Tairāwhiti Regional Freshwater Planning Advisory Group – Hui 6

Date: **13 March 2024**

Title of report: **Wetlands and Riparian Margins**

Report no: **1**

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Purpose of this report

This report provides information to the Advisory Group on:

- **Wetlands**
- **Riparian margins**

These two topics relate to the section C6.4 *Riparian Margins, Wetlands* of the Tairāwhiti Resource Management Plan (TRMP).

Outcomes sought

1. Members of this Advisory Group understand the matters and issues relating to these topics.
2. Members' experience and knowledge helps to build our collective understanding of the issues relating to activities within and adjacent to wetlands and riparian margins.
3. Members will consider and discuss different approaches and options for managing these activities and associated effects.

Getting ready for the hui

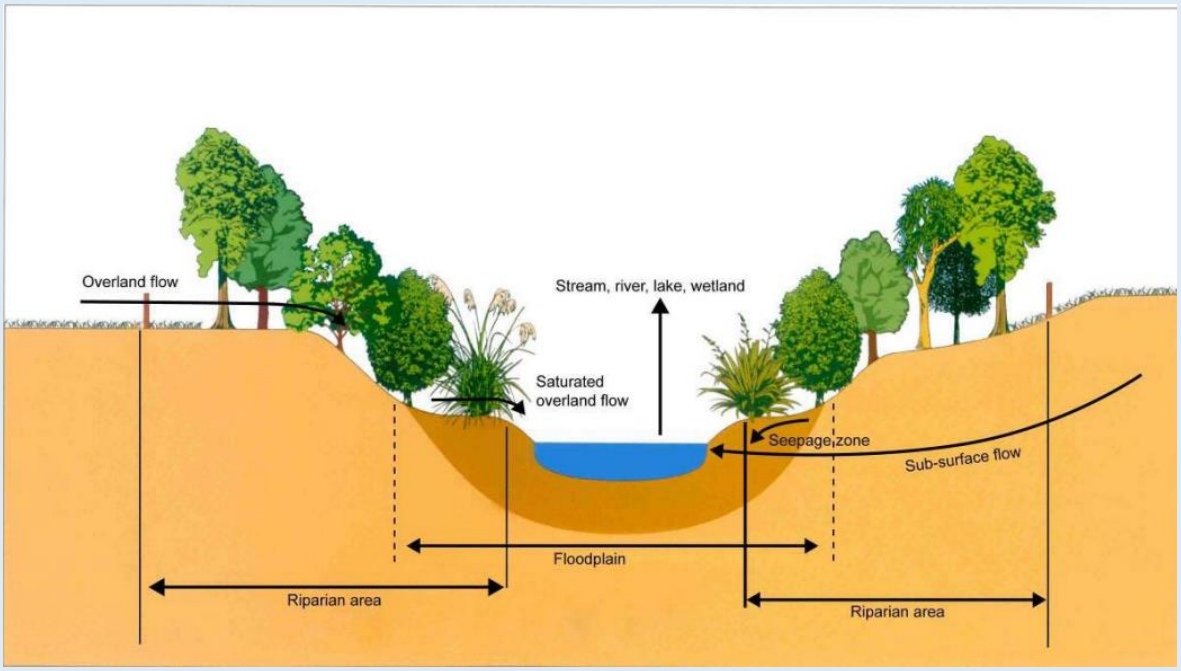
Please consider the questions in this report ahead of the hui. These questions will be discussed at the hui so if you make a note of your thoughts for each of the questions prior to the hui, we can capture and discuss them then.

What is a wetland?

A wetland, as defined by the Resource Management Act (1991), *include 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*. Wetlands serve many purposes from an ecosystem values perspective, including filtering/cleaning water, attenuation of water (during high rainfall events), provision of habitat and biodiversity and their role in ground/surface water hydrology.

What is a riparian margin?

A riparian margin (also described as riparian area, riparian zone, riparian setbacks, riparian management areas etc) is the transitional interface between land and a waterbody (river, stream, lake etc.). The extent (width) of a riparian margin, from a resource management perspective, can vary depending on type of water body, slope, hydrology/flow regime, soil type, adjacent land use, water quality and hydrology objectives and management requirements. The image below shows an example riparian margin.



Source: Bay of Plenty Regional Council Natural Resources Plan (Land Management Chapter).

