

9.2 WETLAND MAPPING AND DATABASE PROJECT

Information Only - No Decision Required

| | |
|------------------------|------------------------------------|
| Report To: | Environment and Planning Committee |
| Meeting Date: | 21 August 2014 |
| Report Author: | Trevor James, Resource Scientist |
| Report Number: | REP14-08-05 |
| File Reference: | W311 |

1. Summary

- 1.1 Wetland mapping, characterisation and database development is a long-overdue requirement of the Tasman Resource Management Plan. This project resumed about two years ago and is anticipated to take a further four years at the current rate of funding.
- 1.2 Wetland boundaries are initially drafted using aerial and satellite imagery, supplemented by any observations from the road or past ground surveys. On request by the landowner, any disputed wetland areas are finalised through ground surveys. These ground surveys use national protocols to assess the dominance of plants known to grow exclusively in, prefer or tolerate, wet conditions. Boggy patches of introduced rushes are not considered wetlands. Draft wetland maps will be completed progressively for the whole of the Buller catchment by the end of August. Ground surveys are not compulsory and some landowners have elected not to have these done. Just over half of wetland owners have requested a ground survey, with further requests coming in steadily. A reasonable proportion has yet to decide if they want a ground survey.
- 1.3 Feedback from wetland owners has been both positive and negative. On the positive side most landowners can see that Council is following a consistent and objective process. The most common concern is the lack of compensation and the potential for Council to make the rules stricter in the future once knowledge is captured. Another concern is about any compliance action that may result from staff discovering unauthorized wetland removal.
- 1.4 Council staff have invested effort in developing a communications strategy with advice from a number of farmers, Landcare Trust and other Councils. Publication of several articles in regional publications appear to have failed to reach many landowners. However, there has been good turnout at three meetings in Murchison to discuss the process and listen to landowner concerns. The information pack that is sent to wetland owners with draft maps of their property has been thoroughly reviewed internally and externally.

2. Draft Resolution

That the Environment and Planning Committee receives the Wetland mapping and database project Report EP14-08-05.

WETLAND MAPPING AND DATABASE PROJECT**3. Purpose of the Report**

- 3.1 To inform Council about the process staff are following with the wetland mapping and database project, Council obligations, progress with the project to date, and summarise landowner feedback.

4. Background and Discussion

- 4.1 Information about wetlands was initially collected for Council in the late 1990s. The wetlands database was to have been completed by 2008 (Method 30.1.20.4(h) of the TRMP refers) but progress was slow. In 2012 work resumed with contract ecologist assistance. In addition, from about 2005 Council biodiversity contractor, Michael North, has done over 30 surveys of wetlands as part of the Native Habitats Tasman programme. Software for the database was developed in-house and was available from October 2013 (until then the data collected was not readily accessible).
- 4.2 Because this project is a partnership with landowners and a potential imposition on them, a communication plan was developed. This plan involved an initial phone call by Lew Metcalf (a well-known farm advisor with experience working for Federated Farmers and Fonterra), the letter and information pack, and face-to-face communications (group meetings and field visits). To make sure that we used the best approach, the communication plan borrowed heavily on experience from other Councils, particularly Marlborough District Council, as well as Federated Farmers (particularly Michael Bennett, Gavin O'Donnell and Martin O'Connor), NZ Landcare Trust, the Native Habitats Tasman and the Environmental and Planning Committee Chair to ensure the process used is effective and efficient.
- 4.3 **Some of the key messages in the communications plan regarding wetland owners:**
- *There have been no changes to the TDC rules for over 10 years and there is no likely change to the rules on the horizon. The only thing that has changed is that we now know where most of the wetlands are.*
 - *By offering this delineation information to landowners it provides certainty and clarity about where the wetlands are on their property. Landowners will now know where the rules apply and where they do not. We see this as being more open and transparent. This means that they will know which areas they can and cannot develop, so they will not get caught out. As historically there has been a lot of uncertainty about what represents a wetland, this is a better approach than relying on general education and then undertaking enforcement action when a landowner removes a wetland.*
 - *The information about a property will remain confidential between Council and the landowner with the exception that the information will go on the LIM for the property. Federated Farmers are happy with this being on the LIM. One of issues to address is what happens to the wetland when the property changes hands, particularly with a new dairy farm conversion. This information about wetlands needs to be made available to the new owners so they do not inadvertently get in trouble. From a*

WETLAND MAPPING AND DATABASE PROJECT

prospective buyer point of view, this information is critical for making suitable investment decisions.

