Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

Your Comments on the SH1 North Canterbury – Woodend Bypass project substantive 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)	Director-General of Conservation		
First name	Gen		
Last name	Hewett		
Postal address	P O Box 10420, Wellington 6140		
Mobile phone		**Work phone**	[redacted]
Email	fast-track@doc.govt.nz and [redacted]		

2. We will email you draft conditions of consent for your comment			
X	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct

3. Please provide your comments on this application
Please find comments attached

Stef Bowman

Permissions Regulatory Delivery Manager
Regulatory Authorisations

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

Date: 4 May 2026

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: **State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)**

Fast track Reference: FTAA-2512-1157

1. Overview

1.1. New Zealand Transport Agency Waka Kotahi (NZTA / applicant) are proposing an extension of the Christchurch Northern Motorway. The proposal will provide four lanes of grade separated motorway over an approximately 11 kilometres length. The site spans from approximately 600 metres south of the Kaiapoi River Bridge and extends to approximately 700 m north of the Pegasus/Ravenwood intersection, including upgrades to the existing SH1 and a bypass of Woodend township.

1.2. Approvals are sought in relation the Resource Management Act 1991 (RMA), Wildlife Act 1953, Freshwater Fisheries Regulations 1983, and Heritage New Zealand Pouhere Taonga Act 2014.

1.3. The Kaiapoi River Local Purpose (Esplanade) Reserve is adjacent to the Kaiapoi River Bridge upgrades. There is no other public conservation land present around the application site.

1.4. In accordance with sections 53(2)(k) and 53(2)(m)(i) of the Fast-track Approvals Act 2024 (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

Aquatic values of affected wetlands not adequately considered

2.1. The Ecological Impact Assessment (EcIA)[1] provided by NZTA focuses entirely on the terrestrial ecological values of the wetlands and does not consider aquatic values. The

[1] Tonkin & Taylor Ltd "State Highway 1 North Canterbury—Woodend Bypass Project (Belfast to Pegasus) - Substantive Application - Ecological Impact Assessment" (December 2025) at section 3.2.

wetlands have been assessed based on their vegetation and “habitat”. It is not clear whether the habitat referred to here is for terrestrial or freshwater fauna, or both.

2.2. Section 3.2 of the EcIA covers the specific field and assessment methods used by the ecologists for their assessment. Table 3.4 shows the locations where electric fishing, trapping, and collecting environmental DNA for freshwater fish was undertaken. The 12 locations stated are all streams and ponds, but no wetlands were assessed. Table 3.3 also demonstrates that no surveys for macroinvertebrates were undertaken in wetlands.

2.3. Wetlands can be prime habitat for freshwater fishes and macroinvertebrates and to not survey the wetlands is a critical oversight. It is especially important to survey the wetlands due to the nearby presence of Canterbury mudfish (Threatened – Nationally Critical).

2.4. Canterbury mudfish is assessed as Threatened – Nationally Critical based on it having a very high ongoing or predicted population trend decline.[2] This status was determined by the high percentage of surveyed sub-population fragments that are experiencing population trends with > 70% declines. Canterbury mudfish has experienced the highest number of recorded sub-population fragment extinctions (49), 37% of which have occurred in the last 10 years. Intensification is a primary driver of decline due to the gradual loss of wetland and meandering stream habitats.

2.5. The proposed works are in close proximity to known Canterbury mudfish habitat. The lack of their presence on the map does not necessarily mean that Canterbury mudfish are not present as not all the areas have been surveyed.

[2] Dunn, N.R.; Closs, G.P.; Crow, S.K.; David, B.O.; Goodman, J.M.; Griffiths, M.; Hicks, A.S.; Hickford, M.J.H.; Jack, D.C.; Kitson, J.C.; Ling, N.; Waters, J.M.; Wylie, M.J.; Hitchmough, R.A.; Makan, T. 2025: Conservation status of New Zealand freshwater fishes, 2023. New Zealand Threat Classification Series 46. Department of Conservation, Wellington at section 3.1.2.

2.6. Figure 1 is a picture of the wetlands found within the impacted area supplied in the EcIA report. Figure 2 is a picture of the known Canterbury mudfish habitat nearby at Gladstone Road, which is about 1.2 kilometres away.

Figure 1: Photograph 5.6: CR_W2_NPSFM in Tonkin & Taylor Ltd EcIA, page 32.

