

APPENDIX 1 – BIRDS OF MANAWATU ESTUARY AND SURROUNDS

Derived from “New Zealand Birds Online” database (<http://nzbirdsonline.org.nz>) supplemented with Manawatu Estuary Trust (MET) records, “eBird” records and interpretation by Peter Frost (BirdsNZ/OSNZ Regional Representative) 2014.

Spoonbill. Photo: Paul Gibson



White-fronted tern. Photo: Paul Gibson



Common Name Species with Nationally	Scientific Name	NZ Birds on line records Manawatu Estuary –Foxton Beach	Notes
Critical Threat Status			
Grey duck	<i>Anas superciliosa</i>	Not noted	eBird "hotspot" record
White heron	<i>Ardea modesta</i>	Regular (non-breeding)	
Black-billed gull	<i>Larus bulleri</i>	Regular (non-breeding)	
Black stilt	<i>Himantopus novaezelandiae</i>	Vagrant	
Fairy tern	<i>Sternula nereis</i>	Vagrant	
Shore plover	<i>Thinornis novaeseelandiae</i>	Vagrant	
Endangered Threat Status			
Australasian bittern	<i>Botaurus poiciloptilus</i>	Vagrant	
Black-fronted tern	<i>Chlidonias albostratus</i>	Vagrant	
Reef heron	<i>Egretta sacra</i>	Vagrant	

Threatened Threat Status

Grey teal	<i>Anas gracilis</i>	Breeding
Australasian shoveler	<i>Anas rhynchotis</i>	Breeding
Shining cuckoo	<i>Chrysococcyx lucidus</i>	Breeding
Black swan	<i>Cygnus atratus</i>	Breeding
White-faced heron	<i>Egretta novaehollandiae</i>	Breeding
Grey warbler	<i>Gerygone igata</i>	Breeding
Welcome swallow	<i>Hirundo neoxena</i>	Breeding
Southern black-backed gull	<i>Larus dominicanus</i>	Breeding
Little shag	<i>Phalacrocorax melanoleucos</i>	Breeding
Pukeko	<i>Porphyrio melanotus</i>	Breeding
New Zealand fantail	<i>Rhipidura fuliginosa</i>	Breeding
Sacred kingfisher	<i>Todiramphus sanctus</i>	Breeding
Spur-winged plover	<i>Vanellus miles</i>	Breeding
Silvereye	<i>Zosterops lateralis</i>	Breeding
Swamp harrier	<i>Circus approximans</i>	Regular (non-breeding)
Australasian gannet	<i>Morus serrator</i>	Regular (non-breeding)
Paradise shelduck	<i>Tadorna variegata</i>	Regular (non-breeding)
Tui	<i>Prothemadera novaeseelandiae</i>	Vagrant
Spotted shag	<i>Stictocarbo punctatus</i>	Vagrant

Vulnerable Threat Status

Banded dotterel	<i>Charadrius bicinctus</i>	Breeding	
New Zealand dabchick	<i>Poliiocephalus rufopectus</i>	Not noted	eBird "hotspot" record
Lesser knot	<i>Calidris canutus</i>	Regular (non-breeding)	
Caspian tern	<i>Hydroprogne caspia</i>	Regular (non-breeding)	
Red-billed gull	<i>Larus novaehollandiae</i>	Regular (non-breeding)	
Pied shag	<i>Phalacrocorax varius</i>	Regular (non-breeding)	
New Zealand dotterel	<i>Charadrius obscurus</i>	Vagrant	

Declining Threat Status

Fernbird	<i>Bowdleria punctata</i>	Breeding	
Pied stilt	<i>Himantopus himantopus</i>	Breeding	
Little penguin	<i>Eudyptula minor</i>	Not noted	MET List
Shy albatross	<i>Thalassarche cauta</i>	Not noted	eBird "hotspot" record
New Zealand pipit	<i>Anthus novaeseelandiae</i>	Regular (non-breeding)	
South Island pied oystercatcher	<i>Haematopus finschi</i>	Regular (non-breeding)	
Bar-tailed godwit	<i>Limosa lapponica</i>	Regular (non-breeding)	
White-fronted tern	<i>Sterna striata</i>	Regular (non-breeding)	

