Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

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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Please provide your comments below, include additional pages as needed.

Please find comments attached

[redacted]

Jenni Fitzgerald
Fast-Track Applications Manager

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

Date: 27/11/2025

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 draft conditions for a fast-track consenting application

Fast-track Approvals Act 2024 section 70

To: The Expert Panel

From: Department of Conservation

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

Fast track Reference: FTAA –2503-1037

Comments on draft conditions of Wildlife Act approval

Condition #	*Draft condition with tracked-change suggestions*	*Comments and reasoning*
1 (a)	**Activities approved for a certain purpose:** i. catch alive, kill and liberate • Copper skink (*Oligosoma aeneum)* • Ornate skink (*Oligosoma ornatum*) • Forest gecko (*Mokopirirakau granulatus)* • Elegant gecko (*Naultinus elegans)* • ~~Pacific gecko (*Dactylocnemis pacificus)*~~	As outlined in section 443.3 of the draft decision document and the Department of Conservation's (DOC) section 51 report, DOC considers that approval should be restricted to copper skink, ornate skink, elegant gecko, and forest gecko. In relation to Pacific gecko, DOC determined that the mitigation measures proposed were not sufficient nor appropriate for this species. Additional measures were discussed with the applicant. Subject to the Lizard Management Plan (LMP) being updated to include these measures, DOC confirmed with the applicant (in an email exchange dated 29 September) that all species could be included. However, the version of the LMP attached to the draft decision report does not reflect these agreed changes, nor does it address the matters outlined in section 443.5 of the draft decision report. In the absence of the LMP being updated, it is DOC's position that approval should not be given for Pacific gecko.

1 (c)	i. in accordance with the Lizard Management Plan entitled '*5 Lizard Management Plan*' (prepared by Bioresearches and dated 17 July 2025) attached as Schedule 4 to this Approval (**LMP**); and	DOC notes that this version of the LMP does not reflect recommendations discussed in section 443.5 of the draft decision document. In order to be consistent with DOC's recommendations, the LMP would need to be updated.
6	The Director-General's address for all correspondence is: ~~[TO BE CONFIRMED]~~ Permissions Team Level 4 73 Rostrevor Street Hamilton, 3204 Email: permissionshamilton@doc.govt.nz	
12	**12. Death of wildlife associated with salvage activities** 12.1 If any lizards should die during the approved activities of catch, transfer or liberate, the Approval Holder and Authorised Personnel (as relevant) must: (a) inform the Auckland DOC Operations Manager (auckland@doc.govt.nz) within 48 hours, chill the body if it can be delivered within 72 hours, or freeze the body if delivery will take longer than 72 hours; and (b) send the body to Massey University Wildlife Postmortem Service for necropsy or as otherwise advised by the Auckland DOC Operations Manager, along with details of the animal's history; and	We suggest adding an additional paragraph to the bottom of the clause for clarification purposes.

(c) pay for any costs incurred in investigation of the death of any lizard; and (d) if required by the Auckland DOC Operations Manager, cease the Approved Activity for a period determined by the DOC Operations Manager. 12.2 For the avoidance of doubt condition 12.1 applies to lizard deaths that are associated with salvage activities, and does not apply to incidental deaths that occur during construction activities. The purpose of clause 12.1 is to ensure the methodologies and practices for catch, transfer and liberate are functioning successfully and to require investigation in the event that deaths occur during salvage activities.	

Comments on draft conditions of resource consent

Condition #	*Draft condition with track-changed suggestions*	*Comments and reasoning*
1	Except as provided for in the conditions below, the Project must be undertaken in general accordance with (a) the information submitted with the Application, (b) the applicant's responses to section 67 FTAA requests for further information dated 8 September, 17 September, 1 October and 5 November 2025, and (c) responses to section 51 reports and comments received in relation to the Project dated 1 October 2025, all as referenced by the Council under consents reference number BUN60449474 and comprised of the following information (being documents, plans, drawings and reports): [~~Ecological Management Plan: Proposed Sutton Block, Drury Quarry – Bioresearches & JS Ecology – 17/01/2025~~]	DOC notes there is reference to two versions of the Ecological Management Plan, one dated 17/01/2025 and the other 17/07/2025. Reference to the January document should be removed as this does not account for changes to section 5.

