we should be using the latest NPS-IB to reassess this area (if it needs reassessing), when the central government has clearly indicated that they intend to change the RMA and the SNA process. The NPS-IB is not appropriate or pragmatic for the West Coast.

    The way the NPS-IB reads to us (from a West Coast point of view) is it would be easier to say what is not a SNA. What happened to the word "significant".

    Mark Cameron ACT MP released a statement on the 1st of October saying, "Section 6 of the Resource Management Act has given local bureaucrats broad powers to run roughshod over property rights. The good news is the Government is in the process of amending, repealing, and replacing the RMA. With ACT in Government, Andrew Hoggard and Simon Court are putting property rights at the centre of new resource management rules." (See Appendix 9). SNA's are part of section 6.

Section 5 of the RMA

21. Section 5 Purpose of the RMA, clearly states that "this Act is to promote the sustainable management of natural and physical resources." It defines sustainable management as "managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being."

    The mapping and rules used by the TTPP of section 6 matters are not achieving the purpose of the RMA.

22. **Environment values**
    The TTPP mapping and rules are failing to achieve the "purpose" of the RMA and at times are having the opposite effect. You will see examples of this, in the submission below.

23. **Precedence**
    From my understanding because section 5 becomes before section 6 it takes precedence over section 6. The Commissioners, Planners and TTPP Committee must ensure the purpose of the RMA is upheld.

24. **Alternative option**

Hurunui District Council chose to not continue with the SNA mapping approach and removed all mapped SNA's in 2016 plan review, because the SNA's were not achieving the purpose of the RMA. The Hurunui plan went unopposed on this matter. The Hurunui District Council implemented a different approach to biodiversity that involves the council in a more partnership and collaborative approach with the community and landowners and supporting grassroots community initiatives. The Hurunui Council has a biodiversity officer and supports the work of likes of Hurunui Biodiversity Trust, Hurunui District Landcare Group etc.

I believe that the TTPP could leave all the section 6 rules and mapping out of the TTPP, due to the uniqueness of the West Coast as shown above. This will save a lot "of time, money, and attention." As Mark Cameron pointed out.

25. **Regional policy statement (RPS)**

The RPS when referring to section 6 matters, is not serving the purpose of the RMA or the West Coast "community to provide for the social, economic and cultural well-being" as stated in section 5. For this reason, I believe that the example of Hurunui District Council can be used, and I believe that all section 6 matters can be left out of the TTPP.

26. **Zero population growth in 50 years**

As has been pointed out, the West Coast has had nil population growth in fifty years. This would suggest that only using 7% of the land mass has not helped the "economic wellbeing" of the community. Less emphasis on the environment and more on the economic well-being would serve the West Coast community a lot better. The way the TTPP has put section 6 to the forefront has done the opposite.

Indigenous vegetation clearance in the Costal Environment ECO-R2

27. Indigenous vegetation clearance rules in the Costal Environment (ECO-R2) has made most native vegetation a SNA, within this area. This includes planted native vegetation along riparian margins and in a garden.

    The way I interpret the rules is that if a farmer wants to clear an area bigger than 500 m2 for something other than a farm track or fence, they need to get a resource consent.

28. Is this rule needed? Vast areas within the Coastal Environment, have already been identified as Outstanding Coastal Natural Character OCNC, High Coastal Natural Character HCNC and Outstanding Natural Features.

    The way this rule reads to me as a layperson, is that the TTPP wanted most of the native vegetation within the coastal environment as OCNC's and HCNC's etc; and then…. why not take all the rest.

29. The area of 500m2 is tiny; one twentieth of a hectare, and all the little bits can be added up to make that area over a three year period. My example in Appendix 12 shows that 12 white pine (Kahikatea) that I would like to clear in boxes (areas that deer can feel free to move into out of paddocks, before they go into a race), would be too much area and therefore it would trigger needing to obtain a consent.

    So, for this example, if I only removed 4 white pine every year for three years I would be required to get a consent.

    I want to remove these white pine because, I am finding that the deer are feeling to enclosed and therefore are going to hurt themselves (broken legs, necks etc.).

30. Another example could be, a landowner has not maintained an area, and now there is native vegetation in amongst weeds like gorse. See Appendix 13 for a photo of this example. We believe this to be *Muehlenbeckia australis* described as "a rampant and at times aggressive vine which is often regarded by people as a serious pest plant."
The landowner would require a consent to spray, mulch or put this area into pasture. Due to our wet weather on the West Coast this scenario could happen within 3 to 5 five years.

31. The West Coast has the longest coastline of any region and also due to our topography most people live near and work near the coastline, so this rule (in percentage terms) effects more people and more financial incomes than most other regions.

32. This rule goes against the purpose (section 5) of the RMA. The social and economic well-being of the community is supposed to be weighed up in balance with the natural and physical resources. This has clearly not been done for the indigenous vegetation clearance in the Coastal Environment rule (ECO-R2).

Natural Character and Margins of Waterbodies

33. We explained in the Natural Character and Margins of Waterbodies chapter hearing, some of the difficulties associated with having 10 meters around creeks and rivers covered in native vegetation. As a brief recap, we explained that the Regional Council allows as a permitted activity "the protection, partial reinstatement, or reinstatement of any bank of a lake or river which has been eroded by a flood event" (rule 20) (Please see Appendix 15 for the Regional Council rule). However, if we were to have native vegetation beside a creek or river that has changed due to a flood event, we may need to get a consent to reinstate the waterway because we may clear more than 20m2.

34. The rule by our Regional Council is a very pragmatic one, considering the number, and regularity of flood events on the West Coast. However, as we explained, the TTPP rules may result in the cost being ten times more, due the time it takes to get a consent and therefore more flood events happening in the meantime exacerbating the problem.

35. Farmers are being told by the central government (NPS-FW) to fence riparian margins of waterways. At the same time, we are being encouraged to plant the riparian margins in native plants. This helps the health of the waterway and helps shade some of the galaxiids (whitebait species) eggs, so therefore improving the survival of the species.
However, the riparian margin rules discourage farmers from planting these margins. What we foresee happening is the fences will be put at least 10m back and these areas beside the waterways will get mown for hay or silage. These areas will not get planted and/or allowed to grow into native vegetation. We are already doing precisely this along edge of Lawsons Creek on our farm.

36. This is a clear example of the TTPP rules; because of the poor interpretation of section 6 when considering the West Coast conditions, are not achieving the purpose (section 5) of the RMA. The rule not only causes unnecessary costs and therefore affects the "financial wellbeing" of "communities", but also discourages "the sustainable management of natural resources" (section 5 of the RMA).

Section 32 Analysis

37. There has been very little financial analysis of all section 6 matters and therefore makes section 5 "purpose" very difficult to analyse. Section 5 talks about the economic well-being of communities.

38. The financial analysis and quantitative analysis needed to be done, because the West Coast economy relies very heavily on "natural and physical resources" (section 5 of the RMA). The West Coast has an abundance of high quality natural and physical resources, and without good financial analysis the balance required by section 5 has been skewed.