Naturally Uncommon Species

Antarctic prion	<i>Pachyptila desolata</i>	Beach wreck	BirdingNZ record
Black shag	<i>Phalacrocorax carbo</i>	Breeding	
Little black shag	<i>Phalacrocorax sulcirostris</i>	Regular (non-breeding)	
Royal spoonbill	<i>Platalea regia</i>	Regular (non-breeding)	

Species with Relict Status

Fairy prion	<i>Pachyptila turtur</i>	Beach wreck	BirdingNZ record
Broad-billed prion	<i>Pachyptila vittata</i>	Beach wreck	BirdingNZ record
Spotless crane	<i>Porzana tabuensis</i>	Not noted	MET List
Fluttering shearwater	<i>Puffinus gavia</i>	Not noted	eBird "hotspot" record

Species with "Recovering" Status

Variable oystercatcher	<i>Haematopus unicolor</i>	Breeding	
Wrybill	<i>Anarhynchus frontalis</i>	Regular (non-breeding)	

Species with "Not Threatened" Status

Common diving petrel	<i>Pelecanoides urinatrix</i>	Beach wreck	BirdingNZ record
New Zealand scaup	<i>Aythya novaeseelandiae</i>	Not noted	eBird "hotspot" record

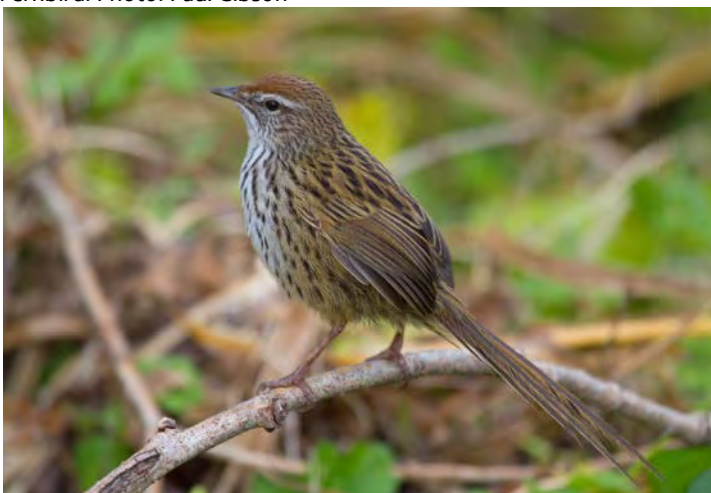
Migrant Species

Thin-billed prion	<i>Pachyptila belcheri</i>	Beach wreck	BirdingNZ record
Salvin's prion	<i>Pachyptila salvini</i>	Beach wreck	BirdingNZ record
Pomarine skua	<i>Stercorarius pomarinus</i>	Not noted	MET List
Ruddy turnstone	<i>Arenaria interpres</i>	Regular (non-breeding)	
Sharp-tailed sandpiper	<i>Calidris acuminata</i>	Regular (non-breeding)	
Red-necked stint	<i>Calidris ruficollis</i>	Regular (non-breeding)	
Pacific golden plover	<i>Pluvialis fulva</i>	Regular (non-breeding)	
Little tern	<i>Sternula albifrons</i>	Regular (non-breeding)	
Cattle egret	<i>Ardea ibis</i>	Vagrant	
Curlew sandpiper	<i>Calidris ferruginea</i>	Vagrant	
White-winged black tern	<i>Chlidonias leucopterus</i>	Vagrant	
Eastern curlew	<i>Numenius madagascariensis</i>	Vagrant	
Whimbrel	<i>Numenius phaeopus</i>	Vagrant	
Long-tailed skua	<i>Stercorarius longicaudus</i>	Vagrant	
Arctic skua	<i>Stercorarius parasiticus</i>	Vagrant	
Arctic tern	<i>Sterna paradisaea</i>	Vagrant	

Coloniser species

Black-fronted dotterel	<i>Elsyornis melanops</i>	Regular (non-breeding)	
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Fernbird. Photo: Paul Gibson



