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28 August 2020

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Dear Sir/Madam

Waikato Regional Council Submission to Variation 3 (Taiwawe Catchment Structure Plan) to the Thames-Coromandel Proposed District Plan

Thank you for the opportunity to make a submission on Variation 3 (Taiwawe Catchment Structure Plan) to the Thames-Coromandel Proposed District Plan. Please find attached the Waikato Regional Council's submission regarding this document. This submission was endorsed by the Council on 27 August 2020. Waikato Regional Council looks forward to being involved in further discussion regarding the development of this proposal.

Should you have any queries regarding the content of this document please contact Matthew Vare, Senior Policy Advisor, Policy Implementation Team directly on (07) 8590545 or by email Matthew.Vare@waikatoregion.govt.nz.

Regards,

A handwritten signature in black ink, appearing to be "Tracey May". The signature is stylized and cursive.

Tracey May
Director Science and Strategy

Submission from Waikato Regional Council on Variation 3 (Taiwawe Catchment Structure Plan) to the Thames-Coromandel Proposed District Plan

28 August 2020

Introduction

1. Waikato Regional Council (WRC) appreciates the opportunity to make a submission to Variation 3 (Taiwawe Catchment Structure Plan). WRC's primary interest is in relation to the Waikato Regional Policy Statement (WRPS), in particular provisions relating to indigenous biodiversity (chapter 11), and to operational matters and investment at this location undertaken by WRC. District Plans, including Plan Changes or Variations such as this one, are required to give effect to the RPS (RMA s75(3)(c)).
2. While WRC supports the intent to develop a conservation framework within which future development will sit, the current ecological assessment that supports the Variation does not provide enough detail (especially around presence of key threatened species and their habitat requirements) to justify the scale and intensity of development sought by the proposal (45 lots). These gaps and lack of detail in the ecological assessment mean that the provisions developed to be able to manage (avoid, remedy or mitigate) adverse effects (including cumulative adverse effects) from that development on indigenous biodiversity are also deficient. Until that deficiency is rectified WRC **opposes** the proposal.

Site and ecological context

3. The 40 hectare site is at 104 Taiwawe Lane, Hot Water Beach (see Appendix 1). The site fully contains Significant Natural Area (SNA) TC363 Taiwawe Forest Fragments and contains parts of SNA TC364 Hot Water Beach Bush. Taiwawe forest fragments site is described in the SNA database as "coastal secondary broadleaved forest. Fauna classified in the NZ Threat Classification Lists as nationally vulnerable North Island (NI Brown Kiwi) are present nearby. The coastal forest provides stepping-stone habitat for mobile fauna between surrounding natural features".
4. SNA TC364 Hot Water Beach Bush is a large (254ha) SNA and contains a mix of coastal and lowland secondary forest with elements of Pohutukawa on faces and spurs. North Island Brown Kiwi is indicated as present and animal threats are managed in the south of this SNA.
5. WRC ecologists have also noted that due to proximity of this site to the Whenuakite Kiwi Care project area that kiwi are very likely to utilise this area as part of their habitat. Impacts on kiwi will need to be considered at some level regardless of whether they are detected in surveys as it is well within the dispersal range of juvenile kiwi from Whenuakite. Key issues are the impact of dogs and vehicles in particular. Pest control targeting kiwi (focused on mustelids) would be of value. Traffic assessment needs to be re-visited looking at the issue of impact on Kiwi.
6. In addition, the following avian species are known to be present on neighbouring properties and are likely to be present in the area:
 - Kaka
 - Kereru
 - Banded Rail
 - Australasian Bittern
 - Fernbird

The ecological assessment supporting the proposed Variation has not surveyed for presence of any of these listed species and has not provided any guidance how subsequent development can manage adverse impacts on them.

7. Other species assessed as being potentially present include long-tailed bats and lizards. In terms of lizards, the present grazed understories of the riparian margins make it a poor habitat for all but Elegant geckos (*Naultinus elegans*). If these riparian areas remain intact and are no-longer grazed, there will be an increase in habitat richness. Furthermore, in its current state the pasture is a dispersal barrier for lizards, but backyard gardens from development are likely to create a mosaic suitable for lizard dispersal. In this case development is likely to be a net benefit to lizards as long as issues around introduction of cats and increased carrying capacity of rodents due to human created food sources and shelters are considered and managed.
8. In terms of bats, a nationally critical threatened species, the ecological assessment notes that “mature trees - both indigenous (e.g. large kānuka) and exotic (large pines) - are plentiful at the site and have the potential to contain bat roosts. A targeted bat survey was beyond this scope of this report”. Once surveyed, if bats are present then several aspects of the development will need to be reassessed and a bat management plan should be prepared. This plan should take into account how bats may be using the habitat and how potential adverse effects of the development such as loss of foraging habitat, disruption of commuting corridors, and impacts of lighting can be mitigated.
9. Taiwawe Stream is also an area where the Regional Council have been looking to develop a sub catchment restoration plan. This is part of a larger project – Eastern Mercury Bay Habitat Connection – put forward as part of the government’s recent “Shovel ready Projects”. The intent of the project is to partner with Iwi to undertake landscape scale restoration and biodiversity enhancement and connect-up existing projects and groups. Restoration activities would trigger employment and create new opportunities around tourism and visitor experience.
10. Some key initiatives specific to the Hot Water Beach area include integrated predator control in rural and urban areas, a “one tree one trap” proposal for all properties and the establishment of a “korowai” or forested cloak of protection around the Hot Water Beach Catchment. Some elements of the proposed conservation framework for Variation 3 could support these proposals, particularly if weaknesses around fauna identification and management could be aligned and integrated.