14	Any Management or Monitoring Plan must be submitted to the Council for certification in accordance with Table 1 below. ~~If the Council's response to a lodged Management or Monitoring Plan raises discrete issues that are of minor consequence for the management of effects, the Consent Holder may request that the Council partially certify the plan with any residual issues subsequently addressed through certification of those outstanding issues.~~ ~~***Advice note:** The Council may decide, following a request from the Consent Holder and acting reasonably, whether or not a matter raises discrete issues of minor consequence for the management of effects, allowing for partial certification of a management or monitoring plan.*~~	Works should not proceed prior to certification of management plans. Certification should be on the basis that the management plan meets its parent condition(s) rather than a subjective view as to what issues are "discrete" or of "minor consequence." Such an approach undermines the consent conditions.
18, 19	18. The Consent Holder may make amendments to a certified Management or Monitoring Plan, ~~that may change how an adverse effect is managed, at any time~~ before the relevant works are undertaken, subject to ~~the further certification of the Council prior to the change taking effect.~~ ~~19. If an amendment to any certified Management or Monitoring Plan is required, the Consent Holder must~~ re-certifi~~cation~~y of the amended Management or Monitoring Plan in accordance with the process in conditions 13 and 15.	Amendments within management plans should not change the objectives or the degree to which the adverse effect will be managed (i.e., should not provide for less mitigation that results in more residual adverse effect than is accounted for in the offset package, or less gain from an offset proposal, or less protection (and avoidance) of specific values and features.
20	~~Without limiting condition 19 above, the amendment to the certified Management or Monitoring Plan shall be consistent with the objectives and performance requirements of the Plan and any limits or requirements set within these consent conditions.~~	DOC recommends this should be deleted. The qualifier does not provide certainty that amendments will not undermine objectives or performance targets.
21	In the event of an amendment to a certified Management or Monitoring Plan under condition 18, the Consent Holder must submit, in writing, the amendment to the Council for certification that the amendment meets the objectives and performance	

	requirements of the Plan and applicable consent condition(s), at least 20 working days before the commencement of the relevant works.	
22,23,24	~~22. Should the Council decline to certify the amendment or request the incorporation of changes to the amendment, the Consent Holder may then resubmit a revised amendment to the Plan.~~ ~~23. If the Council's response to the resubmitted Management or Monitoring Plan raises discrete issues that are of minor consequence for the management of effects, the Consent Holder may request that the Council partially certify the Plan, with any residual issues subsequently addressed through certification of those outstanding matters. Advice note: The Council may decide, following a request from the Consent Holder and acting reasonably, whether or not a matter raises discrete issues of minor consequence for the management of effects, allowing for partial certification of a resubmitted management plan.~~ ~~24. Any amendments to any certified Management or Monitoring Plan must be submitted to the Council at least 10 working days before the relevant works (or relevant portion of works) are undertaken, and are subject to certification prior to those works commencing. Any such amendments must also comply with condition 13.~~	It is unclear what these conditions add. Conditions 18 and 19 provide for amendment of management plans in accordance with Condition 13 and 15.
29	**Sutton Block Stream Diversion and Enhancement Plan** The objective of the Sutton Block Stream Diversion and Enhancement Plan (SDEP) is to detail the design, construction and riparian planting of ~~the approximately~~ no more than 115m ~~stream~~ diversion ~~(~~of the NT-1 Stream~~)~~ within the Site. The diversion shall, ~~as far as practicable,~~ replicate the form and function of the restored reach upstream, and the natural stream downstream. Stream flows (both volume and velocity) shall be	Amendment suggested to improve clarity and enforceability of extent of diversion. If minor flexibility is required in relation to the 115m, then a percentage deviation could be added. Clause added to trigger further action if diverted channel is not performing (not achieving natural flow and velocity).

	maintained in a similar state to the natural state of the stream at the time of commencement of stream works.	
31	**Streamworks Management Plan** The objective of the Streamworks Management Plan (StMP) is to set out the finalised construction methodology and management measures for the 115m stream diversion works (NT -1 Stream), to ensure stream works are undertaken in accordance with best practice and integrated with the SDEP and SESCPs.	Addition of figure recommended for clarity.
51	**Ecological Management Plan** The objectives of the Ecological Management Plan (EMP) are to: (a) ~~Identify~~ Describe the type, extent and location of ecological values adversely affected by the Project, ~~including~~ due to vegetation removal, overburden removal and reclamation of streams and wetlands, including that the Project shall result in the loss of no more than: (i) 7.33 ha of taraire, tawa and podocarp forest; (ii) 8.8 ha of kānuka scrub/forest; (iii) 0.65 ha rock forest; (iv) 1.88 ha of wetland habitat; (v) 3,341 m of stream extent, aquatic habitat and values therein; and (b) offset loss of the above habitat and values, and the loss of habitat for fauna species found elsewhere in the Site; (c) minimise the adverse edge effects on adjacent indigenous vegetation and habitat for fauna due to the quarry operations; and	• Inclusion of a cap on loss of habitat and vegetation extent in accordance with application documents recommended for clarity and enforceability. • These clauses are included to recognise the EMP will manage effects on habitat for fauna outside of the areas specified in 46(a)(i) - (v) and will manage edge effects on remaining/adjacent vegetation and habitat. • Recommend deleting (b),(c) and (d) in the draft conditions because they are captured in other subclauses as recommended here.