Black Shag. Photo: Paul Gibson



Vagrant species

White-eyed duck (Hardhead)	<i>Aythya australis</i>	Not noted	Recorded in Beachlands pond, Palmer Road (BirdingNZ)
Great knot	<i>Calidris tenuirostris</i>	Not noted	eBird "hotspot" record
Hudsonian godwit	<i>Limosa haemastica</i>	Not noted	eBird "hotspot" record
Black-tailed godwit	<i>Limosa limosa</i>	Not noted	MET List
Little whimbrel	<i>Numenius minutus</i>	Not noted	MET List
Grey plover	<i>Pluvialis squatarola</i>	Not noted	eBird "hotspot" record
Marsh sandpiper	<i>Tringa stagnatilis</i>	Not noted	BirdingNZ record
Chestnut teal	<i>Anas castanea</i>	Vagrant	
Fork-tailed swift	<i>Apus pacificus</i>	Vagrant	
Plumed egret	<i>Ardea intermedia</i>	Vagrant	
Sanderling	<i>Calidris alba</i>	Vagrant	
Baird's sandpiper	<i>Calidris bairdii</i>	Vagrant	
Pectoral sandpiper	<i>Calidris melanotos</i>	Vagrant	
Greater sand plover	<i>Charadrius leschenaultii</i>	Vagrant	
Lesser sand plover	<i>Charadrius mongolus</i>	Vagrant	
Little egret	<i>Egretta garzetta</i>	Vagrant	
Red-kneed dotterel	<i>Erythrogonys cinctus</i>	Vagrant	
Japanese snipe	<i>Gallinago hardwickii</i>	Vagrant	
Gull-billed tern	<i>Gelochelidon nilotica</i>	Vagrant	
Broad-billed sandpiper	<i>Limicola falcinellus</i>	Vagrant	
Wilson's phalarope	<i>Phalaropus tricolor</i>	Vagrant	
Glossy ibis	<i>Plegadis falcinellus</i>	Vagrant	
Crested tern	<i>Sterna bergii</i>	Vagrant	
Common tern	<i>Sterna hirundo</i>	Vagrant	
Brown booby	<i>Sula leucogaster</i>	Vagrant	
Chestnut-breasted shelduck	<i>Tadorna tadornoides</i>	Vagrant	
White ibis	<i>Threskiornis molucca</i>	Vagrant	
Grey-tailed tattler	<i>Tringa brevipes</i>	Vagrant	
Terek sandpiper	<i>Tringa cinerea</i>	Vagrant	
Common greenshank	<i>Tringa nebularia</i>	Vagrant	

Introduced and naturalised Species

Eurasian skylark	<i>Alauda arvensis</i>	Breeding	
Mallard	<i>Anas platyrhynchos</i>	Breeding	
Greylag goose	<i>Anser anser</i>	Breeding	
Canada goose	<i>Branta canadensis</i>	Breeding	
European goldfinch	<i>Carduelis carduelis</i>	Breeding	
European greenfinch	<i>Carduelis chloris</i>	Breeding	
Common redpoll	<i>Carduelis flammea</i>	Breeding	
Yellowhammer	<i>Emberiza citrinella</i>	Breeding	
Chaffinch	<i>Fringilla coelebs</i>	Breeding	
Australian magpie	<i>Gymnorhina tibicen</i>	Breeding	
Wild turkey	<i>Meleagris gallopavo</i>	Breeding	
House sparrow	<i>Passer domesticus</i>	Breeding	
Common pheasant	<i>Phasianus colchicus</i>	Breeding	
Dunnock	<i>Prunella modularis</i>	Breeding	
Common starling	<i>Sturnus vulgaris</i>	Breeding	
Eurasian blackbird	<i>Turdus merula</i>	Breeding	
Song thrush	<i>Turdus philomelos</i>	Breeding	
California quail	<i>Callipepla californica</i>	Not noted	eBird "hotspot" record
Rock pigeon	<i>Columba livia</i>	Regular (non-breeding)	

Godwit. Photo: Paul Gibson



Banded dotterel. Photo: Paul Gibson



Stilts. Photo: Paul Gibson



APPENDIX 2 – TANGATA WHENUA AND THE MANAWATU ESTUARY

This document addresses the legislation which makes reference to the rights of Tangata Whenua (local Iwi) with regards to the management of the Manawatū Estuary.

