NZTA acknowledges and appreciates the statements made by the Department of Conversation ('**DOC**') that are supportive of, and align with, NZTA's proposed approach on a range of matters, the majority of which are not specifically addressed in this response table. NZTA is grateful for the substantial consultation with and engagement from DOC, both pre-lodgement and post-lodgement, and values the detailed input provided. DOCs comments have assisted NZTA in refining and strengthening the Project, and NZTA considers that any outstanding matters can be resolved through conditions or further engagement.

Attachment 2 - NZTA response to comments from Department of Conservation in relation to State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)					
Date received	**Document name & page / para reference**	**Comment ID**	**Topic**	**Extract / summary of comment**	**NZTA response**
Commenter 1 – Department of Conservation					
Section 51(2)(e) complex freshwater fisheries activity approval report for – FTAA-2512-1157 State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)					
17/04/2026	S51 report, para 4.3 & 5.3.3 (pg. 5). Dr Amber McEwan statement of advice, 16/4/26, para 11.	1.1	Diversion channels	"It is recommended that fish-friendly diversion channels be used at sites where instream works may take longer than one week." "… DOC is concerned that sites where over-pumping is used could have negative effects on migrating fish… While these effects are temporary, it is DOCs view that they could be managed better, and they make the above recommendation."	The EcIA addresses temporary construction effects on fish passage, and habitat (including spawning habitat), and how these effects may be managed (EcIA Sections 6.4.5, 6.4.4 and 6.4.3 and separately through the fish salvage / relocation measures in Section 6.4.2.1). As described in the EcIA, culverts at Rossiters Drain, Wilsons Drain, Taranaki Stream (Bob Robertson Drive) and the tie-ins for Taranaki Stream at State Highway 1 (SH1) require online works. As far as practicable, online works will be sequenced to minimise disruption to fish migration (and spawning), including aligning with low flow or dry periods in intermittent streams. Any diversions (including overpumping) will be temporary (e.g., approximately from 1 week to 1 month). Online construction within flowing streams will typically require temporary over-pumping or diversions to maintain a dry working environment and will be undertaken in accordance with procedures and protocols specified in the Ecology Management Plan (EMP), including specific fish salvage and relocation procedures. NZTA's stream ecologist agrees that fish passage should be maintained where practicable during temporary instream works but disagrees with DOCs recommendation that "fish-friendly diversion channels be used at sites where instream works may take longer than one week". If it is practical and possible this will be achieved, however, site constraints (e.g., gradient and space) may preclude the use of fish friendly-diversion channels. Therefore, flexibility must be included within the EMP so that the Main Contractor can still construct any culverts where these constraints persist. Measures are set out in conditions MP.7 and MP.8 (j)(ix)), (k), and (l) to minimise effects to fish passage and spawning. The low magnitude of effect (after the implementation of measures in accordance with conditions MP.7 and MP.8 (j)(ix), (k), and (l)) described in the EcIA is appropriate for describing the temporary effects on fish migration (including spawning and passage). This is due to there being only a temporary (e.g., approximately up to 1 month) minor shift away from existing baseline conditions, which will result in a discernible change in the known potential range of fish species. However, the fish communities underlying composition (size and age range, and density) will be like that of baseline conditions once instream work is completed and the stream reach has recovered. NZTA's stream ecologist expects that any recovery to fish migration and access to habitats will occur prior to the next migration season of any impacted fish species. Overall, NZTA's stream ecologist confirms that their assessment in the EcIA stands, and that the proposed temporary effect on fish migration (and passage) results in an overall low to very low effect on the potential fish community of the Project watercourses.

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17/04/2026	S51 report, para 4.3 & 5.3.11 (pg. 7). Dr Amber McEwan statement of advice, 16/4/26, para 10.	1.2	Culverts	"It is recommended that all the culverts include a fish facility that adheres to a stream simulation design as outlined in the NZFPG. This is recommended in the absence of specific design information and in consideration of the significant increases in the length for McIntosh drain, Waihora Stream and SH1 culverts."	Each culvert has been individually assessed to determine appropriate fish passage measures in accordance with the New Zealand Fish Passage Guidelines v2.0 (NZFPG; Franklin et al, 2024)1. The Project culvert design is based on a geomorphic (natural channel) approach rather than purely hydraulic criteria. i.e., some existing stream channels are predominantly flat, making accurate hydraulic modelling to quantitatively demonstrate velocities unreliable. Īnanga (Galaxias maculatus; Threatened – Nationally vulnerable)2 were used as the target species where hydraulic modelling was assessed against fish swimming efficiency. NZTA's stream ecologist notes that the NZFPG3 details that culvert design preference is context specific and well-designed culverts can achieve fish passage efficiency similar to bridges or full stream simulation designs, and that properly designed culverts can provide many habitat benefits, as well as provide the maintenance of the sediment and bedload balance within natural streams. Overall, the design will: (a) Replicate natural stream conditions by matching channel width and gradient. (b) Provide a continuous wetted channel in a natural form using streambed material infill. (c) Indirectly control velocity through bed roughness, low gradient, and tailwater control. (d) Incorporate a low-flow channel where required for McIntosh drain. (e) Maintain continuous invert levels to avoid perched inlets or outlets. (f) Avoid end sills to allow continuity of geomorphic processes NZTA's stream ecologist considers that the proposed designs of the culverts at Project watercourses achieve fish passage for the species potentially present in the Project watercourses.
17/04/2026	S51 report, para 4.3 & 5.3.2 (pg. 7). Dr Amber McEwan statement of advice, 16/4/26, paras 15 and 16. Dr Amber McEwan	1.3	Effects on bully population	"It is recommended that alternative compensation for the loss of the south lake bully population is found. This is due to the uncertainty regarding whether this action will be carried out or not, as well as the significant amount of effort it will require to secure such minimal benefit. There is also a (albeit also minimal) risk to the other quarry lakes from an influx of new fish." "…alternative compensation for the loss of the south lake bully population is appropriate."	The EcIA provided information on how it was originally anticipated impacts to toitoi (common bully, Gobiomorphus cotidianus; Not threatened) would be managed within the South Lake remnant. However, since the preparation of the EcIA, designs on how the South Lake remnant will be constructed for the wetland offset have progressed. This has resulted in the entirety of the South Lake remnant being progressively filled until no open water habitat is present. Therefore, without any form of management all toitoi within the South Lake remnant will be culled during the infilling. It is proposed to undertake fish salvage targeting toitoi during the infilling to minimise effects on the population within the remnant lake. It is proposed that any captured toitoi will be released back into the wider quarry lakes that will remain intact once the project is complete. NZTA's stream ecologist acknowledges that there is a small risk of increased competition for resources within the remaining lakes due to any salvage and relocation of toitoi. However, this is expected to only result in a low magnitude of effect (in line with the effects in the EcIA). This is based on a minor shift away from baseline