	~~(b)Minimise the loss of ecological values prior to and during vegetation removal;~~ ~~(c)Minimise the loss of ecological values prior to stream and wetland reclamation;~~ ~~(d)Manage adverse edge effects on adjoining existing vegetation; and~~ (d)~~(c)~~ Set out: (i) best practice actions for avoiding and minimising the loss of ecological values prior to and during vegetation removal and stream and wetland reclamation; and (ii) ~~how the outcomes of these actions will be monitored~~,a time-bound monitoring programme ~~including timeframes~~ as set out in the Ecological Management Plan by Bioresearches dated 17 July 2025 (proposed Application version of the EMP) and referenced in condition 1.	
53	The EMP must: (a) Include as a minimum: (i) ~~A summary of the terrestrial and freshwater ecology and biodiversity values and effects of the Project; and~~ Content as necessary to fulfil the objectives set out at condition 51. (ii) The sub-plans listed below (conditions 55 to 67): 1. Lizard Management Plan 2. Native Avifauna Management Plan	Amendment to (a)(i) recommended to clarify full extent of minimum EMP content. Note condition in (a)(ii) may need to be updated to reflect recommended changes to conditions identified below.

	3. Bat Management Plan 4. Native Freshwater Fauna Management Plan 5. Edge Effects Management Plan 6. Sutton Block Riparian Planting Plan (b) Set out staff induction procedures in respect of ecological requirements.	
62	**Native Freshwater Fauna Management Plan** The objective of the Native Freshwater Fauna Management Plan (NFFMP) is to mitigate adverse effects on native fish, kōura and kākahi through recovery and relocation in the sections of streams affected by dewatering or instream works, prior to any dewatering, diversion or general instream works commencing.	Relocation of native fauna should occur prior to any hydrological effects. Diversion is assumed to be in scope of instream works but is explicitly mentioned for completeness.
63	The NFFMP must include: (a) Identification of any section(s) of a stream: (i) that supports a population of native freshwater fauna at the time of preparing the NFFMP; and (ii) where any dewatering, diversion or general instream works are proposed; (b) Timing of capture and relocation; (c) Methods to capture fish; (d) Methods to recover kōura and kākahi; (e) Details on fishing effort; (f) Details on relocation site(s); (g) Storage and transport measures including best practice for prevention of predation and death during capture;	New clause (a) recommended for clarity and to facilitate monitoring. New clause (i) and condition relating to Suitably Qualified Person recommended to integrate with freshwater fish requirements and to ensure appropriate management of effects on native freshwater fauna.

	(h) Measures to be implemented to prevent fish from re-entering reaches of stream relocation capture has occurred; ~~and~~ (i) Euthanasia methods for diseased or pest fish species~~.~~; and (j) Confirmation that any permits and certificates required to handle native fish have been, or will be, obtained from the relevant authorities.	
63A	A Suitably Qualified Person shall supervise the recovery and relocation of native freshwater fauna in accordance with the NFFMP.	As above
64	**Edge Effects Management Plan** The objective of the Edge Effects Management Plan (EEMP) is to provide details on how effects on the remaining indigenous vegetation due to vegetation clearance around the Sutton Pit edge will be minimised through buffer infill planting (including how the infill planting will be protected and maintained) and fencing.	Amendments suggested • draw on the intent as set out in the application documents and brings those commitments into conditions for clarity; • require ongoing commitments to maintain the mitigation measures (clause (e))
64A	To achieve the EEMP objective, the Consent Holder must ensure: (a) That between Years 5 and 10 or as the pit is expanded, indigenous vegetation will be planted to a width of 10–20 m to create a buffer for remaining indigenous vegetation at the locations shown in Figure 2 of the EEMP, except for where there is insufficient plantable area between the edge of the remaining indigenous vegetation and the quarrying activity in which case permanent 1.5 m fence fitted with suitable geotechnical fabric to	As above

	block wind, sunlight, and dust shall be erected as detailed in the EEMP. (b) At 1-year post planting: (i) 90% survival rate (ii) No environmental pest plant species present (c) At 5-years post planting: (i) 80% canopy closure (ii) No environmental pest plant species present (d) Fences erected to provide buffer from edge effects must be maintained and geotechnical fabric securely attached for the duration of the consent. (e) Ongoing maintenance of plantings and fencing as necessary to achieve and maintain canopy closure, absence of environmental pest plant species, and integrity of the fence as set out in subclauses b–d.	
65	The EEMP must include: (a) Plans showing the location of buffer planting and fencing in accordance with Figure 2 of the proposed Application version of the EMP; (b) Widths of buffer planting to be provided at each location; (c) Plant species, including the proposed planting schedules, plant spacing, density and layout, plant size and planting methods; (d) Details ~~on~~ of fencing to be erected to create a buffer from edge effects where there is insufficient space for planting, including the ~~type~~specifications, extent and maintenance plan; and (e) Details of the m~~M~~onitoring ~~and maintenance~~ programme and contingency measures to assess	The EEMP states (page 19) that the infill planting should be included in the broader planting maintenance and reporting programme. DOC recommends some amendments for clarity and specific mention of infill planting in (e).