Retaining and appropriately maintaining riparian margins has may benefits including:

- **Water quality** – riparian vegetation (trees, shrubs, grass) can provide filtering and/or absorption/utilisation of contaminants (incl. E.coli and nutrients), sediment from runoff can be captured, water temperatures can be reduced by canopy cover.
- **Terrestrial and aquatic habitats** – can provide vegetated corridors for birds and plants (but consequently this also attracts pest species). These corridors can also provide shade and shelter to stock. Vegetated margins also improve aquatic habitats for fish and invertebrates by shading out excessive weed growth, regulating water temperatures, improving water quality and hydrology.
- **Water hydrology** – vegetated riparian margins allow for water attenuation during high rainfall events, potentially reducing flood flows and stream bank erosion.
- **Soil conservation** – riparian areas (particularly vegetated areas) stabilise stream banks reducing soil erosion and ground slippage.
- **Amenity** – well established vegetation riparian margins can improve natural character and landscape value.

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Summary

This report focuses on the *Wetlands, Riparian Margins* Section C6.4 of the Tairāwhiti Resource Management Plan (TRMP) with the provisions split into two subsections - **wetlands** and **riparian margins**.

These provisions cover a range of activities located within wetlands and riparian margins.

Wetlands

- Maintenance of lawfully established structures (roads, fences, powerlines etc.)
- Harvesting and sustainable use
- Restoration
- Stock access
- Exotic vegetation clearance
- Modification

Riparian margins

- Vegetation clearance
- Cropping activities
- Commercial forestry activities (cable hauling, afforestation etc.)
- River crossings
- Network utilities
- Maintenance of lawfully established structures.

Many activities within wetlands and riparian margins do not require resource consent if they meet various standards set in the TRMP. The provisions themselves are considered generally permissive, compared to other regional plans.

A key issue for the Plan is how it interfaces with national directions that also control activities with impacts on wetlands and riparian margins, these include:

- The National Environmental Standards for Freshwater (NES-F), in particular Part 3: standards for natural inland wetlands
- Resource Management (Stock Exclusion) Regulations 2020
- The National Environmental Standard for Commercial Forestry (NES-CF, updated 2023), in particular regulations related to forestry activities within wetlands as well as setback requirements from waterbodies for certain forestry activities.

We need to consider whether these regulations are sufficient to progress towards desired environmental outcomes or whether additional requirements are required to enhance management of these activities in Tairāwhiti.

1 Background and context

The 'Wetlands, Riparian Margins' section of the TRMP controls activities within and adjacent to wetlands as well as activities within riparian areas of lakes, rivers and streams. The regulatory approach taken within the TRMP is briefly summarised in sections 1.1 and 1.2 below. This is then analysed in section 1.3 for plan effectiveness (has the regulatory approach worked?) against the background context of the current state of the environment. Section 1.4 summarises the relevant national legislation that also manages activities in these locations.

1.1 Wetlands (C6.4.1 – C6.4.3)

The policies and rules of the TRMP aim to protect and/or avoid inappropriate activities within wetlands and their margins while also encouraging maintenance and/or enhancement. The TRMP utilises the following definition for wetlands:

> *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. Wetland 'margins' shall be the dry land area associated with a wetland, to the extent that the predominant vegetation is adapted to wet conditions. Wetlands shall not include areas which:*
>
> *a) are rivers or lakes; or*
>
> *b) are unable to contain surface water naturally; or,*
>
> *c) comprise wetted pasture or ponded rainfall which is wet for less than three consecutive months per calendar year; or have been lawfully constructed and have been continuously managed for the designed purpose.*

The following table provides a brief overview of the types and activity status of activities the section manages.

Table 1: Wetland activities currently managed in the TRMP

Activity	TRMP requirements
Maintenance of lawfully established structures (such as network utilities, roads, earth dams, fence lines)	These activities are permitted (allowed) by the TRMP subject to requirements/standards including (but not limited to): • no impediment to native fish passage • no alterations to water flow/quantity • no discharge of contaminants (such as fuels/oils, paints), machinery use setbacks • disturbance is limited to minor in scale and temporary in duration. Where the requirements/standards are not met, a resource consent is required.
Exotic vegetation clearance (for pest management requirements, fence line clearance, natural hazard control measures)	
Harvesting or sustainable use of wetland resources – in accordance with a Wetland Management Plan, Reserve Management Plan or tikanga Māori (customary use)	
Restoration of wetlands (in accordance with a Wetland Management Plan)	
Stock access to a wetland	This activity is permitted (allowed) by the TRMP but is subject to requirements being met, including:

	• stock access only causes minor and temporary disturbance of vegetation • does not result in pugging or de-vegetation exposing bare earth • does not degrade values of regionally significant wetlands • wetland is not to be used as a stand-off for stock or as a supplementary feeding area.
Any activity resulting in the modification* of a wetland, not provided for by other rules, that is not a regionally significant wetland	These activities require a resource consent.
Modification* of a regionally significant wetland in accordance with a registered Wetland Management Plan	
Any activity resulting in the modification* of a regionally significant wetland not provided for by other rules.	This activity is non-complying therefore requires a resource consent that requires a high bar of assessment to be undertaken to determine whether its appropriate.