Treaty of Waitangi

Constitutional Foundations

The Treaty of Waitangi is an agreement made between the British Crown and Māori Chiefs in 1840. It enabled the Crown to establish a government in New Zealand and confirmed to Māori the right to continue to exercise Rangatiratanga (Chieftainship). As such, the Treaty is generally regarded as New Zealand's founding document, with the Crown and Tangata Whenua as partners of the Treaty. Today New Zealand legislation gives effect to the Treaty, by reference to "Principles for Crown Action on the Treaty of Waitangi" published by the Government in 1989.

Treaty settlements

Treaty settlements have helped remedy breaches of the Treaty by the Crown. Settlements typically consist of an account of the breach and an apology, and cultural and commercial redress. The terms of each settlement are negotiated by the Government and the claimant group. The settlement terms must be agreed to by Parliament in legislation. The Manawatū Estuary will be subject to Iwi identifying cultural associations to those sites.

The Resource Management Act 1991

Overview

The Resource Management Act 1991 (RMA) is noted by Senior Law specialist (Jacinta Ruru (2013) as Aotearoa New Zealand's pre-eminent natural resources statute. It puts forward an all-encompassing regime for the sustainable management of land, air and water. Central government retains some responsibility to influence this regime, primarily through setting national environmental standards, national policy standards and New Zealand coastal policy statements.

The RMA directs local authorities to recognise the Maori relationship with water, in formulating district and regional plan rules, and issuing resource consents. Section 6(e) mandates that all persons exercising functions and powers in relation to managing the use, development, and protection of natural and physical resources must recognise and provide for matters of national importance, including the relationship of Maori and their culture and traditions with water.

Sections of the RMA relate to Maori as follows:

Section 6 - Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- (f) the protection of historic heritage from inappropriate subdivision, use, and development.
- (g) the protection of recognised customary activities.

Part 2 (Purpose and Principles), Sections 7 and 8

Section 7(a) of the RMA directs that all persons exercising functions and powers in relation to managing the use, development, and protection of natural and physical resources. It states that they shall have particular regard to kaitiakitanga (the exercise of guardianship by Maori).

Section 8 is labelled treaty of Waitangi, and states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Conclusion

Sections 6(e), 7(a) and 8 provide a strong base for Maori to voice their concerns relating to the use of freshwater. In addition, several other sections in the RMA create mandatory requirements on local authorities to listen to Maori. For example, in 2003, the RMA was amended to direct that a regional council, when preparing or changing a regional policy statement, must take into account any relevant planning document recognised by an iwi authority, and lodged with the council, to the extent that its content has a bearing on resource management issues of the region.

Section 62(1)(b) directs that a regional policy statement must state the resource management issues of significance to iwi authorities in the region. Moreover, since 2005, all local authorities must keep and maintain, for each iwi and hapu within its region or district, a record of:

- (a) the contact details of each iwi authority within the region or district and any groups within the region or district that represent hapu for the purposes of this Act; and
- (b) the planning documents that are recognised by each iwi authority and lodged with the local authority; and
- (c) any area of the region or district over which 1 or more iwi or hapu exercise kaitiakitanga.

The RMA also provides for some substantial possibilities for Maori to be more actively involved in the governance of natural resources, including water. For example, the RMA empowers a local authority to transfer any one or more of its functions, powers, or duties to any iwi authority.

The RMA also enables a local authority to make a joint management agreement with an iwi authority and group that represents hapu for the purposes of the RMA.

National Policy Statement: Freshwater Management 2011 – Tāngata whenua roles and interests.

Objective D1

- To provide for the involvement of iwi and hapū, and to ensure that tāngata whenua values and interest are identified and reflected in the management of freshwater including associated ecosystems, and decision-making regarding freshwater planning, including how all other objectives of this national policy statement are given effect to.