Working with the environment

39. West Coast landowners do a good job working with the environment. Only 58% of the private land is being used (i.e. not in native vegetation). We have an abundance of native flora and fauna, much of which we see every day on our farm. Some of the fauna appears to happily coexist with us as farmers and most other West Coast farmers find the same thing.

40. As land use has changed over the last 150 years and our knowledge of how various landforms cope with being exposed to our weather conditions, West Coasters have learnt to change or adapt. A brilliant example of this is the hills in the photo of Appendix 14. Seventy to eighty years ago this was pasture. The hills could not cope with that sort of grazing and so the private landowner allowed this to revert back to bush as you can see in the photo.

There are many examples of this on the West Coast. For example, the hills to the east of the CBD of Greymouth were pasture 70 to 80 years ago.

41. Some areas over the last 40 years, like already cleared pakihi swamps, have been better used by doing things such as humping and hollowing. I have watched an area of Government farmland (Pamu) that was employing 5 people 40 years ago now employing 50 people. This investment is great for our West Coast economy and should be encouraged not discouraged. Using section 6 matters in such a punitive way, as the TTPP has done discourages this good behaviour and is failing to achieve the purpose of the RMA.

42. West Coasters are good at working with the environment. This leaves the question do we need all the rules and difficulties that section 6 brings with it.

Disregarding the rules

43. When speaking to other farmers about the TTPP rules, I regularly hear them saying, "I give up", "I will carry on doing what works for my land", "I will carry on until they catch me". This is clearly showing these rules especially around section 6 are not providing for their social and cultural well-being and therefore not achieving the purpose of the RMA.

44. Please be reminded as the Grey District Council said in their submission on the SASM section, that just because people are not responding and submitting does not mean they are in agreeance with the mapping and rules.

45. People are busy managing their businesses (e.g. farms), sometimes they can't interpret documents such as the TTPP and don't always feel able to submit.

46. Some feel overwhelmed by this whole process or feel "too old" or don't have the computer skills. Others feel that their English is not good enough and so don't submit. Some just simply don't have the time.

47. How are the councils going to cope if there is mass non-compliance?

Wait until the Government change the RMA

48. It is clear from the Government that they intend to change the RMA and particularly section 6. I am asking the TTPP Committee, Commissioners and the Planners to press pause on the section 6 matters and leave them out of the TTPP

49. Mark Cameron ACT list MP released a statement on the 1st of October saying "Section 6 of the Resource Management Act has given local bureaucrats broad powers to run roughshod over property rights. The good news is the Government is in the process of amending, repealing, and replacing the RMA. With ACT in Government, Andrew Hoggard and Simon Court are putting property rights at the centre of new resource management rules." (See Appendix 9).

50. Mark Cameron goes on to say "This begs the question, why is Gore District Council proposing such a massive change that is likely to be made untenable by new legislation? It's not just a land grab, it's a waste of time, money, and attention." We would suggest that the Commissioners and the TTPP Committee need to listen to this change in direction from the Government so that our West Coast rate payers don't see this as a "land grab" and "a waste of time, money, and attention."

51. We suggest that the Commissioners and the TTPP Committee leave all section 6 matters of the RMA out of the TTPP, until such time it has become clear from the Government what the new RMA will be like. In a TTPP committee meeting, there was a suggestion by a planner, that to remove SNA's out of the TTPP would be an expensive exercise. However, Mayor Gibson has pointed out that just the SNA process alone cost the GDC about $1m 15 to 20 years ago. If this cost of $1m was to be extrapolated out to all matters arising out of section 6 it would cost the councils millions. This is what Hon. Mark Cameron was pointing out when he said, "it's a waste of time, money, and attention."

52. Hurunui District council have shown a way.

53. In the same meeting (as mentioned in 50), the chairman of West Coast Regional council indicated they would be prepared to change the RPS to be in line with the changes of the new government.

Conclusion

54. We formally request that the SNAs Pun-034 and Pun-Wo34 be removed from our titles.

55. All section 6 matters be removed from the TTPP, because the use of mapping and rules to address section 6 matters fail to achieve the purpose of the RMA - Section 5.

56. It is obvious from watching meetings referred to above, that the majority of the TTPP committee don't want all these section 6 matters.

57. The Chairman of the Regional Council said that the Regional Council will change the RPS to be in line with the change the central government make.

58. Central government is going to change the section 6 rules.

59. There is an alternative and Hurunui District Council has shown the way.

Appendix 1

THE WEST COAST & ITS FOREST LANDS

1919 - 1987

NEW ZEALAND FOREST SERVICE was created in 1919 to control the cutting of indigenous forests and establish exotic forest plantations as an alternative source of construction and building timbers.

This service took responsibility for wild animal control from Internal Affairs in 1950's and began developing tracks and huts in the back country, providing recreation opportunities.

Experimental exotic forests were established at Totara Flat and Mahinapua. Tree seedlings were produced from nurseries at Woodstock and Totara Flat. Plantations of Pinus radiata, Lawson's Cypress, Douglas Fir, Eucalyptus species and other minor species were planted on the West Coast.

Nelson and Westland Conservancy boundaries were restructured in 1979 – 80 with Buller and Inangahua Districts included in Westland. District and Station boundaries in Westland Conservancy were restructured in 1981. Westland Conservancy Headquarters remained in Hokitika. With District Offices at Reefton, Hokitika and Harihari and Station Offices at Westport, Reefton, Totara Flat and Greymouth serviced West Coast State Forests from Kahurangi Point to Big Bay.

For over 68 years the N.Z. Forest Service was responsible for administering the Forest Act, Forests and Rural fires Act, Mining Act, Wild Animals Control Act, Timber Preservation Act and other Government Legislation until re-structured out of existence in 1987.

Responsibilities were broad and grouped between: Administration, Planning and Operations sections.

Briefly:
Management & Planning
Administration & Clerical
Research & Forecasts
Environmental
Training
Surveying & Draughting
Roading & Bridges
Transport & Mechanical
Safety & Equipment
Radio Communication
Timber Cruising
Logging, Scaling & output
Controlled Fire Burn off
Land Clearing
Planting
Pruning & Thinning
Fertilising & Spraying
Harvesting & Marketing
Weather Readings
Stores Management

Mahinapua Dept Research 1958

Hokitika Conservancy Office Built earlier1970,s

Land Clearing & Plantation

Controlled Burn

Wild Animal Control & Recreation Hut

WEST COAST TOTAL AREA	2 288 000 ha	
Gazetted Protected Natural Areas.	441 000 ha	(19%)
Other State Owned Protected Land.*	1 237 000 ha	(54%)
State Owned Land Suitable for Production Forestry.	287 000 ha	(13%)
Other Land (freehold, leasehold, etc).	323 000 ha	(14%)

* for Soil & Water Conservation

(Figures from N.Z. Forest Service Management Plans)

SCALE 1:1 000 000

0 5 10 20 30 40 50 60 70 80 90 100 Kilometres

CJD

"This interpretation panel was placed as part of ex New Zealand Forest Service Workers Get Together 2012 – Twenty Five years after restructure and revised for 2017 – Get Together"