	successful establishment and maintenance of all infill planting for the duration of the consent. ~~and fencing undertaken~~.	
66	**Sutton Block Riparian Planting Plan** The objective of the Sutton Block Riparian Planting Plan (SRPP) (NT1-1) is to mitigate the loss of ~~effects on~~ freshwater volume via expected catchment reductions ~~via~~ by planting riparian margins of open stream ~~environments through the~~ within the northern tributary and wetland habitat adjacent to the final pit in accordance with Figure 16 of the Sutton Block, Drury Quarry Ecological Management Plan, dated July 2025.	Amendments recommended to: • improve enforceability and to improve chances of success by having specified times and targets for assessment. Times and targets are drawn from the draft condition below but set out in what is recommended as a clearer sequence. • to use consistent wording as in condition 1 and the glossary. • align with 20 year targets in the REAR-TE. A new condition is suggested for clarity (below), incorporating part of the original condition.
66A	To achieve the SRPP objective the Consent Holder must ensure: (a) ~~proposed~~ ~~p~~Planting of riparian margins of the northern tributary and wetland habitat adjacent to the final pit, in accordance with Figure 16 of the Application version of the proposed Sutton Block, Drury Quarry Ecological Management Plan, dated January 2025, at a minimum width of 10m on each side of minor tributaries and 20m on each side of the main steam, (b) the maintenance of fencing of the riparian planting areas described in (a) to exclude livestock, ~~and and~~ (c) At 1-year post planting, at least a 90% survival rate (d) At 5-years post planting: i) At least 80% native canopy coverage; ii) The retention of at least 80% of the planted species diversity when canopy cover is achieved; and	As above

	iii) no established invasive environmental weed species present; and (e) ongoing maintenance of plantings as necessary to achieve and maintain canopy closure and absence of weed species as set out in subclause c and d for the duration of the consent.	
67	The SRPP must include: (a) Plans identifying the areas of proposed riparian planting in accordance with Condition 66; (b) Descriptions of the species mixes, plant spacing, density and layout, plant size and planting methods; (c) A description of where plants will be eco-sourced from; (d) Description of fencing and any other actions taken to achieve stock exclusion ; (e) A plant pest management programme for the purposes of ensuring no establishment (zero-density) of environmental weed species within the areas of riparian planting; (f) An animal pest management programme; (g) A description of the ongoing maintenance and management required for planted areas to achieve the targets as set out in condition 66A, including ~~a requirement that maintenance continues until at least 80% canopy closure and a minimum plant survival rate of 90% of the original planting density has been achieved~~time-bound contingency actions to be implemented when monitoring indicates performance targets as set out in condition 66A have not been met.~~for~~. ~~The maintenance period must be a minimum of five (5) years, or until 80% canopy closure is achieved~~	Amendments suggested for clarity and to better align with the condition above in relation to the objectives of the SRPP.

	~~(whichever occurs first), and must include the replacement of plants that do not survive; and~~	
67A	~~A requirement that~~ The~~t~~he performance and maintenance of riparian planting required under ~~this~~ C~~c~~onditions 66 and 66A must be included in, and assessed through, the annual audit and reporting required by conditions 125 -128, ~~until the maintenance requirements period set out in condition 67(g) above haves been completed~~., ~~or until the 80% canopy closure is achieved, whichever occurs first.~~	As above
68	**Net Gain Delivery Plan: Pest and Weed Control** The objective~~s~~ of the Net Gain Delivery Plan: Pest and Weed Control (NGDP:PWC) ~~are~~ is to achieve a net gain in condition of indigenous vegetation and habitat values through ongoing management of animal pests and environmental weeds to offset the loss of indigenous vegetation. To achieve the NGDP:PWC objective the Consent Holder must ensure that: (a) ~~Sufficient quantity and quality~~ ~~of~~ Pest and weed control across 108.35 ha, within the areas as set out in the REAR-TE and in Table 2 of condition 71 below, is undertaken, ~~is achieved~~ for the purposes of improving condition values of indigenous vegetation sufficiently to achieve a net gain offset of the loss of vegetation and habitats ~~to be removed~~ as a result of the Project; (b) The offset ~~enhancement~~ pest control actions are implemented in the first year of construction, and are maintained by year 2 and maintained until year 25 in line with the following progress targets: (i) <5% residual trap catch for possums;	Amendments suggested to: • Include contingency measures here than rather relying on the reporting conditions as they only lock monitoring results into reports and do not require implementation of the contingency actions. • Remove reference to contingency measures that do not address failed pest and weed management. • Provide explicit reference to relevant offset targets. • Ensure protection of values is in perpetuity.

