

**BEFORE THE HEARING PANEL
APPOINTED BY KAPITI COAST DISTRICT COUNCIL**

IN THE MATTER OF | I TE TAKE O the Resource Management Act 1991
AND | ME

IN THE MATTER OF | I TE TAKE O Proposed Plan Change 5 (Private):
100 and 110 Te Moana Road,
Waikanae, Kāpiti Coast District

**STATEMENT OF EVIDENCE OF
DR GRAHAM USSHER
ON BEHALF OF ERIC, VINCE AND RAECHEL OSBORNE**

Dated 2 September 2026

Introduction

1. My full name is Graham Thomas Ussher.
2. I have prepared this Statement of Evidence regarding Private Plan Change 5 (**PC5**) to the Kapiti Coast District Plan, in relation to ecology matters.

Qualifications and experience

3. I am a Principal Ecologist at RMA Ecology Ltd, and have held that position for 10 years, since I established the company in 2016.
4. I hold the qualifications of Bachelor of Science (Zoology) (1993), Master of Science (Conservation Ecology) (1995) and Doctor of Philosophy (Conservation Management) (2000) from the University of Auckland, New Zealand.
5. I have over 33 years' experience in environmental research and consulting, with a particular focus on land-based ecology survey and assessment, and methods for providing improvements to indigenous biodiversity.
6. I founded RMA Ecology Ltd in 2016. In my role as principal ecologist, I have undertaken approximately 280 projects since 2016 (and around 120 projects as an ecologist prior to 2016) that have involved site assessment; impact evaluation; effects management design (including biodiversity offsetting and/or ecological compensation); management plan preparation, construction management, including lizard, fish and plant salvage and stream reconstruction; and ecological monitoring and reporting.
7. My project experience spans land development, infrastructure, power generation, resource extraction, water management, and roading sectors. My involvement in projects ranges from pre-purchase due diligence, preliminary / concept development design, precinct and private plan change assessments, resource consent applications, and construction supervision, implementation, monitoring and reporting.

Code of Conduct

8. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and confirm that I have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise, except where I have indicated that I am relying on others' opinions. I have not omitted material facts known to me that might alter or detract from my evidence.

Summary of work completed

9. My role in relation to the PC5 application to rezone land at 100 and 110 Te Moana Road, Waikanae ('**Application Site**') has been to provide advice in relation to ecology.
10. My assessment is based upon the description of the proposal in the PC 5 Plan Change Request.
11. In preparing this statement of evidence I have considered the following documents:
 - (a) the Plan Change request prepared and submitted by Ms Jones;
 - (b) submissions relevant to my area of expertise;
 - (c) planning provisions relevant to my area of expertise; and
 - (d) the section 42A report including supporting Technical Evidence of Mr Pickett;
12. I have been involved with this project since December 2023. My team and I at RMA Ecology Ltd undertook an initial assessment of the ecology values of the site in January 2024. We undertook subsequent site investigations over August 2024, and July 2025 to address matters raised by Kapiti Coast District Council ('**Council**') regarding wetland bird and wetland delineation matters.
13. To date I have not visited the Application Site but will do prior to the hearing. However, I have had an integral role in the design of the ecology surveys and assessments on the site, the placement and application of methods, interpretation of the site data, and discussions with those in my team who have written the ecological values and effects assessment reports. I authored most of the Request for Further Information (**RFI**) responses and provided information that has been otherwise requested by the Applicant on behalf of other parties.
14. As part of my involvement, I have reviewed hundreds of geo-located site photos, site maps and videos of the site over the course of the project. This type of site is one with which I am very familiar across New Zealand. For the Application Site, I have a very good appreciation of the environment, the values, the project footprint, the potential for adverse effects on ecology values, and a proportionate and appropriate response to managing potential effects. I have personal hands-on experience over many years with the tools that I and my team have recommended for managing potential effects prior to, during, and following the type of subdivision that may arise from PC5, and I am confident that these tools will be effective at avoiding or minimising adverse effects.
15. The technical documentation that RMA Ecology has prepared for PC5 includes:

(a) The **Ecological Effects Assessment Report**; dated April 2025; and

(b) The RFI response memorandum dated 23 July 2025 (**RFI Response**).

16. The methodologies used, the work conducted, and the conclusions reached are all as set out in the April 2025 report and the July 2025 RFI response.
17. Except as otherwise modified or updated as stated in this evidence, I **adopt** the Ecological Effects Assessment Report, and RFI response on ecology matters as my opinion for the purpose of this hearing.