[1] Franklin, P. A., Baker, C. F., Gee, E., Bowie, S. C., Melchior, M., Egan, E., Aghazadegan, L., & Vodjansky, E. (2024). New Zealand fish passage guidelines Version 2.03, NIWA Client Report
[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. 2023. New Zealand Threat Classification Series 46. Department of Conservation, Wellington. 66 p
[3] Section 4.4 (page 52) of the NZFPG

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	Statement of advice, 13/04/26, paras 13-17 and 20.				conditions which could result in a discernible alteration to the baseline toitoi population circumstances. In line with the EIANZ Ecological Impact Assessment Guidelines[4], which were used as a framework to aid in determining the magnitude of effect and overall level of effects in the EcIA, this results in a very low overall level of effect on the low value fauna (e.g., toitoi) of the Quarry Lakes. Due to this it is NZTA's stream ecologist opinion that alternative compensation measures are not required.
17/04/2026	S51 report, para 4.3 & 5.3.4 (pg. 7). Dr Amber McEwan statement of advice, 16/4/26, para 17.	1.4	Invasive species	"It is recommended that if the untested method of eradicating invasive fish in the south quarry lake remnant is used, that it be carefully planned and monitored by a suitably qualified freshwater ecologist. This is in recognition of the potential risk of accidental spread."	The method of infilling the South Lake remnant will eradicate invasive fish as the entire area of the South Lake remnant will be filled, prior to wetland construction. NZTA agrees ecological supervision of this process is important and has proposed inclusion of a new clause in regional consent condition EMP.7 that requires the ecological oversight requirements for the South Remnant Lake infilling and wetland offset construction to be specified in the EMP.
17/04/2026	S51 report, para 5.2.3. Dr Amber McEwan statement of advice, 16/4/26, paras 13 and 14.	1.5	Fish passage	The language used in the Ecology Impact Assessment (EcIA) does not provide certainty that the actual designs for providing fish passage at instream structures will adhere to the New Zealand Fish passage Guidelines and Fish Passage Guidelines for State Highways (NZTA, 2013) in a way that ensure that the structures/fish facilities will not impede fish passage.	NZTA's stream ecologist confirms that the NZFPG has been used to inform site and context specific designs so that fish passage is achieved at each of the culverts within Project watercourses. See further responses in Comment ID 1.2.
17/04/2026	S51 report, para 4.2 & 6.1.3.	1.6	Conditions / CFFA	"Broad conditions, requiring future management plans to be certified, are therefore recommended in this instance as there is very little specific information that DOC can use to suggest specific conditions." "DOC recommends that the development of 'to-be-certified' management plans include: • Native Fish Management and Monitoring Plan • Fish Facility Design and Monitoring Plan	The application does not propose specific conditions for the CFFA because the Project will not prevent fish passage. NZTA considers that the conditions proposed for the regional consents will effectively manage effects on fish: • Condition C2.10 requires fish passage through culverts, with written confirmation the structure has been installed correctly, and inspection by a SQP within 1 year of installation. • Condition MP.8(j)-(m) requires the inclusion of protocols, guidance and approaches relating to fish management within the Ecological Management Plan. The EMP will be certified by ECan. • Condition O1.3 requires culverts be maintained to ensure fish passage does not reduce. Notwithstanding NZTA's position that conditions are not necessary for the CFFA, NZTA proposed to DOC by email (24 March 26) that Condition C2.8 (now C2.10) could be replicated on the CFFA, with written confirmation provided to DOC, and a new condition could be imposed that requires NZTA to provide the fish management components of the EMP (those

[4] published by the Environment Institute of Australia and New Zealand (EIANZ). Roper Lindsay, J., Fuller S.A., Hooson, S., Sanders, M.D., Ussher, G.T. (2018). Ecological impact assessment. EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems. 2nd edition.