(ii) <5% presence of predators as indicated using tracking tunnel indices; and (iii) Undetectable levels of pigs, deer, and goats; (c) The presence (location and extent) of all infestations of environmental weed species are mapped within the first year of the project commencing, and a time-bound control plan to achieve zero-density of all environmental weeds within the offset areas is to be completed by and implementation commenced by year 2; (d) -All areas receiving pest and weed control are monitored as follows: (i) Predator monitoring will be undertaking every year at the beginning of the bird breeding season (October-November) and again at the end of the season (March–April); (ii) Feral ungulate monitoring in accordance with the NGDP:PWC; (iii) Possum monitoring in accordance with NGDP:PWC; (iv) Surveillance monitoring for e~~E~~nvironmental weed ~~monitoring~~ species within existing vegetatin will be undertaken at least annually; ~~(v)~~ Newly planted areas will be monitored for establishment of environmental weed species at three monthly intervals for Years1–2 following planting, 6-monthly for Years 3–5, and annually from Year 6 onwards for the duration of the consent; (vi) Five-minute bird counts following the Department of Conservation protocols are conducted twice yearly; and (vii) Indigenous ~~V~~vegetation condition monitoring to be undertaken at Year 1 and Years 5, 10, 15,	

	20, and 25 using RECCE plots as detailed in the NGDP:PWC; (e) Where predator monitoring results from any monitoring event indicate the corresponding performance targets set out in Table 7 are not being met, the contingency measures set out Table 8, of the NDGP:PWC will be implemented as soon as possible ~~following good practice pest and weed control protocols~~; (f) Ensure that where monitoring indicates a shortfall of ≥10% against the progress targets set out Tables 9,11, and 13 of the NGDP:PWC, the contingency measures set out in annual reports in accordance with Condition 154 are implemented; and ~~over a 25 year period to achieve an overall net gain in accordance with modelled targets as set by the REAR-TE.~~ (g) ~~The enhanced forest areas are~~ Ffenc~~e~~e~~d~~ and legally protect~~ed~~ in perpetuity, ~~.~~ the areas of indigenous vegetation receiving pest and weed control to ensure the permanence of the achieved biodiversity gains.	
69	The NGDP:PWC must include: (a) Plans identifying the areas ~~of proposed ecological enhancement~~to receive pest and weed control; (b) A ~~plant~~ pest plant management programme that describes the ongoing control of pest plant species, including control methods, anticipated time-horizon to achieve zero-density for each species, ~~performance standards~~ and ongoing monitoring; (c) An animal pest management programme that describes the ongoing control of pest predators (possums, rats, mustelids) and ungulate (pigs, goats and deer) species	Amendments suggested to: • Provide consistency between pest plant and environmental weeds. • Improve clarity and enforceability by making explicit reference to targets. Recommend deleting (e) and (f) and in the draft conditions because they are captured in other subclauses as recommended here.

to achieve pest indices < 5% after completion of 2 years of predator control and to remain at this level over the 25 year period, including control methods, catch targets and ongoing population monitoring commencing within one year of any of any vegetation removal within the Project area being commenced; (d) A description of any fencing (location, type and maintenance requirements), stock exclusion, or any other physical works necessary to protect enhanced areas from livestock; ~~(e) A requirement that the offsetting and enhancement activities identified in the NGDP:PWC commence within one year of any vegetation removal within the Project area being commenced;~~ ~~(f) A requirement that pest indices be < 5% after completion of 2 years of predator control and remain at this level over the 25 year period of the NGDP:PWC plan;~~ (e) A m~~M~~onitoring plan against the biodiversity value targets for vegetation condition ~~and contingency measures to follow those~~ set out in Table~~s~~ 9 ~~– 14~~ of the NGDP:PWC ~~for each biodiversity type;~~ and implementation plan for the contingency measures as set out in Tables 10–14 of the NGDP:PWC where monitoring indicates outcome targets have not been met. (f) Provision for re-~~modelling~~ evaluating the adequacy of the proposed offset actions to achieve a net gain using ~~of~~ the Biodiversity Offset Accounting Model~~s~~ (BOAM) for offset enhancement with updated ~~field~~ input data, obtained from monitoring at Year 10. ~~as part of confirming~~ for the purpose of reflecting the actual	

	biodiversity gains ~~accruing~~ achieved to that point from the ~~enhancement offset~~ pest and weed control offset actions in advance of vegetation loss within the BOAM. If the modelling indicates a net gain will be achieved earlier than in the REAR-TE (section 2.4), then the NGDP:PWC may be adjusted and submitted for re-certification in accordance with Conditions 13 and 15. ~~and if necessary~~, ~~adjusting the NGDP:PWC in accordance with the models.~~	
70	**Net Gain Delivery Plan: Planting Plan** 70. The objectives of the Net Gain Delivery Plan: Planting Plan (NGDP:PP) are to achieve a net gain of indigenous ~~biodiversity~~vegetation values through provision of a total of 62.32 ha of revegetation planting, ~~-~~ enrichment of 40.32 ha of indigenous vegetation, and planting of 887 young trees as detailed in Table 2 (below).	Amendments suggested to improve clarity and enforceability by making explicit the times, targets and requirements (such as protection in perpetuity) in order to better enable and require the objectives of the NGD:PP to be achieved. Ensure protection in perpetuity.
70A	To achieve the NGD:PP objective, the Consent Holder must: ~~:~~ (a) ~~To o~~Ensure that a total of 62.32 ha of revegetation planting has commenced within 16 years of the project commencing, is planted at a rate of a no less than 5 ha (total) per year after Year 1, and is of sufficient ~~quantity~~, diversity and quality ~~is achieved~~ within ~~35 years~~20 years following planting (as described in the REAR-TE) following commencement of the Project, and enrichment planting is implemented in accordance with the planting schedule set at out Table 16 of the NGDP:PP to offset the loss of terrestrial vegetation and habitats ~~to be removed~~ as a result of the Project;	As above