Figure 2: Known location of Canterbury mudfish (source: Allanah Purdie, DOC Biodiversity Ranger)

2.7. The pictured habitats in the EcIA extensively demonstrate typical examples of the remnant wetland vegetation complex (e.g. Carex sp., Duckweed, Kio Kio) that is often associated with Canterbury mudfish habitats. The wetlands are described as semi-permanent and hydrologically isolated,[3] features which are highly indicative of Canterbury mudfish habitat, as

[3] Tonkin & Taylor Ltd, above n 1, at Table 5.1.

they are a species that can survive intermittent drought and thrive best when predatory fish species are not present.

2.8. The primary physical habitat driver for Canterbury mudfish distribution and abundance is the presence of structure-creating vegetation, with the taxonomic and/or biogeographic status of that vegetation being of far less importance. This means that the criteria the applicant has used to value the wetlands (i.e. based on plant species and whether they are invasive, introduced, or native) are not appropriate for Canterbury mudfish. Freshwater fish and invertebrate surveys must be done in the wetlands to determine their values and what additional management is necessary to manage the adverse effects of the proposal.

Proposed Quarry Lake eradication method is untested and unlikely to completely eradicate coarse fishes

2.9. The applicant proposes to eradicate the coarse fish in the quarry lake remnant using a novel and untested method being infilling the lake and burying all the fishes.

2.10. The applicant states that the habitat they will create will be unsuitable for the currently present coarse fish species. Based on Dr. McEwan's field experience and the abundant available data regarding habitat use of coarse fishes, this is unlikely to be possible for all the species, unless the habitat the applicant creates is so uniformly shallow that its adequacy as an offset for the loss of natural wetlands comes into question.[4]

2.11. The Department has a long history of carrying out fish eradications, and ongoing monitoring is an integral part of an eradication process.[5] Every eradication carries risk that:

1) all target fish were not killed during the operation,
2) target fish are accidentally reintroduced from nearby surface waters, and
3) target fish are purposefully reintroduced by humans.

2.12. Historically the human risk is most prominent in cases where coarse fish are eradicated from coarse fishing spots. Such reintroductions are easiest, and therefore most likely to happen, in situations where the same species are available nearby (as seems to be the case in the other quarry lakes).

2.13. Given that the proposed eradication technique is untested, and the high probability of reintroduction even if the initial stage is successful, it seems reasonable to assume that there is a high likelihood that some or all of the currently present coarse fishes will also inhabit the quarry lake remnant in the near future. If the applicant needs assistance on their eradication methodology, the Department is able to provide guidance and resources on the matter.

[4] Expert Statement of Dr. Amber McEwan, paragraph 15.
[5] Supra, paragraph 14.

2.14. There should be monitoring to ensure that eradication has succeeded. During the Department's own pest eradication, monitoring needs to be undertaken for several years afterwards to ensure that the eradication was successful.

2.15. If monitoring shows that the coarse fish have returned or were not fully eradicated, additional work is required to ensure that they have been eradicated. It is not dissimilar to the proposed riparian planting conditions, which including maintenance of plants until 80% of indigenous canopy cover and general absence of weeds is achieved. However, unlike terrestrial flora, indigenous species cannot outcompete pest species so pest species eradication is critical to achieve a no net-loss or preferably a net gain.

2.16. Given the harm that coarse fishes pose to native species and ecosystems, the presence of coarse fishes in the quarry lake remnant will likely render it an inadequate offset for the loss of natural wetlands, regardless of how successful the creation of the wetland is.

Proposed method of recreating wetlands

2.17. The applicant proposes to eradicate the coarse fish in the quarry lake remnant using a novel and untested method being infilling the lake and burying all the fishes. The 'eradication' by in-filling is proposed to also act as the offset for the loss and modification of natural wetlands.

2.18. There would be an uncertain time-lag between the destruction or modification of existing natural wetlands and the proposed wetland becoming ecologically viable.[6] Dr. McEwan states that the eradication method would "result in a potentially significant biomass of dead fish in the surface layers of the fill, which would then drive eutrophication in the created waterbody that could last for a long time".[7]

2.19. The additional difficulty of ensuring that the wetland bed is unsuitably shallow for coarse fish species means that there is a real risk that the offsetting proposed does not align with National Policy Statement for Freshwater Management 2020 (Amended 2025) Appendix 6.