* Modification is defined in the TRMP and includes "*work in or outside of a wetland, including diversions, which leads to drainage, infilling or vegetation clearance*".

It is common for regional plans to manage activities that impact wetlands. However, in recent years national regulations have been implemented that also manage activities within and adjacent to wetlands. We need to consider how these overlap with the current provisions and what is needed at a local level to reflect how we should manage wetlands in Tairāwhiti.

The hui will discuss the issues associated with these activities, options for management and whether additional or more stringent requirements are needed to manage wetlands.

1.2 Riparian areas (C6.4.4 – C6.4.6)

These provisions relate to activities undertaken within, what is defined in the TRMP as a *riparian management area*, and the area/width varies depending on the waterbody.

TRMP definition of riparian management area:

The area of land which includes:

1. *5m measured in a horizontal plane extending from the outside edge of the bed of:*
   a) any river with a bed-width of 2m or more; or
   b) any permanently flowing river with a bed-width of less than 2m and any further distance not exceeding 5m to the extent that the additional area contains indigenous vegetation of at least 1m in height (excluding the indigenous under-storey to plantation forest).
2. *The area of land measured 20m in a horizontal plane from the outside edge of the bed of any lake with an area greater than 200m²; and*
3. *The area of land measured 20m inland in a horizontal plane from the landward boundary of the coastal marine area.*

There is no riparian management area associated with wetlands.

Regional plans typically contain riparian margin rules for activities such as vegetation clearance, utilities and infrastructure maintenance and operation, earthworks and

maintenance of lawfully established structures. The TRMP regulates similar activities, but it also contains a range of rules related to forestry activities. The forestry riparian rules overlap closely with elements being considered under the separate Forestry Plan Change process, therefore these will not be discussed in detail here.

The following table provides a brief overview of the types and activity status of activities the section manages.

Table 2: Riparian Area activities currently managed in the TRMP

Activity	**TRMP requirements**
Vegetation clearance (various rules depending on if activity is within a riparian management area of an: Aquatic Ecosystem Waterbody, Outstanding Waterbody, or neither.)	These activities are permitted (allowed) by the TRMP subject to various requirements including (but not limited to): • no discharge of contaminants (e.g. fuels/oils, paints), machinery use setbacks; will not result in ongoing erosion • no vegetation/slash to be deposited where it could readily enter or be carried in the waterbody • vegetation is exotic • undertaken as part of a pest management plan • where as part of forestry thinning, is restricted to minimum 250 trees per hectare • where clearance is associated with stock grazing. Where the requirements are not met, a resource consent is required.
Establishment and harvest of agricultural and horticultural crops within riparian management areas of Aquatic Ecosystem Waterbody	These activities are permitted (allowed) by the TRMP subject to requirements including (but not limited to): • does not involve clearance of indigenous vegetation • setback of 1m is retained.
Commercial forestry activities (cable hauling, afforestation etc.)	Some activities can occur as a permitted activity while others require resource consent.
River crossings	This activity is permitted (allowed), subject to requirements including limiting width of disturbance to 4.5m.
Maintenance, installation and operation of network utilities	This activity is permitted (allowed), subject to requirements including limiting width of disturbance to 2m.
Maintenance and minor upgrading of lawfully established structures	This activity is permitted (allowed).

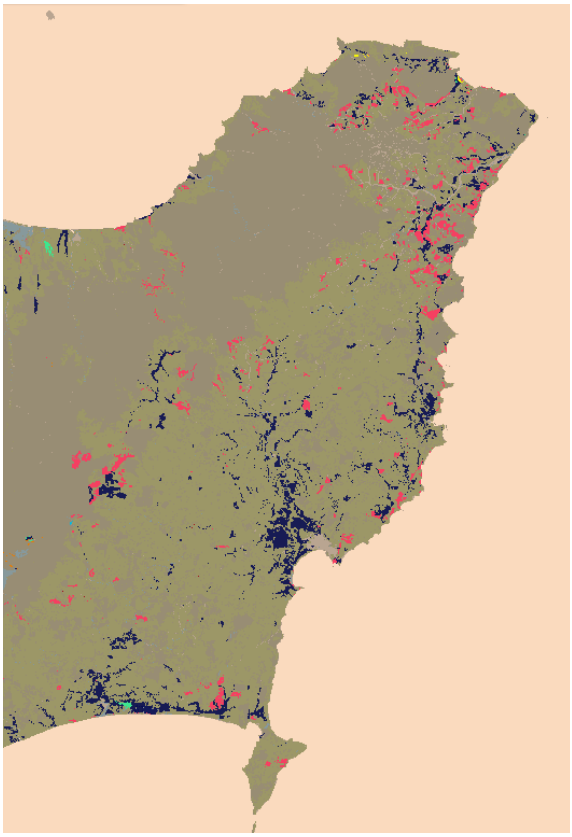
The TRMP is generally permissive for activities within riparian margins (where requirements can be met). National legislation also provides some direction and overlap on activities that occur

within riparian areas, these overlaps need to be streamlined and gaps 'plugged' where the legislation does not go far enough (the rules need to be more stringent) or where activities are not covered at all.