	(b) ~~To e~~Ensure that the offset planting is managed in an appropriate manner to facilitate the on-going survival and development of the ~~recreated~~ planted and enhanced habitats as indicated by the progress targets set out in Tables 38,39, 41,42, 44, and 45 of the REAR-TE; and (c) ~~To e~~Ensure the offset plantings are maintained, monitored, and suitably protected in perpetuity so as to ensure they achieve the anticipated biodiversity value measures required to deliver a~~n overall~~ net gain offset as in accordance with the modelled targets contained in the REAR-TE. (d) Ensure that where monitoring indicates a shortfall of ≥10% against the progress targets set out in the REAR-TE, and referred to in Condition 69(b), the contingency measures set out in annual reports in accordance with Conditions 146 and 152 are implemented.	
70B	The Consent Holder must implement the planting, enhancement, and enrichment offset actions as detailed in the NGDP:PP ~~must provide for and be implemented in accordance with the~~ to offset ~~of~~ the loss of vegetation and habitats as a result of ~~in~~ the Project ~~area~~ at the ~~following approximate rates~~ extents and timing set out in Table 2:	As above
Table 2	**Planting extents ~~rates~~ and timing (years) from Commencement of Construction**	
72	The NGDP:PP must: ~~(a) Require that the planting of pioneer species (as identified in the NGDP:PP referenced in condition 1)~~	Amendments suggested to: - Improve clarity and better reflect the intent of the NGDP:PP

~~commences no later than the first planting season following the commencement of vegetation removal within the Project;~~ (a) ~~Require~~ Set out a work plan to ensure that the planting of pioneer species (as identified in the NGDP:PP ~~referenced in condition 1)~~ commences no later than the first planting season following the commencement of vegetation removal within the Project and that all pioneer planting (623~~3~~.32ha) be completed within 16 years from commencement ~~(as outlined in (a) above)~~; (b) Identify when the enrichment planting is to be undertaken for each area of pioneer planting (based on the monitoring of the growth of the pioneer planting and which is expected to be within three to five years of the pioneer planting); (c) Identify areas (including legal boundaries) where planting is to occur including staging; (d) Describe plant species mixes, plant spacing, density and layout, plant size (at time of planting) and planting methods (including ground preparation, mulching and trials); (e) Describe where the plants will be eco-sourced from (including species genetic source and propagation methodology); (f) Describe fencing (location and type), stock exclusion, or any other physical works necessary to protect planted areas from livestock; (g) Include a plant pest management programme that as a minimum targets species that threaten new or replacement plantings; (h) Include an animal pest management programme that as a minimum targets exotic species that threaten new	- In (i) requirement to replace plants where necessary to assist with ensuring the 80% canopy cover will be achieved. It is noted that the targets for canopy cover in the REAR:TE (Tables 41 and 44) do not reach 80% for any of the three vegetation types. Further redrafting of subclause (i) may be needed to align these.

or replacement plantings and indigenous fauna (pest predators); (i) Describe the ongoing maintenance and management of planted areas, including ~~a requirement that over a 5-year period (or until 80% canopy cover is achieved) plants that fail to establish are replaced~~replacement of all plants that fail to establish until 80% canopy cover is achieved; (j) Require monitoring and reporting on the progress of the planting in accordance with the monitoring and reporting plan set out in Table 51 of the REAR-TE and against the progress targets ~~biodiversity offset~~ for each biodiversity attribute ~~targets~~ for the corresponding year as set out in Tables 38, 41, 44 of the REAR-TE.~~and BOAMs contained in Tables 17 to 21, Tables 22 to 36 and Tables 38 to 48 of the REAR-TE referenced in condition 1~~; (k) Identify time-bound ~~adaptive~~ contingency ~~management~~ actions, as set out in Tables 40, 43 and 46 of the REAR-TE- that may be required to be implemented should monitoring indicate ~~actual results fall~~a a shortfall of ~~modelled Net Present Biodiversity Value outcomes by~~ >10% ~~for predicted biodiversity values~~ of progress targets for each biodiversity attribute (as set out in Tables 38, 41, and 44 of the REAR-TE) ; and (l) Provide for re-~~modelling~~ evaluating the adequacy of the proposed offset actions to achieve a net gain using ~~of~~ the BOAM for offset planting with updated field input data obtained from monitoring ~~data~~ at Year 10 for the purpose of reflecting the actual ~~as part of confirming the~~ biodiversity gains achieved to that point ~~(as measured by the modelled Net Present Biodiversity Value outcomes for each Biodiversity ComponentsAttribute)~~	