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					set out in condition MP.8(j)-(m)) to DOC for comment before providing the EMP to ECan for certification. Structuring any conditions in this way (consultation with DOC and certification by ECan) reflects the direction in Reg 44 of the Freshwater Fisheries Regulations 1983 that fish facility determinations are "subject to the Resource Management Act 1991".
17/04/2026	S51 report, para 6.1.4. Dr Amber McEwan statement of advice, 16/4/26, para 21.	1.7	Conditions / CFFA	"Native Fish Management and Monitoring Plan to cover: - The duration of instream works; - The sequencing of instream works to avoid fish spawning and migration seasons and working in wetted habitats as far as possible; - Methods for salvaging and translocating fishes; and - On-site euthanasia of any encountered rudd."	Condition MP.8(j)-(m) on the regional consents requires the inclusion of protocols, guidance and approaches relating to fish management within the Ecological Management Plan (EMP), to be certified by ECan. The matters suggested by DOC for inclusion in a Native Fish Management and Monitoring Plan are already addressed. Notwithstanding NZTA's position that CFFA do not necessarily require conditions, as described in Comment 1.6, a condition could be included on the CFFF providing DOC the opportunity to comment on fish management components of the EMP, before certification of the full EMP by ECan.
17/04/2026	S51 report, para 6.1.4. Dr Amber McEwan statement of advice, 16/4/26, para 21.	1.8	Conditions / CFFA	"Fish Facility Design and Monitoring Plan to cover: - Design specifications and outcome monitoring regimes for culverts and stream realignments in relation to fish passage; and - Design specifications for temporary fish facilities used to provide fish passage around instream works sites (including pump screens, exclusion fencing, and any additional culverts, bridges, or diversions)."	DOC has suggested a Fish Facility Design and Monitoring Plan (FFDMP) be required as a condition on the CFFA. However, it is noted this comment in the Section 51 response has not been incorporated into the CFFA conditions suggested by DOC in their Section 53 response. NZTA notes the matters suggested for inclusion in the FFDMP are already addressed within the regional resource consents, so a separate plan to address these matters is not considered necessary. • Condition C2.10 requires fish passage through culverts, with written confirmation the structure has been installed correctly, provision of information required under Regulation 62, 63 and 69 of the NES-F to CRC, and inspection by a SQP within 1 year of installation. • Condition C2.11 requires a SQP to design the stream realignments to achieve a number of outcomes, including outcomes relating to ecological factors. NZTA has proposed inclusion of reference to the New Zealand Fish Passage Guidance to inform channel and bank form. • Condition MP.8(j)-(m) requires the inclusion of protocols, guidance and approaches relating to fish management within the EMP, including fish facilities during instream works. The EMP will be certified by ECan. • Condition O1.3 requires culverts be maintained to ensure fish passage does not reduce. Condition O1.4 requires provision of information to CRC after significant natural hazard events, as required by Regulation 69(2)(c) of the NES-F.
17/04/2026	S51 report, para 6.1.5, para 6.1.6.	1.9	Conditions / CFFA	DOC consider a term of 10 years could be appropriate but would prefer a shorter term. If a longer term is granted, there should be a reassessment after 10 years, so that changes to habitat, species distributions and threat classifications can be	NZTA seeks a 20 year term for the CFFA to align with the term sought for the construction phase resource consents. A 10 year term could constrain delivery of the Project and create a

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				incorporated into management plans which have not yet been submitted for certification.	risk that additional consenting processes are required. A 20 year term provides appropriate flexibility to complete this RONS project.
Section 51(2)(c) wildlife approval report for – FTAA-2512-1157 State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)					
17/04/2026	S51 report, paras 3.2, 6.3.3-6.3.5. See also sch 1, cl 3 of conditions. Statement of advice of Jacqui Wairepo, 13/03/2026, page 4.	1.10	Authorised personnel	"The Lead Herpetologist, and any herpetologists operating without supervision, should be named on the Wildlife Approval. If this is not possible, DOC should review and determine the appropriateness of the proposed herpetologists." "This is standard practice and gives a higher level of confidence that works will be taken out appropriately. Where there are staff changes variations to Authorised Personnel may be applied for without significant delay or difficulty."	NZTA has proposed updates to the WA conditions to name the proposed herpetologists: a. Lead Herpetologist Rieke Behrens David Pickett Christopher Woolley Sam Heggie Gracie b. Other Herpetologists Liz Curry Jamie MacKay Nicki van Zyl Sam Mulcock Shaun Morgan Ashleigh Johnston Tarryn Wyman Josh Forrest c. Personnel under the supervision of Lead Herpetologist. Cid Shearman Bex Diederichson Matt Barson Pippa McAnergney Tyler Eaton-Palmer Paul Dyer Danielle Cairns Laura Francis Qualifications and relevant experience will be provided in the Lizard Management Plan. All personnel listed are named on other project Wildlife Act Authorities. NZTA has also proposed condition WA.6 on the WA to allow additional herpetologists to undertake Authorised Activities with written approval from DOC.

