

7.7 Assessment matters

- (a) The matters contained in sections 104 and 105 and Part II of the RMA apply to the consideration of resource consents for activities.
- (b) In addition to these matters, Environment Canterbury shall, when considering whether or not to grant consent or to impose conditions under Rule WTL4 or Rule WTL6, also have regard to the specific assessment matters set out below.

7.7.1 Water quality and quantity

Effects on the quality, quantity, level or flow of water in any affected wetland or other related water body, including effects on water capture, water storage, groundwater recharge, flow attenuation, and sedimentation shall be assessed as follows:

- (a) Water quality shall be assessed against the relevant objectives, policies, schedules, and conditions in Chapter 4 Water Quality.
- (b) Water quantity, levels and flows shall be assessed against the constraints (1)(a) to (1)(d) in Objective WTL1 and the relevant objectives, policies, schedules, and conditions in Chapter 5 Water Quantity.

7.7.2 Overall area of wetlands

Effects on the overall area, ecological integrity and functioning of wetlands in the region shall be assessed:

- (a) On the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would address or fail to address:
 - (i) the overall loss of wetland area generally, and under-represented wetland types in particular; and
 - (ii) the maintenance of the ecological integrity and functioning of wetlands in the region.
- (b) Taking into account:
 - (i) the degree of risk that where an offsetting wetland is to be enhanced, restored or created after consent is granted, the necessary measures will not be implemented or not be sufficiently successful; and
 - (ii) the degree to which future management of any offsetting wetland is likely to maintain and where possible enhance the values required of it to offset wetland values lost if the consent is granted.

7.7.3 Natural character

Effects on the natural character of wetlands and their margins shall be assessed on the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would address or fail to address effects on natural character, and ensure that any overall reduction in the natural character of wetlands and their margins is avoided, remedied or mitigated.

7.7.4 Ngāi Tahu values

Effects on the relationship of Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga shall be assessed on the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would address or fail to address the diminution or loss of any values established as being of significance to Ngāi Tahu.

7.7.5 Indigenous flora and fauna

Effects on flora and fauna (and in particular areas of significant indigenous vegetation and the significant habitats of indigenous fauna) shall be assessed:

- (a) On the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would protect or fail to protect values identified as significant:
 - (i) by reference to the Wetland Assessment Methodology in Appendix WTL1; or
 - (ii) by reference to the significant natural area (or equivalent) provisions of the relevant district plan.

7.7.6 Landscape values

Effects on landscape values shall be assessed:

- (a) On the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would protect or fail to protect values identified:
 - (i) by reference to the paragraph headed "Assessments of effects should be made by considering:" in Policy 3, Chapter 8 of the CRPS; and
 - (ii) by reference to the landscape provisions of the relevant district plan.

7.7.7 Cultural, heritage and recreational values

Effects on cultural, heritage, amenity and recreational values shall be assessed on the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would address or fail to address values identified by reference to Policy 5, Chapter 8 of the CRPS.

7.7.8 Salmon and trout habitat

Effects on salmon and trout habitat shall be assessed on the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would protect or fail to protect any significant habitat of trout and salmon identified by reference to the relevant regional office of Fish & Game NZ.

7.7.9 Undesirable plants and animals

Effects related to undesirable plants and animals shall be assessed on the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would improve or fail to improve control of undesirable plants and animals.

7.7.10 Adjacent land uses

Effects related to adjacent land uses shall be assessed on the degree to which any financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition, would protect or fail to protect a wetland from any adverse effects of adjacent land uses.

7.7.11 Adequacy of the offsetting wetland

The adequacy of an offsetting wetland shall be assessed on the degree to which, so far as is reasonably practicable, it is equivalent in area, type, general location, ecological integrity and functioning, and condition to the original area.

7.7.12 Conditions to protect the offsetting wetland

- (a) Any need for conditions to protect the offsetting wetland shall be assessed on the likelihood that values making the wetland suitable as an offset could be destroyed or compromised through the applicant's future action or failure to take action. Matters that may need to be addressed through conditions include alterations to the inflow or outflow of water, water quality, the removal of vegetation, the control of livestock access and/or the control of undesirable plants and animals.
- (b) Any need for conditions to exclude livestock altogether or to specify an appropriate grazing regime, should be assessed on the likely types and numbers of livestock and their likely impacts, expressly considering the following adverse effects:

- (i) Soil compaction;
- (ii) Effects of grazing and trampling on important wetland vegetation;
- (iii) Effects of animal excrement on water quality; and
- (iv) Effects of nutrient changes on wetland ecology.