- *There is unlikely to be a big change in practice on the farm as a result of this new information, as most wetlands are on less productive land, or are not significantly damaged at present by light grazing.* There may be a requirement to fence some wetlands where the damage to vegetation by stock is significant. Farmers are eligible to apply for assistance and can still obtain stock water from wetlands provided they do not significantly affect the wetland values.
- *For low-value wetlands, landowners can apply for resource consent to drain, flood, or disturb.* There is a good likelihood that for some of the common wetlands (e.g. cutty grass (*Carex geminata*) marshes and seepages) they would gain consent for removal of the wetland. If it is a kahikatea or bog pine forest (or other rare wetlands), then the likelihood is low. Information about dominant vegetation type is now mostly available to us from the aerial survey, ground surveys and views from roads and other vantage points.

- 4.4 Draft maps of wetland boundaries are created from satellite images, TDC aerial imagery, and oblique aerial photos taken by staff during targeted aerial surveys. On receiving the maps of wetlands, landowners are asked if they would like us to revise the wetland boundaries with a field survey that involves them also if desired. We are strongly encouraging field surveys as it is the only way to ensure a high level of accuracy.
- 4.5 Ground surveys focus on assessing the dominance of wetland plants, as vegetation is the best indicator to assess wetland boundaries. Each plant species is classified in one of five classes depending on whether their preference is for wet or dry areas. These ratings were developed through the consensus of most of New Zealand's pre-eminent wetland experts and published by Landcare Research.
- 4.6 Most of the time the edge of the wetland is obvious from the dominance of wetland plant species, and we simply GPS the boundary and take photographs. Once explained, the vast majority of landowners understand and accept the method, and agree with the boundaries as mapped. Where the boundary is not obvious (a very gradual change from dry to wet over a relatively large distance) and there is disagreement, we use the "NZ Wetland Delineation Tool", which involves a detailed botanical survey,
- 4.7 The TRMP definition of no more than 20% upland species is considered to be less scientifically robust, not nationally consistent, and unnecessarily over-represents the area in wetlands, so it is not used. We do however, take into account the TRMP definition stating that pasture containing patches of rushes, temporarily ponded rainfall and artificial wetlands are not listed as wetlands.
- 4.8 The other indicators of wetlands are hydrology and soils. Because wetlands do not have to be wet all the time, the hydrology needs to be studied over a period of a year or more to determine how often an area is wet. This is impractical due to cost and staff resources needed. In order to make progress with this project field surveys need to go ahead at any

WETLAND MAPPING AND DATABASE PROJECT

time of year and if it has rained recently, the presence of standing or running water in a wetland is noted, but it is not the indicator used to define the wetland. Soils are a good indicator because those affected by regular saturation (hydric soils) have distinctive characteristics and they do not change seasonally. However, soils are not part of the RMA definition and so can only be used as supporting evidence.

- 4.9 Staff have worked hard to be consistent with national methods for determining wetland boundaries (within the constraints of the TRMP rules). Peer review of field survey methods has been undertaken from a resource scientist from Marlborough District Council, which indicated we are quite consistent. However, in cases where the wetland is not likely to have highly significant values, when it comes to the farmer acceptance of the final maps, there is a need for a little give and take to balance practical farming aspects with the overall outcome. For any area over about 100m² it is likely that this process will require resource consent in order to keep the process open and transparent. There is usually more concession given to farms with larger wetland areas. Additionally we have an Envirolink bid in to fund a Landcare Research scientist to provide further peer review.
- 4.10 Within the lower Buller catchment (downstream of the Gowan), farming utilizes about 7% of the land area. Wetlands make up about 3.7% of this farmland. Of this wetland area two properties make up about 40% of the total. These properties (lifestyle blocks excluded) are the only large farms that have wetlands covering more than 10% of the property. This has been calculated as a percentage of the total area of the property, not just the productive platform.
- 4.11 Table 1 shows the 20 properties with wetlands covering the largest proportion of their property. It shows that, with the exception of a few properties, the size and proportion of wetlands remaining on private properties is relatively low. The property with the biggest wetland percentage (almost 40%) is motivated by conservation values and has a desire to protect it. The property with the second largest wetland coverage (20%) is a sheep and beef farm with the main wetland being very eligible for Nature Heritage Fund purchase (if the landowner so desired) due to its highly significant values. This analysis shows that there are relatively few properties (nine) with wetlands covering more than 5% of their land. In the Upper Buller, although we have not completed all the mapping yet, there are at least 15 lifestyle/small farmers (20-100ha) with more than 10% in wetland, particularly around the Tophouse area.

