

Technical Memorandum – Fast-track Application

Waikanae North Development Limited Urban Subdivision Development

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Introduction

This memo responds to a request for comment from the expert panel assessing Waikanae North Development Limited's ("WNDL") substantive application to undertake an urban subdivision development at 169-171 Peka Peka Road, Kāpiti, under the Fast-track Approvals Act 2024 (the Act).

This memo provides comments on the effects of the project on ecological matters in relation to the district council consents being applied for. An ecological assessment and associated management plans were prepared by RMA Ecology Ltd. This memo provides a peer review of the ecological assessment.

Pre-lodgement feedback on the draft application

Boffa Miskell was previously engaged by KCDC to provide pre-lodgement advice on the draft application as provided to KCDC for review. This advice was supplied in a memo dated 12 February 2026, a copy of which is attached to this memo as per the Panel's request within Minute 1.

This pre-lodgement review found that the applicant's ecological effects assessment was undertaken to a high professional standard and provided a thorough description of the existing environment, proposal, and anticipated ecological effects. Avoidance of ecological features has been incorporated into the subdivision design, to the extent that most high and moderate value ecological features are retained and enhanced.

The main limitation of the assessment identified was that details of monitoring and reporting proposed were insufficient to provide certainty that the revegetation and habitat

enhancement measures relied on as a means of addressing ecological effects will be effectively implemented.

The Ecological Restoration Management Plan was not provided as part of this pre-lodgement review, and proposed mechanisms to ensure long-term protection and maintenance of ecological features and values were not specified.

Review of application (and regulatory assessment)

This review of the lodged application documents considered relevant ecology related matters with respect to District Plan rules, including potential adverse or positive effects of development on:

- Ecological sites identified in the District Plan; and
- Significant indigenous vegetation and indigenous fauna habitat (as defined in the District Plan); and
- Indigenous vegetation within, or within 20 metres of, a waterbody (including a wetland).

This review specifically addresses the following matters in relation to the ecological effects assessment:

1. Whether pre-lodgement feedback provided to the Applicant on behalf of KCDC has been addressed and/ or incorporated within the lodged application material.
2. Whether any new issues have arisen or new information included within the lodged application documents;
3. Whether there are any key ecological-related issues that are yet to be resolved to a satisfactory degree;
4. Identify ecological matters that will/ may require management through the imposition of consent conditions.

As noted above, the findings of the terrestrial ecology pre-lodgement review were supportive of the assessment approach and effects management measures proposed, subject to review of the monitoring and reporting details and the proposed Ecological Restoration Management Plan, as well as a number of minor corrections and clarifications. All matters identified in the pre-lodgement review that required further actions to ensure anticipated ecological benefits are achieved were either addressed or taken into account in the substantive application.

Specific action items raised in the pre-lodgement review, and the response provided from the Applicant within the lodged application, are as follows:

1. Provide buffering/ screening alongside the walkway through Ngarara floodplain wetland (WC2) and Te Harakeke Wetland (WC1) to minimise the risk of disturbance to birds in the wetland.

Response:

The ERMP specifies “to mitigate disturbance of wetland birds, particularly by dogs, buffer planting around wetlands will provide a dense, continuous and visually impermeable barrier at least 3 m in height around wetlands, particularly where

walkways are within 100 m of constructed swales and existing open water bodies, or within 20 m of SNA wetlands". These measures appropriately address the potential for disturbance to cryptic wetland birds. Include a requirement that the boundary of the lizard release site is to be identified on the property title.

Response:

To be addressed in consent conditions.

2. Specify a formal protection mechanism for all retained/ restored stream, wetland and duneland habitats and ecological values.

Response:

The ERMP specifies that all planting areas are to be protected in perpetuity by covenant or similar. This matter can be addressed in consent conditions.

3. Provide an Ecological Restoration Management Plan (ERMP) that includes detailed planting specifications, maps, maintenance and monitoring specifications, including a breakdown of tasks and timeframes.

Response:

The lodged application includes a comprehensive ERMP with spatial plans, restoration methods, planting specifications, monitoring targets and methods, timeframes and maintenance actions. The ERMP appropriately addresses gaps identified in the review.