Summary of opinion

1. Key ecological findings

18. The site is located at 100 & 110 Te Moana Road and is around 5.497 ha in area. It has an extensive history of farming and pine plantation forestry (recently harvested). The site is still occasionally grazed and maintained as pasture.
19. **Streams:** No natural streams are present. One 'highly modified stream' runs through the eastern and northern part of the Application Site through to the northern boundary. It was originally dug in the 1950s to drain the wetland for pasture conversion. Its state is poor-moderate, and may support native fish (eel, bully, kōkopu, etc., based on Waimeha Stream records). The creation of this watercourse has likely lowered local groundwater, contributing to conversion of the historic wetland flats to non-wetland pasture.
20. **Wetland:** A ca. 0.54 ha coastal ephemeral dune hollow wetland is part of the northern/north-western part of the site that is already protected under QEII covenant K068. The low-lying grazed areas that comprise most of the remainder of the Application Site do not qualify as a 'natural inland wetland' under the NPS-FM¹ as they function as pasture for most of the year. I consider that the pond, vegetated island and margins should be not classified as natural inland wetland, as the pond was artificially created/dug out for recreational amenity use (i.e. was 'deliberately constructed'). I do however consider the pond and wetland form the same management unit under the QEII covenant.
21. **Pond:** ~0.4 ha artificial pond, pre-1990, protected under the same QEII covenant as the wetland; excluded from natural inland wetland classification due to artificial origin.
22. **Terrestrial vegetation:** The site supports mostly exotic/modified vegetation (grazed pasture, mown grass, scrambling weedland, mixed exotic/native plantings). It was assessed against Regional Policy Statement significance criteria and was found not

¹ National Policy Statement- Fresh Water Management, refer definition at clause 3.21.

to meet thresholds for ecological significance (representativeness, rarity, diversity, or connectivity).

23. **Lizards:** No lizards or sign were observed during site surveys; potential habitat for northern grass skink and copper skink (being an area of rank weedland and mixed exotic /native shrubland on the northern side of the pond) was present, but has since been removed via recent clearing/planting works.
24. **Birds:** Only common, "Not Threatened" native and exotic species were recorded. Targeted playback surveys for bittern, fernbird, spotless/marsh crake, and banded rail within the wetland area returned no detections.
25. **Bats:** There are no records of bat activity at or near site and it is considered highly unlikely that bats use the site.

2. Effects and management

26. Any future development would be required to avoid the wetland/pond (with a 10 m setback maintained) under the NES-F², with potential watercourse realignment and restoration proposed along the northern boundary.
27. Key potential effects identified for future development include sediment discharge, dewatering of the wetland/effects on wetland hydrology through on-site earthworks /flood risk management, disturbance to wetland birds, and lizard injury/habitat loss.
28. Mitigation to avoid or manage potential adverse effects includes the implementation of standard erosion and sediment controls, stormwater management (hydraulic neutrality, mimicking natural hydrology), and wildlife management plans (fish relocation, lizard management).
29. The overall conclusion from the Ecological Effects Assessment Report is that no additional protection layers need to be added as part of PC5, and that with the NES-F and other regulatory requirements and recommended mitigations, residual adverse effects are expected to be no more than minor, with no anticipated need for biodiversity offsetting or compensation.

3. Requests for Further Information

30. The Requests for Further Information from Council south information on three matters:
 - (a) Classification of the paddocks in relation to natural inland wetland;

² National Environmental Standards for Freshwater.

(b) Presence of cooper skink on the site;

(c) Presence of NZ pipit on the site.

4. Wetland extent

31. Council's review (undertaken by Tonkin & Taylor Ltd) identified two areas that RMA Ecology did not classify as wetland: the pond and the main flat paddock area (most of the proposed developable area).
32. We undertook 19 new vegetation plots and soil cores in July 2025. These showed that:
 - All 20 plots (new + prior) fail the Prevalence Index test (all >3.0); no plot supports wetland vegetation.
 - No soil cores show clear hydric indicators (no concretions, no qualifying gleying/mottling in top 300 mm) within the three soil cores (P2, P9, P20) that were highlighted as possibly indicating a drained wetland rather than an active one.
 - Deeper soils (>400 mm) show hydric signs consistent with historic wetland; however, these do not count under the accepted wetland classification methodology (which only assesses upper soil horizons).
 - My overall conclusion is that the paddock areas were historically wetland but have been effectively drained long-term for farming and now qualify as pasture, not natural inland wetland.

5. Copper skink

33. The site's mown/wet pasture is unsuitable copper skink habitat. The areas around the pond have been cleared for planting and no longer support native lizard habitat.
34. Lizard survey/salvage is a resource consent matter, not a Plan Change matter, and planning for these activities, including lizard survey, salvage and relocation, is more appropriately left to the resource consent application stage.

6. NZ pipit

35. No pipit were detected across three site visits by RMA Ecology staff. Pasture is feeding habitat only, not nesting habitat.
36. If the Council has concerns regarding pipit and potential impacts if birds are present at the time of construction works, I recommend addressing this via a pre-clearance nest-check condition or seasonal timing restriction at resource consent stage.