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17/04/2026	S51 report, paras 3.2 & 6.3.6-6.3.8. Statement of advice of Jacqui Wairepo, 13/03/2026, page 2	1.11	Habitat classification	"Regarding habitat quality classifications, DOC considers that the consistent under-valuing of habitat will likely result in wider residual impacts associated with habitat loss that are not provisioned for within offset modelling." The report suggests that the Applicant has classified lizard habitat values under the Ecological Impact Assessment classification system, but this is a general system which DOC considers is sufficiently nuanced to be applied to Project specific scenarios.	Habitat values are addressed in the statement of evidence by Dr Jamie MacKay. Habitat loss is not within the scope of the Wildlife Approval and is addressed via the resource consent and designation alteration.
17/04/2026	S51 report, paras 3.2 & 6.3.9-6.3.10. See also sch 1, cl 4 of conditions.	1.12	Term of approval sought	"A term not exceeding 10 years is recommended. If a term exceeding 10 years is to be considered a review at the 10-year point may be necessary." "Best practice methods and tools for all aspects of lizard salvage, release, and monitoring are likely to change and improve over such a term. Likewise, the threat status, and abundance, of lizard species may change over time requiring different mitigation measures."	NZTA seeks a 20 year term for the Wildlife Approval to align with the term sought for the construction phase resource consents. A 10 year term could constrain delivery of the Project and create a risk that additional consenting processes are required. A 20 year term provides appropriate flexibility to complete this RONS project. NZTA has proposed condition WA.11 of the WA, requiring review of the LMP on the 10 year anniversary of the approval date.
17/04/2026	S51 report, para 6.3.14	1.13	Lizard Management Plan	DOC has seen a draft LMP and further changes are expected. "DOC cannot assess or make recommendations on mitigation measures and wildlife activities that are not confirmed or known. At this point, DOC recommends: - The LMP be submitted for approval to DOC; OR - The LMP be submitted to the Panel for assessment and decision."	NZTA provided a draft LMP to DOC on 13 March 2026. DOC has provided comments on the LMP and the LMP has subsequently been updated to respond to these comments. NZTA intends to provide the updated LMP to DOC in May 2026. NZTA is working towards obtaining approval from DOC on the LMP and intends to share the LMP with the Expert Panel, prior to the issuing of draft conditions. NZTA will then request the Panel impose conditions that will require implementation of the LMP when undertaking activities authorised by the Wildlife Approval (with no further certification required prior to commencement of Construction Works).
17/04/2026	S51 report, para 3.2	1.14	Deemed certification	"DOC considers that a 'deemed certification' process for a Lizard Management Plan (LMP) not submitted with the Application is not appropriate or preferred. A LMP should be submitted alongside the Application for full consideration. Additionally, the wording around this point proposed in the Applicant's conditions may cause confusion around what happens if a LMP is submitted to DOC and is not suitable to certify."	NZTA seeks deemed certification across all management plan conditions for consistency, and to better facilitate the efficient delivery of the Project. Updated condition wording is proposed to clarify that deemed certification will not occur if the relevant agency communicates to NZTA within the 30 working day timeframe, that the management plan is not suitable to certify. Deemed certification is only proposed in the event there is no communication from the certifying agency within 30 working days. As described in Comment ID 1.13, NZTA is progressing updates to the LMP with the intention that DOC approves the LMP and it is provided to the Expert Panel ahead of issuing of draft conditions. The Wildlife Approval conditions could then require implementation of the LMP.
17/04/2026	S51 report, para 5.2.27	1.15	Incidental discovery protocol	"…it may in fact be far more humane and appropriate for the Project Lead Herpetologist to consider survivability, determine appropriate steps, and undertake activities including euthanasia directly."	NZTA has proposed condition WA.7 to address the potential for euthanasia under direction of the Lead Herpetologist. The LMP has also been updated to reflect the Project Lead Herpetologist considering the survivability, determining appropriate steps, and undertaking activities including euthanasia directly (in the event an injured lizard is discovered).

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17/04/2026	S51 report, para 6.5.2.	1.16	Species management plans	"The Applicant's conditions propose that amendments to the management plans may be made by way of certification by DOC. However, certification criteria (objectives and contents of the management plans) are not set out. DOC's preference is that amendments to the LMP or Terrestrial Invertebrate Management Plan (TIMP) go through the DOC variation process."	It is more efficient for amendments to the management plans to be re-certified rather than go through a variation process. The variation process should be reserved for changes to the conditions or approval itself. The reference to the 'Terrestrial Invertebrate Management Plan' in DOC's comment is an error because NZTA does not propose to prepare one.
17/04/2026	S51 report, para 8.3.2.	1.17	Information required for Wildlife Approval	The Wildlife Approval is limited to the activities of lizard capture, handling and relocation from within the project footprint only, and excludes activities associated with post-release monitoring which therefore cannot be assessed. "In the absence of this information, any activities involving lizard disturbance, capture or handling associated with post release monitoring would require a separate Wildlife Act approval once the post-salvage monitoring plans have been developed. A suggested alternative is to request that a draft Lizard Management Plan containing this additional information be submitted to the Panel for assessment (as opposed to submitting it later on as a condition of consent)."	This comment may be an error copied from previous correspondence from DOC on an earlier application. NZTA confirms approval is sought to salvage and relocate lizards from the Project area and to undertake post-release monitoring in the lizard location sites.
17/04/2026	S51 report, para 8.3.3.	1.18	Information required for Wildlife Approval	"Although a draft has been submitted for review, the LMP is currently proposed as a condition of approval and provides additional, relevant information. It is recommended a final LMP is required by the Panel."	Please see responses to Comment ID 1.13 and 1.14.
17/04/2026	S51 report, para 8.3.5.	1.19	Further information requests	DOC recommends the following further information is requested by the Panel: - The Applicant to confirm the Barkers Road release site is an appropriate relocation site for the lizards. - A final LMP confirming additional detailed information to fully understand the actual and potential wildlife effects of the proposed activity and any methods to avoid and minimise those effects. - In lieu of a finalised LMP, conditions must be clear around how future finalised versions of the LMP are managed at the correct delegation	As detailed in the Lizard Management Plan, the lizard release site at Barkers Road is considered appropriate for the following reasons: The ~6 ha relocation site is within the known range of Canterbury grass skink and an existing low-density Canterbury grass skink population is confirmed present at the site, following a survey conducted by Wildlands Ltd between December 2024 and March 2025. Areas identified for lizard relocation comprise a variety of suitable micro-habitats for Canterbury grass skink including: - A mosaic of exotic shrub communities, grasses and woody debris, providing suitable habitat complexity. - Areas of exposed sand/duneland for basking. - Proximity to water source (wetlands). - The site is adjacent to the Project designation, and a 20 m buffer planted between the edge of the designation and the edge of the relocation site is proposed (see Figure 6.1 in the LMP). During construction works, a lizard exclusion fence is proposed to prevent lizards moving into the active construction area. - The site is connected to other surrounding areas of lizard habitat, allowing lizard dispersal into the wider environment. The site is also adjacent to an area identified for wetland offset as part of the broader ecological offsetting package for the Project.