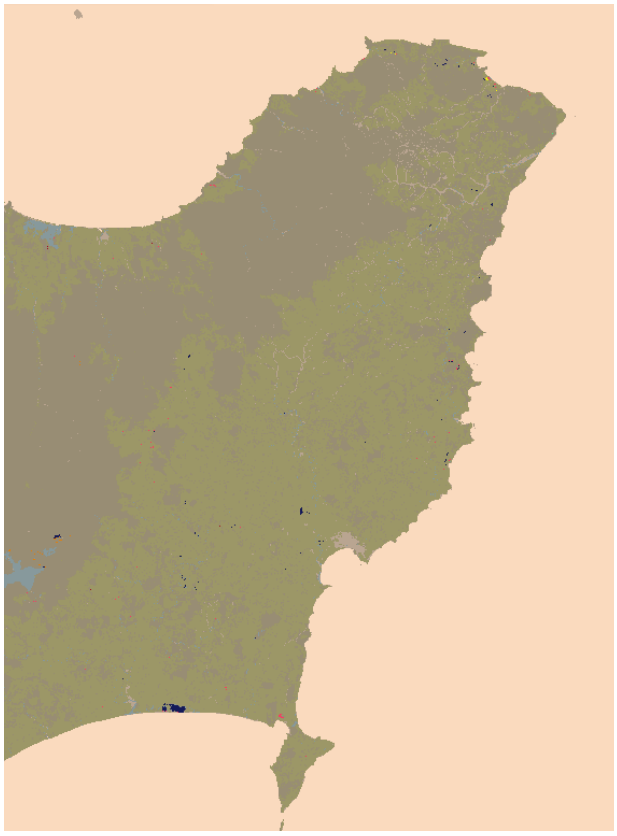
1.3 Current state and plan effectiveness

Regional extent and quality of wetlands

Wetlands across Tairāwhiti are the regions most threatened ecosystem with only 1.75% (1,487ha) of their original extent remaining[1]. The images below show the estimated extent of wetland loss since the arrival of humans.



Wetland extent, pre-human



Wetland extent – 2008 *Source: Stats NZ*

There is evidence that in recent years there is continued loss of extent of the remaining wetlands with a recent report detailing that 15% of Gisborne's wetland extent has been lost in the period from 1996 to 2018[2].

The health of the remaining wetlands is largely unknown except for those 22 defined as regionally significant wetlands under the TRMP, where some existing data is present, and review of imagery shows they are under pressure from surrounding land uses.

How we protect and manage activities within and adjacent to the remining wetlands within

[1] State of our environment - 2020, Gisborne District Council
[2] The root causes of wetland loss in New Zealand: An analysis of public policies and processes. The National Wetland Trust (2020)

the region is critical to ensure no further loss of extent or quality of these important ecosystems.

State of the Environment (SoE) monitoring

Activities within riparian margins can have a range of impacts on water quality. The table below provides a high-level assessment of Council's SoE monitoring data across various water quality indicators, in particular, those relevant to potential effects as a result of activities within wetlands and riparian margins. The table below summarises some of the key ecological indicators relevant to the riparian margin topic.