Appendix 2

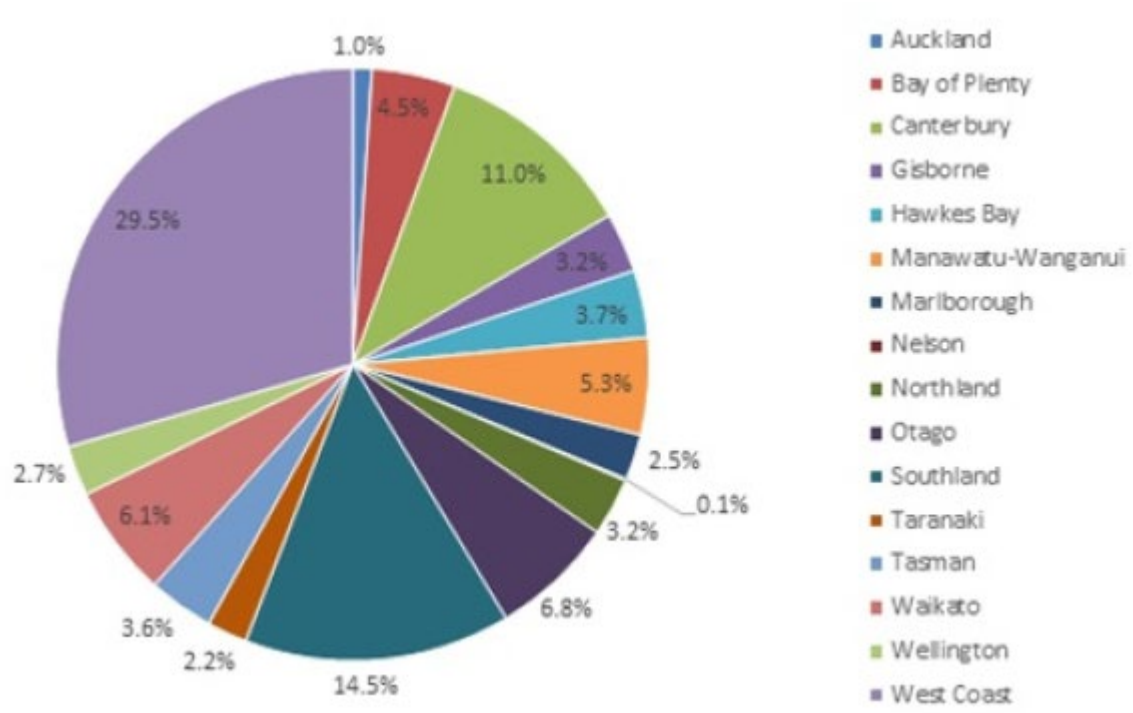
06 June 2017

Water resources are important to New Zealand's economy and electricity supply and we are fortunate to receive as much precipitation as we do. Compared with many other countries New Zealand is relatively water-rich. But this abundance varies from year to year, month to month, and region to region, leaving some places with too much at times (flooding) or too little (drought).

To quantify this resource and its variability NIWA has developed a pair of models that allow us to estimate how much precipitation falls anywhere in New Zealand (the Virtual Climate Station Network) and how this precipitation becomes river flow (TopNet). These models are invaluable in providing numbers where the existing precipitation and river flow measurements do not go.

Based on the latest 20 years of analysis, New Zealand receives about 550,000 million m^3 of precipitation in an average year – 9 times the volume of Lake Taupo. From year to year this may vary as much as 15% higher or lower. The West Coast receives a quarter of this precipitation despite accounting for less than 10% of the country's area.

About 20% of the national precipitation in turn evaporates after it lands, with the remaining 80% flowing out to sea and hence become our surface water resource. The West Coast again represents the largest portion regionally (Figure 1), demonstrating that regions are not equally endowed with freshwater resources even after taking their areas into account.



NIWA

The proportion of New Zealand's average surface water resource by region. Regions run alphabetically and clockwise from Auckland's 1% at the top

NIWA applies these models in a range of applications from the catchment to country, and from historical conditions to potential future conditions under different land-use or climate change scenarios. The resulting information helps guide freshwater managers and users as well as shedding light on the natural history of New Zealand.

Further information

For further information see the report *Surface water components of New Zealand's national water accounts*.

Collins, D., Zammit, C., Willsman, A., and Henderson R. (2015). Surface water components of New Zealand's National Water Accounts, 1995-2014. NIWA client report CHC2015-013, pp. 18.

Freshwater Update 70, August 2016

- The Water Accounts of New Zealand
- What happens when communities monitor their local streams?
- LIFENZ: A hydrologically sensitive invertebrate community index for New Zealand rivers

- NIWA Eddy Covariance Towers
- That sinking feeling
- Rapid and highly variable warming of lake surface waters around the globe
- Latest Freshwater and Estuaries News

Results and discussion

Land use

Sheep and beef farming is the most extensive land use in New Zealand, accounting for 40% of the total land area (Table 1). Public conservation land is the second most extensive at 31%. In contrast, dairy farming (10%) and plantation forestry (7%) occupy a substantially smaller area while urban areas account for <1% of the land area nationally. Regionally, sheep and beef farming accounts for a larger proportion of the regional land area than public conservation land in all regions except Bay of Plenty, Nelson/Tasman, West Coast and Southland (Table 1). In the Bay of Plenty, plantation forestry (24%) and other land uses (mainly horticulture; 28%) are unusually high, while in Nelson/Tasman, West Coast and Southland, large national parks (Kahurangi and Nelson Lakes National Parks, Paparoa, Taipoutini/Westland and Aspiring National Parks, and Fiordland and Rakiura National Parks respectively) and other areas of land managed under the Conservation Act account for the dominance of public conservation land.

Table 1. Percentage of land area in different land uses.

Region	Area (ha) of region	Percentage of region's land area in different land uses					
		PCL	Sheep & beef	Dairy	Plantation	Urban	Other
New Zealand	26,732,864	31.0	39.7	10.1	7.1	0.6	11.5
Northland	1,254,033	11.3	40.8	18.7	14.0	0.5	14.6
Auckland	491,639	6.0	34.1	11.9	9.7	8.5	29.9
Waikato	2,459,318	15.5	31.3	28.4	10.6	0.7	13.4
Bay of Plenty	1,225,530	22.4	14.0	11.5	23.7	0.8	27.6
Gisborne	835,947	9.1	62.4	0.5	19.5	0.2	8.2
Hawke's Bay	1,417,695	13.7	52.8	3.3	13.0	0.4	16.9
Taranaki	726,088	19.2	33.8	34.0	4.1	0.6	8.3
Manawatu-Wanganui	2,221,561	17.8	56.0	8.7	5.9	0.4	11.2
Wellington	812,506	16.4	52.8	5.6	7.2	1.9	16.1
Marlborough	1,049,444	27.1	52.2	2.2	7.9	0.2	10.4
Nelson & Tasman	1,007,973	63.3	11.0	5.1	12.5	0.4	7.7
West Coast	2,335,571	84.4	3.5	5.1	2.5	0.1	4.5
Canterbury	4,523,554	25.8	49.0	9.3	1.7	0.4	13.7
Otago	3,187,643	19.2	64.3	4.8	4.0	0.3	7.4
Southland	3,183,858	57.9	25.4	8.7	2.4	0.1	5.5

Based on these data it is clear that despite changes in the nature of land use over recent decades (e.g. declines in the national sheep flock and conversions to dairy farming and viticulture; MacLeod & Moller 2006, Fetzel et al. 2014), sheep and beef farming is still the predominant land use across New Zealand. Although not assessed here, we also know from other research that sheep and beef farming typically occurs at lower elevations and in regions where there is less public conservation land (Mark 1985, Awimbo et al. 1996, Norton 1999, Leathwick et al. 2003).