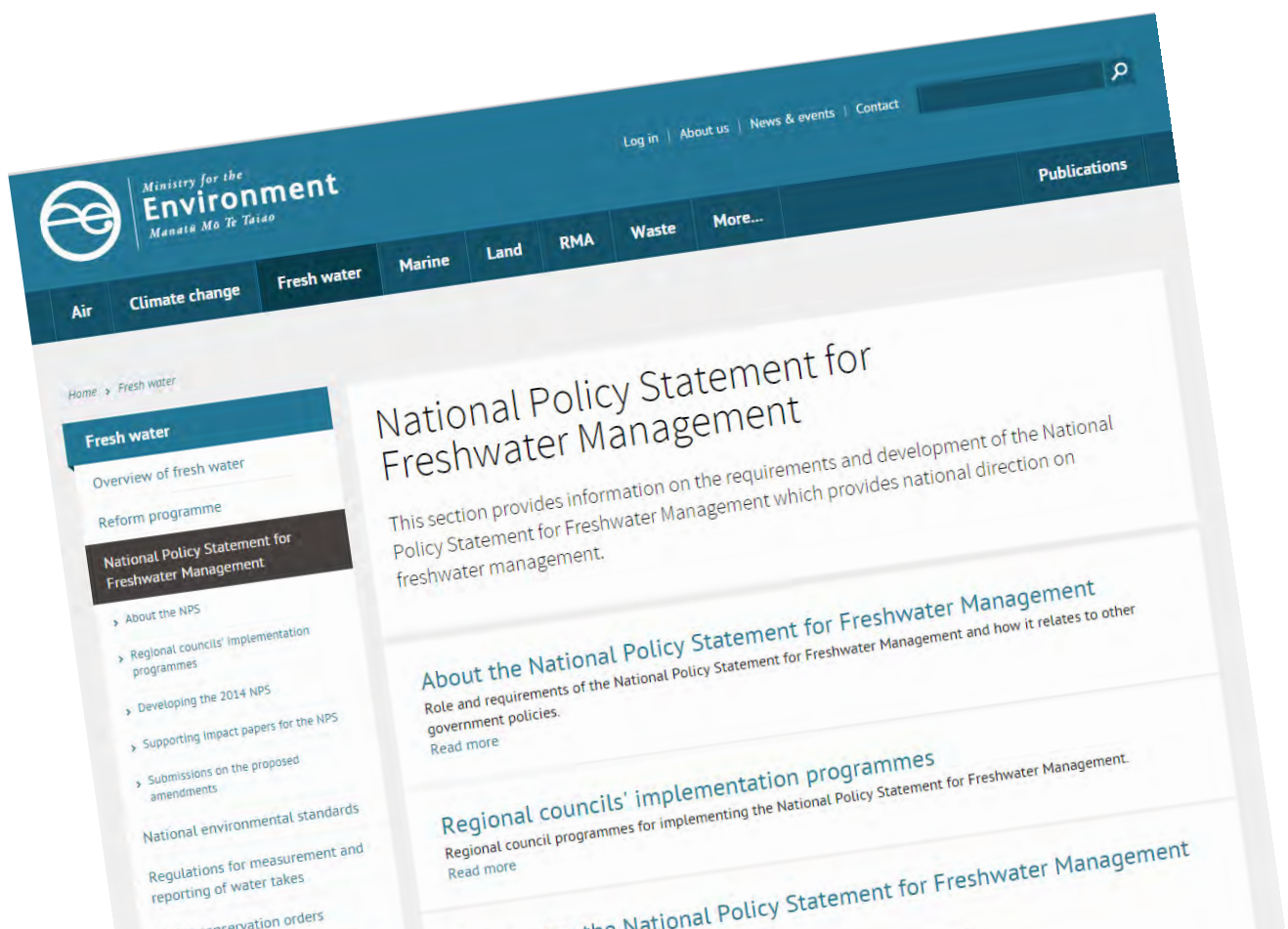
Policy D1 – Local authorities shall take reasonable steps to:

- A) Involve iwi and hapū in the management of freshwater and freshwater ecosystems in the region,
- B) Work with iwi and hapū to identify tāngata whenua values and interests in the management of, and decision-making regarding, freshwater and freshwater ecosystems in the region.

- C) Reflect tāngata whenua values and interest in the management of, and decision-making regarding, freshwater and freshwater ecosystems in the region.

