

Your Comment on the Drury Quarry Expansion – Sutton Block application

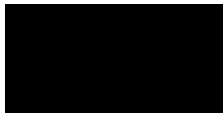
Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at substantive@fastrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Department of Conservation		
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Email	fast-track@doc.govt.nz and		

2. We will email you draft conditions of consent for your comment			
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3. Please provide your comments on this application
Please find comments attached

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.



Jenni Fitzgerald

Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 24/09/2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Comments on a fast-track consenting application

Fast-track Approvals Act 2024 section 53

To: The Expert Panel

From: Director-General of Conservation

Regarding fast-track project: Drury Quarry Expansion - Sutton Block

Fast track Reference: FTAA-2503-1037

1 Overview

- 1.1 Stevenson Aggregates Ltd ('SAL' or 'the Applicant') proposes to develop in stages a new quarry with a maximum pit depth of 60 metres over a 50-year period at their existing Drury quarry site in South Auckland. The new quarry is to be serviced using existing infrastructure and facilities, and the land is owned by the Applicant.
- 1.2 Approvals are sought in relation the Resource Management Act 1991 (RMA), Wildlife Act 1953, and Heritage New Zealand Pouhere Taonga 2014.
- 1.3 In accordance with sections 53(2)(k) and 53(2)(m)(i) of the Act, the Director-General of Conservation (D-G) has been invited to comment on the substantive application. Statutory delegations are in place for the Department of Conservation (DOC / the Department) to provide commentary on behalf of the D-G.

2 Department of Conservation advice

- 2.1 Overall, the Department has some concerns about the requirements for proposed management plans and the need for other statutory approvals which have not been assessed.
- 2.2 The Applicant has not applied for a complex freshwater fisheries approval as part of their Fast-track application. As such, compliance with the Freshwater Fisheries Regulations 1983 may need to be assessed and relevant authorisation sought outside of the Fast-track process.
- 2.3 The Department's remaining concerns relate to ensuring the proposed ecology offset measures are robust and able to deliver their intended net gain outcome under clear and enforceable conditions.
- 2.4 Subject to the above the Department considers the effects of the proposed activities will be appropriately managed.

3 Assessment

- 3.1 DOC's assessment has been confined to consideration of any other approvals that may be required, any inconsistencies arising between the wildlife approval and the resource consent, and the ecological effects of the proposal. Accordingly, DOC has not commented on the application's consistency with the wider statutory framework.

Complex Freshwater Fisheries activity

- 3.2 The Applicant has not applied for a complex freshwater fisheries approval and has not assessed whether one is required.
- 3.3 A complex freshwater fisheries activity is defined under the Act to be:

complex freshwater fisheries activity means an activity that includes construction of any of the following:

- a. a culvert or ford that permanently blocks fish passage;
- b. a permanent dam or diversion structure
- c. works—
 - i. that require disturbance to a water body, including diversions, in-stream operations, and removal of gravel, that persists for more than 3 months; or
 - ii. that are within 500 m of the coast and occur during the whitebaiting season; or
 - iii. that are in an area known to be used for trout, salmon, or native fish spawning and occur during the spawning season; or
 - iv. that require repeated disturbance to a water body and are temporary works for which there is a period of 6 months or less between each period of work.

- 3.4 The AEE for the application states that the Sutton pit will result in the total loss of 3,341 m of stream extent and 115 m of stream diversion.
- 3.5 The Department's assessment is that any permanent diversion of streams meets the definition of a complex freshwater fisheries activity if the diversion of the stream requires the construction of a dam or diversion structure (clause (b) of the definition) to stop the stream flowing in its current course.
- 3.6 In addition, any stream diversion persisting for more than three months would also be considered a complex freshwater fisheries activity (clause (c)(i) of the definition).
- 3.7 The Applicant should assess whether a complex freshwater activity approval is required.

Request for Information – Ecology

- 3.8 It is noted from Minute 2, dated 17 September 2025, the Panel have issued a section 67 further information request on ecological matters (RFI 2). The Applicant's response is due 1 October 2025, after these comments have been lodged. The Department has identified many of the information gaps raised by the Panel in its own assessment of the application.
- 3.9 DOC also notes that the applicant has provided updated documents in response to matters raised by Auckland Council. These are dated 17 September 2025 however were only published on the EPA website on 24 September 2025.
- 3.10 DOC would welcome the opportunity to provide feedback on the information provided by the Applicant, if the Panel so directs in accordance with section 67(5) of the Act.
- 3.11 It is noted that the relevant assessments¹ currently available identify that the project will have significant adverse residual effects on terrestrial, wetland and freshwater extent and ecological values, without offset or compensation measures.
- 3.12 In response, the Applicant has designed a package of biodiversity offsets that seek to achieve a net gain, or at minimum no net loss of ecological extent and values.
- 3.13 Should this outcome be attained, the Department's position is that the proposal will appropriately manage its ecological effects, subject to appropriate consent and wildlife approval conditions.
- 3.14 It is therefore critical that the net gain outcome can realistically be delivered under clear and enforceable conditions. To that end, DOC's comments focus on issues arising from the proposed consent conditions to ensure implementation of the technical recommendations, monitoring, and where necessary, intervention thresholds.