Submissions

37. Two submissions raise ecological concerns with PC5.
38. The QEII National Trust (submitter 3) has concerns that future urbanisation, with the indicated housing construction plans, will bring new ecological threats to the area, along with other threats including dewatering of the wetland and pond, dewatering the wetland and adverse effects on fauna that live in the wetland.
39. Jill Bond (submitter 1) has concerns that PC5 will undermine ecological corridors and biodiversity values without transparent ecological assessment.
40. In response to the above submissions, I note that:
 - (a) The effects on ecology have been considered based on the existing environment, and our investigations have been appropriately detailed for a Plan Change assessment;
 - (b) Potential future threats to the wetland – whether by increased noise, people activity, or pets, or from construction works - will be addressed at the time of consenting through conditions of consent. There are conditions that have been applied to other development projects elsewhere locally to protect wetland values, including through requirements for erosion and sediment controls, stormwater treatment and discharge, controls on domestic pets, and landscaping to control people access and movements.
 - (c) As Mr Martell's and Mr Taylor's evidence will confirm, wetland hydrology and residual flow paths can be maintained following bulk earthworks (to create sufficiently elevated building platforms to address flooding impacts), and I consider that overall, the potential adverse effects on wetland hydrology will be minor.
41. Overall, I have confidence that the matters raised by the submitters can be appropriately addressed by applying existing standard practices, and that these can be comprehensively considered in a future resource consent design subdivision phase.

Section 42A Report

42. As noted above, I have read s 42A Report and supporting Technical Evidence from Mr Pickett.
43. The key issues raised in the Technical Evidence on ecology matters (as summarised at paragraph 12.77 of the s42A Report) are:
 - (a) The wetland boundary extends further than suggested in our assessment;
 - (b) The value of the wetland is 'high', and extends to the 'pond';

- (c) A 10 m planted buffer to the QEII wetland and pond is required to address uncertainty with wetland delineation, and also to address potential disturbance effects to wetland habitat due to future subdivision;
- (d) Pipit may utilise the site periodically and could be present within the site if grassland habitat is not managed; and
- (e) There is insufficient information provided in the Application about the effectiveness of proposed mitigation measures to avoid or mitigate potential effects on the wetland extent and values both during construction and following completion of the development.

44. However, the 42 A Report then records that:

‘Mr Pickett concludes that these potential effects are acceptable at the plan change level, but this is subject to the inclusion of a 10m planted buffer around the QEII wetland and pond. In Mr Pickett’s opinion, potential effects of future development on groundwater hydrology and subsequent loss of wetland value or extent can be managed through the resource consent process, noting the NRP, NPS-FM, and NES-F have sufficient provisions to assess future development proposals and consider potential adverse effects.’³

- 45. The S42A Report author (Kate Pascall) concludes that they are in agreement with Mr Pickett’s conclusions, and support including a 10 m planted buffer around the wetland and pond area, and that this buffer is shown on the structure plan map, and is supported by a plan provision.
- 46. I also support the inclusion of a 10 m planted visual screen (buffer) between the pond/ wetland and any new housing, if that is deemed necessary. In my opinion, the necessity of such a buffer, its width, and its composition should be assessed at the time of resource consents as that provides the necessary detail regarding housing densities, and proximity of human activities to the pond and wetland.
- 47. I expect that a future assessment at resource consent stage will conclude that a planted buffer of some sort is the most appropriate response to increased development adjoining the wetland and pond area, so I am also supportive if the Hearing Panel concludes that it is necessary to illustrate a buffer now on the Concept Plan referred to by Ms Jones.

Conclusion

- 48. The Application Site has an extensive history of farming and pine plantation forestry. Most of the site is still occasionally grazed and is maintained as pasture.
- 49. The ecological values of the Application Site are mainly concentrated around the QEII covenant area (K068) which includes pond and wetland areas, and the highly

³ I note that this statement in the s42A report appears consistent with Mr Pickett’s paragraphs 35 and 77 as to potential effects on the wetland in particular.

modified northern watercourse. NZ pipit and native lizards may use the site, although habitat is sparse and is of poor quality.

50. Through the ecological assessment and subsequent RFI and further information response process, key issues have been identified, which include the delineation of wetland across the site, the provision of a planted buffer to the wetland and pond, the classification of the modified watercourse, and the amount and quality of habitat for native lizards and birds.
51. Mr Pickett and the S42A Report author conclude that most of the above issues are matters that can be appropriately dealt with at a future resource consent stage.
52. The S42A Report recommends that a 10 m wide planted buffer to the QEII wetland and pond be added to the Structure Plan map, and a provision be added referring to this. In my opinion, I support a 10 m setback to earthworks/ development from the QEII wetland and pond, and I also support that such a buffer is planted to provide a visual screen and people movement constraint to the QEII wetland and pond; however, I consider that such detail on the matter of a buffer should be left to a future resource consent application.
53. Overall, the proposed Plan Change will result in potential adverse effects that are expected to be no more than minor. Potential adverse effects of a future resource consent application for subdivision can be managed using the standard suite of ecological tools, including pre-development surveys, wildlife salvage and relocation, stream restoration, and buffer planting using native plant species.



Dr Graham Thomas Ussher

2 September 2026