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					- Long-term ownership and security is confirmed through Crown ownership with options to establish a protective covenant if sold, or NZTA may vest the site to WDC. To increase the carrying capacity of the site, the site will be enhanced prior to any lizard release through animal pest control, pest plant control, enhancement planting (with "lizard friendly" species) and addition of habitat/refugia (rock and log stacks). Ongoing pest control and maintenance will continue for five years following the completion of the lizard salvage works. Collectively, it is anticipated that the proposed relocation site enhancement measures will increase the overall quality of lizard habitat within the relocation site/s, provide additional resources and increase the carrying capacity for existing and released lizard populations. Release site contingencies: Lizard capture numbers will be reviewed at the end of each salvage season and if more than the estimated 1500 lizards (including a 20% contingency) are salvaged from the project area, the following additional contingencies will be implemented, if required: - 1,501-1,750 lizards – 50 additional habitat features (i.e. rock piles and log stacks) will be added to the Barkers Road release site. - 1,750-2,000 lizards – the duration of pest mammal control and post-release monitoring at the Barkers Road release site will be increased by an additional 5 years (10 years in total). - Greater than 2,000 lizards – an extension to the relocation site will be prepared. An additional ~2ha area of Crown land adjacent to the Barkers Road release site is identified (see Figure 6.1 in LMP) and can be used if required. NZTA ecologists regard the site as appropriate for the release of Canterbury grass skink and has been selected in accordance with criteria outlined in Principle 6 of DOC's lizard salvage guidelines (DOC, 2019), as follows: - The site must be ecologically appropriate and have long-term security. - The habitat at the site must be suitable for Canterbury grass skink. - The site must provide protection from predators. - The site must be protected from future human disturbance. Please also see responses to Comment ID 1.13 and 1.14.
17/04/2026	S51 report, para 8.3.6	1.20	Landowner approval	"…specific confirmation that landowner approval has been gained appears missing from the application."	The Barkers Road release site is located on Section 1 SO 622599, Lot 2 DP 423296 and Lot 3 DP 423296 which have been acquired by NZTA under the Public Works Act as per the Records of Title and identified in the property report supporting the application.
17/04/2026	S51 report, para 6.6.1. Appendix B.	1.21	Conditions	"The proposed conditions submitted by the Applicant do not include what are historically referred to as "Schedule 1" and "Schedule 2", this is where key	Please see 2E: Proposed Wildlife Approval Conditions Tracker

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	Statement of advice of Jacqui Wairepo, 13/03/2026, page 4.			information and standard conditions are typically included. DOC recommends the inclusion of these Schedules as part of standard practice…"	
17/04/2026	S51 report, Appendix B.	1.22	Conditions	Schedule 1	Please see 2E: Proposed Wildlife Approval Conditions Tracker
17/04/2026	S51 report, Appendix B.	1.23	Conditions	Schedule 2 – Standard Terms and Conditions of the Approval. Suggested by DOC.	Please see 2E: Proposed Wildlife Approval Conditions Tracker
17/04/2026	S51 report, Appendix B.	1.24	Conditions	Schedule 3 – Special Conditions. Suggested by DOC.	Please see 2E: Proposed Wildlife Approval Conditions Tracker
17/04/2026	Statement of advice of Jacqui Wairepo, 13/03/2026, page 5.	1.25	Lizard Management Plan	"…more information around the number of rock stacks to be created and how many lizards will be released into each rock stack…" "A bit more clarity around the projected number of field seasons required…" "…would be good to undertake overnight rodent index tracking…"	Approximately 300 rock and log piles will be installed (c.50 per ha). No more than 15 lizards will be released into a single rock or log pile. It is anticipated that works will span 2-3 field seasons. The Pest Mammal Management Plan (Appendix E of the Lizard Management Plan) has been updated to include an annual rodent tracking survey to be undertaken in spring.
Section 53 comments					
04/05/2026	S53 report, para 2.1. Dr Amber McEwan Statement of advice, 13/04/26, paras 6-7.	1.26	Wetlands	"The [EcIA] provided by NZTA focusses entirely on the terrestrial ecological values of the wetlands and does not consider aquatic values." "…failing to include aquatic values will mean that the ecological value of the wetlands has likely been underestimated."	The NZTA ecologists agree that the potential habitat values, or lack of potential values for aquatic fauna in each of the wetland areas assessed within the Project area could have been made clearer within the assessment tables. However, aquatic fauna values were considered for the values assessment. Where the ecologists considered that some aquatic fauna habitat was present, or likely to be present, notes were made on this fact within the description column of each values table. The aquatic values present within each wetland assessed was informed by eDNA and electric fishing surveys undertaken for the project. Other than the presence of eels within waterways alongside wetland-stream complexes, no other freshwater fauna of note, that could utilise wetland habitat were detected. For example, for the five wetlands that will be directly impacted by the Project works the EcIA notes the following: CR_W2_NPSFM - Eels may occasionally use shallow standing water within this site. A wide range of aquatic invertebrates are likely to be present. QP_W1_NPSFM - Aquatic invertebrates are likely to be present WC_W6_NPSFM - Aquatic invertebrates are likely to be present. No comment was made on aquatic habitat values for either WC_W1_NPSFM or WC_W5_NPSFM. Both of these latter two sites are highly seasonal and only retain water during flood events. The substrate of both sites are firm and entirely dry out in between flood