Table 3: Indicative conclusions for Council' State of the Environment monitoring

Water Quality Indicator	Current State	Sources	Relevance
Microbiological contaminants (represented by E.coli)	E.coli occurs in high concentrations (poor quality) at most monitoring sites, particularly in the Waimatā and Waipaoa catchment areas and national bottom lines are currently not being met across large parts of Tairāwhiti Five-year trend analysis suggests slightly more sites are degrading than improving.	E.coli in waterbodies can occur through various avenues, including access by stock/animals to waterways, passive and direct discharges (effluent spreading, wastewater discharges, septic systems), overland runoff from pastoral farming and other sources including domestic animals, birds and pest species.	Well managed riparian areas can provide filtering properties (to adjacent waterbodies) for contaminants immobilised by rain run-off, particularly riparian areas that are larger (greater width) and are well vegetated.
Indicators of ecological health (macro-invertebrates)	Results are variable across Tairāwhiti but suggest a relatively poor ecological state overall across the region. Macroinvertebrates are an indicator of overall ecological health of waterbodies.	Low macroinvertebrate values can be due to a range of factors, including water quality, stream channel and structure/integrity and the quality and cover of riparian margin vegetation.	Retaining and improving vegetation within riparian areas can improve stream bank stability while also shading water (lowering temperatures) and improving habitat values of the stream.
Sediment	A key issue for Tairāwhiti, suspended fine sediment is high in several catchment areas including Waimatā, Waipaoa, Mōtū and Waiapu. The region has naturally high levels of	Sediment sourced from exposed soil in horticultural land uses, stream bank erosion and activities that disturb the land surface such as earthworks and forestry preparation/harvesting can lead to large scale erosion, leading to the deposition of large	Managing activities (including stock access, vegetation clearance, earthworks) within riparian areas can prevent erosion within waterbodies. Where riparian areas are also vegetated, this can improve

Water Quality Indicator	Current State	Sources	Relevance
	sediment in waterways due to local geology, but these have been exacerbated by anthropomorphic activities.	volumes of sediment in waterways.	stream bank structure further reducing erosion.

How well is the TRMP managing activities within wetlands and riparian margins?

Council's Freshwater team has considered whether the existing TRMP provisions have been effective and efficient in managing adverse effects of activities within wetlands and riparian margins. It is generally challenging to 'pinpoint' a set of rules within a regional plan, given there are many factors that can contribute to decreasing environmental values. Therefore, a focus on the regional-wide picture is required.

As outlined earlier, many activities within wetlands and riparian areas are permitted within the TRMP, and the provisions themselves tend to be quite permissive. Very few resource consents are sought under the TRMP wetlands provisions, while resource consents sought under the TRMP riparian provisions are more frequent, but they are generally related to forestry and road/civil works activities.

As highlighted in SoE reporting, water quality in Tairāwhiti has been deteriorating, with sediment and E.coli posing significant challenges for the region's waterbodies. Protecting and enhancing vegetation and managing activities in riparian areas can help to offset the effects of land-based activities that contribute to sediment and E.coli (and other contaminants, including nitrogen and phosphorus), while also improving stream bank integrity to 'combat' the region's highly erodible soils.

The wetlands in our region are facing significant pressure, with evidence showing a decline in their extent over many decades. It is likely that the health of these wetlands is poor. It will be crucial to prevent any further loss of wetland areas and to actively encourage their enhancement and restoration to protect the remaining wetlands in Tairāwhiti.

1.4 National direction relevant to wetlands and riparian margins

Several national legislative requirements are relevant to this topic. Councils are obliged to give effect to national policy statements in preparing their regional (and unitary) plans and are required to implement national environmental standards and regulations. However, regional plans can impose more stringent controls than the standards and regulations (where this is allowed by the regulation).

National Policy Statement for Freshwater Management (NPS-FM)

The key direction in the NPS-FM is to give effect to Te Mana o te Wai by placing the health of waterbodies above other priorities such as human needs and economic interests. This is to be achieved through a range of mechanisms that have been or will be discussed in other hui along with how the TRMP can be updated to meet these requirements.

The NPS-FM also contains very specific direction and requirements, particularly regional councils' requirements for managing wetlands, which includes:

- Defining a wetland, utilising the term *natural inland wetland* (see definition in

Attachment 1) which differs from the TRMP wetland definition.

- Requiring specific objective and policy wording relating to avoiding the loss of extent of wetlands.
- Requiring mapping of every natural inland wetland greater than 0.05 hectares or any wetland less than 0.05 hectares in extent (such as an ephemeral wetland) and known to contain threatened species.
- Requiring development of a monitoring plan to understand wetland conditions and ongoing assessment of the effectiveness of polices, rules and methods in ensuring no loss in extent or values.

National Environmental Standard for Freshwater (NES-F)

The NES-F includes a range of regulations for activities that may affect freshwater. Of relevance to this topic are regulations and standards related to activities within and adjacent to natural inland wetlands. These activities include vegetation clearance and earthworks which can impact the integrity of a wetland. It also manages water takes, use, damming, diversion and discharges (of water to water) where these will, or are likely to, result in changes to wetland water levels and impact the hydrological functioning of the wetland.

A consent pathway is provided for identified activities including existing lawfully established structures, building wetland utility structures, infrastructure, urban development and quarrying. Activities not specified, and that would result in the complete or partial drainage of a wetland are prohibited (i.e. not allowed) when occurring within a natural wetland.