Effects Management Hierarchy

- 3.15 In a general sense, the assessment of effects, and effects management hierarchy has been applied in accordance with good practice. Comments below highlight where this could have been improved. Attempts to avoid adverse effects (in accordance with the first step in the hierarchy) is evident to an extent, for example, some effort has been made to avoid adverse impacts (e.g. Kaarearea Paa) and measures are proposed to minimise adverse effects.

Existing Consents and Mitigation

- 3.16 At 6.9 of its 25 August 2025 Memorandum, the Applicant explains it has obtained a variation to existing consents to enable relocation of mitigation planting required by previous consent (Northern Expansions Planting) away from the proposed haul road on the western side of

¹ Drury Quarry Expansion – Sutton Block – Technical Reports - Ecology documents guide and overview of effects and management package. Appendices A – H.

Kaarearea Paa, so that this planting will not be impacted by the new quarry. The Applicant also clarifies that this planting will not be counted in offsets for this application (to avoid double counting). The Department seeks clarification that all previous mitigation planting and other mitigation will be avoided. If necessary, conditions should specify any such areas to be avoided. Offsets required under other consents should not be counted as part of this application.

Rock Forest

- 3.17 An area (0.65 ha) of rock forest on volcanic boulder is proposed to be removed. Greater justification of this removal should be provided. This is a naturally rare and endangered habitat, a status which indicates both a high conservation concern and a potential limit to the ability to offset. The suitability of offsetting assessment for this habitat undertaken by Biosearches appears to have excluded consideration of this forest type (focusing instead on pūriri forest). Further, it is unclear whether the confidence in restoration techniques for this vegetation is based on previous success in creating rock forest, or known outcomes from similar, but non-specified forest types. Further information as to why the rock forest could not be avoided and is able to be offset with a sufficiently high degree of certainty is required.

Offset measures generally

- 3.18 The biodiversity offset accounting model (BOAM) has been appropriately used to evaluate the ecological equivalency of offset actions proposed in response to the loss of vegetation communities (accounting for attributes which describe and measure vegetation structure, biomass, species diversity, and some food and habitat resources for fauna). Assumptions and justifications associated with input data have been provided.
- 3.19 Table 11 of the terrestrial ecology residual effects analysis report (E4:9) stipulates a '10% net gain' as the recommended offset for residual adverse effects. The inclusion of this 10% net gain recommendation and how that will be measured needs clarification, noting the remainder of the report (and the wider application) refers to an offset goal of 'net gain' which hasn't been quantified.
- 3.20 It is unclear how the loss of potential habitat for long-tailed bats (bats) and other Threatened or At-Risk fauna has been accounted for in the offset design or calculations. Bats, for example, have the highest threat classification under the New Zealand Threat Classification System (NZTCS) meaning even potential habitat loss should be addressed. Acoustic monitoring indicates bats utilise the Site in low numbers. While they may not be roosting it appears they are using areas within the Site for commuting and/or foraging and trees in the area could attain roosting suitability. The loss of these trees represents decline in habitat availability and increased fragmentation and isolation of potential habitat in the landscape.

- 3.21 Several input measures used to describe biodiversity attributes are lacking detail as to the unit of measurement. This should be clearly specified to ensure future monitoring and recalculations are comparable.²
- 3.22 The Department supports the use of thresholds that trigger a response, as set out in consent conditions, as a tool to adjust offset planting over time to achieve the intended net gain outcome (which is mandatory under the proposed conditions). However, the trigger thresholds have been tagged to the Net Present Biodiversity Value (NPBV), which is a BOAM output. This is inappropriate. The NPBV is not a measure of biodiversity extent, condition or net gain³. Thus, it is not appropriate to use the NPBV to track progress towards anticipated outcomes. The trigger thresholds need to be linked to the actual biodiversity measures input into the BOAM (e.g. as are used for monitoring targets). The trigger thresholds should be incorporated into consent conditions that are clear and enforceable. The Department comments on this further below.
- 3.23 The proposal to commence offset actions 10–20 years prior to impact occurring is a positive feature of the offset proposals. However, it is unclear how any planting in advance will be tracked and accounted for.