4. Specify lizard release site design and pest management approach with a specific focus on ensuring the post-release survivorship of lizards.

Response:

The lodged application includes a Lizard Management Plan which identifies a lizard release site and provides pest management specifications targeted at lizard predators. Alternative options for cat management are also proposed in the ERMP. These measures take into account the gaps identified in the review.

Post-lodgement work with the applicant

A series of meetings between Council representatives and the Applicant have occurred following lodgement of the application, for the purpose of communicating key issues and working to resolve those as directed by the Panel Convenor. I have not been personally involved in those meetings. However, I am aware that one of the key issues raised by Council relates to the impacts of Item #2 and to a lesser degree Item #3 above, being details of the tool/s to be used for the proposed perpetual protection for Te Harakeke Wetlands and responsibility for on-going maintenance, protection and monitoring. These engagements have been on-going.

Outstanding matters

With regards to Item #1 above, screening of walkways, the Applicant has specified screening vegetation will be established alongside walkways through or around wetlands to minimise the risk of disturbance to birds in the wetland. From an ecological perspective, the proposed mitigation (a visually impermeable barrier of vegetation at least 3m in height) will address effects on birds. However, we note that the response may not be appropriate from an amenity or CPTED (Crime Prevention Through Environmental Design) perspective. Other

options for 3 m tall wetland plants that would provide a permanent, visually impermeable barrier are limited, and this level of screening may not be required along the entirety of the walkway (depending on the habitat characteristics in the adjacent wetland, width of the buffer, etc). To resolve potential conflicts and implementation challenges, we recommend that the Applicant provides a 'low ecological impact' design response for walkways, including planting specifications and any other mechanisms that may be suitable to minimise disturbance to birds, such as signage along or near the pathways.

With regards to Item #2 above, the Applicant has yet to describe the precise protection in perpetuity to be afforded to Te Harakeke Wetland. A conservation covenant in perpetuity (with the agreement from the authorising agency) or vesting the parcel in Council as ecological reserve are considered to be two acceptable options to secure an appropriate level of perpetual protection.

With regards to Item #3, Table 5 in the ERMP states *"approximately 12 ha of wetland area to be planted with eco-sourced individuals from a diverse assemblage of native species"*. The restoration objective is *"Creation and enhancement of wetland areas with four wetland communities, providing habitat to waterfowl, wetland birds, and fish, as well as filtering stormwater and high flow events (in addition to stormwater management requirements)"*. While 1.79 ha of constructed offset wetlands will be planted to achieve 80% canopy cover, planting of degraded wetlands (Wetland Clusters 2, 4, and 5) is limited to 0.6 ha of enrichment planting in 100m² 'nodes'. This density of planting may not be sufficient to achieve floristic diversity or habitat enhancement objectives, or ultimately result in 12 ha of indigenous wetland. Depending on the composition of other vegetation present within the wetland, there is a fairly high likelihood the relatively small (10 x 10m) patches of 'node planting' would ultimately be displaced or overgrown with exotic vegetation in the absence of ongoing, intensive maintenance/ weed management. We recommend that the ERMP requires monitoring that shows the proposed nodes of indigenous wetland planting progressively increase in extent by a minimum threshold (e.g., 20% per year) over the monitoring period; or otherwise that all exotic-dominated wetlands are revegetated with indigenous plants.

In addition, Table 18 in the ERMP is entitled *"yearly timeline for monitoring and reporting"* but is actually a schedule of most tasks. We endorse inclusion of a full schedule and timetable of tasks for the ERMP, and recommend that this table is re-titled accordingly, and reviewed to ensure all components of work are included (for example, pest monitoring is not currently listed). A review period should also to be scheduled to assess whether adaptive management thresholds are triggered for wetland features, and that all aspects of the ERMP are on track to meet compliance requirements well in advance of compliance certification.

With regards to Item #4, a number of consent conditions will be recommended to ensure this matter and intended outcomes are achieved.

Proposed conditions

A number of critical conditions are required to ensure the proposed ecological-related works and outcomes are appropriate and codified by conditions.

Council's feedback will be provided on the proposed consent conditions when the updated set is received, as per Minute 1 from the Expert Panel.

Other matters

There are no other matters to note.