

File No: WGN150094 [33210]
26 May 2015

Greater Wellington Regional Council Flood Protection Department
Internal Mail

For: Tracy Berghan

Dear Tracy

Further information request under section 92(1) of the Resource Management Act 1991

<i>Applicant:</i>	<i>Greater Wellington Regional Council Flood Protection Department</i>
<i>Proposal:</i>	<i>Operations and maintenance activities for flood protection purposes in the Wainuiomata River</i>
<i>Location:</i>	<i>Wainuimata River</i>
<i>Resource consents required:</i>	<i>Water permits, land use consents and discharge permit.</i>

Thank you for your application, which we received on 4 November 2014.

I have reviewed your application, the supporting information, and the information provided by Alex James of EOS Ecology following his peer review of the application dated 25 March 2015, the ecological AEE report, the draft Code of Practice including a draft Environmental Management Plan, and a finalised version of Alton Perrie's memorandum.

I need further information on your application so that I can better understand the effects of your proposed operations and maintenance activities for flood protection purposes, its effects on the environment and how any adverse effects on the environment might be mitigated. Overall, the description of the existing environment is missing some key information that is required to adequately assess the effects specific to the Wainuiomata River. This specific information is especially important given the adaptive management approach proposed by the "Code of Practice" document as the means of avoiding, remedying the mitigating the effects of the proposed flood protection activities over the next 35 years.

Information on the existing environment needs to compare the ecology of the area affected by the consent application (the impact section) with the upstream catchment that is outside the influence of flood protection activities (the reference section).

Information requested¹

1. **Maps** - Please provide an overview map or maps at a suitable scale, showing the areas covered by the application, including the main existing flood protection features (eg. willow plantings, rip-rap rock linings, groynes), and any ecological site survey locations referred to in the application.
2. **Macroinvertebrates** – Please provide full details and a description of the invertebrate communities, including for habitats affected by gravel extraction and bed/beach recontouring, the hyporheic zone and deeper, non-wadeable habitats. If MCI surveys of the affected tributaries are not possible, please provide prediction data from the Freshwater Ecosystems of New Zealand (Leathwick et al, 2010)².
3. **Fish** – Please provide more information on the fish species that are of most concern, such as those that are most abundant and spawn in the area covered by the application, and especially in habitats that are affected by proposed gravel extraction and beach recontouring. Please compare data for impacted and reference reaches of the Wainuiomata River.
4. **Water quality** – Please provide the water quality data that exists from 2004.
5. **Gravel bar and beach flora and fauna** - Please provide more information on the flora and fauna of gravel bars and beaches that might be affected by gravel extraction and beach recontouring.
6. **Riparian vegetation** – Please provide a more complete description of riparian vegetation in the application area. Please describe in detail and show on maps any remnant native vegetation in the area or significant areas of native vegetation.
7. **Birds** – Please provide more detailed information on the bird species of most concern, such as those native or endemic species that roost, feed, nest or rest in the area covered by the application.
8. **Herpetofauna** – Please provide details in relation to herpetofauna that could be present in the consent application area.
9. **Macrophytes** – Please confirm if aquatic vegetation removal is proposed. It would appear this is unlikely given the application area is only for the main channel of the river. However, it is mentioned in the application and clarification is required.

¹ Any person who has been asked to provide further information under section 92(1) of the Resource Management Act 1991 (the Act), has the right to object to the consent authority in respect of that request for information under section 357A(1)(b) of the Act.

² Leathwick, J.R., West, D., Gerbeaux, P., Kelly, D., Robertson, H., Brown, D., Chadderton, W.L., and Ausseil, A.-G. 2010. Freshwater Ecosystems of New Zealand (FENZ) Geodatabase Version One – August 2010 – User Guide. Department of Conservation. 57 p.
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Environmental Monitoring Plan

10. *Please provide more details in relation to the proposed bird monitoring and its workability including details of the basis for the proposed percentage triggers.*
11. *Please provide further details on the proposed pool and riffle counts using aerial photography. Please discuss how features obscured by vegetation are accounted for, and discuss whether the variability of habitats (depth, area, ecological value) would be noted or whether the proposed methodology simply counts features.*
12. *Please provide any information available on the optimal width of willow plantings to achieve the objective of vegetative bank protection. Please identify any areas where willow planting can be retired over time and natives planted instead.*

Date information required

Please provide the above information to me by 16 June 2015. If you are not able to supply the information requested³ by this date, you must let us know in writing within this timeframe, either that you require additional time (at which time we will set a reasonable timeframe for you to provide the information) or that you refuse to provide the requested information. I appreciate it may take longer to address my requests depending on the complexity or amount of work required for each. It may be worth discussing timeframes or having a staged response to my request to ensure an understanding of how long it will take to respond.

We may decline your application if we consider we have insufficient information to enable us to determine your application, or if you do not respond to our request by 16 June 2015 or if you refuse to supply the information. If you consider you have a valid reason for refusing to provide the requested information, please contact me on the number below to discuss this further.

³ Under section 92A of the Resource Management Act 1991.

Processing of your application

Your application has been placed on hold, and the statutory 'clock' stopped⁴, until such a time that either I am satisfied that I have received the above information, receive written notice that you refuse to provide it, or the time period for providing the requested information has expired. As soon as one of these occurs, the statutory 'clock' will restart and I can continue processing your application.

Please feel free to contact me on 04 830 4139 if you have any questions or concerns.

Yours sincerely

Andrew Dooney
Senior Resource Advisor, Environmental Regulation

⁴ Under section 88C of the Resource Management Act 1991