

JOINT WITNESS STATEMENT - PROPOSED PRIVATE PLAN CHANGE 36 WHAREROA - ECOLOGY

INTRODUCTION

A video meeting was held between Chris Wedding, for the proponent, and Willie Shaw, for Taupō District Council, on Thursday 28 May 2020, 1300-1437. The topics discussed are set out below, followed by a concluding summary.

Item	Willie Shaw	Chris Wedding	Agreed / Resolved	Unresolved
Housekeeping	<p>Has read the Environment Court Practice Note 2014 Code of Conduct and agree to abide by it.</p> <p>And in particular:</p> <p>Have read the Environment Court Practice Note 2014 in respect of Appendix 3 – Protocol for Expert Witness Conferencing and agree to abide by it.</p>	<p>Has read the Environment Court Practice Note 2014 Code of Conduct and agree to abide by it.</p> <p>And in particular:</p> <p>Have read the Environment Court Practice Note 2014 in respect of Appendix 3 – Protocol for Expert Witness Conferencing and agree to abide by it.</p>		
	Noted that conferencing was initially undertaken in a very short timeframe, which was then extended by one week.	Agreed		
NPS FW Management The National Policy Statement (Freshwater Management) is relevant to the stream crossing and any activities that could affect the stream and/or the receiving environment of the lake.	Agreed	Agreed	Agreed / Resolved	
WRPS Policy 11.2 & 11.2.2	<p>1. WRPS Policy 11.2 and 11.2.2 – Are the adverse effects of the Plan Change on the SNA 062 avoided, remedied or mitigated to the extent required by the policy? [WS EIC at [58] - [59], CW EIC at [9.1] – [9.2].</p> <p>No: additional detail is required to provide certainty. Firm evidence is now required because of past issues and failures.</p> <p>Regarding the areas identified in Figure 2 of CW's EIC:</p> <ol style="list-style-type: none"> 1. Require security for the permanence of protection: <ul style="list-style-type: none"> - tenure - land ownership and future protection status. 2. Need to know what areas are to be revegetated, by planting or natural regeneration (indicative areas, to be able to establish a minimum and provide certainty going forward). 	<p>1. WRPS Policy 11.2 and 11.2.2 – Are the adverse effects of the Plan Change to the SNA 062 avoided, remedied or mitigated to the extent required by the policy? [WS EIC at [58] - [59], CW EIC at [9.1] – [9.2].</p> <ol style="list-style-type: none"> 1. Land identified is all within Whareroa Station and is available for restoration and protection via covenant. 2. Revegetation and enhancement areas could be mapped and indicatively quantified relatively quickly. <p>What areas are already vegetated and therefore be enhanced?</p> <ol style="list-style-type: none"> 3. Any areas that would benefit from fencing would be fenced if it would achieve NEG (Net Environmental Gain) via mitigation or offset. 	Agreed in principle with the need for more definitive information on offset areas and actions and confirmation of land security.	

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	<p>3. Need to know what areas (indicative) are already vegetated and can be enhanced by weed control and control of pest animals.</p> <p>4. Need to know what areas are already fenced, and what areas would be fenced.</p> <p>5. Monitoring and maintenance requirements.</p> <p>6. Management term.</p> <p>Also, there may be some uncertainty in terms of the extent of the construction footprint for the access road. This will be cut through Taupo pumice, and could potentially require a larger area to be removed.</p> <p>Applicant could provide minimum measures to provide more certainty, e.g. an area (number of ha) for indigenous planting.</p> <p>Agreed that, in principle, indication of areas of indigenous revegetation / enhancement of 23 ha of land that can (subject to improved certainty) be protected, restored and fenced (if necessary). Details (remediation, mitigation, offset) could be provided in an Ecological Management Plan to be produced by the applicant and certified by the District Council prior to Stage 1 vegetation removal. This would need to include detailed information on the management (including monitoring and maintenance requirements) for all stages of the proposed ecological remediation, mitigation, and offsetting.</p> <p>Clear information is needed on calculation of the measures required and to be provided to achieve a Net Environmental Gain.</p>	<p>Construction footprint unlikely to require more than 20 ha of offset after mitigation & remediation.</p> <p>Key theme here is achieving certainty. This would be achieved through conditions requiring an independent certification of the offset plan.</p> <p>23 ha identified on Incorporation's Land- all achievable. Total area occupied by road & bridge is 1.02 ha. Add construction footprint, of which batters would be remediated with dense buffer planting into edge of forest with like for like.</p>		
	2. Where adverse effects cannot be avoided, can they be remedied or mitigated? WS EIC at [32], CW EIC at [2.4], [12.3]	2. Where adverse effects cannot be avoided, can they be remedied or mitigated? WS EIC at [32], CW EIC at [2.4], [12.3]		
	In principle, yes they can. There is, however, currently no certainty with level of detail that has been provided.	Yes		
	3. Is offsetting an option that can satisfy Policy 11.2 and 11.2.2?	3. Is offsetting an option that can satisfy Policy 11.2 and 11.2.2?		
	In principle, yes.	Yes		
WRPS Policy 6.1	4. WRPS Policy 6.1- Has this policy been properly given effect to by the Plan Change and the supporting information? WS EIC at [58] – [59]	4. WRPS Policy 6.1- Has this policy been properly given effect to by the Plan Change and the supporting information? WS EIC at [58] – [59]		
	Yes	Yes		