Recommended alternative to mitigate the loss of the quarry lake remnant toitoi population

2.20. Dr. McEwan states that the proposed potential toitoi/common bully salvage from the quarry lake remnant is inadequate mitigation for the loss of the quarry lake remnant toitoi population.[8]

2.21. It is because the limited access at the site, being a quarry lake, means that only a tiny fraction of the population will be able to be collected. A significant proportion of the population will not be recovered to the point where it is not worth considering salvage and release.

2.22. It would be more appropriate for this loss to be offset or compensated for in the form of riparian planting elsewhere, which provides ongoing and meaningful support for toitoi. The applicant is already proposing to provide riparian planting along proposed streams. Expanding the

[6] At paragraph 18.
[7] At paragraph 16.
[8] At paragraph 20.

riparian planting is a straightforward amendment and will provide more secured outcomes for biodiversity.

Inadequate valuation of flora and fauna values.

2.23. The EcIA rates lizard habitat at low value and has not assessed the wetlands for their freshwater values. It is noted that the Wildlife Act 1953 only considers the values of lizards.

2.24. The offsetting and compensation proposed for the loss of wetlands and lizards in particular relies heavily on calculating from the Environmental Institute of Australia Inc Ecological Impact Assessment Guidelines (EIANZ framework). The Department's herpetologist, Jacqui Wairepo, has considered the application of the EIANZ framework and considers it has not been applied correctly in her statement attached to the section 51 wildlife approval report.

2.25. The Department has not endorsed the EIANZ framework. However, if the EIANZ framework is to be applied for the project, it needs to be done appropriately. Ms. Wairepo considers that lizard values are appropriately assigned based on threat status. However, their habitat values have also been assigned in alignment with the overall ecological values assigned to vegetation units within the EcIA.

2.26. However, if each vegetation type is addressed through a 'habitat value to lizards' lens, several of the vegetation types assigned as 'low (ecological) value' in the EcIA should be ranked as 'moderate' or even 'high' (habitat) value. These include rank grassland, exotic shelterbelts and treelands which all have confirmed lizards in various areas within the appended maps at the end of the draft LMP provided to the Department.[9]

2.27. It is recommended that the ecological values of the EcIA be re-assessed based on lizard survey data and knowledge around the value of exotic vegetation to lizards in this context (i.e., rank grasslands representing important habitat to grass skinks). Further consideration of how this may impact the offset will consequently be required.

National Policy Statement for Freshwater Management 2020 (amended 2025)

2.28. The offsetting included in the application does not give effect to several principles in Appendix 3 of the National Policy Statement for Freshwater Management 2020 (amended 2025) (NPSFM). The NPSFM principles are based on best practice and should be followed and implemented to ensure that the overall objective of ensuring that the Project prioritises the health and well-being of waterbodies and freshwater ecosystems is achieved by the project. The proposed offsetting and conditions do not give effect to principles 3 (net gain), 6 (long-term outcomes), 8 (time lags) and 11 (transparency).

[9] The Department has been provided with a draft Lizard Management Plan by the applicant. It was not included in the application documents lodged with the EPA and has not been provided to the Panel.

2.29. The decision in the conditions to review the offsetting required once the project is completed goes against principles 3 and 11.[10]

2.30. The Department has stated to the applicant that it considers that the biodiversity values have been undervalued in the EcIA. The applicant stated in their discussions with Canterbury Regional Council (Regional Council) that it did not matter significantly if the biodiversity values were undervalued because they would be offsetting more than would be required. However, the applicant has also stated that they will recalculate and reevaluate the offsetting once the works are completed. It is not clear what recalculation targets they intend on meeting; no net-loss or net gain.

2.31. The scale of biodiversity offset is left entirely out of the conditions which makes it difficult to assess the loss and therefore the offsetting required. As the defined extent of offsetting is not going to be made available to the public as it will be recalculated and provided to the Regional Council. As there are no requirements of what objectives or performance standards are required for the offsetting components of the resource consent conditions, it is uncertain what the initial impacts and therefore proposed benefits are going to be.

2.32. It is likely that the quarry lake will become infested with coarse fish after their removal as fishermen will reintroduce them. Without further action by the applicant, it is likely that any eradication proposed will not provide an enduring gain for native fish species.