WETLAND MAPPING AND DATABASE PROJECT

| Matakitaki, Tutaki, Mangles, Matiri, Buller: | | |
|---|---------------------------------|------------------------|
| | % of property as wetland | Area as wetland |
| 1 | 39.4% | 109.7 |
| 2 | 19.9% | 142.5 |
| 3 | 10.9% | 4.0 |
| 4 | 4.4% | 31.5 |
| 5 | 4.1% | 20.5 |
| 6 | 3.2% | 12.8 |
| 7 | 2.1% | 15.2 |
| 8 | 1.5% | 7.9 |
| 9 | 1.2% | 4.2 |
| 10 | 1.1% | 1.4 |
| 11 | 0.1% | 1.7 |
| Maruia, Lower Buller: | | |
| 12 | 8.7% | 15.6 |
| 13 | 8.7% | 6.9 |
| 14 | 6.5% | 11.8 |
| 15 | 6.0% | 26.4 |
| 16 | 5.9% | 12.1 |
| 17 | 5.5% | 6.4 |
| 18 | 3.8% | 5.0 |
| 19 | 3.4% | 4.0 |
| 20 | 3.3% | 11.4 |
| 21 | 1.2% | 7.5 |
| 22 | 0.3% * | 1.2 |

Table 1: Proportion and area of the largest wetlands in the Buller District.

Note that data for several of these properties is provisional and will need to be revised once ground surveys have been completed.

- 4.12 The rate of progress with this project is limited by the current budget. A progress report on various aspects of the project is laid out in Table 2.

| Task | Progress | Status |
|--|---|--|
| Producing draft maps and sending out to landowners | 56 properties with 175 wetlands in Matakitaki, Mangles, Tutaki, Matiri, Buller up to Gowan 42 properties with 167 wetlands in Maruia & Lower Buller Upper Buller and Upper Motupiko Golden Bay Motueka/Riwaka Waimea/Moutere | Completed December 2013 Completed June 2014 Due September 2014 Due early 2016 Due June 2017 Due June 2018 |
| Ground surveys completed | 28 properties with 117 wetlands | Completed as at 5/8/2014 |
| Ground surveys requested and awaiting action | 23 properties with 106 wetlands | Ongoing |
| Meetings with wetland owners | Two held in Murchison (December 2013 and June 2014) Meeting regarding compensation August 2014, St Arnaud meeting planned for 23 October, 2014 | Ongoing |
| % of wetland owners requesting ground surveys | 49% of properties, 58% of wetlands | As at 5/8/14 |

Table 2: Progress report:

WETLAND MAPPING AND DATABASE PROJECT**Sentiment and Awareness Amongst Wetland Owners**