Wetland Offset

- 3.24 The proposed wetland offset includes works to enable condition uplift within areas of existing natural wetland and the creation of new areas of wetland. However, it is unclear how much of the proposed wetland offset will comprise recreated wetland and how much of it will be existing wetland. The wetland offset should be additional to existing wetland extent within the site.
- 3.25 Generally, the wetland offset proposal is less comprehensive than the terrestrial offset proposal. It is missing several key components including lack of details on restoration works required (including necessary restoration of hydrological regimes and connections); and descriptions of predicted end-state for the wetland enhancement and associated targets to determine success, monitoring triggers, and contingency measures. This needs to be rectified and captured in consent conditions.
- 3.26 The Biodiversity Compensation Model (BCM) has been used to 'add surety' to the proposed offset for wetlands (Report E5:9). The justification for use of the BCM (in preference to the BOAM) appears to be underpinned by a misunderstanding of the use of benchmark values within the BOAM. The claimed 78% net gain for wetland habitat based on a BCM output is misleading. The BCM outputs show an increase of 78% between the impact score and the offset score calculated by the model. However, these scores do not represent actual 'on-the-

² For example, are sapling counts, winter flower diversity, winter fruit diversity average counts across x number of 20 m x 20 m plots, count/ha?

³ The BOAM evaluates the ecological equivalency of losses and gains using Net Present Biodiversity Value (NPBV). A NPBV of zero indicates a no net loss exchange, positive NPBV indicate a net gain, negative NPBV indicate a net loss.

ground' measures and do not translate to meaningful net gain of biodiversity values. This is not to say that the proposed wetland restoration works will not result in gains in wetland values, but they have not been measured or quantified. Further, neither restoration specifications or outcome targets have been defined for the wetland creation and restoration. This needs to be rectified, and these specifications and targets explicitly listed in the consent conditions.

Hingaia Island

- 3.27 DOC understand the Hingaia Island will no longer be used for offset planting. Correspondence with Te Ākitai Waiohū in relation to the offset proposal at Hingaia Island is addressed in 9.2.6 of the Department's Fast-track Approvals Act wildlife approval report (s 51 Report) and a copy included in Appendix E of that report. As explained by the Applicant, landowner approval for use of the island for biodiversity offset planting is currently unavailable.
- 3.28 The Applicant has advised that removing the ~5 ha of planting initially proposed to be undertaken on Hingaia Island reduces but still delivers the net gain outcome. To confirm this claim, the revised calculations (at component and attribute level), assumptions, and conclusions for kānuka forest and relict trees which were proposed to be addressed via the Hingaia Island plantings should be provided to the Panel. The Department anticipates this would form part of the Applicant's response to RFI 2.

4 Treaty Obligations

- 4.1 The Department's relevant Treaty obligations have been identified and discussed in 9.2 of the s 51 Report. DOC contacted the entities in Table 4 of that report, to share publicly available information on the application and seek engagement. Responses were received from Ngāti Paoa and Te Ākitai Waiohū.
- 4.2 Regarding comments from Te Ākitai Waiohū on the resource consents, the Department supports their view that buffer planting should be provided in addition to mitigation measures, and that a condition of consent confirming that a Closure and Rehabilitation Management Plan (CRMP) will be developed in collaboration with iwi and the Applicant will be appropriate.

5 Comments on conditions

- 5.1 As DOC's concerns mainly relate to ecological effects these comments focus on the ecology conditions. There may be a broader set of amendments required. If the Panel is minded towards granting consent, DOC understands there will be an opportunity to comment on the proposed final condition set under section 70 of the Act.

- 5.2 Suggested additions to the Applicant's proposed conditions (dated 12 August 2025) are shown below in red underline and deletions in red strikethrough. This includes amendments and some new conditions.

Certification of Management Plans

- 5.3 The Applicant's draft conditions require various management plans that will contain important details on how conditions will be met. These conditions 'deem' approval by Council if no response to a draft plan is provided within 30 working days of receipt (proposed Condition 12).
- 5.4 In effect the Applicant is seeking that approval could be provided by itself as consent holder of its own work. This is inappropriate given that review and approval is one of the key checks and balances in the proposed condition framework.
- 5.5 As the Environment Court recently observed in relation to a condition proposing 'deemed approval' in the absence of a response from the consent authority, it is not the risk to Applicant of delay...*that is of concern, it is the risk to the environment. Given the risk to the environment, we find it is better to require the independent check of the outline plan and related documents and the certification process before work commences.*⁴
- 5.6 DOC's view is that proposed Condition 12 should be deleted. It may be appropriate for the requested timeframe for Council responses to be included as an advice note to avoid placing an obligation on councils to complete certification within the timeframe specified in the conditions.
- 5.7 In addition to the above there is no condition to explicitly require the management plans to be certified before commencement of the activity it will manage. Table 1 requires 'submission' of the management plan prior commencement, nothing more.
- 5.8 The same oversight is apparent in proposed Condition 13 which is intended to provide for amendments and re-certification of management and monitoring plans.
- 5.9 There is also no condition to require ongoing compliance with the certified management plan.
- 5.10 To remedy the above issues, DOC suggests the following conditions (or alternative conditions to like effect, and any consequential amendments) be inserted after proposed Condition 9:

