Drury Metropolitan Centre Fast-track

Auckland Council Specialist Memo

Annexure 10:

Ecology

Jason Smith

11 August 2025

Ecology Memo

Prepared by: Jason Smith, Consultant Ecologist to Earth, Streams & Trees Team and Ecological Advice Team, Auckland Council
Date: 11 August 2025

Qualifications and Relevant Experience

1. I hold the qualification(s) of Bachelor of Science in Geography and Bachelor of Science (Hons.) in Geography and have 12 years professional experience, with 10 years of experience in providing technical assessments and peer reviews in relation to ecology and freshwater ecology matters. I am a full member of both the New Zealand Freshwater Science Society and the Environment Institute of Australia and New Zealand Inc. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications, and have appeared as an expert witness before consent authorities on multiple occasions, and the Environment Court once.

Code of Conduct

2. I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (**Code**), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Specialist Assessment

3. From an ecology perspective (Auckland unitary Plan chapters E3 and E15, as well as the National Environmental Standards for Freshwater) I have reviewed the application for FTAA-2502-1039 BUN60447430.

4. Of particular relevance to this assessment are:
   - *Drury Metropolitan Centre Stage 1 and 2 Fast Track Approval Application Assessment of Environmental Effects and Statutory Analysis,* report prepared by Barkers & Associates, dated 25 March 2025 (**AEE**).
   - *Drury Metropolitan Centre Stage 2 Ecological Impact Assessment,* report prepared by Tonkin & Taylor, dated 26 March 2025 (**EcIA**).
   - *Response s67 further information memorandum recommended by Auckland Council,* memorandum prepared by Barkers & Associates, dated 24 Jul 2025 (**s67 Response).**

5. I have visited the site as part of the processing of the Private Plan Change 48 Drury Centre (now operative). I have also been engaged by Auckland Council in reviewing several subsequent resource consent applications and compliance monitoring reports in relation to

the wider site/development. I also attended the Auckland Council facilitated site visit on 18/07/25.

6. Section 3 of the EcIA outlines the methods used. The EcIA has adopted the Environment Institute of Australia and New Zealand's *Ecological Impact Assessment (EcIA) EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems* framework. I consider this guidance to be the industry standard for preparing EcIAs. The field methods and databases used by the applicant's ecologists are aligned with best practice, and are appropriate for the ecological attributes that could be present.

7. The level of effort expended is consistent with what would be expected from an application of this nature. I generally concur with the EcIA's interpretation of the data presented. I accept the watercourse (stream and wetland) classifications, description of the terrestrial vegetation community, and the fauna communities (both terrestrial and freshwater) that are likely present. I consider that the applicant's ecologists have correctly applied the EIANZ guideline to derive the current ecological value. I consider this a transparent and robust assessment (summarised in Table 4.4 of the EcIA).

8. Through the s67 'information gaps' response, the applicant has provided the location of the survey points used to classify and delineate the Stream A Wetland and supplied the Stream Ecological Valuation (SEV) calculations in Microsoft excel format. Having been to site, I consider the Stream A Wetland delineation accurate. The SEV calculations provided have the stream A potential value (SEVi-P) as 0.65 (excluding the biotic indicators, which is appropriate). However, this is reported in the EcIA as 0.53. The reason for the difference is noted in Appendix E of the EcIA 'SEV Modelling Assumptions'.

9. A reduction has been applied to account for the riparian planting already required under the precinct plan. Whilst I consider that there are more transparent ways to present this information, I consider the values reported by the applicant to be within the range that would be anticipated for these streams. Section 5 of the EcIA describes the potential ecological effects. I consider that the applicant's ecologists have appropriate considered the potential impacts and assessed the magnitude of those impacts to derive a level of effect in a manner consistent with the EIANZ guidelines.

10. For most impacts, the applicant ecologist identifies measures that would appropriately manage the effects. There are, however, exceptions regarding the works to the stream and the wetland.

11. The EcIA recognises that there are still residual adverse effects from the proposed reclamations that are not fully addressed (offset or compensated for). The EcIA provides a summary of the short fall in section 5.2.4.1 (paragraph titled Quantification of ecological benefits) and in section 5.2.4.2.

12. For the Stream A reclamation, there is approximately 48 m^2 for which the ecological value proposed to be lost has not been addressed. To determine how much offset is required to achieve no net loss of ecological value, requires an offset stream that can be enhanced. For transparency, if the applicant was to be able to find a suitable stream elsewhere of a similar ecological value to Stream A (SEVm-C = 0.41), that could be improved to a similar level of ecological function (quantified as SEVm-P = 0.52 in the SEV method), the ECR would be 7.23. An ECR of 7.23 means that a further 347 m^2 of stream bed area would need to be enhanced to achieve no net loss of ecological value.