Some of these provisions overlap with current provisions in the TRMP, it is considered that for some activities the NES-F is more stringent than the TRMP, while for other activities the TRMP may be more stringent. In addition, the NES-F does not provide a regional 'lens' to wetlands and treats all wetlands as equal. There is no hierarchy in values for a wetland, therefore this may be considered a gap.

Stock Exclusion Regulations 2020 (SER)

The SER are applicable to the wetlands and riparian margins topics as they include requirements to exclude stock from waterways (including wetlands) with an associated setback. While the setback is not described as a riparian margin in the SER, it acts as such. The regulations vary for type of stock:

- Beef, cattle, deer and dairy support – excluded from rivers (1m wide) with a 3m setback on low slope land, being land less than 5% in slope.
- All stock excluded from mapped wetlands (within a district/regional plan), wetlands including threatened species and natural wetlands greater than 0.05 Ha (500m2) on low-slope land.

Given the steep topography of Tairāwhiti, low slope land is a relatively small component of the land area of the region, therefore only a small portion of the region requires stock exclusion from rivers and wetlands.

The TRMP (diffuse discharges section) contains some provisions that include stock exclusion setbacks larger than those under the national requirements for some activities.

National Environmental Standards for Commercial Forestry (NES-CF)

The NES-CF manages a wide range of activities associated with commercial forestry activities, including, afforestation, pruning/thinning, earthworks, river crossings, forestry quarrying, harvesting, land preparation, planting as well as a range of ancillary and general activities

including vegetation clearance, discharges/disturbance/diversion, bird nesting, and fuel storage and refueling.

Many of the regulations (rules) for forestry activities contain conditions that must be met in order for the activity to be permitted (allowed). Of particular relevance are those conditions restricting activities within defined setbacks from waterbodies. These are summarised below:

- afforestation, harvesting machinery, mechanical land preparation and replanting must not occur:
  - within 5m of: a river (less than 3m in width); and, wetlands (larger than 0.25 ha, or, 2,500m^2)
  - within 10m of: a river (greater than 3m width); lakes larger than 0.25 ha; outstanding freshwater bodies; significant natural areas; and waterbodies subject to a water conservation order;
  - within 30m of the coastal marine area.
- earthworks must not occur:
  - within 5m of: a river; wetlands (larger than 0.25 ha); lakes larger than 0.25 ha; outstanding freshwater bodies; significant natural areas; and waterbodies subject to a water conservation order;
  - within 30m of the coastal marine area.
- forestry quarrying must not occur:
  - within 20m of: a river; wetlands (larger than 0.25 ha); lakes larger than 0.25 ha;
  - within 30m of the coastal marine area.

The NES-CF sets a baseline as to how commercial forestry activities are to be managed through a nationally consistent manner. Where wetlands are impacted by forestry activities, the NES-CF is particularly permissive as it generally only controls activities that impact wetlands greater than 0.25ha.

Regulation 6 of the NES-CF allows a rule in a plan to be more stringent for a certain set of circumstances, this includes to meet objectives to give effect to the NPS-FM and for policies of the New Zealand Coastal Policy Statement (NZ-CPS) as well as to provide protection for outstanding natural features and landscapes and significant natural areas.

As discussed at previous hui, how forestry activities are being managed within Tairāwhiti is subject to a separate workstream and plan change process. However, we will still consider forestry activities as part of this process, albeit at a more high-level perspective. Through this process we need to consider, if and what, additional requirements (beyond the NES-CF) are needed to manage the impacts of forestry activities on wetlands and riparian margins.

2 How can we ensure no further loss of extent or degradation of wetlands in Tairāwhiti?

The NPS-FM, Policy 6 states there is to be "*no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted*". Options for how we do this are discussed in this section, as well as how we can encourage wetland restoration.

In terms of managing activities that impact wetlands, there are a range of options that could be adopted, these are outlined in Table 1 with some of their 'pros and cons'. At a base case, Council is required to implement the national requirements in respect of the NES-F and SER – they are mandatory and minimum requirements. The options in **Table 4** explore whether relying

on the national requirements is sufficient or whether additional measures and controls are needed to address water quality/ ecosystem health in relation to wetlands.

The options are not mutually exclusive – more than one can be applied, and some options are more relevant to some areas/issues than others. It is likely that the best outcome will be a mix of options depending on the issue and location.

As outlined earlier, the NPS-FM requires Council to identify, map and create and inventory of wetlands[3] across Tairāwhiti, this work is geographically extensive and complex but currently underway in a staged process, this will be progressed over the following years. In addition, the NPS-FM requires the development and implementation of a monitoring plan that specifies the condition and extent of wetlands and the identification of methods where loss of extent or values are detected. These matters will be discussed in future hui with the FWAG as plan development work progresses.

Feedback from the Group is needed on the key issues for wetlands and how they should be managed in the future.