(9A) Where any condition(s) requires the consent holder to submit a Management Plan to the Council for "certification" it must mean the process set out in the following paragraphs (a) and (b) and the terms "certify" and "certified" must have the equivalent meanings:

⁴ [New Zealand Transport Agency – Waka Kotahi ENV-2023-WLG-000005](#) see [124]-[127].

- a) The consent holder submits the Management Plan to the Council, and the Council assesses the documentation submitted. The certification process must be confined to confirming that the Management Plan gives effect to its objective and complies with the information requirements and will achieve the performance standards stated in the condition(s) and that the Management Plan is in accordance with Condition 1 to the general conditions;
- b) A Management Plan cannot be subject to a third-party approval. The Council, in deciding whether to certify the management plan, however, may obtain advice from other suitably qualified person(s).
- (9B) The Consent Holder must not commence any Construction Works or Operational Phase activities to which the relevant Management Plan condition(s) apply until the required Management Plan has been certified, or otherwise provided to Council for information as specified in the relevant conditions.
- (9C) The Consent Holder must comply with the certified Management Plans for the duration of Construction Works and Operational Phase in accordance with relevant conditions.
- (9D) If amendment to any certified Management Plan is required the Consent Holder is required to re-certify the Management Plan in accordance with the process in Condition [9A] above.

Ecology Conditions

- 5.11 Securing the effects management package described in the AEE and technical reports relies heavily on post consent management plans. The use of management plans is common and legal, provided the management plan does not involve delegation of substantive decisions. Management plans should set out the administrative detail by which condition objectives and performance standards will be achieved. This approach is strongly encouraged at section 21 of the July 2025 Panel Conveners' Practice and Procedure Guidance document. Unfortunately, many of the conditions proposed by the Applicant fall short of these principles. Proposed Condition 33 which requires the Ecology Management Plan (EMP) is an example.
- 5.12 The EMP has vague and incomplete objectives and does not set out performance standards. Clause (a) is not an objective; the values and effects referred to should have been identified before consent has been granted. Clauses (b) – (d) don't cover the outcomes described in the AEE and technical reports, for example, there are no objective measures against which the compliance can be monitored such as the percentage of indigenous vegetation that might be retained after avoidance and mitigation, nor are there environmental bottom lines such as reference to areas of existing vegetation or habitat that must be avoided.
- 5.13 The EMP objectives also neglect to make any reference to monitoring, maintenance, restoration or enhancement, all of which are features of its sub-plans. DOC requests the overarching EMP Condition 33 be amended to address these matters.

EMP Sub-plans

- 5.14 The EMP sub-plans address management of native fauna (lizards, avifauna, bats and freshwater fish), along with edge effects and riparian planting. The fauna plans appear to manage direct disturbance, injury or mortality to fauna as a result of construction rather than addressing effects on habitat. It is acknowledged that habitat within the quarry will generally be destroyed and that this is primarily to be managed through offsetting. However, as some of the removal will be from a Significant Ecological Area and will involve rare vegetation such as rock forest habitat, further consideration of minimising habitat loss should be given in the EMP and its sub-plan conditions.

Lizard Management Plan

- 5.15 The Department provided a revised condition set at Appendix A to its s 51 Report, dated 10 September 2025 for the wildlife approval sought for the capture, translocation and monitoring of native lizards. Any conditions addressing native lizards in the resource consents should be consistent with the wildlife approval conditions.
- 5.16 In its s 51 Report DOC has recommended the term of any wildlife approval, and therefore the effect of the LMP, be limited to 10 years. If the Panel is minded towards granting the wildlife approval for a longer period, DOC recommends the LMP be reviewed and submitted to the Director-General of Conservation for re-certification at 10 yearly intervals.
- 5.17 DOC is cognisant that only one LMP has been provided in the application which is intended to address both the wildlife approval and resource consent conditions. DOC's condition amendments below reflect this approach in a way that can accommodate its s 51 recommendations. Condition 38(d) below makes any updates to the LMP that may occur under a re-certified LMP or varied wildlife authority an information requirement under the resource consent. The Applicant has already proffered similar wording in case a future wildlife permit is issued in relation to long-tailed bats in proposed consent condition 43(c). DOC also suggests an advice note which reinforces the need to comply with the any wildlife authorities. Use of such advice notes is standard practice where the RMA and the Wildlife Act are both engaged. DOC's suggested amendments are as follows:

37. The objective of the Lizard Management Plan (LMP) is to avoid where practicable and otherwise minimise any potential effects on indigenous lizards within the areas of vegetation clearance.