Native vegetation

Nationally, native vegetation (forest, shrubland, grassland and wetland) covers 43% of New Zealand (Table 2). However, much of the native vegetation present today is very different to what would have been present before human settlement, when ca. 80% of New Zealand was forested. Many of the areas that support native shrubland and grassland today occur in areas that were previously forested. Of the native vegetation present today, the majority (62%) occurs on public conservation land, although a substantial amount (25%) occurs on sheep and beef farms. This 2.8 million ha of native vegetation on sheep and beef farms accounts for about 27% of the total area (10.6 million ha) of all sheep and beef farms.

Table 2. Total native vegetation in different land uses.

Region	% region in native vegetation (area ha*1000)	Percentage of total native vegetation in different land uses					
		PCL	Sheep & beef	Dairy	Plantation	Urban	Other
New Zealand	43.0 (11,490)	61.5	24.5	1.4	2.8	0.0	9.8
Northland	31.5 (395)	31.4	29.7	7.8	7.3	0.0	23.8
Auckland	25.0 (123)	20.0	23.7	3.2	3.9	0.0	49.3
Waikato	26.4 (650)	52.4	23.0	4.3	5.7	0.0	14.6
Bay of Plenty	49.1 (602)	43.4	8.0	3.0	6.7	0.0	38.8
Gisborne	31.7 (265)	27.5	52.7	0.4	7.8	0.0	11.5
Hawke's Bay	33.7 (477)	38.7	20.0	1.1	10.5	0.0	29.7
Taranaki	39.5 (287)	47.2	33.2	4.9	5.4	0.0	9.3
Manawatu-Wanganui	32.9 (731)	51.8	26.7	0.8	3.7	0.0	17.1
Wellington	36.0 (293)	40.2	31.2	0.7	4.1	0.0	23.7
Marlborough	51.4 (540)	47.1	42.1	0.7	3.3	0.0	6.8
Nelson & Tasman	69.0 (695)	86.0	4.8	2.0	2.8	0.0	4.4
West Coast	80.0 (1,868)	93.5	1.6	1.2	1.1	0.0	2.6
Canterbury	33.2 (1,500)	47.9	48.0	0.6	0.5	0.0	3.1
Otago	37.9 (1,207)	40.5	56.1	0.2	0.8	0.0	2.5
Southland	58.3 (1,856)	87.4	8.9	0.3	0.4	0.0	3.1

These figures for native vegetation do not provide any breakdown of the type of vegetation or its quality, but they do indicate that there is still substantial native vegetation across rural New Zealand. The figures for sheep and beef farms do include some of the nearly 200,000 ha of rural New Zealand that is covenanted through the QEII National Trust (openspace.org.nz), of which 54% occurs on sheep and beef farms (about 100,000 ha). However, given that the total area of native vegetation on sheep and beef farms is nearly 3 million ha, the majority (97%) is not covenanted (although some of this might be included under other protective agreements such as through the Ngā Whenua Rāhui programme or under MPI sustainable forestry management plans and permits).

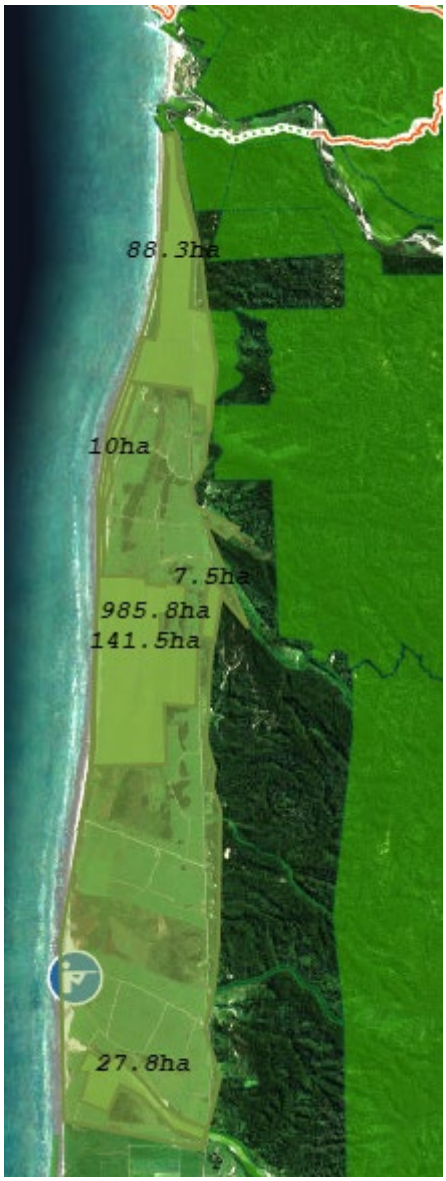
While the amount of native vegetation remaining on sheep and beef farms is impressive, this figure is influenced by the inclusion of substantial areas of native grassland, especially in the eastern South Island (Marlborough, Canterbury, Otago and Southland). Because New Zealand was predominantly forested before human arrival and because most sheep and beef

Appendix 4


Northland
Far North
Whangarei
Kaipara
AUCKLAND
Thames-Coromandel
Auckland
Bay of Plenty
Western Bay of Plenty
TAURANGA
Kawerau
Whaketane
Hauraki
Waikato
Matamata-Piako
HAMILTON
Waipa
Otorohanga
South Waikato
Waitomo
Rotorua
Opotiki
Gisborne
Waikato
Taupo
Wairoa
Gisborne
New Plymouth
Ruapehu
Stratford
Taranaki
NAPIER
Hastings
South Taranaki
Hawke's Bay
Manawatu-Wanganui
Whanganui
Rangitikei
Manawatu
Central Hawke's Bay
Tararua
Horowhenua
PALMERSTON NORTH
Kapiti Coast
PORIRUA
Tasman
Nelson
NELSON
Masterton
Carterton
South Wairarapa
Tasman
Marlborough
UPPER HUTT
LOWER HUTT
WELLINGTON
Wellington
Buller
Kaikoura
West Coast
Grey
Marlborough
Hurunui
Westland
Waimakariri
CHRISTCHURCH
Selwyn
Ashburton
Canterbury
Mackenzie
Timaru
Waimate
Queenstown-Lakes
Central Otago
Waitaki
Southland
DUNEDIN
Clutha
Otago
INVERCARGILL
Gore
Southland
Chatham Islands
Chatham Islands

Appendix 5 Pun-034 Burke Road North

Appendix 6



DOC areas = 88.3ha + 10ha + 7.5ha + 141.5ha + 27.8ha = **275.1ha**

Total area of the sand dune flood plain = **985.8ha**

Percentage = **28%**

Appendix 7

Department of Conservation
Te Papa Atawhai

File: PAP-11-09

August 24, 2009

George Coates
Nikau Deer Farm
Coast Road
Barrytown Flats
WESTLAND

PROPOSED NHF APPLICATION FOR BURKES RD FARM, PUNAKAIKI-BARRYTOWN FLATS

Dear George

As discussed with you last week, please find enclosed copies of our Buller Area Office Report in relation to your request to consider a portion of land (approximately 6ha) for NHF application on the abovementioned property (SO1790) owned by Nikau Deer Farm.