Objective 3

- To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environments by:
- Recognising the ongoing and enduring relationship of tangata whenua over lands, rohe and resources;
- Promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;
- Incorporating mātauranga Māori into sustainable management practices; and
- Recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.



APPENDIX 3 – STAKEHOLDER AND COMMUNITY INVOLVEMENT

Treaty partners

Hapu and Iwi associated to the Manawatū estuary, currently Ahi Kaa marae of Ngati Raukawa, and iwi who had previous associations to the Manawatū Estuary, Muaupoko and Rangitane.

Private Landowners

A small part of the northeastern end of the estuary is in private ownership. This is part of the “fernbird area” identified by Ravine (1992). This land is designated as “rural” under the Horowhenua District Plan and can be used for grazing. Currently they allow limited access to conservation managers, duck shooters and interested groups. While both the District Plan and Regional Coastal Plan limit what activities landowners may undertake in this area, it is legal to graze it with stock.

Forest Owners/Lesseees

The entire south boundary of the Manawatū Estuary Ramsar Site is Crown Land under a long-term lease to a private forestry company for production forestry. No adverse effects of this operation have been currently identified in terms of management of the estuary. However, the lessees do control access to a large part of the estuary. They also have fire control responsibilities which may affect small areas of shrubland on the edge of the proposed management area. Although pine forests are known to extract water from catchments by lowering water tables (Cromarty and Scott, 1996). Management of this forest is not expected to change in the near future.

Other Groups with an Interest in the Estuary

Many community groups have a direct interest in the area and would like to be involved in the co-ordination of activities within the estuary. The regulations governing the estuary are set by Horizons Regional Council, Horowhenua District Council and the Department of Conservation.

The Manawatū Estuary Trust was formed by members of The Royal Forest and Bird Protection Society of New Zealand, Inc. and The Ornithological Society of New Zealand. It now has members from several different bodies with an interest in the Manawatū Estuary. The Trust supported the Royal Forest and Bird Protection Society’s application to list the Manawatū Estuary under the Ramsar Convention. It has accepted responsibility for carrying out various tasks, such as public education, advocacy, preparation of this management plan, coordination between public authorities, interest groups and the community, fundraising and construction of information signs.

The Ornithological Society of New Zealand has a long history of counting, monitoring and studying birds within the estuary. Their records are the only long-term database of bird species and population trends for the estuary.

The Royal Forest and Bird Protection Society of New Zealand, Inc. has an interest in conservation in New Zealand. They have been an effective lobby group for many years. As well as this, members actively participate in conservation projects of many types having particular skills in bird and plant identification and conservation. They have been, and continue to be, active in advocating for protection of the Manawatū Estuary.

The River Users Advisory group, under the harbour master, regulate boat use within the estuary. This can have a direct impact on certain, sensitive bird species and is important for effective management of the estuary. Noise issues are policed by wardens, appointed by the harbour master.

The Manawatū Marine Boating Club own large clubrooms on the wharf. They have a large membership which is active within the estuary waters.

The Foxton Community Board provides a communication path, particularly between residents of Foxton Beach Township and the Horowhenua District Council. This may, from time to time, relate to issues relevant to management of the estuary.

Local beach wardens, Police and vehicle organisations have an influence on certain issues within the Manawatū Estuary (particularly vehicle use in the dune area), without necessarily being directly involved in management. It is anticipated that these groups will be consulted from time to time.



APPENDIX 4 – LEGISLATION AND RESPONSIBILITIES OF ORGANISATIONS LINKED TO THE RAMSAR SITE

The following is a brief description of broad responsibilities and legislation that is applicable to the Ramsar Site, as compiled in July 2014.

The Department of Conservation

Responsibilities:

The Department of Conservation administers a 25 ha block within the Manawatū Estuary (Foxton Conservation Area, Conservation Unit 70067 in Department of Conservation 1997) and a strip of land reserved from sale under Section 58 of the Land Act 1948 (Manawatū River Marginal Strip, Conservation Unit S24502 in Department of Conservation 1996) under the Conservation Act 1987, as well as the 41 hectare Foxton Harbour Local Purpose Reserve (Conservation Unit 70848 in Department of Conservation 1997).