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					events. They therefore do not contain sufficient water to support aquatic invertebrates that require constant moisture, and the substrate type is not suitable for supporting mudfish. However, aquatic invertebrates that have biological/physical mechanisms for desiccation tolerance may be present within this site, however the suitability of vegetation for maintaining populations of these is likely to be limited by regular domestic stock grazing. The Project ecologists therefore consider that aquatic values within wetlands have been adequately assessed. Following consideration of submitter comments, additional survey work is proposed to assess mudfish presence within WC_W6_NPSFM and the adjacent stream a habitat (see SoE of Patrick Lees on Mudfish). Should the measures recommended by Mr Lees be adopted by the Panel, and mudfish are found within WC_W6_NPSFM, the ecological values of this wetland will be raised, and the final quantum of offset will be recalculated as outlined in proposed Consent condition EM4. Should the values of the wetland be increased through this mechanism, there is sufficient available area in the South Lake remnant to accommodate an increased quantum of offset for increased impact wetland habitat value.
04/05/2026	S53 report, paras 2.2-2.7, Statement of advice by Dr Dunn 17/04/2026	1.27	Wetlands	Electric fishing, trapping and collecting environmental DNA for freshwater fish was only undertaken in streams and pond, with no wetlands assessed. No surveys for macroinvertebrates were undertaken in wetlands. It is important to survey the wetlands due to the nearby presence of Canterbury mudfish. “The failure to survey these wetlands in the present context is a significant omission, and rectifying it is important.”	Please see SoEs of Patrick Lees and Fiona McIntosh for responses on Mudfish Although no wetland specific macro-invertebrate samples were undertaken, the potential presence of ‘At Risk’ or ‘Threatened’ invertebrate species (Pawson & Emberson 2000, Trewick et al. 2022, Bulman et al. 2025) was assessed through iNaturalist records and a review of published and grey literature. Invertebrate taxa detected during freshwater eDNA sampling were also reviewed for eDNA sampling sites located close to wetland habitat (drains associated with Cam River, the Cam River, and three Waihora Stream sites). The Cam River (and associated drain sites) are located both up- and downstream of the Cam River wetlands and therefore, due to the tidal nature of the River at this point, it is considered likely that any wetland invertebrates present would be detected in the results from these sites. Two of the three eDNA samples from the Waihora Stream are located very close to the two wetland sites impacted by the project. One sampling site is located within the southern extent of the WC_W6_NPSFM site, and one is located c.50 m north of site WC_W1_NPSFM. Being riparian in nature, the wetlands within the Waihora Stream area are part of a stream wetland complex. Therefore, eDNA material within streams can capture species from wetlands on its margin through connectivity and natural water movement, as long as water flow between wetland and stream is occurring at, or just prior to sampling. Based on this hydrological character and due to the proximity of these sampling points and the nature of eDNA material, it was not considered necessary to undertake specific aquatic invertebrate wetland sampling for impacted sites. Across all eDNA samples, 163 invertebrate (spiders, insects, mites and ticks, and springtails) taxa were detected, of which 18 are considered native to New Zealand. None of the 18 native species detected through eDNA sampling have a threat classification of ‘At Risk’ or ‘Threatened’.

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					While invertebrate taxa listed as regionally or nationally 'At Risk' or 'Threatened' are known from the wider Canterbury region, available literature suggests that these species are largely associated with less modified habitats such as remnant indigenous forest, montane and alpine environments, the Port Hills, or Banks Peninsula (Pawson & Emberson, 2000). The project area is characterised by highly modified habitats that are dominated by exotic plant species and subject to high levels of disturbance. This, together with the absence of pest animal control through most of the project area, substantially reduce habitat suitability for indigenous invertebrate species (Barlow et al., 2002). As such, it is considered highly unlikely that any 'At Risk' or 'Threatened' invertebrate species are present within the project area and additional invertebrate surveys are not considered necessary. References Pawson, S.M., Emberson, R.M., 2000. The conservation status of invertebrates in Canterbury. Conservation Advisory Science Notes No. 320, Department of Conservation, Wellington. Bulman, S.; Teulon, D.A.J.; Michel, P. 2025: Conservation status of indigenous aphids in Aotearoa New Zealand, 2024. New Zealand Threat Classification Series 45. Department of Conservation, Wellington. 16 p. Barlow, N. D., Goldson, S. L., & Pimentel, D. (2002). Alien invertebrates in New Zealand. Biological invasions: economic and environmental costs of alien plant, animal, and microbe species, 195-216. Trewick, S.; Hegg, D.; Morgan-Richards, M.; Murray, T.; Watts, C.; Johns, P.; Michel, P. 2022: Conservation status of Orthoptera (wētā, crickets and grasshoppers) in Aotearoa New Zealand, 2022. New Zealand Threat Classification Series 39. Department of Conservation, Wellington. 28 p.
04/05/2026	S53 report, para 2.8, Attachment C and Statement of advice by Dr Dunn 17/04/2026. Dr Amber McEwan Statement of advice, 13/04/26, paras 8-12.	1.28	Wetlands (Canterbury mudfish)	"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." "As far as ecological value is concerned, the last few remaining fragments of habitat for a Nationally Critical species in its natural range should be viewed as 'about as valuable as habitat could be'."	See response in comment ID 1.27 above for comments on invertebrate sampling within wetlands. The same logic applies to potential presence of freshwater fish (including Canterbury mudfish) within wetlands that could be considered suitable for providing fish habitat. However, see also the SoEs of Patrick Lees and Fiona McIntosh for further responses on Mudfish. DOC comments that plant biogeographic status is the only basis on which the suitability or otherwise of wetlands for freshwater fish was determined. This is incorrect. When assessing the potential suitability of wetland habitat for fish, NZTA's ecologists considered hydrological and substrate character, as well as the physical structure characteristics of each site within parts of the wetland known, or likely to receive overland water flow and/or be subject to periods of standing water. This included hydrological connectivity to other waterways known to contain fish. The following comments provide the reasoning for the statements made in the EcIA around fish habitat only for wetlands that will, or have high potential to, be impacted (from north to south). WC_W6_NPSFM – this wetland is located within floodplain of the Waihora Stream but, due to the size of the upstream catchment and the elevation of the wetland area above the stream