7.7.13 Management plan

Any need for a management plan shall be assessed on the need to specify the future management of an offsetting wetland. For example, the need for any of the following to be specified:

- (a) A regime of controlled grazing to control certain types of vegetation.
- (b) A regime and targets for control of undesirable plants and animals.
- (c) Measures for the long-term protection or enhancement of any key wetland values, for example, riparian or other planting.
- (d) Monitoring of any important trends in wetland state or condition.

7.8 Information to be provided with resource consent applications

7.8.1 Form of application

Application for a resource consent under any rule in the Proposed Canterbury Natural Resources Regional Plan should be made in accordance with the procedures and forms provided for in the RMA. Such applications should be made in accordance with section 88 and the Schedule 4 of the RMA. Section 88 specifies the information that must be provided with a consent application. In particular, an assessment of any effects the activity may have on the environment is required. Schedule 4 sets out the matters that should be included in such an assessment of effects.

The level of detail in an assessment of effects shall correspond with the scale and significance of the actual and potential effects the activity may have on the environment. If the environmental effects are likely to be minor, less detail will be required than if the effects could be significant or their extent is not known.

Environment Canterbury has prepared application forms and information booklets to assist applicants when preparing a consent application. Resource Consent Information Series Booklet 1: *Applying for a Resource Consent*, describes how the application will be processed by Environment Canterbury. Other information booklets provide more specific guidance regarding information required for specific types of consent applications, such as sewage disposal in unsewered parts of the Canterbury region, discharges of animal effluent, construction of bores, groundwater takes, etc.

The application forms, information booklets and fee schedules are available from your nearest Environment Canterbury office or from the Customer Services section by phoning 0800 EC INFO (0800 324 636). A list of consultants who may be able to help prepare an assessment of the effects of the activity is also available.

7.8.2 Information to be provided for all activities

- (1) Full name, postal address, home and business telephone numbers of the person or organisation to whom the consent is to be issued.
- (2) Name, address and telephone number of the person or consultant who is fully conversant with all aspects of the consent application.
- (3) Name and address for service of documents (if different from above).
- (4) A description of the activity, its nature, purpose and duration.
- (5) The location of the activity together with a site plan, legal description, and map references (Topomap 260 1:50,000).

- (6) A description of possible alternative locations or methods and the reasons for making the proposed choice.
- (7) The scale of the activity, including the size of the area required for the activity in hectares or square metres.
- (8) An assessment of any actual or potential effects of the activity on the environment.
- (9) A description of the measures to be undertaken to avoid, remedy or mitigate any effects on the environment.
- (10) A list of names and addresses of property owners or occupiers likely to be directly affected by the activity.
- (11) Details of any consultation undertaken with persons affected, the views of those persons and any response to those views. The extent of consultation required will depend on the type of activity proposed, its scale and location. In addition to people likely to be directly affected, others who may need to be consulted include:
 - (a) local runanga;
 - (b) Te Rūnanga o Ngāi Tahu;
 - (c) Department of Conservation;
 - (d) territorial authorities;
 - (e) Fish & Game NZ;
 - (f) commercial user groups;
 - (g) New Zealand Historic Places Trust;
 - (h) recreation user groups; and
 - (i) the community in general.
- (12) A statement of all other resource consents or approvals that the applicant may require from Environment Canterbury or any other consent or approval authority to undertake this and every other activity associated with the proposal, and whether or not the applicant has applied for, or obtained, such consents or approval. Note that where other resource consents will be required, Environment Canterbury or any other consent or approval authority may require applications for those consents to be proceeded with at the same time.
- (13) Where an application for resource consent has arisen because one or more conditions for a permitted activity cannot be met, the application must identify those particular conditions. It must also include an undertaking to meet every other condition of the permitted activity.

7.8.3 Specific information requirements

In addition to the general information requirements, the following particular information is required for certain activities.

7.8.3.1 The taking, use, damming or diversion of water

In addition to the information required for all activities, applications to take, use, dam or divert water resulting in a reduction in the area of a wetland shall include:

- (1) A definition of the present wetland boundary based on the density of wetland plant species, and using the following method:
 - (a) For coastal estuarine wetlands and brackish lagoons, characteristic species useful in defining the wetland boundary will include:
 - (i) *Apodasmia similis* (oioi, jointed wire rush)
 - (ii) *Bolboschoenus caldwellii*