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Southern Settlement Structure Plan	1. Is the information provided in support of the application sufficient to meet the requirements of the Structure Plan? WS EIC at [21] – [23], [69]	1. Is the information provided in support of the application sufficient to meet the requirements of the Structure Plan? WS EIC at [21] – [23], [69]	Agreed in principle with more definitive information on offset areas and statement confirming land security	
	Not at the moment. Structure plan requirements could be addressed with certainty and net ecological gain could potentially be achieved, subject to the matters set out above.	Yes		
Bat and Lizard Report	1. Is there a need for further investigation of bat and lizard populations? WS EIC at [33] and [36].	1. Is there a need for further investigation of bat and lizard populations? WS EIC at [33] and [36].	Agreed / Resolved	
	The information is dated and it would be good to revisit bats and lizards.	The information is a bit outdated but should be revisited prior to Stage 1 to inform monitoring outcomes of mitigation and offsetting, as per 11.4 of my EIC		
	2. If so, when must that occur and specifically, need it happen prior to the preliminary stage identified in Appendix 8 to PC36? WS EIC at [6.2] – [6.3], CW EIC at [11.4].	2. If so, when must that occur and specifically, need it happen prior to the preliminary stage identified in Appendix 8 to PC36? WS EIC at [6.2] – [6.3], CW EIC at [11.4].		
	Should be revisited prior to Stage 1 to inform monitoring outcomes of mitigation and offsetting, as per Paragraph 11.4 of my EIC. Would support a condition that requires fauna surveys to be repeated.	Should be revisited prior to Stage 1 to inform mitigation measures (e.g. could bat boxes be beneficial at offset site?) and offsetting, or monitoring outcomes of mitigation and offsetting as per 11.4 of my EIC		
Whareroa stream Riparian Habitat: Updated description of ecological values	1. Is it necessary for the Proponent to provide an updated description of the 'Whareroa Stream Riparian Habitat'? WS rebuttal at [12], [16], [17]	1. Is it necessary for the Proponent to provide an updated description of the 'Whareroa Stream Riparian Habitat'? WS rebuttal at [12], [16], [17]	Agreed / Resolved	
	It needs to be acknowledged that this area has higher value because the vegetation is older, and supports larger trees. Lower slopes might have higher moisture content.	Not until required for preparation of the offset (as with lizards, birds and bats and other areas of vegetation).		
	2. How many criteria of the WRPS does the "Whareroa Stream Riparian Habitat" trigger? WS rebuttal at [10].	2. How many criteria of the WRPS does the "Whareroa Stream Riparian Habitat" trigger? WS rebuttal at [10].		
	Five criteria: 3, 4, 7, 9, and 11.	Five criteria: 3, 4, 7, 9, and 11.		
	3. How and can adverse effects on the Whareroa Stream Riparian Habitat be sufficiently avoided, remedied or mitigated? CW EIC at [11.1], WS EIC at [31]	3. How and can adverse effects to the Whareroa Stream Riparian Habitat be sufficiently avoided, remedied or mitigated? CW EIC at [11.1], WS EIC at [31]		
	Acknowledgement that the Whareroa Stream Riparian Habitat area is more developed indigenous vegetation, as it comprises older, larger trees, there are likely to be higher levels of soil moisture on lower slopes. This could be recognised in the offset with a larger planting area to be provided.	Agree with WS- Acknowledgement of the Whareroa Stream Riparian area is more developed- it is older, larger trees, Soil moisture greater. Could ensure that the offset recognises this through descriptive		