	~~accruing achieved~~ from planting in advance of vegetation loss within the BOAM. ~~and if necessary, adjusting the amount of further planting required in accordance with the models~~If the modelling indicates a net gain will be achieved earlier than set out within the REAR-TE (section 2.4), then the NGDP:PP may be adjusted and submitted for recertification in accordance with Conditions 13 and 15.	
~~73~~	~~Within 6 months of the 10th anniversary of commencement of these consents, the Consent Holder must submit to the Council an assessment of the biodiversity offset that demonstrates whether the modelled targets in the REAR-TE have been met. If the assessment shows that net gain for the offset planting has not been met, the Consent Holder must submit an amended NDGP:PP with the Council demonstrating where any additional planting will occur and how this will result in the modelled targets being achieved.~~	This condition is unclear. The offset proposal was evaluated over a longer time horizon than 10 years. Further, not all the pioneer planting is happening until year 16. It is also inconsistent with the five-yearly monitoring programme and contingency measures. The condition above should still allow for re-evaluation of the offset based on how much gain they generate by planting in advance.
74	**Net Gain Delivery Plan: Riparian Planting** The objective of the Net Gain Delivery Plan: Riparian Planting (NGDP:RP) is to offset the loss of 3,341 m of stream habitat via ~~ensure~~ 1.48 ha of riparian planting ~~of~~ across the Peach Hill Road Stream, Davies Road Stream (Drury Site, Figure 3 NGDP:RP), and 3.098 ha across the Tutaenui Stream and West Stream (Tuakau offset site, Figure 4 NGDP:RP) ~~are undertaken in an appropriate manner to facilitate the on-going survival of those plants and to achieve the long-term enhancement of the watercourse values. for the streams~~	Amendments suggested to: • improve clarity and enforceability by adding the targets to the condition. • establish timeframes for achieving and maintaining the SEV values.

74A	To achieve the NGDP:RP objective the Consent Holder must ensure: (a) the subject streams attain the SEV values in Table 3 of condition 134 by year five from completion of instream works and riparian planting and are sustained for the duration of the consent. (c) At 1-year post planting, at least a 90% survival rate (d) At 5-years post planting: i) At least 80% native canopy coverage; ii) The retention of at least 80% of the planted species diversity when canopy cover is achieved; and iii) no established invasive environmental weed species present; and (e) ongoing maintenance of plantings as necessary to achieve and maintain canopy closure and absence of weed species as set out in subclause c and d for the duration of the consent.	As above
75	The NGDP:RP must include: (a) Specific restoration design details, including: (i) Location and flow paths; (ii) Supporting design drawings including profiles (if required); (iii) Details of any proposed ecological enhancements including meander; low flow channel; pools (for example, any culverts or flood gates to be removed or relocated); and (iv) Monitoring and maintenance requirements. (b) Planting plans, including details on: (i) The areas of proposed riparian planting and any in-stream enhancement works;	Subclause duplicated in condition 77.

	(ii) Plant species mixes, plant spacing, density and layout, and plant size (at time of planting); (iii) Planting methodology, sourcing and schedules; (iv) Physical protection of plants (i.e., fencing or stock exclusion); (v) Planting monitoring targets and maintenance; (vi) Plant disease and pest animal management; (vii) The ongoing maintenance and management of planted areas, including a requirement that maintenance continues until at least 80% canopy closure and a minimum plant survival rate of 90% of the original planting density has been achieved. The maintenance period must be a minimum of 5 years or until 80% canopy closure is achieved (whichever occurs first), and must include the replacement of plants that do not survive; and ~~(c) The requirement that the performance and maintenance of riparian planting required under this condition must be included in the annual audit and reporting required by conditions 125-128, until the maintenance period set out in condition 75(b)(vii) above has been completed.~~	
76	**Net Gain Delivery Plan: Wetland Planting** The objective of the Net Gain Delivery Plan: Wetland Planting (NGDP:WP) is to~~-~~ offset the loss of 1.88 ha of wetland habitat via ~~achieve~~ the creation of new wetland habitat and long-term	Amendments suggested to improve clarity and enforceability by adding the targets to the condition. Additional objective included to require the ecological uplift set out in the REAR:SW to be achieved.

	enhancement of ~~the~~ existing wetland values at the Tuakau offset site.	There appears to be a discrepancy between the wetland restoration area in 77 (a) and the number in Table 15 of the REAR:SW (4.04 ha). Also in Table 15, DOC queries the provision for 20% cover of exotic species within the offset wetland at year 10. It should be made clear that this exotic presence cannot be environmental weed species. It is recommended this be clarified.
76A	To achieve the NGDP:WP objective, the Consent Holder must ensure that: (a) at least ~~pproximately~~ 4.07 ha of wetland restoration and planting at the Tuakau offset site is designed and undertaken in an appropriate manner to facilitate the on-going survival of the plants and the wetland ecosystem., and to achieve the long-term enhancement of the wetland values, including ongoing pest and environmental weed management and~~.~~ (b) the uplift in ecological value for wetland extent, vegetation characteristics, fauna and hydrology set out in Table 15 of the Residual Effects Analysis Report: Stream and Wetland Offset (REAR:SW) will be achieved at 10 years after initial establishment of the wetland offset and maintained for the duration of the consents.	As above
77	The NGDP:WP must include: (a) Wetland restoration design details, including: (i) Location and flow paths; (ii) Supporting design drawings including wetland profiles, flow paths and hydrological connection to the stream and river; (iii) Details of construction methods;	Amendment suggested to improve clarify and enforceability.