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					channel, is only likely to be subject to substantial surface flood flows during heavy and very heavy / prolonged rainfall events. While shallow (≤5 cm depth) water will pond in this area at times, most of the groundcover closest to the creek comprises a dense cover of Carex species and/or wetland grasses and other sedges, minimising the areas where pools could form and therefore limiting habitat opportunities for any fish. Fish (including mudfish) were therefore considered unlikely to be present, and the wetland was not considered to provide good potential mudfish habitat. However, this wetland is part of a stream-wetland complex present along the Waihora Stream from SH1 south. Due to the interconnectedness of this wetland with the Waihora Stream, mudfish habitat may be present in downstream parts of the Waihora Stream and/or downstream wetland complexes. While no mudfish were detected in earlier eDNA surveys, a targeted mudfish survey is proposed to confirm presence / absence (see evidence of Patrick Lees). WC_W5_NPSFM - this wetland is very small and, while located within floodplain of the Waihora Stream only receives small volumes of water during heavy and very heavy / prolonged rainfall events when the Waihora Stream floods. The depth of water that is retained in this area is likely to be very shallow, and there is no topographic relief that would allow deeper pools to form. There is very little vegetation cover within or around this area. The soils are also heavy (large proportions of clay and sands) and are therefore unsuitable for fish to burrow into. For these reasons we consider this area is unsuitable as mudfish habitat. WC_W1_NPSFM – this wetland is located at the very end of the Waihora Stream system and, somewhere within the delineated wetland area, the stream goes to ground. Apart from a very small area at the northern end of the wetland, the remainder is only subject to water inputs during and following heavy and very heavy / prolonged rainfall events. This water comprises flood flows from the Waihora Stream. This is evidenced by the fact that most of the groundcover is dominated by dryland grasses, with only small areas of facultative wetland species present. Shallow (≤5 cm depth) water will pond in this area at times, but is not retained for a long time following floodwaters receding. The only area where fish may be present on a permanent basis is the very northern end, which is likely the terminal area of the Waihora Stream. In this location the fringing vegetation cover is minimal, and submerged habitat complexity was very low. It was therefore considered unlikely to provide good habitat for any fish (native and introduced) on a regular basis. The southern parts of this wetland appear to be dry a large proportion of the time and are therefore not considered to provide good potential mudfish habitat. QP_W1_NPSFM – This area only retains surface water after periods of very heavy rainfall, with the high groundwater table resulting in slow draining of this area. Most of the site comprises densely vegetated groundcover of rank grasses and rushes, which do not provide areas for pools of standing water to form. The areas where shallow (≤5 cm depth) water will pond following prolonged rainfall are located beneath a willow canopy, but do not have any other structural complexity (e.g. sedges or rushes). The soils in this area are also heavy (large proportions of clay and sands) and are therefore unsuitable for fish to burrow into. This wetland was therefore not considered to provide suitable habitat for fish (including mudfish).

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					CR_W2_NPSFM – Most of this wetland only retains water after periods of heavy and very heavy rainfall, with the high groundwater table resulting in slow draining of this area. The areas where shallow (≤5 cm depth) water will pond following prolonged rainfall are located beneath a willow canopy, but do not have any other structural complexity (e.g. sedges or rushes) or have very dense sedge cover. A small area at the southernmost end of this wetland, where a small channel connects the wetland to the Cam River may provide habitat for a range of fish species as it likely retains water permanently. The evidence of Mr Lees goes into detail of why this area is not considered to be suitable habitat for Canterbury mudfish.
04/05/2026	S53 report, paras 2.9-2.16 and Attachment C (condition MP.8). Dr Amber McEwan Statement of advice, 13/04/26, paras 13-17.	1.29	Quarry lakes / coarse fish	The proposed eradication technique (infilling) is untested, and there is a high probability of reintroduction. Monitoring is required for 7 years.	Partial response to this comment has been provided in Comment ID 1.4. In response to the eradication technique, NZTA's stream ecologist notes that the entirety of the South Lake remnant will be infilled. Open water habitats will be reformed during the creation of the wetland offset area. For clarity, there will be a period where the remnant lake is entirely backfilled within no water remaining. This information was provided to DOC on 24 March 2025. NZTA does not consider this to be a novel or untested fish eradication technique in the sense of relying on a chemical, biological, or active fish-control method. Rather, the existing lake habitat that currently supports pest fish will be physically removed through complete infilling. As there will be no retained open water habitat within the South Lake remnant during that phase, there will be no aquatic habitat available to continue supporting pest fish within that area. Ecological oversight will be provided for this infilling and wetland creation, as secured through proposed updates to resource consent condition MP.8(m). That oversight will include confirming that the South Lake remnant has been fully infilled before the wetland offset habitat is formed, and that any fish salvage / management required during infilling is undertaken in accordance with the EMP. The open water habitat within the wetland offset is intended to have parts that will be shallow (c. < 300 mm and up to a maximum of 500 mm)5, but there will be deeper areas (c. 1-3 m) of water. These are primarily incorporated into the design so that raupō doesn't overtake all open water areas overtime. Which is likely to occur in areas < 500 mm deep portions. The whole open water habitat will comprise multiple small patches with a collective extent of approximately 10 % of the wetland. Although as stated above, this is expected to reduce once raupō encroach into the < 500 mm deep sections. Overall, the open water area is relatively small and shallow when compared to the original South Lake open water habitat (which supported coarse fish populations) and when compared to the overall wetland offset extent. The wetland is designed to function comparably to the wetland habitats which are being impacted in the wider Project area, i.e., a habitat that does not support coarse fish (including rudd). Although open water habitat is present, if zoochory of fish eggs via birds was to occur, the reintroduction of fish is unlikely to be successful due to the relatively small and shallow open water areas within the wetland offset area which are highly unlikely to support and provide

[5] Per Landscape Ecological Offset Typical Details Sheet 1. Document Code: 11320-AUR-0350-PWI-UD-DRG-0261.