38. The LMP must include:

- (a) The area to be impacted by the works (including a plan) and the proposed release site for native lizards;*
- (b) Credentials and contact information for the project herpetologist;*
- (c) Timing of the implementation of the LMP;*

- (i) *A description of methodology for survey, trapping and relocation of lizards rescued including, appropriate salvage protocols;*
- (ii) *Relocation protocols (including method used to identify suitable relocation site(s));*
- (iii) *Nocturnal and diurnal capture protocols;*
- (iv) *Supervised habitat clearance/transfer protocols; and*
- (v) *Appropriate opportunistic relocation protocols.*
- (d) *Analysis/confirmation of whether lizard exclusion fence (e.g. a super silt fence) needs to be erected around the boundary of the vegetation removal area during or immediately following removal works occurring to prevent re-colonisation by native lizards;*
- (e) *Details of relocation sites including:*
 - (i) *Provision for additional refugia, if required (e.g. depositing salvaged logs, wood or debris, installing tree covers) for captured lizards;*
 - (ii) *Any weed and pest management to ensure the relocation site is maintained as an appropriate habitat; and*
- (f) *A description of the lizard monitoring methodology, including but not limited to:*
 - (i) *Baseline surveys (as necessary) to identify potential release sites for salvaged lizard populations and lizard monitoring sites;*
 - (ii) *Ongoing annual surveys to evaluate translocation success;*
 - (iii) *Pre and post -translocation surveys; and*
- (g) *Any updates (where necessary) to be consistent with any approval required under section 53 of the Wildlife Act 1953.*

Advice note: The Consent Holder must hold an approval under the Wildlife Act 1953 before capturing and translocating any indigenous lizards. Any capture and relocation of indigenous lizards will need to be undertaken in accordance with the requirements of that approval.

Native Avifauna Management Plan (NAMP)

5.18 The NAMP conditions only consider construction effects, out of caution the DOC suggests the NAMP extend to quarry operation. An appropriate minimum buffer zone around active nests should be specified in the condition, with flexibility for the management plan to increase this buffer where appropriate.

40. *The objective of the Native Avifauna Management Plan (NAMP) is to avoid or minimise the potential effects on native avifauna from the construction works and operational phase during peak breeding season.*

41. *The NAMP must include:*

- (a) *Credentials and contact information for the project ecologist or ornithologist;*
- (b) *Timing of the implementation of the NAMP;*
- (c) *A description of methodology for bird nest surveys and management around active nests. This must include species-specific details for potentially Threatened and At-Risk species, including but not limited to:*
 - (i) *Description of potential nest locations;*
 - (ii) *Duration of the breeding season and incubation, nesting and period of post fledging parental dependence; and*
 - (iii) *A minimum Exclusion zone of 50m requirements or greater (as appropriate) around active nests for vegetation clearance.*
 - (iv) *Details of ongoing monitoring and reporting requirements.*

Bat Management Plan

5.19 The following amendments to the proposed BMP condition are requested to provide more certainty as to the process to be followed in the event a bat roost were confirmed within an area subject to vegetation removal. The changes also reference the latest guidance documents from the Department of Conservation Bat Recovery Group. It is unclear but assumed that potential changes to the BMP required under (e) and (f) would trigger re-certification of the BMP/EMP. DOC submits that removal of high value habitat not already accounted for such as a communal or maternity bat roost would likely represent a significant adverse effect and would therefore need to be reflected in the BOAM offsets. DOC's amendments are:

42. *The objective of the Bat Management Plan (BMP) is to avoid where practicable and mitigate the effects on long-tailed bats from the removal of any vegetation and/or trees that are potential bat roost habitat.*

43. *The BMP must include:*

- (a) *Tree felling protocols to avoid direct mortality to bats during vegetation clearance. The protocols must be in accordance with the Department of Conservation 'Protocols for minimising the risk of felling bat roosts' (Version 4, October 2024) or updated version for trees that may be used for bat roosting;*
- (b) *Details of a method(s) for identifying any bat roosting trees in advance of vegetation clearance such as additional acoustic monitoring, observation and/or use of thermal imaging camera to be supervised by a SQEP in bat ecology;*
- (c) *The measures to be implemented in the event an active bat roost tree is identified within 50m of construction works, including setback areas for activities creating noise, vibration and/or artificial lighting;*
- (d) *Details of record keeping and reporting on any bats roosts identified and/or felled;*

- (~~be~~) Where bat roosting trees are identified, or otherwise as necessary, set out an approach to habitat replacement and pest control, consistent with the Department of Conservation Bat Recovery Group Advice Note – Planting to provide roosts for bats in the long-term (dated, 28 August 2025) or updated version and New Zealand Bat Recovery Group Advice Note – The Use of Artificial Bat Roosts (dated September 2025) or updated version; and
- (~~ef~~) Be updated (where necessary) to be consistent with any authorisation given by the Director-General of Conservation under section 53 of the Wildlife Act 1953 where any such authorisation is required.