- (iii) *Juncus maritimus* var. *australiensis* (sea rush)
 - (iv) *Plagianthus divaricatus* (saltmarsh ribbonwood)
 - (v) *Schoenoplectus tabernaemontani* (kapungawha, lake clubrush)
 - (vi) *Schoenoplectus pungens* (three square)
- (b) For freshwater wetlands, characteristic species useful in defining the wetland boundary will include:
- (i) *Carex secta* (purei)
 - (ii) *Cordyline australis* (ti kouka, cabbage tree)
 - (iii) *Eleocharis acuta* (spike sedge)
 - (iv) *Juncus articulatus* (jointed rush)
 - (v) *Phormium tenax* (harakeke, NZ flax)
 - (vi) *Schoenus pauciflorus* (bog rush)
 - (vii) *Schoenoplectus tabernaemontani* (kapungawha, lake clubrush)
 - (viii) *Typha orientalis* (raupo)
- (2) The wetland boundary shall be taken as the point in the transition from wetland to dryland at which plants from any of these species occur four times their ungrazed height apart.
- (3) Details of the likely reduction of wetland area, including whether any part of the wetland will remain.
- (4) An assessment of the ecological character of the wetland, including:
- (a) The wetland type.
 - (b) The principal class of wetland plant community and principal species present within that community.
 - (c) The principal fish and other aquatic species present.
 - (d) The principal wildlife species present, including migratory species found during any period of a normal year.
 - (e) The principal invertebrate species normally present.
- (5) An assessment of the hydrological character, including:
- (a) The principal sources of water.
 - (b) The usual range of water levels.
 - (c) The principal hydraulic linkages to surface or groundwater, and water flows generally within the catchment.
- (6) A general assessment of water quality.
- (7) An assessment of the natural character of the wetland, including:
- (a) The degree of modification to the original natural elements and character of the wetland. (These elements include the flora and fauna, the water, the landform, any other naturally occurring element, and their original form and structure.)
 - (b) A list of any structures or other evidence of engineering of any kind (including earthworks, dams, bridges, roading, etc).
- (8) A description of the surrounding landscape and an assessment of the effects of the proposed activity on that landscape, visually or in any other way.

- (9) An assessment of any actual or potential effects the activity may have on other aspects of the environment, including:
 - (a) Cultural and spiritual values.
 - (b) Heritage values.
 - (c) Human use values.
- (10) Details in relation to Rule WTL4 of how it is proposed to offset any loss of wetland, including how it is proposed to ensure that any offsetting wetland will have as close as possible the same values as the existing wetland.

7.8.4 Further information to be provided

Environment Canterbury may ask applicants for further information in accordance with section 92 of the RMA, which states:

- (1) A consent authority may, at any reasonable time before the hearing of an application for a resource consent or before the decision to grant or refuse the application (if there is no hearing), by written notice, require the applicant for the consent to provide further information relating to the application.
- (2) A consent authority may commission a report from any person on any matters raised in relation to the application, including a review of any information provided in an application under section 88 or under this section if,—
 - (a) in the opinion of the consent authority, the activity for which the resource consent is sought may have a significant adverse environmental effect; and
 - (b) the applicant is notified before the report is commissioned.
- (3) Any further information requested or a report commissioned under this section must be available at the office of the consent authority no later than 10 working days before the hearing of an application.
- (4) This section does not apply to reports prepared under section 42A.
- (5) Sections 357 and 358 apply to subsections (1) and (2).

7.9 Principal reasons for methods other than rules

7.9.1 Wetlands inventory

This method reinforces Environment Canterbury's existing commitment under Method 1(b) in Chapter 8 of the CRPS to identify the region's wetlands. When this chapter of the Proposed NRRP was being prepared a desktop review had been completed but no field surveys had begun. Completing this work as a method in this chapter of the Proposed NRRP will meet needs additional to those foreseen when the CRPS was prepared.

This will particularly benefit landholders because it will clarify their legal obligations with respect to wetlands.

In the simplest terms, the inventory will interpret the RMA wetland definition site by site and classify areas as meeting or not meeting that definition. This will provide certainty to those with an interest in the region's wetlands, including occupiers of the surrounding land, Environment Canterbury and others.

A wetland inventory will also allow the overall (or gross) area of wetlands to be defined and monitored, and will facilitate a simplified and more certain permitted wetland drainage rule.

Any criteria used to identify wetlands must be consistent with the RMA wetland definition. Subject to that, Environment Canterbury will consult with landholders, iwi, community organisations and others over the actual criteria to be used to identify and assess the significance of wetlands and the methods to protect them. These parties will also be consulted on protocols for the conduct of the surveys, the release of information and similar related matters.

Among other things, the rights of landholders to challenge facts and interpretations will be specified, as well as the means of resolving any disputes.

7.9.2 Compliance and enforcement

Environment Canterbury must ensure that activities, whether permitted or authorised by resource consent, comply with any conditions. To this end, Environment Canterbury may monitor both specific sites and the environment generally, and must maintain a procedure for dealing with complaints received.

Provisions of the Proposed NRRP or the RMA may be enforced to prevent a recurrence of any breach, and/or to ensure remediation or mitigation of any adverse effects.

7.9.3 Wetlands on public land

A local authority or community group that overcomes wetland management problems leads by example, and at the same time secures valuable additions to the stock of wetlands.