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		plots and like for like consideration of where offset occurs or with the planted area.		
Extension of SNA	<p>1. Does Zone 2 now meet the “criteria for significance” in Table 11-1 of the WRPS as a result of the recent desktop evaluation undertaken by Wildlands? WS EiC at [60], WS rebuttal at [9]</p> <p>Yes</p> <p>1. What is the correct current classification of the vegetation in Zones 2-4? WS EiC at [39] – [41].</p> <p>Secondary forest based on acknowledged diameters and heights. Concern raised that use of the term 'scrub' downplays ecological value.</p> <p>Agree that it probably fits with 'broadleaved forest / scrub' (Singers <i>et al.</i> 2014) but this classification is of little relevance as it's the actual vegetation on the site that matters in terms of the effects and how they should be addressed.</p>	<p>1. Does Zone 2 now meet the “criteria for significance” in Table 11-1 of the WRPS as a result of the recent desktop evaluation undertaken by Wildlands? WS EiC at [60], WS rebuttal at [9] [Is likely to go in agreed section]</p> <p>Yes</p> <p>1. What is the correct current classification of the vegetation in Zones 2-4? WS EiC at [39] – [41].</p> <p>Not worried about terminology (Accepts Secondary Forest). Agree with significance criteria assigned to vegetation and terminology was used for consistency with 2005 report. Probably fits with with 'broadleaved forest / scrub' (Singers <i>et. al.</i> 2014).</p>	Agreed / Resolved	
Formation of Access through the SNA	<ul style="list-style-type: none"> Fragmentation effects associated with road and bridge – CW EiC at [8.8], WS rebuttal at [20] <p>Fragmentation effects are not minor, which should be acknowledged.</p> <p>Edge planting will help. Edge effects need to be taken into account when the offset package is developed.</p> <ul style="list-style-type: none"> Cumulative potential adverse effects of vegetation degradation – WS rebuttal at [18] <p>Minimum 2 m - wider where practicable.</p> <ul style="list-style-type: none"> Potential adverse effects on whitehead – WS rebuttal at [20] 	<ul style="list-style-type: none"> Fragmentation effects associated with road and bridge – CW EiC at [8.8], WS rebuttal at [20] <p>Edge effects are generally minor but additional buffer planting of a nominal 20 m (to provide certainty) of enrichment planting could be applied either side of road & bridge batters (from the batter into the forest). Edge effects are likely to be different / greater in mature podocarp forest fragments (as referenced in Young & Mitchell 1994, WS Rebuttal evidence para 21) and it was noted that there are already high light levels below the canopy- probably as a result of pig and possum suppression of natural regeneration. These could also be mitigated with pest control.</p> <ul style="list-style-type: none"> Cumulative potential adverse effects of vegetation degradation – WS rebuttal at [18] <p>Buffer planting of 2 m flax to discourage foot traffic into forest and vegetation dumping. Agreed for it to be wider where practicable-given there are gaps where pig rooting has occurred</p> <ul style="list-style-type: none"> Potential adverse effects to Whitehead – WS rebuttal at [20] 		Unresolved? Or could agreed mitigation be achieved
			Agreed/Resolved	

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	Whitehead will cross the road so not too worried about canopy closure over road. Agree that they would be one of the species more sensitive to fragmentation.	Whitehead will cross road, agree that they would be one of more sensitive species to fragmentation.	Agreed/Resolved	
Offsetting <ul style="list-style-type: none"> • Offsetting (of a suitable area) within the identified figure of 20ha within and around SNA062 – CW EiC at [11.4] <ul style="list-style-type: none"> o Further details on 20ha area – vegetation and habitats, condition, future protection status, ownership etc. – WS rebuttal at [25]. • Biodiversity offsets to achieve no net loss of indigenous biodiversity – WS rebuttal at [24] • Methodology to determine how much offsetting would be needed 	Discussed at Item 2 above.	Discussed at Item 2 above.	Agreed with the need for more definitive information on offset areas and statement confirming land security.	

CONCLUDING SUMMARY STATEMENT

It was agreed:

- That all of the indigenous vegetation and habitats to be affected are ecologically significant.
- That clearance of indigenous vegetation and habitats needs to be kept to a minimum.
- That direct and indirect effects need to be addressed in the mitigation/offset package, including fragmentation and edge effects
- That implementation of the mitigation/offsets package can be addressed in an Ecological Management Plan.
- That minimum requirements to be addressed in the Ecological Management Plan need to be calculated and agreed as soon as possible, to provide certainty going forward, to achieve no net loss and preferably a clear net environmental gain.
- That the District Council should have a role to approve and certify the mitigation/offset package, including the power to halt the project if measures are not adequate.

It was not agreed how the above can be addressed within the current plan change process.



Christopher James Wedding
3/06/2020



William Bruce Shaw
4 June 2020