The attached report summarises our findings following a site visit to the area on 22 July 2009 and gives a *preliminary assessment* of the conservation values. As outlined in the report, both the Department and yourselves have agreed that it is not practical to pursue an NHF application at this time.

A copy of this information has been forwarded to the Conservancy Office for their records so they can note that your query regarding a potential NHF application from earlier this year has now been resolved.

If you have any queries, please do not hesitate to contact the area office on (03) 788 8008.

Yours sincerely

Bob Dickson
Area Manager *Poumanahere*
Pursuant to delegated authority
PO Box 357, Westport 7866, New Zealand
Telephone 03-788 8008, Fax 03-788 8009

Copy: Ron Hazeldine, Community Relations, Concessions, Conservancy Office

Department of Conservation
Te Papa Atawhai

Area Office Report

Subject:	**Nikau Deer Farm (Coates), Punakaiki-Barrytown Flats (Burkes Rd), proposed NHF Application**
Author:	Kirsty Barr Buller *Kawatiri* Area Office
Copy:	Ron Hazeldine, Community Relations, Concessions – Conservancy Office
Date:	25 August 2009
File:	DOCDM463214

Current Status as at 29/7/09:
Kirsty rang George Coates on 25/7/09 to advise on our area office view (summarised in conclusion) regarding a potential area for NHF application (referred to here as the "potential NHF area") on the Coates' Burke Rd farm in Barrytown Flats/Punakaiki. This followed a site visit and preliminary assessment on 24 July. George asked that our findings be made available to him for their records so a copy of this file note will be forwarded to the Nikau Deer Farm Ltd. Currently the potential NHF area is subject to a consultation process between the Grey District Council and the Coates to decide whether it will be a designated *Significant Natural Area* (SNA). Note that the boundary of the potential NHF area (which includes zones 1, 2 and 3 identified in figure 2) more or less matches the proposed SNA area.

Note there are four parties involved in Nikau Deer Farm Ltd (George and Caryl Coates, John and Beverly Coates). George Coates has been the main point of contact regarding this query, ph 03 731 1805.

1. BACKGROUND:
George Coates contacted the department in February 2009 to advise on the possibility of the potential NHF area (approx 6ha) being put forward for NHF purchase. West Coast Conservancy (Lara Kelson) responded to George on 23 March 2009 to advise that his query had been referred to the Buller Area Office for comment. On 24 July 2009 Chippy Wood and Kirsty Barr met with George, Caryl and John Coates to carry out a preliminary assessment of the landscape, flora, and fauna values.

While the first option was to consider a potential NHF purchase, it was also acknowledged that both the department and the Coates were uncertain whether this was a practical option. In discussing the values of the land in question, George Coates indicated that as a second option he might be interested in developing (hump and hollowing) approx 3ha of this area (refer zone 3 in figure 2) while excluding the higher value areas from development (approx 3 ha, refer zones 1 and 2). The Coates are aware that any development would need prior resource consent approval with the Grey District Council. It was agreed that some kind of assessment of the land would be helpful as this may be needed as part of the SNA process anyway, or in the event of a resource consent application being lodged.

Site Visit – purpose

Attended by: Chippy Wood (Bio-diversity, DOC), Kirsty Barr (Community Relations, DOC), George and Caryl Coates, John Coates (Nikau Deer Farm).
Carried out: 22 July 2009

This **preliminary assessment** was to identify general flora, fauna and landscape values and to advise the Coates whether it would be practical/feasible to pursue an NHF (Nature Heritage Fund) application.

Location:
Refers to private property SO1790 (approx 42.8ha) owned by Nikau Deer Farm Ltd, adjacent to Conservation Area – Barrytown Flat. The potential NHF area is about 7.5 kms to the north of Barrytown and 8kms south of Punakaiki. The land in question is approximately 6ha and lies to the northwestern corner of this freehold block (refer pink boundary in figure 1).

Figure 1: Aerial map showing Nikau Deer Farm's freehold block (outlined in yellow) at Barrytown/Punakaiki Flats with potential NHF area outlined in pink (note that this boundary roughly correlates to the proposed SNA currently under negotiation). Also shown is adjacent conservation area (green), and neighbouring block on northern boundary, soon to be under DOC management.

