

## 9. BEXLEY WETLAND - PETITION RE STOPBANK REMOVAL

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Author:</b>	David Sissons, Parks and Waterways Planner

### PURPOSE OF REPORT

1. To enable a decision to be made in response to a petition received by the Board in December 2004.

### EXECUTIVE SUMMARY

2. The Board has been presented with a petition that "*We, the undersigned, want the Bexley Wetland stopbank walkway retained either in its present form or with bridges/culverts spanning any cut-aways*".
3. This walkway runs along the present stopbank separating the Bexley Wetland from the estuarine wetland running along the shore of the Avon River upstream from where it flows into the estuary.
4. Removal of the stopbank has been a key element of the proposal since it was first drawn up in 1995, and since then it has been confirmed through three city-wide public consultation exercises, a decision of the full Council and a resource consent hearing. Accordingly, to decide now that it should not be removed would be a major change to the planned, agreed, and widely anticipated development of the reserve, and therefore it would require a fourth full process of city-wide consultation, which may or may not lead to the reversal of the current Development Plan.
5. Ending the disturbance caused by people and dogs walking along the line of the removed stopbank will effectively double the undisturbed area of salt-marsh habitat for the birds to live and breed in, by combining the existing salt-marsh between the bank and the Avon River with the area being restored, as one continuous undisturbed habitat. Thus the development now well underway will restore valuable coastal habitat in order to provide a safe and appealing haven for wildlife, as well as making significantly more public access and opportunities for viewing the marshland from around the edges.
6. Retaining the walkway, as proposed by the petitioners, would enable walkers, joggers and dogs on leashes to continue to go through the middle of the restored wetland area, but it would also reduce the potential value of the area for wildlife, because many of the types of birds that are anticipated to use the restored wetland would be disturbed by the human and canine activities.

### FINANCIAL AND LEGAL CONSIDERATIONS

7. A financial comparison of the two options depends on the detailed design of each.
8. Retention of the stopbank as at present would save the cost of earthworks to change it into a string of islands but would involve the additional costs of a new public consultation process to seek support for amending the Development Plan.
9. Altering the stopbank to enable tidal flushing of the restored wetland as well as keeping walking access would save some of the cost of earthworks to change it into a string of islands, and would involve the additional costs of a new public consultation process to seek support for amending the Development Plan. If the Plan is then amended, it would also involve obtaining any appropriate consents for new bridges/culverts and the costs of constructing and subsequently maintaining the bridges/culverts.
10. There are no legal considerations, provided that any proposed change to the Development Plan goes through the Council's public consultation process and gains public support.

## **CONSIDERATION BY ENVIRONMENTAL DIVERSITY PORTFOLIO GROUP**

At its 21 September 2005 meeting the Board decided to recommend that the Council request its Environmental Diversity Portfolio Group to re-evaluate the stopbank element of the Bexley Wetland Development Plan prior to work commencing on the removal of the stopbank.

Advice from the Legal Services Unit is that the Board should reconsider the staff recommendation in light of the Environmental Diversity Portfolio Group supporting the staff recommendations at its meeting held in November 2005.

## **STAFF RECOMMENDATIONS**

It is recommended that the Board:

1. Agree that the development programme, set out in the Bexley Wetland Development Plan, be continued.
2. Decline the request of the petitioners to retain a walkway along the line of the stopbank.

## BACKGROUND ON BEXLEY WETLAND STOPBANK: PETITION TO COMMUNITY BOARD

11. The Board has been presented with a petition that “*We, the undersigned, want the Bexley Wetland stopbank walkway retained either in its present form or with bridges/culverts spanning any cut-aways*”.
12. One of the main purposes of the wetland identified in the Development Plan is to encourage the recovery of breeding populations of coastal birds such as pied stilt, banded dotterel, grey duck, New Zealand shoveler, as well as the rare and shy bittern and marsh crake, by providing a continuous tract of high quality wetland habitat incorporating the Bexley Wetland and the lower Avon salt/river marshes.
13. The stopbank removal has been a key element of the proposal since it was first drawn up in 1995, and has since been confirmed through three city-wide public consultation exercises, a decision of the full Council and a resource consent hearing.
14. The wildlife is being given priority over human activities as a direct result of the history of the protection of the area, which sprang from a protracted public campaign including a 1984 petition signed by 2,044 Christchurch residents and subsequent successful appeals in 1992 that turned down its use for human activities in preference for restoration as a haven for wildlife.
15. One of the first things proposed at the time of initial planning for conservation use of the area in 1995 was the removal of the stopbank and its reshaping to form a series of low islands that could be used as high-tide roosting areas and undisturbed nesting areas for coastal wading birds. This has been carried through consistently to the present day, and has been confirmed both in the October 2000 Development Plan and in the Resource Consents issued following a hearing in 2002.