- 4.13 As to be expected there are a full range of views about Council's rules regarding wetlands, from welcoming Council to map their land and wanting advice to enhance the wetlands, to being affronted at this "erosion of private property rights". Overall, it appears that many wetland owners in the Buller believe that there should be compensation for the restricted potential use of their land. However, many acknowledge that wetlands that remain are often uneconomic to develop (particularly for sheep and beef farmers) and where stock can be lost. We will continue to provide information about options for compensation for owners of wetlands e.g. Nature Heritage Fund and DOC land swaps where practical.
- 4.14 The other big concern is the potential for Council to make rules about wetlands stricter in the future e.g. requiring fencing or prohibiting fertilizer use in a buffer around the wetland). At this stage we are taking a pragmatic interpretation of the TRMP rules regarding "destruction or removal of indigenous vegetation" within a wetland i.e. we are allowing the ongoing light grazing, but definitely not mob stocking. Forming a fence line and maintaining the fence (a requirement of the Council fencing fund) can be a significant cost to the farmer and when there are many smaller areas of wetland in a landscape the logistics of farm management can be an issue. Fenced wetlands can become infested with weeds that can promulgate to other areas on the farm.
- 4.15 Council staff have also been criticised for mixing the process of determining wetland boundaries with compliance response and the subsequent erosion of good will. Following ground surveys staff have often seen wetlands that have been recently removed (breach of the rules). In all cases so far the excuse has been lack of knowledge of the rules. This is a catch-22 as to ignore these issues is to ignore our responsibilities. Most wetland removal in recent years has been associated with conversions or expansions into dairy farming.
- 4.16 Most wetland owners had not heard of the wetland rules at the time they received their letter and wetland maps. This is despite a reasonable amount of publicity in 2000 and since then, newspaper articles (two in Newsline, September 2013 and June 2014 and one in each of Nelson Mail and Nelson Marlborough Farming Magazine) clearly describing that rules apply to wetland drainage and infilling. Federated farmers have communicated with members about their involvement in the Land and Water Forum (LAWF) that included debate on the wetland provisions under the NPS-FW. However, farmers further away from urban centres e.g. the Buller are often less informed of Council rules.
- 4.17 About half of all wetland owners have taken up the offer of Council to review the draft maps. The vast majority of wetland owners are reasonably comfortable with the process of identifying the wetland areas following the field survey (most consider that staff get it 95-98% right), only one being strongly opposed to the outcome after the visit (wetlands make up 0.1% of the land area on this property).
- 4.18 Landcare Trust and Federated Farmers have recently produced a short report on farmer opinion about the wetland mapping process in the Buller area (available on request). The case studies provided seem to give a good cross-section of farmer views.

WETLAND MAPPING AND DATABASE PROJECT**5. Options**

- 5.1 At present other than proceed with the present course either faster or slower the only other option realistically is to begin a review of the regulatory provisions for wetlands under the TRMP sooner rather than later. There is an expectation in the TRMP that once mapped, there will be an assessment of the effectiveness, with recommendations and options for management including discussion on whether existing rules are too stringent or not.

6. Strategic Challenges / Risks

- 6.1 This work aligns with Council's strategic challenge for managing the impact of growth on the Tasman environment and managing our water resources.
- 6.2 In the future this information about wetlands will be used to report under our State of the Environment monitoring obligations. This will provide an opportunity to assess and discuss whether the impacts of land use and development are being well managed and if national regulatory expectations are being delivered.

7. Policy / Legal Requirements / Plan

- 7.1 Section 6(a) of the Resource Management Act requires that Council recognises and provides for the preservation of wetlands as a matter of national importance. The National Policy Statement for Freshwater Management (NPS-FW, July 2014) also requires Councils to "protect the significant wetland values". The Tasman Resource Management Plan (TRMP) requires that Council develop and maintain a database of wetlands which identifies their values and significance (30.1.3.25).
- 7.2 The existing rules regarding wetlands have been in place since 2001. These apply to all wetlands, not only those that are assessed as significant. Wetland rules apply according to the TRMP Rule 31.1.6.1 (diversion and take of water, including infilling), 28.2.2.1(iv) (flooding wetlands with impounded water) and 17.6.5.1. Destruction or removal of indigenous vegetation (including by cattle trampling) is permitted unless the area is a natural wetland (see the wording in Appendix Three). Once the database is complete the Council is to review landowner partnerships and the regulatory provisions for wetland drainage and infilling (30.1.20.4(h)).
- 7.3 The Sustainable Dairying Accord also requires protection of significant wetlands and wetlands that have ponded water at any time over 300mm deep.

8. Consideration of Financial or Budgetary Implications

- 8.1 This project is already provided for within the budget and Council has agreed not to commit extra funds to accelerate the programme.

9. Significance and Consultation

WETLAND MAPPING AND DATABASE PROJECT

- 9.1 This report does not raise any matter of significance although the mapping, monitoring and management of our wetlands is of interest to a large number of landowners and stakeholders such as iwi, Department of Conservation and Fish and Game Council. As mentioned in this report an ongoing process of engagement is in place and underway.