WRPS Biodiversity Policies

11. WRPS Policy 11.1 seeks to maintain or enhance indigenous biodiversity. It does this by promoting positive indigenous biodiversity outcomes. One of the elements that this policy has a particular focus on is part i) managing the density, range and viability of indigenous flora and fauna.
12. WRPS Policy 11.2 seeks to protect significant indigenous vegetation and significant habitats of indigenous fauna. The policy does this by ensuring that the characteristics that contributes to an areas significance are not adversely affected. Criteria for determining ecological significance are identified in table 11-1 of the WRPS. Of the 11 criteria, one of these (criterion 3) focuses specifically on vegetation or habitat that is currently habitat for indigenous species or associations of indigenous species that are:
 - Classed as threatened or at risk, or
 - Endemic to the Waikato Region, or
 - At the limit of their natural range
13. In order to give effect to the PWRPS biodiversity policies Variation 3 needs to have provided for these matters. Of the species identified as highly likely or likely present in paragraphs 3-6 above, four are classified as threatened or at risk and so would trigger criterion 3 for significance.

Variation 3 Purpose and Ecological Restoration Framework

14. The purpose of the structure plan is to create a conservation framework focused on the enhancement and protection of the ecological values and indigenous biodiversity of the Taiwawe Stream and its tributaries to provide a context for low density residential and rural lifestyle development. To achieve this purpose the Variation proposes:

- Restoration and protection of ecological values and enhancement of indigenous biodiversity of indigenous bush, riparian margins, wetlands and springs;
 - Protection within a conservation area held in private ownership the isolated remnants of regenerating indigenous vegetation, together with indigenous vegetation in riparian margins of the Taiwawe Stream and its tributaries;
 - Rehabilitation, restoration, enrichment and buffer planting of indigenous vegetation; and
 - Conservation measures including on going pest (animal and plant) control programmes and remediating barriers to fish migration.
15. WRC agrees that these provisions will assist to provide for maintenance of indigenous biodiversity and assist to protect aspects of significant natural areas, however as noted above (paras 3-8) there are some key deficiencies which mean that Variation 3 as proposed will not give effect to WRPS policies 11.1 and 11.2.
16. In addition, many of the ecological enhancement provisions outlined within Variation 3 can support stated WRC operational goals at this location (para 9). However, discussions would need to take place between applicant and WRC staff to improve alignment and integration and ensure that deficiencies outlined above were adequately taken into consideration.

Relief Sought

17. Undertake a more detailed ecological assessment and survey for threatened fauna species for the following:
- North Island Brown Kiwi
 - Long-tailed bat
 - Australasian Bittern
 - North island Fernbird
 - Banded Rail
- Surveys should be undertaken at seasonally appropriate times of year for these species as per best practice, for example ideally May/June for kiwi, and Oct-April for long-tailed bats.
18. Updated ecological assessment and results of survey to inform appropriate amendments to scale and intensity of development at the site. For example, traffic impacts on kiwi have not be factored into the assessment that indicates 45 lots will have less than minor effects on local roading network. The cumulative adverse effects of 45 lots and associated human impacts on threatened fauna species also needs to be re-evaluated.
19. Updated ecological assessment and results of survey to inform amendments to Structure Plan Issue (27.9.3), Objectives and Policies (27.9.4) and rules (27.9.5) including matters of discretion so that adverse effects on threatened fauna species can be avoided, remedied or mitigated.
20. Updated ecological assessment and survey results to inform the subsequent Ecological Mitigation Plan required by proposed Rule 1d) and matters of discretion in Table 2.

3.0 FURTHER INFORMATION AND HEARINGS

- 3.1 WRC **wishes to be heard** at the hearings for Variation 3 (Taiwawe Catchment Structure Plan) in support of this submission and is prepared to consider a joint submission with others making a similar submission.
- 3.2 WRC **could not** gain an advantage in trade competition through this submission.

Submitter details

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I could not gain an advantage in trade competition through this submission

I am not directly affected by an effect of the subject matter of the submission that:

- (a) does not adversely affect the environment; and
- (b) does not relate to trade competition or the effects of trade competition

Appendix 1: 104 Taiwawe Lane and SNAs



104 Taiwawe Lane
Hot Water Beach Coromandel



 Created by: CB - WRC
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