13. There would be a loss of the Stream A Wetland, extent and value, through the proposed reclamation (2,172 m^2 of 'Stream A Wetland'). No effects management is proposed to address the residual adverse effect of loss in wetland extent nor value. For the Wetland reclamation, the EcIA has an overall level of effect as 'Moderate'. The EIANZ guidelines provide the following interpretation guidance of a Moderate adverse effects:

    > *Options in the 'High and Moderate adverse' category represent a level of effect that requires careful assessment and analysis of the individual case. Such an effect could be managed through avoidance, design, or extensive offset or compensation actions. Wherever adverse effects cannot be avoided, no net loss of biodiversity values would be appropriate.* (EIANZ, page 84).

14. There is also uncertainty as to the effects that could arise from the modification of the catchment to Wetland 1. The size of the contributing catchment of Wetland 1 is expected to be reduced by 50%. The applicant's ecologist has ascribed this as ranging from a 'low', up to a 'moderate' magnitude of effect. The applicants' effects assessment is focused on the area of the wetland changing as a result of the reduced surface water inputs. However, there is no assessment if sufficient hydrology would remain to retain a wetland in this location permanently, or the duration throughout the year suitable hydrology would be retained. I consider then that this is an underreported effect and not to be adequately managed.

15. For terrestrial ecology effects, the EcIA recognises the potential for harm, disturbance and loss of habitat for native fauna. The EcIA notes that the management plans have already been prepared for birds, bats, and lizards; and these have been provided as part of the application material as part of the draft Ecological Management Plan (**EMP**). I consider that the methods within the EMP align with best practice for an application of this nature given the ecological values potentially present.

16. Overall, I consider that the ecological attributes and effects have been accurately described. Other than the effects from the changes to the wetland hydrology, the potential effects are clearly articulated. To be clear, there will be a net loss of both stream and wetland extent and values.

17. Therefore, I am **unable to support the application** as currently proposed as there is an uncertain level of residual adverse effect that remains.

Comment on Proposed Conditions

18. The applicant has provided consent conditions as Appendix 5 in the application material.

19. The section titled A: Land-use Consent contains ecology-related conditions (numbered 21-23) and streamwork-specific conditions (numbered 75 – 77). I comment as follows:

Applicant's numbering	**Assessment**
23	Sub-part c, should be updated to include reference to fish.
75 - 77	These conditions are requiring the nominated activities to be undertaken as permitted activities through complying with the permitted activity standards associated with the permitted activity rules in Chapter E3 of the AUP. This is not of particular concern. The risk remains with the applicant to comply with this consent condition. I cannot find it detailed in the application material, but I would advise the length of the riprap on the outfall from the proposed stormwater treatment wetland (Wetland 2-1) be checked to ensure it complies with the relevant standard.

20. Freshwater ecology-specific conditions can also be found in D: Streamworks Consent, I comment as follows:

Applicant's numbering	**Assessment**
26	NIWA 2018 fish passage guidance has been superseded by a 2024 revision
27	Support the intention to not provide fish passage; however, it seems unnecessary to deliberately require fish be excluded from entering the stormwater management device.
31	Recommendation that the completion report must be submitted by the suitably qualified and experienced freshwater ecologist and the fluvial geomorphologist/engineer.

21. Although it would not be the preferred course of action, if the Panel was minded to grant consent, then I would encourage them to consider a condition requiring the residual adverse effects from the stream and wetland reclamations to be addressed. The following word comes from standard conditions provided by Auckland Council:

X1. Before commencing any streamworks authorised by the granting of this resource consent, the consent holder shall provide for the certification Council a final Streamworks Environmental Effects Management Plan (SEEMP). The purpose of the SEEMP is to provide

for the residual adverse effects arising from the approved development on streams and wetlands that are not adequately addressed on site.

This report must include finalised details of the works to be carried out, including but not limited to the following:

a. Plans showing any riparian planting to be carried out, including a list of species, numbers to be planted, their common and botanical names, method of planting, planting locations and densities (plans in A3 format);

b. Riparian planting shall be undertaken in accordance with the Auckland Unitary Plan Appendix 16 guidance, as well as, Auckland Council publication *Te Haumanu Taiao;*

c. Details of any works to be undertaken within the stream(s)/wetlands to improve habitat;

d. Calculations, in an appropriately recognised methodology, to confirm that the proposed actions are sufficient to address all of the residual adverse effects;

e. An assessment against the relevant policy provisions in the Auckland Unitary Plan (Policy E3.3.4 and Appendix 8), as well as the National Policy Statement for Freshwater Management (Appendix 7 and 8).

f. Details regarding timing of works and techniques of weed and plant management measures for a period of no less than 5 years or until canopy closure within the mitigation site(s);

g. Details of the timing with regard to staging relative to the works undertaken at the impact site;

h. Confirmation the works will be protected in perpetuity and/or vested to Auckland Council; and

X2. All works required by the certified final Streamworks Environmental Effects Management Plan (SEEMP) must undertaken and maintained in accordance with the approved SEEMP.

Any riparian planting required by the streamworks environmental compensation plan, shall be undertaken by the first planting season (generally April until September).

X3. Written confirmation shall be provided to Auckland Council, within 20 days of the practical completion of the works required by the certified final Streamworks Environmental Effects Management Plan (SEEMP) confirming that all works have been completed in accordance with the SEEMP.