Ecology Net Gain Delivery and Offset Plans

- 5.20 Proposed conditions 49 – 60 and 98 – 116 will benefit from a number of substantive amendments once the Panel has had the benefit of the Applicant's response to RFI 2. Accordingly, DOC has not suggested amendments but anticipates providing more detailed comments on draft conditions under s 70 of the Act, should the Panel be minded towards granting consent.
- 5.21 Generally, however, conditions that explicitly stipulate the following for each of the terrestrial, wetland, fauna and stream offsets are required:
- a) Timebound targets that represent required gains and ecological outcomes, coupled with appropriate monitoring that is linked to targets and trigger thresholds, and time-bound contingency measures should monitoring confirm progress is falling behind or anticipated gains are not being generated. For all offset measures, these conditions must support a net gain outcome. The detailed actions and methods required to achieve the required outcomes can sit in the relevant management plan.
 - b) A time-bound process to allow for management plans to be revised prior to certification should Council (or independent review) find the submitted management plans to be incomplete or lacking requirements.
 - c) Conditions 50 and 51 (Net gain delivery programme: Pest and weed control). The targets and standards required for pest and weed control to ensure the predicted condition measures are attained must also be explicitly stipulated within consent conditions (not just by reference to the plan).
 - d) Condition 53, Table 1. The conditions need to include outcome targets (reflecting the predicted future state condition measures as inputted into the offset models), as well as offset actions and area over which the offset actions will be implemented.
 - e) As no compensation measures have been included in the effects management plan, current reference to compensation within conditions should be removed to avoid

confusion or potential slippage from net gain offset outcomes to compensation outcomes (less than no net loss).

- f) Planting (at offset sites) in advance is assumed (e.g., condition 54k) but a condition committing to planting in advance has not been offered. Provision is required to map and record any areas planted in advance to ensure they are additional and explicitly linked to this application.

s128 review conditions

5.22 Generally, the use of s128 review conditions to address any unforeseen environmental effects, as proposed by the Applicant are supported.

6 Conclusion

6.1 The Department considers the Application is able to be approved subject to further information on the ability of the proposed offsetting to achieve a net gain outcome and provided appropriate conditions consent are imposed.

6.2 Thank you for the opportunity to comment.

18 Appendices

Appendix A: Technical expert credentials

Appendix B: Review of effects management package

Appendix A: Technical expert credentials

DOC has relied on the advice of the technical expertise of Dr Fleur Maseyk – Conservation Scientist. Their credentials are set out below. This advice is attached as Appendix B.

I have over 25 years of experience working in natural resource management and conservation with expertise in biodiversity policy and strategic plans, regional and district plan development, non-regulatory biodiversity programmes, applying a natural capital-focused ecosystem services approach to land use decision-making, and biodiversity offsetting. I led the development of the biodiversity offsetting accounting model, the development of guidance for applying biodiversity offsetting under the RMA, guidance to the Australian Government for the deriving 'risk of loss' estimates, and a think-piece on the feasibility of and potential implementation pathways for strategic delivery of effective biodiversity offsets and compensation under the RMA. I regularly provide expert evidence on effects management (and ecology) into hearing processes, peer review proposed effects management packages, and advice into biodiversity policy development processes. I have over 20 peer-reviewed publications on the topics of ecosystem services, farm planning, biodiversity policy, and biodiversity offsetting.

Appendix B: Review of effects management package



To:	Jesse Gooding, Kaiwhakamahere-Penapena Rawa Senior RMA Planner Department of Conservation
From:	Dr Fleur Maseyk
Date:	17 September 2025
Subject:	Drury Quarry Expansion – Sutton Block fast-track application. Review of effects management package

Tēnā koe Jesse

As requested, I have undertaken a review of the residual effects management package within the Drury Quarry Expansion – Sutton Block fast-track application to inform the Department of Conservation's (DOC, the Department) s53(2) comments.

I therefore do not extend my review to survey methods or conclusions on ecological or conservation value of natural features present within the Sutton Block detailed within the Ecological Impact Assessment. However, I have read Paul Cashmere's memo, and I have assumed the Department will have similar internal advice from relevant experts on the terrestrial and aquatic fauna values present.