10. Conclusion

- 10.1 Council will have provided draft maps to all landowners in the Buller area of the district by early September, 2014. It has completed almost 30 ground surveys and held three meetings with wetland owners, amongst other communications.
- 10.2 There is concern from some of the landowners about the process Council is following despite following a process that was established with input from key stakeholders and advisors. Much of the concern is about the lack of compensation available to landowners and the potential for more strict rules in the future.

11. Next Steps / Timeline

- 11.1 By September 2014: Complete wetland mapping and send maps to landowners in the remaining part of the Buller who have not already received this information.
- 11.2 October, 2014: Meeting #3 with wetland owners in the Buller, this time in St Arnaud - Attachment 1 and 2 for sample communications (fourth meeting if the recent Landcare Trust / Federated Farmers meeting is counted).
- 11.3 Complete wetland mapping, letters and meetings for Golden Bay by early 2016, Motueka/Riwaka by June 2017, and Waimea/Moutere by June 2018.

12. Attachments

1. Attachment 1: Letter to Wetland Owners
2. Attachment 2: Wetland Questions and Answers
3. Attachment 3: Tasman Resource Management Plan Wetland Rule Summary

Attachment One: Letter to Owners of Wetlands

Dear _____,

WETLANDS ON YOUR PROPERTY

The Tasman District Council is undertaking a project to identify all wetlands in the region as part of their requirements under the Resource Management Act and to improve the ability to make good land management decisions.

Tasman District has had rules in place for over a decade to protect wetlands for the purpose of maintaining biodiversity, as well as water flow and quality in waterways. The vast majority of wetlands have already been removed which makes those remaining significant. Council's identification and mapping exercise will ensure that both landowners and Council will know more precisely where these rules may apply.

Wetlands are important for a number of reasons. They work like kidneys to filter sediment and nutrients, help prevent flooding and provide natural water storage to maintain flows during dry periods in your catchment area. Managing and enhancing wetland areas on your property will help improve water quality and the environmental health of the whole catchment. Wetlands are also habitat for many of our unique or rare plants and animals, and a point of pride for many people who own them.

Wetlands have been identified on your property and are shown on the enclosed map(s). The mapping is based on information Council already has, such as aerial and satellite images. While every effort has been made to accurately identify each wetland boundary on the maps, the Council acknowledges that a site visit is the best means of ensuring accuracy. While in most cases wetlands can be accurately mapped, the accuracy of the wetland boundary may be limited due to the quality of imagery or presence of less distinct vegetation patterns, especially in forested or scrubby areas.

Council is keen to discuss the identification of wetlands on-site and encourages you to contact us to request a site visit especially if you think that the maps are not accurate or do not reflect what is really there. Council will not charge for this visit. However, if you agree that the maps are accurate, you do not need to do anything more. The current map(s) (as enclosed), will be the information that is recorded on your property Land Information Memorandum (LIM), unless amendments are made following a site visit or submission.

In areas of the Buller which have already gone through the process, the vast majority of mapped wetlands were reduced in area as a result of site visits. The only new wetlands found during site visits were a few forested and scrubby wetlands which did not show up well on aerial imagery. Native forest areas also already have some protection under the Tasman Resource Management Plan (TRMP).

Please note if you own or lease property under a different name, company name or outside the Upper Buller, Upper Motupiko and Upper Wairau catchments, you may receive another letter now or at a later date. You may also receive maps of wetlands on immediately adjacent properties which have the potential to be altered by drainage or diversion works on your property.

Landowners will no doubt have many questions regarding what a wetland is, what the identification of wetlands on their property in Tasman will mean and why Council is doing this. You are therefore invited to read the Question & Answer sheet and the summary of TRMP wetland rules (enclosed), attend the meeting in your area (see details below) and to contact Council by phone or email to request a site visit or discuss it further with staff.

Invitation to discuss the wetland mapping process

You are invited as an owner of a wetland in the Upper Buller, Upper Motupiko and upper Wairau Catchments of Tasman District. Council will give an overview of why Council has to go through this process, why wetlands are important and how the process will work. Landcare Trust, Fonterra, Federated Farmers and your Ward Councillor will be there also. There will be plenty of time for questions.