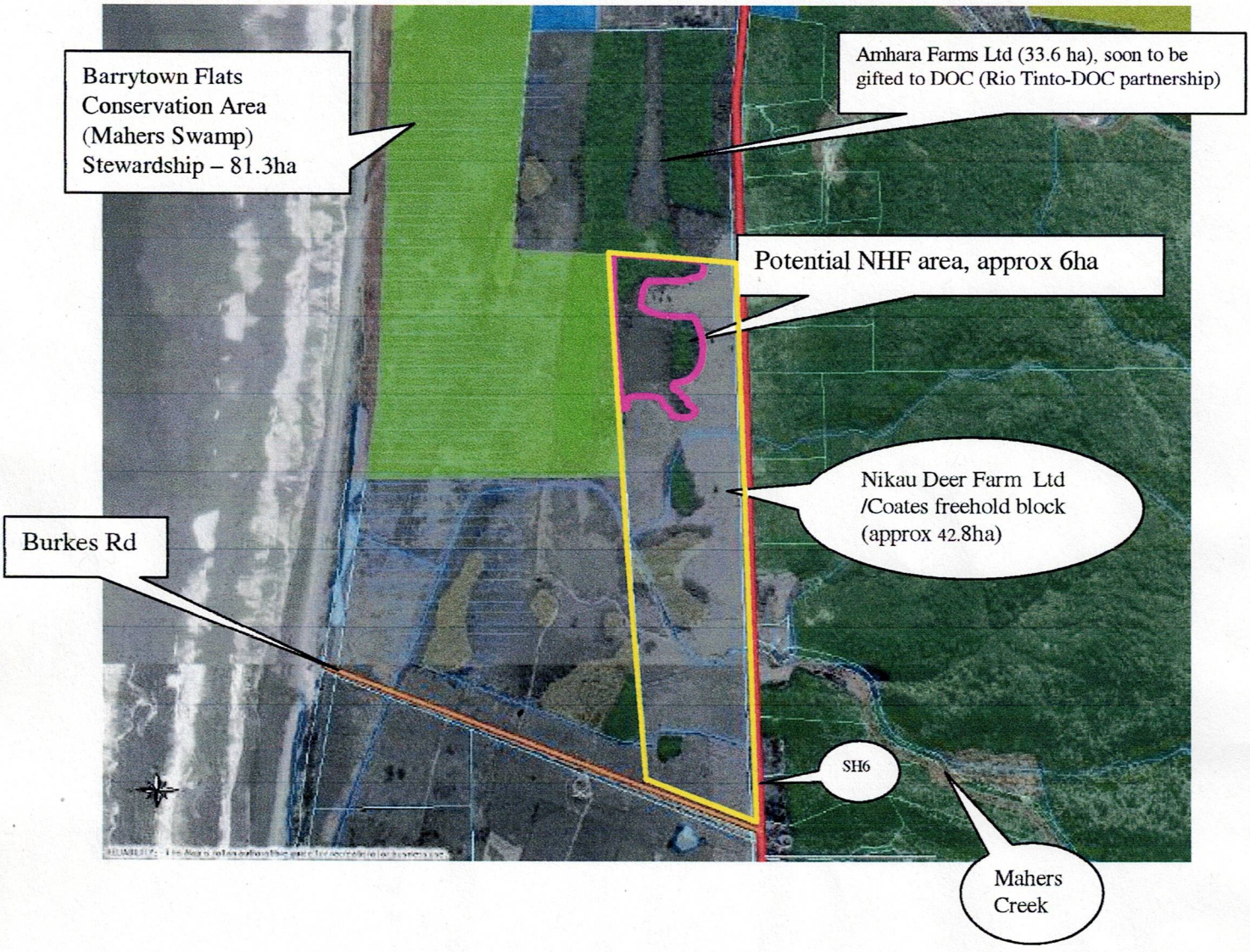
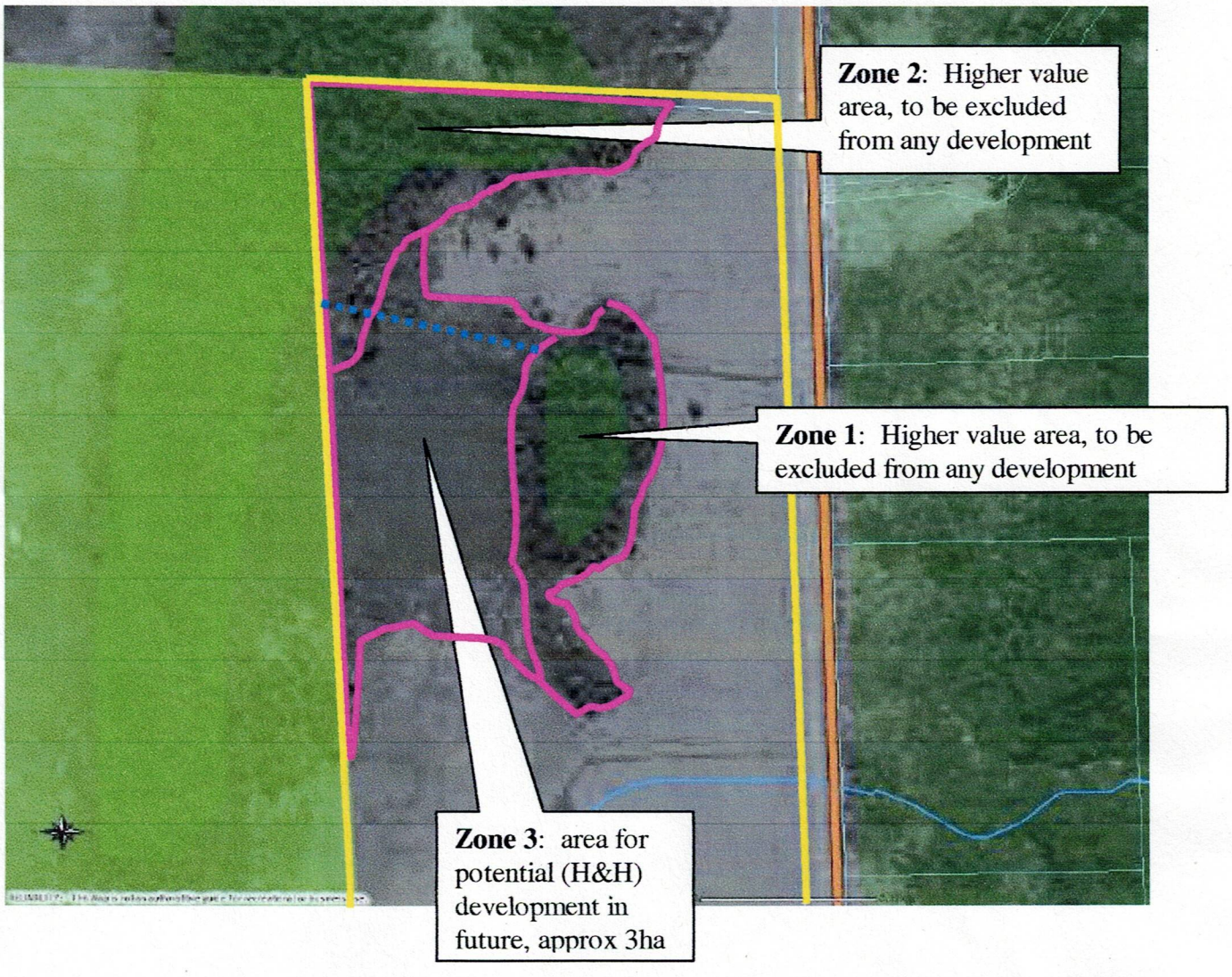


Figure 2: Aerial map showing 3 different 'zones' outlined in pink within potential NHF area on Nikau Deer Farm's freehold block (outlined in yellow), approximate course of drain/waterway is in blue dots (also refer to photo 4). Note that zones 1, 2, 3 here are currently subject to a proposed SNA (under negotiation).

Note that the lines showing boundaries and drain/waterway position are approximate. Zones 1 and 2 (combined) are about 3ha.



2. VALUES

General:
The land lies on the Barrytown flats coastal plain which consists of a series of uplifted beach ridges and associated troughs, sand dune terraces, and marine gravels which are overlaid with sand and topsoil. The area has a mix of wetland and pasture land which has been significantly modified over the 20th century as a result of farming, logging and mining activities. The area has a farming history which dates back to post WWI, and logging would have been carried out during the early part of the 20th century (pers. Comm.. John Coates).

At the second level of the LENZ classification system the entire site is an M1 environment (Leathwick, 2003). This environment typically contains vegetation characterized by kahikatea forest, and fertile flax-carex swamps. Characteristic native fauna of an M1 environment are kereru, bellbird, tui, fernbird, bittern, tomtit, brown mudfish, and giant kokopuwhile kotuku, bittern, giant kokopu, fertile swamps, and *Myriophyllum robustum* are characteristic pressure sensitive species On the West Coast 38% of environment M1 is protected as public conservation land (but may increasesoon given land to be gifted to DOC) and 42% of M1 land is in native cover. Zones 1 and 2 (which together make up approximately 3ha) contain regenerating podocarp forest that is approximately 80 yrs old. Zone 3 is much wetter underfoot and has been recently grazed. At level four of the LENZ classification system, the siteis M1.1a. On the west coast region 33% of environment M1.1a is protected as public conservation land and 36% is in native cover)

Note that at the time of our site visit, it had been recently raining andthere had been days of moderate rainfall prior to this.