### Development Plan

16. The stopbank removal was approved, as an integral part of the Development Plan, by the full Council on 22 March 2001, following two opportunities for public input, the first being a public meeting in February 2000 when community views were canvassed, and the second being over the summer of 2000-2001, when the resultant draft plan was released for public comment.
17. Seven submissions on the draft plan were received. Six supported the plan. One submitter who was not altogether in agreement with the plan made a number of suggestions for changes, one of which was that the stopbank be retained for flood protection.
18. The Parks and Recreation Committee’s report to the full Council states: “*however, it is considered that both individually and in total these (suggestions) would not provide any benefits in respect of the goal to ‘restore lost or damaged plant communities and wetland bird feeding, nesting and roosting habitat’ and the objectives relating to the restoration of landscape character, plant and aquatic communities.*” For this reason these submissions were not supported by the Committee.
19. The officers’ recommendation to the Parks and Recreation Committee meeting of 7 March 2001 discussed the matter in detail, and this advice was supported by the Committee and subsequently the full Council:

*“This submission suggested the stopbank be retained for flood prevention. The retention of the stopbank is, however, not necessary because the neighbouring subdivision of “Pacific Park” has levels set to avoid inundation. The Parks and Waterways Unit recognises the stopbank is of no real benefit, and can be removed. Its partial removal is a fundamental aspect of the restoration of the wetland. Re-directing people and particularly dogs from this central corridor will substantially increase the core area for habitat restoration. The reintroduction of tidal waters will improve and restore salt marsh, salt meadow and brackish sandpiper pools/inlets and mudflats .... the fundamental premise is very simple and that is to restore the Bexley Wetland in context, balance and harmony with the adjacent estuary of the Heathcote and Aron (sic) Rivers/Ihutai. The plan is about reconnecting, re-establishing and restoring, not about continued artificial barriers and artificial communities.”*

## Resource Consent

20. The matter was subsequently discussed and a similar conclusion reached in the Assessment of Effects prepared for the resource consent application for the stopbank removal in 2002.
21. The February 2003 consent to breach the stopbank (CRC021167) had a condition (11) that

*“prior to breaching the stopbank, the consent holder shall construct a walkway parallel to Bexley Road, similar in nature to, and linking the existing pathway ending near the Pacific Park subdivision with the point where the stopbank meets Bexley Road”*

to ensure that public walking access will be kept. This track is currently under construction.

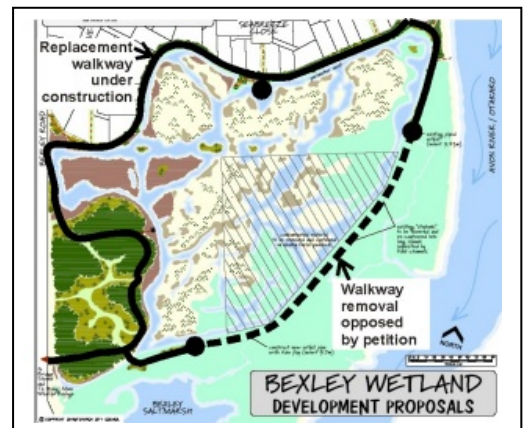
22. To decide now that the stopbank walkway should not be removed would be a major change to the planned, agreed, and widely anticipated development of the reserve, and therefore it would require another full process of city-wide consultation, which may or may not lead to the reversal of the current Development Plan.

## Habitat Integrity

23. Ending the disturbance caused by people and dogs walking along the line of the removed stopbank will effectively double the undisturbed area of salt-marsh habitat for wildlife to live and breed in. It will combine the existing salt-marsh between the bank and the Avon with the area being restored, as one continuous undisturbed habitat, separated from human and canine activities by the moat around the northern side and the river to the east.
24. This will enable the re-establishment of a natural habitat continuum, grading from the estuary waters, through inter-tidal mudflats, high tide roosting shellbanks and salt-marsh meadows, to fresh-water wetland, and providing the full range of habitat niches that will attract bird species that are at present reluctant to re-colonise the estuary foreshores.