	(iv) Details of ecological enhancements, including depressions and low flow channels; and (v) Monitoring and maintenance requirements. (b) Planting plans, including details on: (i) Plant species mixes, plant spacing, density and layout, and plant size (at time of planting); (ii) Planting methodology, sourcing and schedules; (iii) Physical protection of plants (i.e., fencing or stock exclusion); (iv) Planting monitoring targets and maintenance; (v) Plant disease and pest animal management; and (vi) The ongoing maintenance and management of planted areas, ~~including a requirement that over a 5-year period (or until 80% ground cover is achieved) plants that fail to establish are replaced~~to ensure 80% ground cover is achieved and maintained. (c) The requirement that the performance and maintenance of wetland planting required under this condition must be included in the annual audit and reporting required by conditions 125-128, until the maintenance period set out in condition 77(b)(vi) above has been completed.	
140	If monitoring concludes that the wetland restoration and planting have not achieved the outcomes identified in condition 76 ~~138~~ above, a Further Enhancement Works Plan must be prepared and submitted to the Council for certification within 6 months of monitoring, and implemented in accordance with the certified timeframe.	Updated to reflect actual wetland offset outcomes.

143	A series of permanently marked recce plots and photo points are to be established within each planting type (Rock Forest, Taraire, tawa podocarp and Kanuka) to collect data on the following biodiversity attributes for comparison with ~~modelled~~ progress targets as per Tables 42, 45 and 48 of the REAR-TE (referenced in condition 1).	Edit to reflect these were not modelled but are rather data inputs that the model evaluated for ecological equivalence with the corresponding measures of losses.
144	The report must provide an assessment against the ~~modelled~~ 5-year ~~monitoring~~ progress targets for the relevant vegetation type contained in Tables 24, 45 and 48 of the REAR-TE (referenced in condition 1).	As above.
145	If planting has not been sufficiently established in accordance with the 5-year monitoring targets in Condition 70A, the planting establishment report must recommend any identified contingency actions to ensure that planting achieves ~~modelled~~ performance ~~offset~~ targets at year 7 for the relevant vegetation type.	Amendment suggested to improve clarity and enforceability in line with targets established above.
147	The objective of each review is to determine whether the biodiversity offset ~~strategies~~ actions used to address the ecological effects of the Project are achieving the ~~modelled 10, 20 and 30 Year~~corresponding ~~monitoring~~ progress targets contained in Tables 42, 45 and 48 of the REAR-TE (referenced in condition 1) and associated certified Management Plans for each area.	Amendment suggested to: • improve clarity and enforceability • reflect changes to conditions above
148	Permanently marked Recce plots and photo points (as established at Year 5 under previous condition) are to be used within each biodiversity planting type (Rock Forest, Taraire, tawa podocarp and Kanuka) to collect data on ~~modelled~~ progress targets as per Tables 42, 45 and 48 of the REAR-TE (referenced in condition 1).	As in 143, 144 and 147.

149	The report must compare measured data with ~~modelled~~ the progress ~~monitoring~~ targets found in Table 19 to Table 23 of the REAR-TE and consider whether the progress of the planting to date is likely to result in the achievement of the ~~modelled~~ endpoint target for each biodiversity type.	As in 143, 144 and 147.
150	The Consent Holder is to submit an Offset Planting Progress Report to the Council within 12 months of each planting area having reached the 5, 10, 20 and 30 year anniversaries since planting which ~~may recommend any~~must include any ~~identified~~ required contingency actions.	Amendment suggested to improve clarify and enforceability.
151	If ~~net present biodiversity component values~~measured values are equal to or greater than 10% below ~~modelled values~~progress targets for the corresponding year~~,~~ additional ~~modelled~~ contingency actions must be presented to the Council for certification. These actions may include increasing the area of planting or other offset ~~measures~~actions, as recommended by a SQEP.	Amendment suggested to improve clarity and enforceability.
153	Monitoring results are to be compared with progress targets found in Tables 9, 11 and 13 of the NGDP:PWC. Where results are equal to or more than 10% below progress targets, the Consent Holder must implement contingency measures set out in Tables 10,12 and 14 of the NGDP:PWC.	Amendment suggested to improve clarity and enforceability.
154	The Consent Holder is to submit an Ecological Enhancement Progress Report to the Council within 12 months of the required monitoring dates. This is to include an assessment of the measured data against the ~~modelled monitoring~~ progress targets and ~~may~~ must include additional contingency actions ~~(if needed)~~ as recommended by a SQEP.	Amendment suggested to improve clarity and enforceability.