St Arnaud Community Hall

Date

A light supper will be served.

Yours sincerely



Trevor James
Resource Scientist

Phone 03 543 8562

trevor.james@tasman.govt.nz



Lindsay Vaughan
Co-ordinator Biosecurity and Biodiversity

Phone: 03 543 8432

lindsay.vaughan@tasman.govt.nz

WETLAND QUESTIONS & ANSWERS

What is the big deal about wetlands?

Wetlands are important because they:

- work like sponges to store water and maintain water flow during dry periods
- work like kidneys by filtering out sediment and nutrients, improving water quality
- can help to mitigate floods
- support many species of plants and animals that are found nowhere else. Native fish, such as the rare giant kokopu, are nearly always only found in streams fed by wetlands. Fish abundance and diversity is almost always better in wetland-fed streams
- can provide or improve amenity such as game bird hunting opportunities or landscape value
- can add value to properties; are assets to the landowner

About 95% of wetlands on private land have been lost in Tasman. This makes the remaining wetlands very valuable and something special. For more information see:

<http://www.doc.govt.nz/conservation/land-and-freshwater/wetlands/why-wetlands-are-important/>

What is a wetland?

Wetlands are defined in the

Resource Management Act and the Tasman Resource Management Plan as being permanently or intermittently wet areas, shallow water and land-water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. A wetland becomes dry land where the plant species typical of terrestrial environments cover over 80% of the area.

Vegetation is used as it is an

indicator of the hydrology of the site over a long period. In its mapping, Council uses a list of wetland plants compiled by leading wetland ecologists and published by Landcare Research. For more information see:

http://www.landcareresearch.co.nz/data/assets/pdf_file/0003/71949/vegetation_tool_wetland_delineation.pdf



Not a wetland: A boggy patch with introduced *Juncus* and pasture

What is a 'natural' wetland?

Naturally occurring, in relation to wetlands, means not specifically created by someone as a wetland, and includes wetlands formed by natural processes of reversion and sedimentation.

Why is it important for private landowners to be involved in wetland management?

Tasman District Council recognises private landowners are the day-to-day managers and stewards of important land and natural resources of Tasman. Council is obliged to ensure wetlands on private land are not removed or degraded, unless they are of low biodiversity value. Council aims to support landowners and managers to ensure wetlands are retained and enhanced for future generations to enjoy and benefit from.

Why is the Council required to protect wetlands?

Under the RMA, the Council has to ensure the protection of wetlands. The Tasman Regional Policy Statement contains objectives and policies that outline how this will be achieved. The Tasman Resource Management Plan contains rules to implement these objectives and policies that control activities affecting wetlands such as damming, diverting and/or taking of water. This Plan also addresses effects of activities in waterbodies which are managed for the whole community. These rules apply even when the wetland is located on private land. This Statement and Plan have already been through extensive public consultation, with farming representatives playing an active role in shaping the outcome before it was enacted in 2001. Council also has obligations to identify and protect wetlands under agreements such as the Sustainable Dairying: Water Accord. All other regions in the country are going through a similar process of wetland mapping.

What is the purpose of the mapping exercise?

Mapping will clarify to landowners and Council where the boundaries of wetlands lie. It will offer clarity to landowners who are often not certain as to what is or is not a wetland, and will more precisely identify where the wetlands rules apply and don't apply on the ground.

What if I have plans to develop the wetland area?

Land developments and stream diversions that affects the hydrology of a wetland, or cause significant vegetation damage in a wetland, are a discretionary activity and require a resource consent. Removal or significant impacts to lower value wetlands, are more likely to obtain consent, for example, those dominated by 'cutty grass'.

Can the wetland boundaries be more accurately defined?

Council aims to identify all wetlands on your property and map them accurately the first time, to provide clarity and certainty. But for some wetland types, such as those with forest or scrub canopy, or with very gradual vegetation changes from wetland to dry land, it can be difficult to identify all wetlands and to delineate the boundaries accurately from aerial photos. A site visit is the best way to discuss concerns and confirm wetland boundaries. The wetland regulations apply to all wetlands in the district regardless of whether they are presently mapped. As imagery with better resolution becomes available, there is a possibility of the odd additional wetland being identified. You will be informed, and are welcome to request a site visit if you have concerns. If you have any unmapped

boggy areas you plan to develop and would like to seek clarification on, you can also request a site visit.

What should I do next?

You should decide if you would like to have a site visit. While the choice to have a site visit is a personal one and completely voluntary, there are considerable benefits:

- It will result in greater accuracy and clarity about the true extent of each wetland site, and where the rules apply. This provides certainty so you can develop the surrounding marginal land without being concerned about breaching regulations. Past site visits almost always resulted in a reduction in the size of the mapped wetlands, and some areas were found not to constitute a wetland. The only new wetlands found on site visits are a handful of forested wetlands.
- If you intend to convert the wetland to another land use, then you may be able to use the information collected during the site visit in the resource consent application and not need to employ an ecologist to collect more information.
- It is an opportunity to learn more about what constitutes a wetland and how to best manage them.

To arrange a site visit, please contact Trevor James at 03 543 8562. If you would like independent advice, there are suggestions detailed below.

What happens if I request a site visit?

A Council staff member and/or Council representative will visit with the purpose of answering any questions you may have, and will assess and photograph the wetland and map the boundaries. In some cases, there will be a need to do analysis of the botanical data before confirming the updated boundary.

What happens after the site visit is completed?

After the site visit, Council will post landowners an updated map for each wetland site. You can also request an electronic copy to be emailed.

How will the information be used?

The wetlands database will be updated and information will be included on the property Land Information Memorandum (LIM), to help prospective buyers be clear on where the wetland rules apply. It will also serve as a guideline for Council to manage wetlands in the future. Presently Council is only undertaking a mapping and identification process, but there is a possibility that future legislation may require Council to identify "significant" wetlands in Tasman. The wetlands register is likely to be the basis for such identification if it is required in the future.

If I am uncomfortable with this process, where can I go to get independent advice?

We recommend you get the best advice possible, including independent advice from a wetland ecologist or organisations like Landcare Trust, Fonterra and Federated Farmers. Council will be holding a meeting in your area just for owners of wetlands. Representatives from these organizations will be at that meeting to answer questions. Your local Councillor also intends to be there. Council is following a similar process that has already occurred in Marlborough so you can also contact landowners in that region.

What if I still don't agree after the site visit?

If, after the site visit, it is confirmed by Council staff, or Council representatives, that you have a wetland or wetlands on your property and you don't agree, you will still have an opportunity to submit in opposition to all or part of your wetlands' inclusion on the LIM for your property. Your submission must be in the form of a report, commissioned by you, from a wetland ecologist that produces evidence about the vegetation, hydrology and soil conditions to support any amendment to the boundaries. Council will consider this information alongside its own information prior to making a final decision. Any amendment will be governed by definitions in the regional plan (see enclosed rules).

What if I don't agree and don't want a site visit?

Information about your wetland from a suitably-qualified ecologist is essential in order to debate boundaries of the wetland. If you disagree and don't wish to have a site visit from Council, then the wetlands identified on your property, as shown on the enclosed map, will go onto the LIM for your property. However, you will still have an opportunity to lodge a submission.

Does the land have to be fenced off?

Only if there is significant damage to the wetland such as obvious pugging or heavy grazing of wetland vegetation. If you are a Fonterra supplier you will be required to exclude stock from wetland sites in order to comply with the Sustainable Dairying Water Accord.

Can I maintain ditches near wetlands?

Any drainage, diversion or damming must not alter the hydrology of the wetland. This means pre-existing drainage ditches on the wetland boundary may be maintained to the depth and breadth they have been in the past, but precludes enlarging them, or digging drainage ditches within the wetland. New drainage works near the wetland are permitted as long as they do not impact on the wetland. Likewise the spoil needs to be managed away from the wetland.

Can I control weeds in wetlands?

Control of weeds in wetlands is encouraged, provided there is no significant damage to native species. Please note that only certain herbicides can be used around wetlands and waterways, as many are highly toxic to freshwater life. Biosecurity staff at Council are happy to provide advice.