## Replacement Walkway

25. An early project of the wetland restoration was the excavation of a moat around its northern boundary, and a public walkway was constructed along its northern bank specifically to provide for the public to walk around the reserve, with their dogs, and yet to be physically separated from it and prevented from causing disturbance to the wildlife by getting too close to roosting and nesting areas.
26. The new walkway over the new mounds alongside Bexley Road is under construction and was due to be completed in June 2005. Once completed it would provide a new walkway around the northern and western sides of the wetland, put in for the purpose of replacing the stopbank walkway with a path that overlooks but is separated from the wildlife area. Three new tracks are proposed, running in from its edges, leading to bird viewing hides. The partly constructed walkway already gives a good overview of the saltmarsh and is being used by the public as a vantage point for bird watching.



## OPTIONS

27. The Council can either:
  - (a) continue to implement the Bexley Wetland Development Plan, or
  - (b) carry out a public consultation exercise to gauge public support for an amendment to the Development Plan that would provide for the existing stopbank walkway to be retained.

## PREFERRED OPTION

28. The preferred option is to continue to implement the Bexley Wetland Development Plan.

**ASSESSMENT OF OPTIONS**

**Maintain The Status Quo (The Preferred Option)**

Continue with implementation of the Bexley Wetland Development Plan.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Walkers, joggers and dogs on leashes will get views over a large area of undisturbed wildlife habitat.	Instead of being able to walk through the middle of the wildlife areas, walkers, joggers and dogs on leashes will have to walk around one side of it.
<b>Cultural</b>	There will be a satisfactory completion of a project to replace a degraded industrial site into an estuarine wildlife habitat.	
<b>Environmental</b>	Restoration of undisturbed wildlife habitat.	
<b>Economic</b>	Viewing coastal wildlife is a tourist attraction. This experience will be optimised.	

**Extent to which community outcomes are achieved:**

Primary alignment with community outcome A Sustainable Natural Environment is achieved. Also contributes to A Well Governed City, A City of Healthy and Active People, A Cultural and Fun City, and A Liveable City.

**Impact on Council's capacity and responsibilities:**

It demonstrates consistency of decision making for the benefit of the wider community using a democratic, consultative process.

**Effects on Maori:**

Potential restoration of mahinga kai.

**Consistency with existing Council policies:**

Implementation of Bexley Wetland Development Plan.

**Views and preferences of persons affected or likely to have an interest:**

Those who value wildlife in the city can be expected to be supportive. Those who wish to have views to the mountains from the Bexley wetlands can be expected to object.

**Other relevant matters:**

## Option 2

Carry out a public consultation exercise to gauge public support for an amendment to the Development Plan that would provide for the existing stopbank walkway to be retained.

This table assesses the benefits and costs of retaining the walkway:

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Walkers, joggers and dogs on leashes will be able to go through the middle of the wildlife area and have views to the mountains.	Viewing of wildlife is likely to be reduced by disturbance caused by humans and dogs.
<b>Cultural</b>	Allowing humans and dogs on leashes to get close to wildlife could be said to improve the integration of people and nature.	However it is likely to result in less wildlife use of the wetland, since much of the wildlife would not want or tolerate such integration.
<b>Environmental</b>		Reduced value of wildlife habitat.
<b>Economic</b>		Reduced appeal of the area for wildlife tourism. Additional costs of new public consultation.
<p><b>Extent to which community outcomes are achieved:</b> None.</p> <p><b>Impact on Council's capacity and responsibilities:</b> Demonstrates Council preparedness to accept new information and community wishes.</p> <p><b>Effects on Maori:</b> Potential reduction of mahinga kai potential.</p> <p><b>Consistency with existing Council policies:</b> Implementation will require amendment of Bexley Wetland Development Plan to alter current policy.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b> Those who wish to have views to the mountains from the Bexley wetland can be expected to be supportive. Those who value wildlife in the city can be expected to object. (Dog walkers will be unaffected, since they will be able to use the replacement walkway)</p> <p><b>Other relevant matters:</b></p>		