7.9.4 Enhancement funding

This method is not specific to wetlands. It is already an established Environment Canterbury programme with other benefits that will also contribute significantly to achieving the aims of the Proposed NRRP. Making it an integral method in this chapter will ensure the programme includes a wetlands emphasis.

7.9.5 Wetland assistance grants

This method provides grants to reimburse some of the costs of obtaining resource consents needed for wetland enhancement or restoration projects. It also enables grants equivalent to the amount of Environment Canterbury general rates estimated to have been levied on land that has been set aside for wetland management. Compared with waiving consent charges and rates relief, these grants are more readily budgeted for and avoid some of the technical difficulties of giving rates relief.

These grants recognise in a tangible way the public good component of wetland protection, enhancement or restoration. Grants are not available where the subject wetland is one of the attractions of a commercial tourist venture because the land is then in productive use.

This measure has potential to increase landholder goodwill and encourage desired outcomes well in excess of its relatively low cost.

7.9.6 Territorial authorities

Rules in district plans in the region generally complement the aims of the Proposed NRRP by controlling the effects of land-use activities such as earthworks and vegetation clearance. In addition to these controls, many district plans also give effect to section 6 of the RMA through a range of non-regulatory methods. Territorial authorities making a greater commitment to these methods would increase the possibility of any particular one joining Environment Canterbury and other councils in partnerships or other joint non-regulatory initiatives.

7.9.7 Information/awareness programme

A small but growing segment of the population already values wetlands, understands their importance in the natural scheme of things and is motivated to do whatever it can to manage wetlands better. For voluntary wetland protection and enhancement to be relied upon to the extent proposed in this chapter, the number of people who value wetlands must be increased markedly. To do that will require an intensive stream of information on a whole range of wetland-related topics.

It is also a key part of the wetland chapter's strategy to widen understanding that the most depleted types of wetlands have higher relative importance.

Much wetland loss has been due to poor appreciation of the role of wetlands as integral parts, along with other water bodies, of a hydrological system. Greater awareness of this is

likely to contribute to more people voluntarily retaining and perhaps restoring wetlands, bearing in mind that on private land there is very limited power to compel wetland enhancement, restoration or creation.

In implementing this method, information may be obtained from Environment Canterbury's own research, the National Institute for Water and Atmospheric Research, Landcare Research and others, and may include work funded by the Public Good Science Fund.

7.9.8 Field days

Australian expert Carl Binning says that people pick up 80 percent of their ideas from other people⁷. Field days are one way of providing opportunities for people to learn from others, who, after adopting and practising the ideas, often become effective teachers themselves.

7.9.9 Partnerships and co-ordination

Commenting on what it calls "the gap of frustration" between the desired goal and what is affordable, *Biodiversity and Private Land*⁸ notes: "the emphasis ... should be on doing as much as we can". Elsewhere the same report goes on to say that the gap between top-down and bottom-up approaches to managing biodiversity can only be bridged "by forming *partnerships* between public agencies and community groups and individuals." The comment continues, "By partnerships we mean working arrangements where each party contributes something towards a common goal."

There are obvious opportunities for informal partnerships to achieve more with the same amount of resources if each agency works together rather than separately. Examples include programmes to inform, raise awareness, encourage certain actions, or provide certain kinds of incentives. The basic cost of preparing such programmes is often little different whether it covers one district or the whole region. Combining to prepare one programme that meets several territorial authorities' needs and Environment Canterbury's will save on first costs and should also provide an opportunity to harmonise the message and thus make it more effective.

Protecting, let alone enhancing, the region's stock of wetlands is a very large undertaking. This is particularly so when compared with the available resources, whether those of individuals, community groups, local authorities or central government. By working together more should be achieved than by each party working independently.

7.9.10 Co-operation

Given the very limited resources within the wider community for improving wetland management, it is important to make the most efficient use of what resources there are. This can be achieved in part by working together. It is consistent with integrated management to foster co-operation and partnership, provide leadership and generally advocate for common approaches to common goals in all sectors of the community.

7.9.11 Technical advice

Expertise within Environment Canterbury particularly equips it to provide the kinds of advice set out in this method. By doing so, Environment Canterbury will advance the general aims of the wetland chapter at a more reasonable cost.

7.9.12 Regional pest management strategies

While neither of the regional pest management strategies is specific to wetlands, they will each contribute significantly to improving wetland biodiversity. It will be valuable to have these strategies complementing this chapter's other efforts.

⁷ Based on *Reimbursing the Future: An evaluation of motivational, voluntary, price-based, property-right, and regulatory incentives for the conservation of biodiversity*, CSIRO Division of Wildlife and Ecology (http://chm.environment.gov.au/publications/biodivser_9/index.html).

⁸ The final report of the Ministerial Advisory Committee on Biodiversity on Private Land, MfE, August 2000.