You have advised a DOC freshwater expert has provided comments on the use of the Stream Ecological Valuation (SEV) method, and the calculation of Environmental Compensation Ratio (ECR) to address residual adverse effects on freshwater streams and the effects management package in general for streams. Therefore, I have also not covered these matters in my review (except to note the proposed consent conditions are lacking).

Overall comments

1. In a general sense, the assessment of effects, and effects management hierarchy has been applied in accordance with good practice, although I expand below where this could have been improved. Some effort has been made to avoid adverse impacts (e.g., Kaarearea Paa) and measures are proposed to minimise adverse effects. I comment further on specific elements of the effects management proposals and proposed consent conditions below.
2. It is unclear how the application, impacts, and proposed effects management package relate to any previous actions taken in response to adverse effects from previously consented

activities at the site. Issues would (for example) arise if activities proposed under the Sutton Block proposal were to have an adverse impact under areas that are being managed as part of an effects management package linked to a previous consent, or if offset actions proposed within the Sutton Block application (e.g., pest control) are already being undertaken as condition of previously consented activities. The interplay between this application and previous consent applications needs to be clarified.

3. Greater justification should be provided as to why the 0.65 ha of rock forest on volcanic boulderfield could not be avoided. This is a naturally rare and endangered habitat, a status which indicates both a high conservation concern and a potential limit to the ability to offset. The suitability of offsetting assessment undertaken by Bioresearchers appears to have excluded consideration of this forest type (focusing instead on pūriri forest). Further, it is unclear whether the justification of confidence in restoration techniques is based on previous success in creating rock forest, or known outcomes from similar, but non-specialised forest types. Further proof that the rock forest could not be avoided and is able to be offset with a high degree of certainty is required.
4. Generally, the application of the BOAM has been appropriately applied to evaluate the ecological equivalency of offset actions proposed in response to the loss of vegetation communities (accounting for attributes which describe and measure vegetation structure, biomass, species diversity, and some food and habitat resources for fauna). Assumptions and justifications associated with input data have been provided. However, I make some further comments below.
5. Table 11 of the terrestrial ecology residual effects analysis report (E4:9) stipulates a '10% net gain' as the recommended offset for residual adverse effects. The inclusion of this 10% net gain recommendation, and how that will be measured, needs clarification, although I note the remainder of the report (and the wider application) refers to an offset goal of 'net gain' (non-quantified).
6. It is unclear how the loss of potential bat (and other notable fauna) habitat has been accounted for in the offset design or calculations. The loss of potential habitat, even if not currently used, represents further decline in habitat availability and increased fragmentation and isolation of potential habitat in the landscape. With the removal of the Hingaia Island site from the proposal it is even more unclear how the loss of mature trees from the landscape will be addressed. Further information is required.
7. The applicant has advised that removing the 5 ha of planting initially proposed to be undertaken on Hingaia Island does not impact the net gain outcome. To confirm this claim, the revised calculations (at component and attribute level), assumptions, and conclusions for kānuka forest and relict trees which were proposed to be addressed via the Hingaia Island plantings are required.

8. It appears that the proposed planting on Hingaia Island was (at least in part) in response to feedback from Ngāti Te Ata Waiohua who expressed a desire for the offset actions to align with their aspirations. With the removal of the planting proposed for Hingaia Island, it is less clear how the effects management package has incorporated tangata whenua values and aspirations. This should be clarified.
9. Several input measures used to describe biodiversity attributes are lacking detail as to the unit of measurement. This should be clearly specified to ensure future monitoring and recalculations are comparable. For example, are sapling counts, winter flower diversity, winter fruit diversity average counts across x number of 20 m x 20 m plots, count/ha?
10. I support the inclusion of a trigger system (misnamed adaptive management at section 3.2.3 page 93 E4:9) within the offset implementation requirements. However, the trigger thresholds have been tagged to the NPBV (BOAM output) which is inappropriate. The NPBV is not a measure of biodiversity extent, condition, or net gain.¹ Thus, it is not appropriate to use the NPBV to track progress towards anticipated outcomes. The trigger thresholds need to be linked to the actual biodiversity measures inputted into the BOAM (e.g., as are used for monitoring targets). The trigger system must also be explicitly captured within consent conditions.
11. I support the inclusion of contingency measures within the offset implementation requirements. However, these measures also need to be explicitly stipulated within consent conditions, linked to monitoring outcomes, and their implementation timebound. The contingency tables (within report E4:9) include a re-occurring statement 'the offset model (fauna habitat) delivers net gain at 0 count for this attribute' – the meaning of this statement is unclear and needs clarification.
12. The BOAM only deals with uncertainty in a limited way, and best practice offset design should address and account for uncertainty associated with the predicted future states. This proposal does not do this, but the contingency measures (provided they are adequately captured in consent conditions in a way that compliance monitoring and enforcement can be undertaken) goes some way to dealing with the inherent (unquantified) uncertainty with predicted future states, by triggering the need for additional work should gains be lesser than anticipated.
13. The Biodiversity Compensation Model (BCM) has been used to 'add surety' to the proposed offset for wetlands (Report E5:9). The justification for use of the BCM (in preference to the BOAM) appears to be underpinned by a misunderstanding of the use of benchmark values within the BOAM. It is important to note that the robustness of the BCM has been brought into question through other consenting processes (including by DOC's offset experts), and