Zones 1 and 2:
The Coates advise that regardless of any formal protective designations such as an SNA, this area would be excluded from any potential development (eg hump and hollowing). These zones contain forested area of regenerating kahikatea (dominant and up to 20m), with some stands of matai (it was noted that very occasional matai have been recently logged). Also noted were flora such as bush lawyer, Toru, Kamahi (up to 10m), Rimu (up to 20m), Supplejack, Astelias, Crown fern, *Cyathodes juniperina*, (mingimingi),*Gahnia* (native grass), Ponga (mamaku and Wheki), *Parsonsia capsularis* (jasmine). Non native weeds include *Lotus major*. The ground was relatively wet underfoot.

Zone 3:
This is the area that the Coates may consider for hump and hollowing It is much wetter under foot and flax is dominant. The ground is quite severely grazed in parts, pugged and rain drains from a nearby paddock from the northeast. Other flora present include *Cordyline australis* (cabbage tree) small rimu, ponga, occasional lancewood(horoeka), marble leaf, toru, wineberry and kamahi. A variety of coprosmas are throughout, as is lotus major. There are some stands of more mature forest (see photos 3,6,7). The Coates advise that where there are several of these together or any markedly older trees present, these would be left intact. Weeds in this zone include blackberry, gorse, and lotus major.

Fauna throughout:
There are number of endangered bird species that use the area. Fernbirds are common in Maher Swamp (Chippie Wood biodiversity ranger) These birds are an endangered species listed as sparse (Hitchmough, 2002). Western weka also inhabit the area, and are classified as endangered species in serious decline (Hitchmough, 2002). A number of Westland petrel colonies lie in the low forested hills east of the State Highway and are bounded by the Punakaiki River in the north and Lawson

Creek in the south. No parts of these colonies lie within the immediate vicinity of the potential NHF area. Westland Black Petrels are an endangered species classified as range restricted (Hitchmough, 2002).

Surveys in 2005 found some little blue penguins using Pakiroa Beach (Blyth et al 2006). These sightings were mostly at the northern end of the beach, where "many footprints were found" (p.12). This is approximately 4kms away. Although there are records for penguins being present in the central areas of Pakiroa Beach, there is a buffer between the sea and farmland (Barrytown Flats Conservation Area - Mahers Swamp) and blue penguins are unlikely to be in the immediate vicinity These birds are classified as an endangered species in gradual decline (Hitchmough, 2002).

Good numbers of forest bird species (e.g., kereru, bellbird, tui etc) use the forested portions of all the blocks seasonally. Although not heard at the time of the site visit, fernbird will almost certainly be present. Other avifauna identified as being present included bellbird, pukeko, weka, fantails, paradise ducks and blackbirds. It is possible that other wetland bird such as bittern may be present, although the Coates don't report seeing any and none were identified at the time of the site visit.

Freshwater values:
A drain/waterway is present through the northern section of zone 3 and runs through all zones (refer blue line in figure 2 and photo 4). This was built by the Langridges approximately 50 yrs ago (pers. Comm.. J Coates). The drain/waterway is on the edge of the area that would be potentially developed and would not be fenced. The vegetation around the drain/waterway would probably be cleared (pers. Comm. George Coates). If this zone is developed in future, the Coates will need to comply with any riparian margin requirements (if applicable) as defined by the consenting authority. If none is required however, it may be possible to advocate with the Coates to retain grasses and other plants along the drain edge that may help with filtering of water (and therefore protect freshwater values) downstream.

Historical/Recreational and scenic values:
There are no historic sites noted on DOC historic maps for the freehold block relating to this potential NHF area. However an archaeological site was noted to be on the freehold block approximately 400m south of the potential NHF area's southern boundary (ref K30/79). However Jackie Breen (Technical Support Officer, Historic) advised that this site was incorrectly positioned on the GIS system and was in fact located on the adjacent property south of Barrytown Flats Conservation Area (Mahers Swamp) in a neighbouring land owned by Punakaiki Downs Ltd. This site is noted on the GIS system as being related to "gold mining" and Jackie further described this as being a "curvilinear depression, up to 60cm wide, 40 cm deep, running for 10m before fading out. Its condition is described as being "poor" (pers. Comm. J Breen).

The area under question is on private property and as such there is no public access to or through this land. Between this block and Pakiroa Beach to the west is Barrytown Flats Conservation Area (Mahers Swamp) and public access to the beach is easily gained via Burkes Rd to the south.

The potential NHF area is visible from the main road (SH6 Coast Rd) which is approximately 130m away. The surrounding area has a mixture of rural development (farming and residential housing) along with national park/scenic reserve. To the south is a rural-residential subdivision and on the farm itself there is currently grazing. Any potential hump and hollowing activity on the 3ha site would be in general keeping with other activities and development in the area. If zone 3 was developed, it would be difficult to see from the road due to the forested portions found in zones 1 and 2 which would shield it from view

3. LAND STATUS/PROTECTION:

Surrounding land under DOC management:
In discussing land status issues with the Coates, JohnCoates pointed out there is already a lot of land under DOC managementin this area. Immediately to the west of the potential NHF area is Barrytown Flats Conservation Area (Mahers Swamp) which has stewardship status, and is approximately 81.3ha. To the east is the Paparoa Range South conservation area (stewardship) and further east is the Paparoa National Park. Added to this, are the recent land acquisitions from the Rio Tinto-DOC partnership, which in the near future will also includethe 33.6 ha block directly to the north. There are QEII covenants nearby, and numerous proposed SNAs currently under consideration.

During the site visit we were able to concludethat the surrounding areas under DOC management probably provided *better representation* and *higher values* compared to the potential NHF area that was the subject of this assessment. This is not to say that the area under question is not of high value, and certainly zones 1 and 2 are a good representation of 80yrold regenerating coastal kahikatea forest. However there was agreement that in terms of intactness, bio-diversity and stage of regeneration, there were better examples nearby that were already protected (or soon would be) under DOC management.

Covenants:
George Coates indicated he would not currently be keen to covenant or formalise protection over zones 1 and 2, even though there is no intention to develop these areas. His position (which may or may not be different from other members of Nikau Deer Farm Ltd) is based on the view that these areas are under private ownership, and their use should be under the management of the landowner and not subject to public covenants.

SNAs:
As stated above, the potential SNA status of this area is still being discussedby Grey District Council and the landowner. The Department may be called upon to comment on the values for this area or to have input into the final decision. The presence of an SNA designation will mean the district council will be involvedif or when a resource consent application is lodged and it is likely the Department would also be involved as an affected party. The SNA status will be an important factor for consideration for any consenting authority regarding potential development.

NHF Process
In discussing the NHF Application process with Ron Hazeldine (CR Officer, Concessions, Conservancy Office), I was advised that the NHF meet 3-4 times a year (often less) to discuss potential applications. Only outstanding orremarkable examples are likelyto be in the running. In discussing this case with Ron, it was agreed that this particular site (while still high value in parts) could not be described as being *outstanding* or *remarkable*, especially in the context of the more intact and higher value land that exists under DOC management in the immediatevicinity.