Legislation:

As a government department, the Department of Conservation (DOC) is subject to laws passed by Parliament. The Department was formed in 1987 when the Conservation Act was passed to integrate conservation management functions. This Act sets out the majority of the Department's responsibilities and roles.

There is also specific legislation for such things as wildlife, reserves and national parks. The Department of Conservation administers 25 Acts of Parliament and has functions under several others.

The Department of Conservation is the administering agency for the Ramsar Convention on Wetlands of International Importance in New Zealand.

Horizons Regional Council

Responsibilities:

The role and responsibilities of Horizons Regional Council are prescribed by the Resource Management Act 1991.

The principal document detailing Horizons' approach to matters relating to protecting estuary values, which include the Manawatū Estuary is the One Plan, which supersedes previous regional plans and policy statements.

Under the One Plan, the regional council is responsible for granting and monitoring of resource consents for regulating activities such as takes and discharges, and activities that impact on sand or soil stability. The One Plan also lists among the non-regulatory methods for biodiversity protection, a method for protecting and enhancing 100 of the highest priority wetlands in the region, of which the Manawatū Estuary is one.

Horizons also has a regulatory role in the management of pests and weeds under the Biosecurity Act 1993 and associated National Policy Direction for pest management. In this role, Horizons could strategically plan for integrated pest management in and around the estuary, using a regulatory approach, if that was deemed appropriate by all stakeholders involved. At present, Horizons engages with partners to undertake pest control on the estuary in line with the One Plan, and not regulated under the Biosecurity Act.

Horizons also maintains stopbanks and other flood protection works, and soil conservation works in the Manawatū River headwaters.

Like DOC, Horizons is a signatory to the Manawatū River Leaders' Accord which is a non-statutory document detailing how the leaders of community, industry, science, conservation, and resource management will work together to improve the water quality of the Manawatū River.

Legislation:

Resource Management Act 1991.

The Manawatū River and Tributaries Navigation and Safety Bylaw 2010; read in conjunction with Marine Rule Part 91 – Navigation Safety Rule Biosecurity Act 1993

The Ministry for Primary Industries**Responsibilities:**

The Ministry for Primary Industries is responsible for setting sustainable catches for recreational, commercial and customary fishing. Many fish species are managed under the Quota Management System in New Zealand.

Legislation:

The Ministry for Primary Industries is responsible for administering the Fisheries Act 1996.

The Horowhenua District Council**Responsibilities:**

The Horowhenua District Council is the territorial authority for the Manawatū Estuary. It specifically administers the sand dune area and esplanade reserves and road along the north side of the estuary. The purpose of the Horowhenua District Plan (1988) (District Plan), is to promote sustainable management of natural and physical resources.

Section 3.1 of the District Plan seeks to protect significant natural features from inappropriate subdivision, use and development. The District Plan lists the estuary as a significant natural feature. Objective 4 of this section charges that the council

“avoid, remedy and mitigate adverse effects of activities on landscapes, natural habitats, indigenous vegetation and wetlands of ecological significance to the district”.

Sec 5.2 of the District Plan prescribes protection of the natural character of the coastal environment, which also includes part of the estuary.

Policy 6.4 prescribes protection of native wildlife habitats, which includes the Manawatū Estuary.

Section 11; Issue 27 -charges the council to take into account the effects that

“activities on the surface can have on intrinsic ecological or natural habitat values of lakes, rivers and margins”.

The mechanism of these requirements is both through council activities on land it directly administers and through the resource consent process for activities in other areas.

Legislation:

The Horowhenua District Council operates under the Horowhenua District Plan (1998), prepared in accordance with Part V of the Resource Management Act 1991.

Fish and Game

Fish & Game NZ is responsible under the Wildlife Act 1953 for management of waterfowl shooting and, under the Freshwater Fisheries Regulations 1983, for the fishing of some species. The only fish species under their control which has been recorded from the estuary is brown trout. This species is not generally targeted by local fishermen. The Manawatū Estuary does support many species of waterfowl that may be legally shot in season. Fish and Game monitor and regulate hunting of these species.