¹ The BOAM evaluates the ecological equivalency of losses and gains using Net Present Biodiversity Value (NPBV). A NPBV of zero indicates a no net loss exchange, positive NPBV indicate a net gain, negative NPBV indicate a net loss.

the risks of using poorly designed biodiversity offsetting models has been recently discussed in the published literature². I do not support the use of the BCM and am of the view that its use suggests a level of robustness and certainty which is not warranted. I also note the claim of 78% net gain for wetland habitat based on a BCM output is misleading. The BCM outputs show an increase of 78% between the impact score and the offset score calculated by the model. However, these scores do not represent actual 'on-the-ground' measures and do not translate to meaningful net gain of biodiversity values. This is not to say that the proposed wetland restoration works will not result in gains in wetland values, but they have not been measured or quantified. Further, neither restoration specifications or outcome targets have been defined for the wetland creation and restoration. This needs to be rectified, and these specifications and targets explicitly listed in the consent conditions.

14. The proposed wetland offset includes works to generate condition uplift within areas of existing natural wetland and the creation of new areas of wetland. However, it is unclear how much of the proposed new area of wetland will comprise recreated wetland. This needs to be clarified to confirm that both condition and extent of wetland values are being adequately replaced.
15. Generally, the wetland offset proposal is less comprehensive than the terrestrial offset proposal and is missing several key components including lack of detail on the restoration works required (including necessary restoration of hydrological regimes and connections) and descriptions of predicted end-state for the wetland enhancement and associated targets to determine success, monitoring triggers, and contingency measures. This needs to be rectified and captured in consent conditions.
16. The proposal to commence offset actions 10–20 years prior to impact occurring is a positive feature of the offset proposals. However, it is unclear how any planting in advance will be tracked and accounted for.

² Corkery I, Barea LP, Giejsztowt J, Maseyk FJF, Mealey C 2023. Poorly designed biodiversity loss-gain models facilitate biodiversity loss in New Zealand. *New Zealand Journal of Ecology* 47(1):3548.
Maseyk FJF, Barea LP, Mealey C, Corkery I, Giejsztowt J 2025. Facilitating better ecological outcomes from high-stakes decision-making requires evaluation of biodiversity models to address risk and transparency. *New Zealand Journal of Ecology* 49(1):3592.

Consent conditions

In my view, the proposed conditions of consent relating to the effects management proposals are grossly insufficient. It is not appropriate to only refer to management plans to secure effects management responses. In addition to management plans, a suite of conditions that explicitly stipulate the following for each of the terrestrial, wetland, fauna, and stream offsets are required.

- Timebound targets that represent required gains and ecological outcomes, coupled with appropriate monitoring that is linked to targets and trigger thresholds, and time-bound contingency measures should monitoring confirm progress is falling behind or anticipated gains are not being generated. For all offset measures, these conditions must support a net gain outcome. The detailed actions and methods required to achieve the required outcomes can sit in the relevant management plan.
- A time-bound process to allow for management plans to be revised prior to certification should Council (or independent review) find the submitted management plans be incomplete or lacking in requirements.
- Provisions to ensure that offset specifications and targets are not subject to variation (outside of a consented and specified adaptive contingency approach).
- A requirement that any variation of consent sought must be considered against the required offset and restoration targets set out in management plans to ensure that these are not undermined by any variations to the consent; and where additional adverse effects on ecological features occur, these effects are appropriately dealt with.

I make the following additional comments on the proposed consent conditions:

- Condition 53, Table 1. The conditions need to include outcome targets (reflecting the predicted future state condition measures as inputted into the offset models), as well as offset actions and area over which the offset actions will be implemented.
- Conditions 50 and 51 (Net gain delivery programme: Pest and weed control). The targets and standards required for pest and weed control to ensure the predicted condition measures are attained must also be explicitly stipulated within consent conditions (not just by reference to the plan).
- As no compensation measures have been included in the effects management plan, current reference to compensation within conditions should be removed to avoid confusion or potential slippage from net gain offset outcomes to compensation outcomes (less than no net loss).

- Planting (at offset sites) in advance is assumed (e.g., condition 54k) but a condition committing to planting in advance has not been offered. Provision is required to map and record any areas planted in advance to ensure they are additional and explicitly linked to this application.

Nāku iti noa, na



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