The Coates have already been through an NHF process and are aware of the timelinesinvolved. Generally, it would take approximately8-10 months (at best) for an application to be processed to the point where the applicant is confident ofthe outcome. Given the Coates want to have a decision by the end of this year so they can plan futuredevelopment on their farms generally,this timeline is not practical.

4. CONCLUSION:

In conclusion, the department carried out a preliminary assessment of values in the potential NHF area which would help inform both the applicant and the department in terms of a possible application as well as provide information should a resource consent application be lodged in future. This area is currently subject to ongoing consultation between the Grey District Council and the applicant regarding potential SNA status. The landowners (Nikau Deer Farm Ltd) advised that if an NHF application was not practical, then it may consider lodging a resource consent application to develop (hump and hollow) part of this area - identified as zone 3 - while leaving areas (zones 1 and 2) intact.

Regarding values for the potential NHF area, the surrounding area has been subject to significant modification over the last century through farming, logging and mining. Zones 1 and 2 (to be excluded from development) can be described as being 80yr old regenerating kahikatea podocarp coastal forest, while zone 3 is characterized as being flax dominated, wet underfoot with some more recently regenerating forest. Zones 1 and 2 are distinct in that they represent higher flora values while zone 3 has been recently grazed, and quite severely, in parts.

In considering whether the land in question is worth pursuing as an NHF application it was concluded that overall the values in this area could not be considered to be *outstanding or remarkable* when compared to other land nearby. While it does contain high values, there are better examples in neighbouring land managed by the department that are currently under protection (and more land will soon be gifted to DOC). In the wider area there is land with scenic reserve, nature reserve and national park status. Therefore it was agreed that any application was likely to be unsuccessful. This was the view of the Coates (and an NHF application needs to be applicant led) as well as the view of departmental staff.

While any resource consent application would need to be considered if and when an application is lodged, this preliminary assessment indicates that development of the 3ha area under question would probably pose minimal risk in relation to values in this area. However, some protection over zones 1 and 2 would be desirable, although the final decision regarding this would rest with the consenting authority. If maintaining a riparian along the drain/waterway is outside the scope of a resource consent process (or is not required under the district plan), there may be an opportunity to discuss with the Coates the possibility of retaining grasses and other plants along the drain edge that can help with filtering of water (and therefore protect freshwater values) downstream towards Mahers Creek.

5. RECOMMENDATION:

It is recommended that based on the information above, the potential NHF area is *not put forward* as an NHF application at this time. This is confirmed as being the view of both the department and the Coates.

It is recommended that if a resource consent application is lodged and the department is deemed to be an affected party, that this report will contribute to (but not necessarily determine) a decision regarding the department's approval as an affected party.

Reporting Officer: Kirsty Barr Date: 25 August 2009

Please indicate your decision below and sign the attached correspondence

2. **Decision**

Approve/ ~~Decline~~/ Request more information

Area Manager _____ Date 27-8-09

Appendix 8

Outstanding Coastal Natural Character Area (OCNCA) 40, being the Paparoa Foothills. This is a sequence of rolling to steep coastal hills and valleys, forming the foothills to the Paparoa Range. This is described in Schedule Eight of the Proposed Te Tai o Poutini Plan (TTPP) as follows:

- *Varied amalgam of exposed landforms, very strong elevated relief, windswept vegetation which impart a strong sense of naturalness.*
- *Natural qualities are clearly evident in the landform, vegetation cover and their relationship with the Tasman Sea contributing to a very endemic landscape.*
- *Mature wind swept coastal forest across the escarpment enhances the sense of naturalness and wildness.*
- *The presence of SH6 coastal road does not detract from the highly expressive natural processes and elements which are the dominant feature of the unit.*

Appendix 9

PRESS RELEASE

Property rights pointlessly threatened in Gore

01 October, 2024  Mark Cameron

ACT is backing action by Gore farmers against a Council proposal to designate the entire territory a Site and Area of Significance to Māori.

ACT Rural Communities spokesperson Mark Cameron says:

"As glorious and historic as Gore may be, it's just not credible to say the entire district is a culturally sensitive site. The Council's proposal looks more like a land grab.

"The Treaty of Waitangi settlement process already allows for restoration of land use rights to claimants. There is no need for any council to get ahead of this process by locking up the productive potential of vast swathes of land.

"Section 6 of the Resource Management Act has given local bureaucrats broad powers to run roughshod over property rights. The good news is the Government is in the process of amending, repealing, and replacing the RMA. With ACT in Government, Andrew Hoggard and Simon Court are putting property rights at the centre of new resource management rules.

"This begs the question, why is Gore District Council proposing such a massive change that is likely to be made untenable by new legislation? It's not just a land grab, it's a waste of time, money, and attention."

Press Contact

media@act.org.nz

Appendix 10

Pun-Wo34; Cowans Dredge Pond; RS 2847

Appendix 11

Part 2

Purpose and principles

5 Purpose

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

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

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

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

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

Appendix 12

Appendix 13

Appendix 14

Appendix 15

Rule 28. Flood protection works

The protection, partial reinstatement, or reinstatement of any bank of a lake or river which has been eroded by a flood event is a permitted activity provided the following conditions are met: (a) The work does not extend any further into the river or lake bed than the bank did before the flood event; and (b) The works are no higher above the bed than the bank was before the flood event; and (c) The works are carried out within 12 months of the flood event that caused the erosion; and (d) The work is commenced and completed within a period of 10 consecutive days; and (e) The work does not cause and will not cause any flooding or bank erosion elsewhere in the river; and (f) All reasonable reasonable steps are taken to minimise the release of sediment to the lake or river during the activity; and (g) Only cleanfill is used and no pest plant is introduced; and (h) No refuelling of equipment takes place on any area of a river or lake bed; and (i) The site is left tidy following completion of the activity; and (j) Where the activity is undertaken in any wetland identified in Schedule 1 or 2: i) Native vegetation disturbance is limited to the extent necessary to access and undertake the activity; and ii) Reinstatement is limited to returning the bank to its previous pre-event state (for the avoidance of doubt this does not require revegetation); and iii) Vehicles and equipment are cleaned prior to entering the Schedule 1 or 2 wetland to avoid the introduction of pest plants; and iv) There is no change to the natural flow, path or fluctuation in water level; and v) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive except after a sudden event that requires immediate remedial measures to prevent an adverse effect on the environment, or that is likely to cause loss of life, injury or serious damage to property; and vi) No bird nests are disturbed. (k) The person in charge of the works must hold, and provide to Council on request: i) Evidence of the event that caused the damage, including the date or dates the event occurred; and ii) Evidence of the effects the event had on the bank, including bank alignment and the height of the bank; and iii) What works were carried out; and iv) When the works were carried out; and v) The materials used. Notes Regarding condition (d), if a contractor cannot complete the works consecutively within the 10 days, they should contact the Council for advice. Photographic evidence of the site following flooding, and once the works have been completed, are considered to meet the requirements of condition (k).