Kaiapoi River Local Purpose (Esplanade) Reserve

2.33. The Kaiapoi Bridge upgrades are directly adjacent to the Kaiapoi River Local Purpose (Esplanade) Reserve (Reserve). The land was originally acquired for the diversion of Kaiapoi River to facilitate construction of the Christchurch Northern Motorway in the early 1980s.[11] The Department agreed to the land being vested in it from NZTA in 2019.

2.34. Section 4.2.2. of their Construction Method Statement states that ground improvements are needed on all of the proposed bridges. This includes the Kaiapoi River.

2.35. There is no further information provided, however if the applicant needs to access the project land through the Reserve, or if the ground improvements involve modification to the Reserve, the applicant will need to apply for additional approvals outside of the Fast-track process.

3. Comments on conditions

3.1. The Department has provided initial track-changed conditions as per the Panel's request.[12] Track-changed conditions on the regional resource consents have been provided as an

[10] Schedule 3: Ecology (Discovery Protocol and Residual Effects Management), at condition EM.4.
[11] Letter from The Property Group (on behalf of Steve Cottrell, Principal Property Manager, New Zealand Transport Agency) to Trevor Knowles (Manager Crown Property Clearances, Land Information New Zealand) regarding the Legalisation Report: Setting apart land held for Kaiapoi River Diversion, for Esplanade Reserve (5 September 2019).
[12] Minute 4 of the Expert Panel, State Highway 1 North Canterbury - Woodend Bypass Project (Belfast to Pegasus) Substantive Application [FTAA-2512-1157] (20 April 2026).

attachment to these comments. As the Department only has one specified comment on the amendments to the designation, it is included in this comments letter at paragraphs 3.18 – 3.26.

3.2. The Department has commented on the draft resource consent conditions that were provided to the Panel and are available on the Environmental Protection Authority Fast-track website. The Department understands that the applicant has been working with the other relevant administrating agencies with the new changes. The Department has not been privy to these amendment discussions and therefore is commenting on the conditions that were lodged in the substantive application.

3.3. Any actions proposed in the application are only as good as the ability to enforce the actions in the conditions. As there is overlap between the obligations of the Regional Council and the Department in relation to managing and maintaining freshwater indigenous biodiversity in their approvals under their respective legislation, there is some repetition in conditions between the Freshwater Fisheries Dispensation and the regional consents, and therefore need for dual certification. This is a byproduct of the Act. The panel in Waihi North accepted DOC's submission that:[13]

> "...a parallel DOC certification role within the relevant conservation approvals would enable DOC to manage elements of the management plans which fall within DOC's expertise and align with its statutory functions."

3.4. The conditions proposed are no more onerous than necessary as required by the Act. The conditions proposed by the Department reflect the level of adverse effect posed by the application. The amendments proposed reflect the intention of the application documents that the applicant has provided and solidified the intention into a legal commitment in the conditions that can be monitored by Regional Council, Waimakariri District Council, and the Department.

3.5. The comments below provide additional rationale for the track-changes.

Deemed Certification

3.6. The Department strongly opposes the deemed certification clauses in the resource consent conditions. The Department informed the applicant in September 2025 of its issues with deemed certification in its pre-lodgement advice for the first substantive application.[14] The Wildlife Authority conditions contain a similar condition of which DOC's section 51 report has also said was inappropriate and deleted it in their draft conditions.[15]

[13] Decision, Part N: para [81].
[14] Letter from Department of Conservation to New Zealand Transport Agency regarding the Pre-Lodgement Consultation Summary for Applicant (24 September 2025).
[15] Section 51(2)(c) wildlife approval report for – FTAA-2512-1157 State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus) at 3.2.

3.7. NZTA have tried to have deemed certification clauses in its conditions several times before and have been rejected by Resource Management Act 1991 decision making panels, panels under the Act, and the Environment Court. Most recently in the Takitimu North Stage 2 decision, which the applicant was aware of at the time of the comments being prepared. The applicant has not provided any update that they wish to withdraw their position on the deemed certification provision.

3.8. The Environment Court has expressed concern about the validity of "deemed certification" conditions that allow a consent holder to go ahead with implementing a management plan where the council had a certification role but failed to respond within the specified time period: *Re New Zealand Transport Agency – Waka Kotahi [2024] NZEnvC 133*. The Court stated, at [126], that it saw no reason to depart from its findings in *Meridian Energy Ltd v Wellington City Council* [2011] NZEnvC 232:

> *"It is essential that there is no uncertainty about the approved proposal and what the consent conditions require, including the details to be approved as part of the certification process in the future. The conditions referred to the process for approval of management plans which were intended to provide environmental protections. Meridian sought that if it did not hear back from the Council as to approval of a management plan within a specified time period then the management plan was deemed to be approved. This approach is not sound environmental management (or we suspect good project management), and we do not accept Meridian's approach."*

3.9. The requirement for management plans in conditions is there for the protection of the environment and natural resources. An independent, regulatory check of the management plans is necessary to ensure that the applicant is adhering to all protective requirements before work commences. Deemed certification removes the primary protection mechanism and degrades the overall purpose of a management plan. Deemed certification is inappropriate because there may be good reason for the certifier to fail to meet a timeframe e.g. the management plan requires further work.

3.10. It should also be noted that the current drafting of this deemed certification condition would mean that even if the Council determined that the management plan cannot be certified, it would be deemed to be certified. This would override the Council's authority which is unlawful.

3.11. The applicant has previously tried to apply for deemed certification in the applicant's Takitimu North Link - Stage 2 fast-track application as noted above, but the panel disagreed with their argument and removed the deemed certification condition.[16] The panel's decision was in line with current case law judgements. There is significant precedence that finds against deemed certification being appropriate.

[16] Record of Decision of the Expert Consenting Panel for Takitimu North Link – Stage 2 under section 87 of the Fast-Track Approvals Act 2024 (20 April 2026) at paragraph 473(c).

3.12. The Department notes that the applicant wishes to include the deemed certification clause to ensure that works start on time. This could be easily rectified by the applicant providing a clear set of management plan resource consent conditions that contain objectives, methods, and performance standards that would allow the relevant authorities to certify the plans quicker as it will be easier to understand whether the conditions are met or not.

3.13. The Department has provided tracked changes to the conditions in Attachment C which it considers will aid in addressing its issues on detail in conditions.

Updated Stream Alignment Conditions

3.14. The applicant is proposing significant realignment of multiple streams and tributaries. Historic examples of stream alignments have been unsuccessful.[17] If the applicant is proposing to realign streams, it is critical to have detailed conditions to ensure that there is no net-loss of freshwater values within the site.

3.15. The current conditions do not provide for monitoring of outcomes from the stream realignments. If the applicant is confident that the project will achieve no net-loss, or net gain, of biodiversity values, it should be straightforward for the applicant to provide the information and designs that demonstrate the outcomes will be met.

3.16. Monitoring conditions are required to ensure that the design, once implemented, is meeting the overall objective of no net-loss. If the final design does not meet the standards required in the conditions, it would trigger the applicant to provide additional offsetting and/or compensation to ensure the objective is achieved.

Lizard Management Plan

3.17. The applicant has removed all references to lizards in their designation conditions as the effects on lizards are proposed to be managed under the Wildlife authority.[18]

3.18. The Department disagrees with the recommendation. Waimakariri District Council has the authority to:[19]

> control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
>
> > the maintenance of indigenous biological diversity

3.19. Regional Council similarly has the authority to:[20]

> control of the use of land for the purpose of—

[17] Roni. P; Hanson, K. Beechie, T. 2008. Global review of the physical and biological effectiveness of stream habitat rehabilitation technics. North American Journal of Fisheries Management 28:856–890, 2008 American Fisheries Society 2008.; Palmer, M.; Hondula, K.; Koch, B. 2014. Ecological Restoration of Streams and Rivers: Shifting Strategies and Shifting Goal. Annu. Rev. Ecol. Evol. Syst. 2014. 45:247–69.; Flatley, A.; Rutherford, I.; Hardie, R. 2018. River Channel Relocation: Problems and Prospects. Water 2018, vol. 10, 1360; doi:10.3390/w10101360.
[18] 2C Proposed Alterations to Designation Conditions, condition 44.
[19] Resource Management Act 1991, s 31(1)(b)(iii).
[20] Section 30(1)(c)(iiia).

the maintenance and enhancement of ecosystems in water bodies and coastal water:

3.20. The Councils' authorisations under the RMA to maintain and enhance biodiversity is required to give effect to the purpose of the RMA.[21] The Act is the process in which the applicant applies and receives, if granted, the approvals to undertake the work but the approvals treated as if it was granted under the RMA.[22] It does not override the Councils' obligations under the RMA.[23]

3.21. A lizard management plan is directly related to managing an adverse effect on the environment meaning a decision-maker can require its inclusion in a resource consent.[24] Territorial authorities must consider the effects on the environment, subject to Part 2, when making recommendations on designations, including a district plan and any National Policy Statement, such as the National Policy Statement for Indigenous Biodiversity 2023 (amended 2025).[25] Requiring a management plan in the Councils' designation and resource consent conditions would further allow the lizards' habitat to be properly managed as the wildlife approval only manages the impacts on the species itself. As discussed in paragraphs 2.23–2.27, the Department considers that the applicant has undervalued the lizard habitat by incorrectly applying the EIANZ framework.

3.22. As discussed at the Panel's project overview conference, the offsetting and compensation calculation of lizard habitat will be critical to the project's ability to provide a no net-loss or preferably a net-gain outcome.

3.23. It is understood that the Panel does not wish to duplicate management plans. However, as the wildlife approval and the resource consents cover different aspects, i.e. lizards and their habitats, it is unavoidable. If the Panel does not wish to take a dual certification approach like was implemented for the Waihi North decision,[26] then the applicant should include the specific requirements for the lizard offset areas in the resource consent conditions.

3.24. The same lizard management plan can contain the requirements for both the Waimakariri District Council's designation and the Department's approvals.

3.25. The Department requests that designation condition 44 is reinstated as follows:

44	(a) The consent holder must prepare a Lizard Management Plan (LMP) prior to undertaking the Construction Works. (b) The Consent Holder shall not commence any Construction Works within an area to which LMP conditions apply until the required LMP, or an amendment in accordance has been certified.

[21] Section 5.
[22] Fast-track Approvals Act 2024, sch 5, cl 32(2). It is noted that there are sections in the Act that continue to be applicable after the application has been granted but they are not applicable here.
[23] Overriding all provisions of the District Plan does not mean that Council obligations are overridden.
[24] Resource Management Act 1991, s 108AA(1)(b)(i).
[25] Section 171.
[26] Dual certification was implemented for the Coromandel Forest Park Kauri Dieback Management Plan, Wharekirauponga Pest Animal Management Plan, Native Frog Monitoring Plan, and the Rehabilitation and Closure Plan; see Appendix B1: Conditions Common to the Hauraki District Council and Waikato Regional Council Resource Consents at condition C5 and Appendix C: Wharekirauponga Access Arrangement at second schedule, clause 2.9.

44A	(a) The objective of the LMP is to avoid, remedy, and mitigate adverse effects on lizards during construction works and post-relocation monitoring. (b) The LMP must be prepared by a suitably qualified and experienced herpetologist, following best practice, and include; i. Identification of suitable Lizard habitats affected by constructed works and consideration of how these areas can be avoided where practical; ii. Within the Relocation Sites (as specified in the wildlife approval): i. Measures for pest mammal control, creation, and enhancement of lizard habitat, and post-relocation lizard and pest mammal monitoring (monitoring to occur for a period of five years after establishment of Relocation Sites); and ii. Measures to avoid and minimise disturbance to resident lizards within the Relocation Sites associated with the measures in condition 44A(a); iii. Identification of additional Lizard offset habitats if suitable Lizard habitat determined to be at population carrying capacity. *Advice note: The wildlife approval for the Project includes a clause that requires the preparation and implementation of an LMP. The consent holder may prepare one LMP that meets both the conditions of the wildlife approval and this designation.*

4. Complex Freshwater Fisheries Approval

4.1. As the Department has worked through its s 53 comments, it has realised that the conditions between the Dispensation and the regional consents will need to be developed together to not overlap. As such, the Department now provides conditions on the complex freshwater fisheries approval as Attachment D.

4.2. The Department considers with the tracked changes to the regional consent conditions as provided in Attachment C, the Dispensation conditions will not contradict the consent conditions.

5. Attachments

Attachment A) Dr. Amber McEwan Expert Statement.

Attachment B) Dr. Nicholas Rex Dunn Expert Statement.

Attachment C) WORD document track-changes to 2D Proposed Resource Consent Conditions.

Attachment D) Conditions pertaining to the Freshwater Fisheries Dispensation.