[3] Every natural inland wetland 0.05 ha or greater in extent; or of a type that is naturally less than 0.05 hectares in extent (such as an ephemeral wetland) and known to contain threatened species - Clause 3.23 (NPS-FM)

Table 4: Potential management approaches for wetlands (for discussion and feedback)

#	Option	Description	Pros	Cons
1	**Rely on national direction (NES-F, SER, NES-CF) for management of activities within/affecting wetlands**	This option would rely on the requirements of national direction (including the mandatory inclusion of objectives and policies), without additional controls being provided in the plan (for those activities that are nationally regulated).	• Nationally established rules/regulations that Council is required to implement • National consistency • Reduces size and complexity of the plan	• May not provide suitable protection of regionally significant wetlands • Some activities have a consent pathway within the NES-F potentially allowing a loss of wetland values, which may not be appropriate for wetlands with high values • Gaps in wetland protection where commercial forestry activities occur, wetlands <2,500m^2 are not protected • National regulations may change and provide a different management regime that is not supported locally
2	**More stringent rules for Regionally Significant Wetlands**	The NES-F anticipates some activities (infrastructure, urban development, landfills and clean fills, quarrying etc.) within wetlands and provides a consent pathway for such activities. This option involves creating more stringent rules within the TRMP for those activities with a consenting pathway (within the NES-F) where they occur within and adjacent to regionally significant wetlands.	• Ensure a higher level of protection of wetlands that have a high value (ecologically, culturally, recreationally etc)	• May create a consenting burden for activities that may serve an important regional role
3	**Additional rules for wetlands in relation to commercial**	The NES-CF provides a reduced level of protection for wetlands where commercial forestry activities apply.	• Will protect more wetlands of smaller size from commercial forestry activities.	• Unclear how or if wetlands are currently impacted by forestry activities within the region, may create

	forestry activities	This option involves creating more stringent rules within the TRMP for activities within wetlands where wetlands are less than 0.25 ha (2,500m^2) and/or where activities include regionally significant wetlands.		unnecessary complexity for rules.
4	**Additional rules for arable and horticultural land use within 10m setback of wetland**	NES-F permits (subject to standards) existing arable and horticultural land use (grazing and cultivation) within a 10m setback of a wetland. SER require no stock setback from wetlands, just exclusion from the wetland area. This option could be undertaken by two approaches: a. rules restricting arable/horticultural activities within a certain distance (for example: 1m, 5m, 10m) from all wetlands. b. rules restricting arable/horticultural activities within a certain distance from regionally significant wetlands.	• Larger setbacks provide a additional scope to filter runoff (sediment, E.coli, nutrients)	• Loss of productive use of agricultural land • May require re-fencing of wetlands (if already landowner has already fenced) to meet new setback requirement to exclude stock • Costs to fence wetlands • May not be practicable due to slope/topography • How do we know where the wetland ends – there is significant cost in doing this. How do we know where a wetland is?

Feedback from the Group is needed to help refine the approach and the tools that could be adopted and in what circumstance.

Questions for the Advisory Group

- What do you think are the key activities impacting wetlands across the region? Are these appropriate and how do you think they should be managed?
- Considering the approaches outlined above, are there any additional tools/rules/approaches that should be included?
- What are some of the pros, cons and implications (including practical, cost and other matters) of the options in addition to those outlined in the table?
    - What is going to work best in Tairāwhiti?
    - What won't work in Tairāwhiti?
- How can we encourage restoration activities for wetlands?
- Do we want to try achieving a net increase in wetland extent across the region - is this practicable?

3 What is an appropriate way to define a riparian area across Tairāwhiti?

Defining what a riparian area is (for example, its width), is an important starting point to then decide how we manage the activities within them. Options for determining the width of a riparian area, relevant for Tairāwhiti are complex given the competing priorities for land-based activities, environmental outcomes and amenity/natural character. The TRMP currently requires 5m from a river and 20m from a lake or the coastal marine area. National legislation (NES-F, NES-CF and SER) then sets an array of other rules that cover activities within proximity (setbacks) to waterbodies. The new Plan will also have rules and requirements for stock access/setbacks and management of agricultural activities to manage diffuse discharges.

