

Before an Independent Hearings Panel

The Proposed Waikato District Plan (Stage 1)

IN THE MATTER OF the Resource Management Act 1991 (**RMA**)

IN THE MATTER OF hearing submissions and further submissions on the Proposed
Waikato District Plan (Stage 1):

Topic 25 – Zone Extents

**HEARING SUMMARY
DR GRAHAM THOMAS USSHER ON BEHALF OF HAVELOCK VILLAGE LIMITED**

12 May 2021

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1. SUMMARY OF EVIDENCE

- 1.1 My full name is Graham Thomas Ussher.
- 1.2 I am providing ecological evidence in relation to proposed rezoning sought by Havelock Village Ltd (**HVL**)¹ of land at 5 Yashili Drive, 88 Bluff Road, 242 (in part) and 278 Bluff Road, Pokeno (the **Site**).
- 1.3 The Site comprises low-lying hill country that supports ridgeline, slope and gully environments, remanent old-growth native forest, extensive valley floor wetlands (mostly degraded), and an extensive scarp system. Seepages are common along slopes, and valley floors typically support natural wetlands or wetlands induced through long-term farming.
- 1.4 Approximately 90 % of the Site is managed pasture grassland or rough exotic scrub/ weedland, that has low ecological value. Streams and wetlands are either not fenced or have stock grazing along margins, resulting in areas with invasive plants, unnaturally high sedimentation, and excessive aquatic macrophyte growths in watercourses and wetlands. The overall indigenous ecological values of the site are considered to be low where pasture dominates, and moderate to high where gully stream/ wetland systems and native forest areas exist.
- 1.5 The rezoning proposal includes mechanisms that will provide extensive environmental protections to a far greater level than is being undertaken under current land management, or which could be achieved under the existing rural zone. The proposal includes an extensive Environmental Protection Area (**EPA**) overlay² on the proposed precinct plan and planning maps³ and proposes additional formal protection of native forest areas as Significant Natural Area (**SNA**). I refer to these as the HVL provisions and they are outlined in the evidence of Mr Tollemache.
- 1.6 I estimate that these will protect approximately 95% of the existing biodiversity or ecology values on the Site, and will provide wider ecological improvements.
- 1.7 I agree with Mr Munro that the key natural characteristics of the Property will be properly responded to, including by way of protections, by the Precinct Plan and overlays. With regard to ecology, I consider the zones and overlays proposed, and the placement of these protection layers across the Site, to be appropriate.

¹ Submitter 862 and further submitter 1291.

² With reference to rules 16.4.16 and 23.4.11 of the Proposed Waikato District Plan.

³ Refer to the evidence of Mr Tollemache.

- 1.8 I also agree with the proposal by Mr Tollemache⁴ to expand the discretions regarding the EPA layer to include consideration of ownership and ongoing management (including provision of management plans to address potential ecological effects arising from road construction). These additions will have positive implications for demonstrating ongoing management commitments, resourcing and sustaining of any positive enhancements arising from environmental works within EPA sites.
- 1.9 The priorities for ecological management at this Site should be to protect and restore existing ecological features, including the remnant forest areas, the escarpment system, stream systems and wetland networks arising from these, and to re-create or strengthen ecological corridors and linkages across the Site.
- 1.10 Council's Topic 21a report records that HVL seeks to amend the SNA mapping on areas located between 88 and 242 Bluff Road⁵. I have undertaken detailed mapping of parts of the SNA – in particular where the proposed Tata Valley Access (track upgrade) is proposed through a separate resource consent application (**Figure 1**). There are areas of vegetation that are within the SNA as currently proposed in the PWDP which are clay road, pasture grassland, and gorse weedland and hence do not meet the SNA criteria. I have mapped a revised boundary of part of the SNA that excludes these areas, as they do not meet any of the SNA criteria. This will provide a greater accuracy to the mapping of this SNA.
- 1.11 The potential risks to ecological values on the Site from the HVL proposed re-zoning include the potential loss of indigenous vegetation, streams and wetlands within proposed development areas (i.e. outside of the EPA and SNAs), and the effects of sedimentation on watercourses if earthworks are not appropriately managed. Both of these risks will be appropriately managed through the suite of protections proposed in the HVL provisions, or by existing provisions of the Regional Plan or National Environmental Standards. The potential adverse effects all arise from activities that have workable controls that can be put in place and which are known to be effective at minimizing or avoiding impacts on the environment. The realistic level of potential adverse effect is likely to be minor compared to the very large potential ecological benefits of the proposal.

⁴ Rebuttal evidence of Mr Tollemache; Paragraphs 8.16 and 8.30.

⁵ Section 42A report: Hearing 21A: Natural Environments – Indigenous Vegetation and Habitats Section 42A report. Paragraphs 953 and 954.

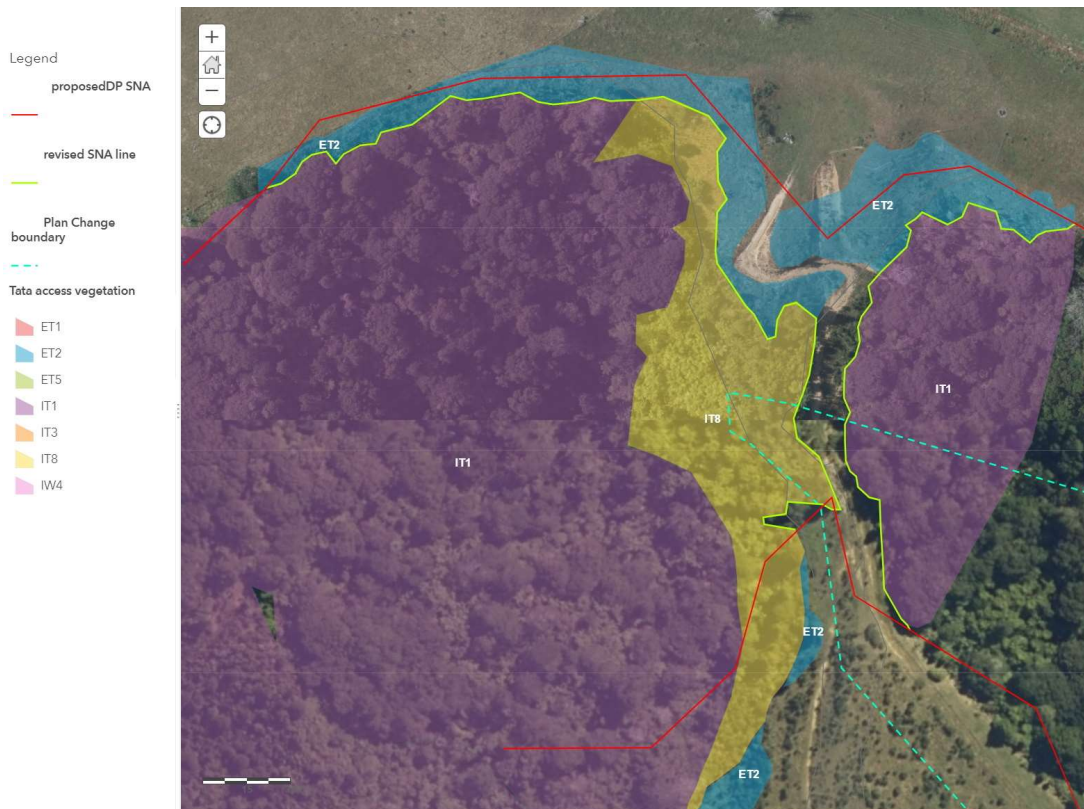


Figure 1. The Tata Valley Access Incline section of the SNA proposed in the PWDP showing PWDP boundary (red line) with suggested revised boundary (green line). Yellow and purple polygons are native vegetation; blue polygons and uncoloured land is exotic gorse weedland, managed exotic pasture grassland, or existing clay farm road and should be excluded from the proposed SNA

1.12 I have considered the way the Zones and proposed Precinct Plan have been designed, the intention of the HVL provisions to avoid development in areas of ecological value and to restore ecological areas currently present and link these through further restoration activities. Given those factors, it is my opinion that the HVL provisions will protect and facilitate the restoration of most of the existing biodiversity or ecology values on the Site, and will provide wider ecological improvements.

Graham Ussher

12 May 2021