Have the rules changed?

Not since 2001. The wetlands rules allow for light grazing, taking of water for stock and other activities as long as they are minor and do not further reduce wetlands through drainage or vegetation removal. All that the mapping has done is identify where the rules apply or are likely to apply. We prefer to work in partnership with landowners to protect natural values on private land; regulation and enforcement is not the preferred option. Mapping of wetlands does nothing to change this, but will improve understanding and lead to better protection.

Is there any support for wetland landowners and managers?

Council is able to support wetland owners by providing fencing materials to exclude stock, rates relief for wetlands with some form of official protection, and the coordination of volunteers for tasks such as planting and weed control.

Will the public have access to wetlands on my property?

No. Having a wetland identified on your property does not mean that the public can access it, unless you give them permission or there is legal access or public land providing access to it. On your land you control access by the public.

Who can I contact for more information?

- **Council Officer, Trevor James** 03 543 8562 trevor.james@tasman.govt.nz
- **Councillor Stuart Bryant**, Chair of the Council's Environmental and Planning Committee, 03 522 4357 stuart.bryant@tasman.govt.nz
- **NZ Landcare Trust, Barbara Stuart** 03 545 0443, 0274 451 139 barbara.stuart@landcare.org.nz
- **Fonterra, Mirka Langford**, Sustainable Dairying Advisor, Tasman and Marlborough, 027 7032415 mirka.langford@fonterra.com
- **Federated Farmers**
 - **Martin O'Connor** 021 522 485 martinoc@netz.co.nz
 - **Michael Bennett**, Regional Policy Advisor, 03 357 9452 027 551 1629 MBennett@fedfarm.org.nz



wetland with Kahikatea trees, Swamp coprosma shrubs and Carex "cutty grasses"

Tasman Resource Management Plan Rules for Wetlands (as at October 2013)

The rule below is common to all zones.

17.6.5 Destruction or Removal of Indigenous Vegetation and Forest

17.6.5.1 Permitted Activities (Destruction or Removal of Indigenous Vegetation)

The destruction or removal of indigenous vegetation (excluding indigenous forest) is a permitted activity, if it complies with the following conditions:

(b) The site is not a naturally occurring wetland.

28.2.2 Dam Structures

28.2.2.1 Permitted Activities (Dam Structures)

The use, erection, reconstruction, placement, alteration, extension, removal, or demolition of any dam structure that is in or on the bed of a lake or river, or any associated deposition or necessary bed disturbance is a permitted activity, if it complies with the following conditions:

(c) (iv) area covered by the impounded water does not cover any naturally-occurring wetland

31.1.6 Diversion and Take of Water from Naturally Occurring Wetlands

31.1.6.1 Discretionary Activities (Diversion and Take of Water (including by infilling) from Naturally Occurring Wetlands)

The diversion and take of water from a naturally occurring wetland including the diversion of water by the infilling of a wetland, is a discretionary activity.

A wetland subject to this rule includes permanently or intermittently wet areas, shallow water and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions, and:

- (a) wetlands which are part of river, stream and lake margins;
 - (b) natural ponds, swamps, marshes, fens, bogs, seeps, brackish areas, mountain wetlands, and other naturally wet areas that support vegetation adapted to living in wet conditions, and provide a habitat for wildlife;
 - (c) coastal wetlands;
- but excludes:

(d) wet pasture or where water temporarily ponds after rain, or pasture containing patches of rushes (*juncus* species);

(e) oxidation ponds;

(f) artificial wetlands used for wastewater or stormwater treatment;

(g) artificial farm dams and detention dams;

(h) land drainage ditches and farm drains;

(i) reservoirs for firefighting, domestic or community water supply;

(j) temporarily ponded rainfall.

Note: The edge of a wetland (i.e. where a wetland becomes land) is where terrestrial plant species become dominant and where the substrate changes from being permanently or intermittently wet to 'dry land'. Where plants can be used as an indicator, a wetland becomes dry land where the plant species are those typical of terrestrial environments over more than 80 percent of the area.

A resource consent is required. Consent may be refused or conditions imposed.

These rules also apply for work on your property that may affect wetland areas on a neighbouring property, particularly drainage works.