Some options/considerations for identifying appropriately sized riparian areas include:

Table 5: Potential options for defining riparian areas (for discussion and feedback)

Option	Comment
Utilising a one size fits all approach, for example, 5m from a river, 5m from a lake/wetland etc	Keeps the Plan simple and consistent across waterbodies
Larger riparian areas for regionally significant wetlands, outstanding waterbodies and aquatic ecosystem water bodies	Reflects ecological, cultural or recreational values of some waterbodies
Require riparian areas for wetlands (currently TRMP contains no riparian area for wetlands)	Recognises the need for wetland buffers
Align riparian areas with SER requirements where relevant (i.e. 3m on low slope land) and/or any requirements in the new Plan for stock exclusion or horticultural setbacks from waterbodies	Simplifies and aligns provisions in the chapter to those that manage ecological effects of diffuse discharges

Bespoke riparian areas for the regions braided rivers	Recognising their natural movement and changes during flood flows
Additional riparian area considerations for waterbodies with steep embankments	Recognises the need for additional setbacks to manage sediment and erosion
Riparian areas for high slope land	Recognise the challenges that topography present, particularly if there is a stock exclusion (fencing) requirement
Bespoke urban riparian areas	Urban waterbodies have unique elements to consider, including amenity and recreational values, access and safety, managing urban run-off

Questions for the Advisory Group

- How do you think we should define a riparian area within Tairāwhiti?
- Are there other values and considerations that should be included?
- What are some of the implications (including practical, cost and other matters) of the options in addition to those outlined in the table?
    - What is going to work best in Tairāwhiti?
    - What won't work in Tairāwhiti?

4 How should we manage activities within riparian areas?

As outlined in section 1, the current TRMP and national legislation manages activities within riparian areas (or setbacks) through various approaches. Below are some of the options that we can progress as part of the new Plan, these will be discussed at the hui.

Table 6: Potential options for managing activities within riparian areas (for discussion and feedback)

#	Option	Description	Pros	Cons
1	**Rely on national direction (SER and NES-CF) as base case for managing activities within riparian areas**	This option would rely on the requirements of national direction, without additional controls being provided in the plan (for the activities that are nationally regulated)	• Nationally established rules/regulations that Council is required to implement • National consistency • Reduces size and complexity of the plan	• Does not reflect some of the regionally relevant issues within riparian areas, particularly reducing sediment. • National legislation riparian areas/setbacks widths may not align to what is appropriate to Tairāwhiti • National legislation riparian areas/setbacks widths may change
2	**Additional rules for activities not covered in national direction**	This option is considered necessary as the national legislation does not cover a range of activities (i.e. they only cover forestry activities and stock exclusion). This option includes additional rules for: • Vegetation clearance (exotic and indigenous) • Soil disturbance/earthworks • Maintenance of existing lawfully established activities • Maintenance and installation of infrastructure	• Manages common activities that may impact riparian areas to ensure effects are minimized	• Additional consenting burden for activities
2	**Additional more stringent rules for Regionally Significant Wetlands, Outstanding Waterbodies and Aquatic**	This option involves creating more stringent rules within the TRMP for those activities within riparian areas with high ecological, cultural, amenity/landscape or recreational values	• Ensures adequate protection of riparian areas of high value	• May stall or create a consenting burden for some activities that may serve an important regional role. • May impact productive use of some rural land

	Ecosystem Waterbodies			
4	**Additional Rules for stock exclusion within riparian areas on higher sloped land.**	This option could require stock exclusion across a larger range of watercourses and potentially include a requirement for larger exclusion setbacks (consistent with current TRMP). This approach would mirror approach taken to manage diffuse discharges. Sub-options include: a. generally more extensive (ie applied to a greater slope range/activity based etc) b. focused on areas upstream of specific uses or values such as swimming spots, mahinga kai areas and others	• Larger setbacks provide a additional scope to filter runoff • Option of targeting specific areas would minimise costs to landowners by focusing on priority areas	• Costs and practicality of excluding stock – particularly in steeper topography • Cost of retiring removing land (including if wider setbacks utilised)

Questions for the Advisory Group

- What do you think are the key activities impacting riparian margins across the region? Are these appropriate and how do you think they should be managed?
- Considering the approaches outlined above, are there any additional tools / /rules/approaches that should be included?
- What are some of the pros, cons and implications (including practical, cost and other matters) of the options in addition to those outlined in the table?
    - What is going to work best in Tairāwhiti?
    - What won't work in Tairāwhiti?

5 Next steps

Following this hui, advice received from the Group will be used to refine potential options and approaches for the future Plan. These options will be collated and refined and discussed with members at a future hui to confirm the preferred approach. Once the Group agrees on a preferred approach for the draft Plan, drafting of policies, rules and schedules will commence.

ATTACHMENT 1:

Definition of a natural inland wetland from the NPS-FM.

Natural inland wetland: means a wetland (as defined by the Resource Management Act (1991)), which *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,* but that is not:

(a) in the coastal marine area; or

(b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or

(c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or

(d) a geothermal wetland; or

(e) a wetland that:

(i) is within an area of pasture used for grazing; and

(ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)); unless

(iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply