

August, 21 2026

Environmental Protection Authority
Te Mana Rauhi Taiao

FTAA-2607-1260

For the attention of Keely Paler

Fast-track Approvals Act 2024 – Bangor Village – section 46 request for further information

In its letter issued on 31 July 2026, the Environmental Protection Authority (EPA) requested the following information from Hughes Developments Limited (HDL) in relation to its substantive application for Bangor Village:

1. Confirmation of whether any other resource consents are required for the Project, a description of these consents and, if required, whether the Applicant intends to seek these additional consents via the fast-track approvals process.
2. An assessment of the application against the efficiency of the end use of energy, and the benefits to be derived from the use and development of renewable energy (sections 7(ba) and 7(j) of the Resource Management Act 1991 (RMA)).
3. Information or clarification regarding an assessment of flood effects for surrounding sites; detailed calculations of stormwater management facilities; full investigation of existing contaminated areas at the Site; and a Draft Remedial Action Plan for addressing existing contaminants.
4. Information relating to the suitability of the proposed lizard release sites, including engineering information to support the suitability of the Selwyn River release site.
5. Further evidence of the species present at the Project Site or the proposed secondary release site.
6. Contingency methods for responding to unanticipated circumstances resulting in adverse effects on wildlife.
7. Proof of all consultation, including with hapū or iwi, on the application specific to wildlife impacts.

In its comments to the EPA, the Department of Conservation also requested information relating to the potential presence of Canterbury mudfish in the Waterways on the Site and identified that approval for the translocation of fish may be required under the Freshwater Fisheries Regulations 1983.

HDL's responses to the EPA's requests and the comments from the Department of Conservation are set out in Appendix 1 this letter. Minor changes have also been made to the substantive application which do not relate to the EPA's requests or the Department's comments, as described in the table below. In addition to describing those changes, the table below references each of the attachments to Appendix 1 and summarises the updates to the those attachments that have been made.

#	Document	Summary of updates
A	Updated Substantive Project Assessment <i>To replace the lodged version of the Substantive Project Assessment</i>	The Substantive Project Assessment has been updated to reference: 1. The updated number of lots that will be created as part of the Project (now 743, not 741). 2. The additional regional resource consents required to authorise the realignment of Waterway 1.

		3. The additional non-compliance with TRAN-R5 resulting from the addition of Lots 742 and 743 to Stage 1.
B	Updated Attachment 007 – Proposed Environment Canterbury Conditions <i>To replace the lodged version of Attachment 007 – Proposed Environment Canterbury Conditions</i>	The Proposed Environment Canterbury Conditions have been updated to include conditions for the new resource consents that are being sought under Rules 5.127 and 5.155 of the Canterbury Land and Water Regional Plan to authorise the naturalisation and realignment of Waterway 1 (including the installation of new culverts). Specifically: 1. The construction-phase stormwater discharge resource consent has been updated to also authorise the discharge of water taken from Waterway 1 for the purposes of discharging back into Waterway 1 following its realignment. 2. A new suite of conditions has been prepared for the damming and non-consumptive take of water from Waterway 1 for the purposes of discharging back into Waterway 1 following its realignment. Conditions relating to fish protection which were previously included in the construction-phase stormwater discharge consent conditions have been relocated to the non-consumptive water take resource consent conditions. 3. New conditions relating to contamination have also been included in the Proposed Environment Canterbury Conditions in response to Canterbury Regional Council's comments.
C	Pre and post-development flood mapping. <i>To include as a new Attachment to the substantive application.</i>	This map was requested by Canterbury Regional Council. As explained in Appendix 1, the map shows that the Project will generally result in a reduction of flood levels downstream of the Site compared to the pre-development state. There is however one area to the south of the Site near Piako Drive where a minor increase in downstream flood levels is predicted following completion of the Project. Davie Lovell Smith has confirmed that this increase can be addressed through a change in the proposed earthworks on the Site which will redirect some of those flows toward Cridges Road. The redirection of those flows will ensure that the Project will have either a neutral or positive effect on downstream flood levels in all locations. Davie Lovell Smith is currently preparing the updated earthworks plans to achieve this outcome and will provide those plans along with the updated flood map to Canterbury Regional Council as soon as they are completed. Those plans will also be provided to the EPA.
D	Updated Attachment 006 – Proposed Selwyn District Council Conditions <i>To replace the lodged version of Attachment 006 – Proposed Selwyn District Council Conditions</i>	The conditions relating to contamination have been updated to address Canterbury Regional Council's comments. The indicative staging table included in Schedule 2 of the Proposed Selwyn District Council Conditions has been updated to include the additional lots in Stage 1, being Lots 742 and 743. No other changes have been made to the Proposed Selwyn District Council Conditions.
E	Attachment 029 – Records of Consultation <i>To include as a new Attachment to the substantive application.</i>	This attachment includes evidence of the consultation described in Attachment 016.
F	Updated Attachment 009 – RMA Rules Assessment	The RMA Rules Assessment has been updated to address: 1. The additional resource consents sought under the Canterbury Land and Water Regional Plan to authorise the realignment of Waterway 1.

	<i>To replace the lodged version of Attachment 009 – RMA Rules Assessment</i>	2. The only additional non-compliance with the Partially Operative Selwyn District Plan resulting from the addition of Lots 742 and 743 to Stage 1, being a non-compliance with TRAN-R5, TRAN-REQ7.14. Novo Group has reviewed the updated Subdivision Plans and considers that the vehicle accessway proposed to service Lots 29 – 34 and Lots 742 and 743 is sufficiently sized to enable two-way vehicle movements and adequate queuing. Novo Group has advised that the effects of the change in layout and the resultant non-compliance with TRAN-R5, TRAN-REQ-7.14 are acceptable from a transport perspective.
G	Updated Attachment 001 – Subdivision Plans <i>To replace lodged version of Attachment 001 – Subdivision Plans</i>	Two additional lots (shown as Lots 742 and 743) have been included within the existing footprint of Stage 1 to support the establishment of a show-home village in this location. The proposed right of way providing access to Lots 29 – 34 and now Lots 742 and 743 has been widened to 10m. To accommodate the additional lots and the widened right of way, Lots 29 – 37 have all reduced in area by between approximately 100 – 300m². The Subdivision and Engineering Plans lodged with the substantive application have been updated to reflect these changes. The land use resource consent for the show-home village will be sought separately under the RMA or its replacement legislation.
H	Updated Attachment 005 – Engineering Plans <i>To replace lodged version of Attachment 005 – Engineering Plans</i>	
I	Canterbury Regional Council response	This attachment sets out Canterbury Regional Council's response to the changes that HDL has made to the substantive application and the relevant conditions in response to the comments it provided on the completeness of the substantive application.

Thank you for the opportunity to provide this information and please do not hesitate to contact me if there is anything further we can do to assist the EPA.

Regards,



Rachel Murdoch – General Manager
Hughes Developments Limited

Appendix 1 – Response to RFI

The numbering in the table below reflects the numbered requests in the letter provided by the EPA.

#	Context	EPA Request	Response
1	Canterbury Regional Council (CRC) has identified that the following resource consents would also be required from CRC: • A water permit and a discharge permit under Rule 5.126 of the Canterbury Land and Water Regional Plan. • A water permit under Rule 5.155 of the Canterbury Land and Water Regional Plan, where damming of the water race would occur over contaminated and potentially contaminated land.	In accordance with clause 5(1)(f), please confirm if any other resource consents are required for the project to which the consent application relates, and if so, provide a description of these and whether the applicant intends to seek these via the Fast Track Approvals Process.	The approach in the substantive application as lodged to the resource consents required for the realignment and naturalisation of Waterway 1 (including the installation of culverts) was previously accepted by CRC relating to similar works on a water race elsewhere in the Selwyn District. In response to the comments provided by CRC however, HDL confirms that resource consents are sought as non-complying activities under Rule 5.127 of the Canterbury Land and Water Regional Plan for: 1. The taking of surface water associated with the realignment and naturalisation of Waterway 1. 2. The discharge of that same surface water associated with the realignment and naturalisation of Waterway 1. The Canterbury Land and Water Plan does not set any limits in relation to the Malvern Water Race (of which the Waterways form part). Consequently, the take and discharge of water for the realignment and naturalisation of the Waterway 1 will not comply with conditions 1 and 2 of Rule 5.126 and are therefore non-complying activities under Rule 5.127. Resource consent is also sought under Rule 5.155 of the Canterbury Land and Water Regional Plan for the damming of Waterway 1 required for its realignment and naturalisation that will not comply with Rule 5.154. The damming will comply with all conditions in Rule 5.155 and is therefore a discretionary activity. The Substantive Project Assessment has been updated to confirm that resource consents under Rules 5.127 and 5.155 are being applied for as part of the substantive application (Attachment A). CRC has confirmed that the relevant matters of discretion for these additional resource consents have been adequately

			addressed in the substantive application. An updated set of the Proposed Environment Canterbury Conditions which addresses the resource consents sought under Rules 5.127 and 5.155 is included as Attachment B . These conditions reflect conditions imposed on recently granted resource consents for similar waterway realignment activities in Canterbury.
2	The substantive application does not appear to include an assessment against sections 7(ba) and 7(j) of the RMA, namely the efficiency of the end use of energy, and the benefits to be derived from the use and development of renewable energy.	In accordance with clause 5(1)(g), please provide an assessment of the activity against section 7(ba) and 7(j) of the RMA.	The Project does not include any specific activities relating to the generation or transmission of energy, including renewable energy, or works specifically relating to the end use of energy. The development enabled by the Project will be serviced by Grid-powered electricity, the majority of which is generated from renewable sources. In that regard, the benefits from the use of renewably generated electricity will be enabled through the Project, consistent with section 7(j) of the RMA.

3	CRC considers that the following information is lacking or could be clarified: 1. Assessment of flood effects for surrounding sites. 2. Detailed calculations of stormwater management facilities. 3. Full investigation of existing contaminated areas at site. 4. Draft Remedial Action Plan for addressing existing contaminants.	To assist us in assessing if the application complies with the above elements of clauses of 5 and 6, please provide any further information you wish us to consider in response to above matters identified by CRC.	1. <u>Flood Assessment.</u> CRC has clarified that it requests a map which demonstrates the modelled difference in flood effects that will be experienced by surrounding sites following the development of the Site for the Project. That map is included as Attachment C. The map identifies that the Project will generally result in the reduction of flood levels downstream of the Site. There is however one area to the east of Piako Drive where the modelling shows an minor increase in flood levels following development of the Site for the Project. Davie Lovell Smith, HDL's civil engineers, are proposing to address this increase through adjusting the ground surface levels within the Site to divert a larger portion of the overland flood flows toward Cridges Road. With this change, Davie Lovell Smith considers that the Project will deliver a neutral or positive effect on downstream flood levels in all locations. The proposed changes to the earthworks required to achieve this outcome are currently being designed by Davie Lovell Smith and updated earthworks plans and updated pre and post development flood maps will be provided to CRC and the Environmental Protection Authority as soon as they are available. 2. <u>Stormwater calculations.</u> Detailed calculations of stormwater management facilities will be finalised following soakage testing and confirmation of the final development contours which will take place during the detailed design phase. The detailed design plans will include the detailed calculations of the stormwater management facilities and those plans will be provided to CRC in accordance with condition 18 of the Proposed Environment Canterbury Conditions. This approach is consistent with standard practice across residential developments in the Selwyn district. CRC has confirmed that this approach is acceptable.
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			3. <u>Contamination investigation.</u> The remaining areas of potential contamination within the Site referenced in the ENGEO Detailed Site Investigation (Attachment 23 to the substantive application) are in locations or are subject to on-site conditions which constrain the extent of the investigations that can be undertaken at this stage. Detailed investigation of those areas is more appropriately undertaken as part of the initial stage of works for the Project, required by condition 49A of the Proposed SDC Conditions. CRC has advised that it is not opposed in principle to progressing investigation of the additional potentially contaminated areas identified in the DSI as part of the initial stage of works provided that there are appropriate conditions in place to ensure that the investigations and subsequent remediation actions are robust. The Proposed Environment Canterbury Conditions and the Proposed SDC Conditions (included as Attachment D) have been updated to reflect the feedback provided by CRC. CRC has confirmed that those Proposed Conditions sufficiently address the matters it raised. 4. <u>Remedial Action Plan.</u> Condition 50(b) of the Draft SDC Conditions requires provision of a Remedial Action Plan to SDC for certification prior to the disturbance of any Affected Areas. Condition 50(b) outlines the specific content requirements for the Remedial Action Plan. CRC has confirmed that those requirements are appropriate.
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4	The Department of Conservation (<i>DOC</i>) considers that the adequate details have not been provided on the suitability of the proposed release sites. Engineering information to support the claimed suitability of the Selwyn River release site has not been provided.	To assist us in assessing if the application complies with clause 2(1)(b), please provide any further information you wish us to consider regarding the proposed lizard release sites in response to the above matters identified by DOC.	As a general comment on the matters relevant to the Wildlife Act application, HDL considers that the majority of the comments made by DOC are relevant to the merits of the substantive application rather than sufficiency of detail. HDL's assessment of impacts on terrestrial ecology and its associated Lizard Management Plan (<i>LMP</i>) have been prepared in accordance with good practice principles applied throughout New Zealand, including DOC's own guidance for the preparation of LMPs. HDL therefore considers that these matters can be addressed further, if necessary, during the assessment of the application by the Expert Panel, rather than requiring a detailed response during the completeness check. Nevertheless, HDL provides the following responses to the matters raised by DOC. On-site lizard release area (<i>LRA</i>) – timing In relation to DOC's comments regarding the timing for completion of the on-site LRA relative to the salvage and release of lizards, the LMP makes clear that: - The on-site LRA enhancement should be conducted during the first stage of the Project works to allow the enhancement plantings to establish and to create suitable habitat and ensure a suitable food resource (primarily invertebrate community) is available to support the released lizards prior to salvage and transfer commencing. Condition 6 of the Proposed SDC Conditions also requires the on-site area enhancements as part of the first stage of subdivision. - The Project herpetologist must determine when the area is suitable to receive skinks which can be performed by: - o comparing invertebrate diversity and abundance (food source) within the area with off-site habitats known to support species observed during initial site surveys; and - o assessing plant establishment as high-quality skink habitat. The intent is therefore that salvage and release will not occur until the Project herpetologist is satisfied that the enhancement works have created sufficient habitat and invertebrate species
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			populations are sufficiently large to provide adequate food sources for relocated specimens. This is more appropriate than stipulating a minimum relative time as inferred from DOC's comments. The LMP also relevantly sets out the avoidance methods, seasonal timing, weather, and physical exclusion measures which must be implemented along with salvage and release. On-site LRA – quality DOC seeks clarity regarding the quality of the on-site lizard habitat given the lack of any lizards detected during site surveys. As noted in HDL's terrestrial ecology impact assessment (Attachment 12 to the substantive application), the area surrounding the proposed on-site LRA is dominated by dynamic farming practices and the spraying of pesticides. Those limiting factors would cease with the conversion of the Site from its current rural use to the proposed residential neighbourhood. The on-site LRA was identified as high-quality habitat option based on its state at the time of the survey. Significant further enhancement undertaken as part of the first stage of Project works will increase the suitability of the location for lizard habitat. The landscaped bund to the east of the Site is also anticipated to provide significant enhancements to the quantity and quality of available habitat in the vicinity relative to the existing environment. On-site LRA – pest management DOC's comments address the merits of pest control proposed in the LMP, and in particular the duration of time such measures should be carried out. Previous advice provided by a DOC Technical Advisor for lizards to HDL's ecologist confirmed that there is limited utility in pest control regimes for lizard benefit unless measures are applied across a very large spatial catchment and for prolonged periods of time. Given the very low number of specimens expected to be affected by the Project, such extensive measures would not be justified or commensurate with the scale of potential effects generated by the Project. The proposed duration of active predator control set out in the LMP is designed to reduce predators prior to and throughout the
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			entire relocation process and for a winter following the completion of the salvage and transfer. This control is considered sufficient to provide protective benefit to lizards through a minimum of the brumation period after relocation completion. Relocation completion could be completed early or mid in a summer period and predator control would therefore still continue until the end of the following winter. From that point it should be expected that the population will be able to sustain a population in the presence of predators in much the same manner as they currently do in the areas adjacent to the Site. This predator control methodology has previously been accepted in LMPs and is designed to provide relocated lizards a 'soft release' and address individual animal welfare should they experience a minor stress period or reduced activity following relocation. Off-site LRA option DOC considers that there is insufficient detail regarding the off-site LRA option including in relation to its carrying capacity and species mix of the Site; the long-term pest management; and the susceptibility to, and options for addressing, fluvial flooding of the off-site LRA. As explained in the Lizard Management Plan (Attachment 21 to the substantive application), the <i>on-site</i> LRA is the preferred LRA option. The off-site LRA was provided as a contingency method following preliminary advice from DOC that two LRA options are desirable. It is understood that DOC supports an on-site solution being preferred in the first instance. Regarding the suitability of the off-site LRA option for relocation, HDL's ecologist notes that this site has been effectively used for lizard relocation in association with a major infrastructure project in Selwyn District with very low numbers of grass skinks present. Relatively low numbers of grass skinks have been released into the off-site LRA option from the major infrastructure project. The site in question was agreed with CRC's herpetologist and no concerns have been raised by CRC at any stage in relation to the site's suitability due to cohabitation of different species, predator control or potential flood susceptibility. In the latter respect, the site is not exceptional or unusual relative to major riparian areas in Selwyn District (or Canterbury more broadly) where quality lizard habitat occurs naturally and where grass skinks persist.
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			Both Canterbury grass skink and southern grass skink are known to be present within the off-site area based on previous genetic testing, and there is sufficient carrying capacity to accommodate several thousand additional specimens within this LRA <i>if</i> the off-site option is needed for whatever reason. In relation to the requirement for additional longer term pest control measures (beyond what is provided for in the LMP), HDL's ecologist does not consider that these are necessary where the on-site LRA is used given: - the very low number of specimens expected to be salvaged and transfer from the Project Site; - the high confidence that any/all skinks can utilise the preferred on-site LRA option; and - the high-quality nature and enhanced carrying capacity expected through tree and weed removal and lizard habitat enhancement. If necessary, as a contingency measure, the LMP could include additional pest control steps to be adopted in unanticipated circumstances where the off-site LRA option is required.
5	DOC considers that adequate evidence of the species present on the site and at the proposed secondary release site has not been provided.	To assist us in assessing if the application complies with clause 2(1)(d), please provide any further information you wish us to consider in response to these matters identified by DOC.	HDL has addressed this issue above as it relates to the potential use of the <i>off-site</i> LRA area, which again will only be utilised as a contingency measure. On the understanding that the <i>on-site</i> LRA will be preferred, there is no net change from the existing environment as relates to potential species mixture. If there are multiple species resident on Site currently, that will remain the case following salvage and relocation, albeit that the animals will be relocated to habitat with greater quality relative to the status quo (through enhancement and reduced agricultural practices (grazing/chemical use)). As agreed by DOC, Canterbury grass skink and southern grass skink are morphologically indeterminate. As such, if separate LRAs for segregating the species were required, genetic testing for every individual would need to be undertaken, and all animals would need temporary captive management until genetic results are returned (several weeks).

			HDL's ecologist does not consider that genetic testing of skinks salvaged from the Site is consistent with good (or current) practice, which generally only uses genetic testing where the species of lizard is highly threatened and requires more comprehensive management. It is also not warranted given the very low lizard population anticipated within the Site and its vicinity and the potential for additional harm to animal welfare which can result from temporary captive management.
6	DOC considers that the contingency methods in the case of unanticipated circumstances have not been identified. The following categories of information about which contingency information could be provided: • More lizards are caught than estimated. • A different species than the surveyed species is found. • The on-Site lizard release area is not ready. • The lizard release area reaches carrying capacity. • Unsuitable weather causes delays with lizard salvage. • The staging of works changes. • Lizards are found outside of demarcated thresholds. • Mortality occurs above an agreed threshold.	To assist us in assessing if the application complies with clause 2(1)(k), please provide any further information you wish us to consider in response to these matters identified by DOC.	HDL considers that these categories have all been addressed to a sufficient degree in the terrestrial ecology impact assessment, the LMP and the Proposed Wildlife Approval and SDC conditions. Specifically: - The anticipated number of lizards based on the site survey is exceptionally low. The on-site LRA is sized to accommodate a significantly larger population than the conservative lizard population estimated within the Site and its vicinity. In the highly unlikely event that the carrying capacity of the on-site LRA is reached, the off-site LRA has been identified as a supplementary option. - It is highly unlikely that any other species will be in the vicinity of the Site apart from the three identified skinks in the ecological assessment based on available records, the site survey and the extant physical characteristics of the Site. Section 2.2.2 of the LMP states that lizard habitat reassessment is required prior to works on-site. If habitat suitable to support populations of lizards is confirmed and beyond those areas demarcated within the LMP, lizard management will be implemented in those areas through trapping (to be undertaken over a minimum of three nights) to determine lizard presence and any further management requirements. - As noted above, the on-site LRA must be enhanced at the first stage of the development and will not be utilised until the Project herpetologist has confirmed it is suitable for receiving lizards. Additional enhancement will be provided where required to support the creation of skink habitat within the LRA and/or to promote a suitable

			invertebrate food resource. If there is an unanticipated need to salvage and release animals in advance of the on-site LRA being suitable, the off-site LRA option can be utilised. Again, the latter has already been shown to be an effective, high-quality relocation habitat. This would only be in exceptional circumstances. - Any issues relating to weather delays or altered staging can be accommodated by the measures already proposed in the LMP. These include: - o requiring confirmation from the Project herpetologist that the LRA is suitable; - o requiring salvage and release to occur at appropriate times under appropriate conditions under the supervision of the Project herpetologist; and - o site works otherwise being limited in identified habitat areas until salvage and relocation are complete. - The issue of incidental mortality has been addressed by Condition 16 of the Proposed Wildlife Conditions (Attachment 22).
7	The proof and details of consultation (including emails and meeting notes) is not included as part of the substantive application, which makes it difficult to understand the full context of consultation.	In accordance with clause cl 2(1)(n), please provide proof (e.g., copies of emails or meeting notes) of all consultation including with hapū or iwi, on the application specific to wildlife impacts.	Please refer to Attachment E .
8	DOC has also requested further information be provided in relation to Canterbury mudfish.	DOC requests that the following further information be provided: • eDNA sampling for Canterbury mudfish (Threatened, Nationally Critical) is requested. It is noted that the presence of Canterbury mudfish can be difficult to determine based on electric fishing alone. Sampling by eDNA will	HDL's aquatic ecologist is satisfied that Canterbury mudfish will not be present in this study area, as supported by the intensity and extent of fishing works conducted to inform the Aquatic Ecology Assessment. Water sources for the Waterways contain predatory trout (DOC records on the New Zealand Freshwater Fish Database (NZFFDB). Mudfish cannot survive brown trout presence. Another predator, longfin eel are also present in the raceway close to the intake (Tramway Rd, NZFFDB record 126680). The nearest mudfish record is approximately 11 km away in a separate catchment isolated from trout and eels.

		help to determine the presence (or absence) of Canterbury mudfish at the site.	On the advice of its aquatic ecologist, HDL does not propose to undertake eDNA sampling for Canterbury mudfish.
9	DOC notes that approval will be required for Freshwater Fisheries Regulations 1983 for the translocation of fish undertaken as part of the Waterway realignment.	-	HDL will apply for any additional approvals required for the Waterway realignment works through the standard pathways under the Freshwater Fisheries Regulations 1983 and/or the Conservation Act 1987 rather than via the Fast-track Approvals Act 2024.