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					sufficient habitat and resources to sustain populations of large-bodied fish (such as coarse fish). Reintroduction of pest fish is an illegal activity. Any illegal reintroduction attempt would be hindered by difficult access to the open water habitat within the wider wetland, and is highly unlikely to be successful given for the reasons described above. NZTA acknowledges that no constructed wetland can be guaranteed to remain free of pest fish in perpetuity, particularly where illegal releases are possible. However, the relevant question is whether the design and creation of the wetland offset create a material risk that pest fish will re-establish and compromise the offset outcome. For the reasons set out above, NZTA's ecologist considers that risk to be very low. For the above reasons, NZTA's ecologist considers that monitoring of the open water habitats of the wetland offset site is not required to inform whether the offset actions have been successful.
04/05/2026	S53 report, paras 2.17-2.19. Dr Amber McEwan Statement of advice, 13/04/26, para 18.	1.30	Quarry lakes / wetlands	"…uncertain time lag between the destruction or modification of existing natural wetlands and the proposed wetland becoming ecological available."	The NZTA ecologists agree that there will be a time lag between wetland creation beginning and full wetland processes becoming operational within the constructed wetland site. This time lag has been accounted for in the Biodiversity and Offset Accounting models and influences the area of proposed offset calculations for each wetland impacted. Specifically, the lag time estimated for wetland plant maturation post-planting has been set at 10 years. This length of time is generally accepted as a suitable point where restoration areas become sufficiently established to be functioning well and requiring minimal maintenance.
04/05/2026	S53 report, paras 2.20-2.22 and Attachment C (condition MP.8). Dr Amber McEwan Statement of advice, 13/04/26, paras 17-20.	1.31	Quarry lakes / bully salvage	Toitoi/common bully salvage from the quarry lake remnant is inadequate mitigation. More appropriate for this loss to be offset or compensated elsewhere (riparian planting).	See response in Comment ID 1.3.
04/05/2026	S53 report, paras 2.23-2.27, 3.21-3.22	1.32	Lizard habitat values	"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 …"	See statement of evidence by Dr Jamie MacKay
04/05/2026	S53 report, paras 2.28-2.32 and Attachment	1.33	NPS-FM	"The proposed offsetting and conditions do not give effect to principles 3 (net gain), 6 (long-term outcomes), 8 (time lags) and 11 (transparency)."	Principles of net gain in the NPS-FM. See comment ID 1.58 below. Principle of long-term outcomes.

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	C (conditions EM.2 and MP.7)			“The scale of biodiversity offset is left entirely out of the conditions ...”	The EMP contains provisions for management of the restoration sites for a period of 10 years following completion, which is a generally accepted timeframe for restoration outcomes to be secured. Following granting of the consent, the EMP will contain provisions for a longer-term management strategy for both wetland and stream offset sites following the consent period lapsing. Principle of time lags. The proposed timeframe for the consent is 20 years. By this time the restoration plantings within both the constructed wetland and stream offset sites are expected to be sufficiently close to meeting or exceeding the values lost at the impact sites for wetland ecosystem function and nutrient cycling, habitat provision for native avifauna, native plant species diversity, and groundcover and shrub tier habitat complexity. For larger woody species structure lost at the wetland impact sites (mature crack willow trees and tree foliar cover), it may take longer for this aspect of fauna habitat provision to occur. However, the structural complexity is expected to be at a suitably similar point to the current state of the impact sites by the time 35 years has elapsed, which is considered to be acceptable in the Appendix 6 of the NPS-FM. Furthermore, Condition EM.6 requires that an offset compliance report will be provided to CRC and contain sufficient evidence to demonstrate that no net loss has been achieved, 10 years after completion of the Project construction works. Principle of transparency. Landscape planting plans will be available via the consent and EMP, and there is a 10-year time bounded monitoring condition (stated above) to complete restoration/ enhancement of both the stream and wetland offset sites. The inputs into the BOAM and SEV models used to calculate offset site quantum is provided in Appendices F and G of the EcIA. This includes supporting information in the form of assumptions and justifications for the values and timeframes entered into the models. The principle of transparency is therefore considered to be met. Scale of biodiversity offset. The scale of biodiversity offset for wetland value has been assessed within the EcIA. The conditions provide a mechanism to recalculate the offset. In terms of potential changes to offsetting/ compensation measures regarding Canterbury mudfish. NZTA’s approach is to firstly confirm mudfish presence. If presence is confirmed, then the overall ecological value of surveyed wetlands confirmed as supporting mudfish will be uplifted as appropriate and the respective offsetting quanta will be reassessed and reevaluated for those wetlands (via condition EM.4). It is important to note this offset only relates to wetland habitat value, and not the value of mudfish – this has been separated out to provide a more robust process specifically tailored to mudfish (see following point). Therefore, as the offsets within the South Lake remnant relate to wetland extent and overall value as outlined in the offsetting metrics, Appendix G of the EcIA, the NPS-FM principles are met.

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					Due to their ecological significance, a separate approach has been developed for mudfish and is set out in the evidence of Patrick Lees, with specific conditions provided in Schedule 4 of the regional resource consents.
04/05/2026	S53 report, paras 2.33-2.35	1.34	Kaiapoi River Local Purpose (Esplanade) Reserve	"…if the applicant needs to access the project land through the Reserve, of if the ground improvements involve modification to the Reserve, the applicant will need to apply for additional approvals outside of the Fast-track process."	NZTA acknowledges this statement.
04/05/2026	S53 report, para 3.3	1.35	Conditions	Repetition in conditions between the Freshwater Fisheries Dispensation and the regional consents, and therefore a need for dual certification.	See response to comment 1.6 and the Proposed Complex Freshwater Fisheries Approval Tracker, if the panel are minded to impose CFFA conditions.
04/05/2026	S53 report, paras 3.6-3.13 and Attachment C	1.36	Deemed certification	"The Department strongly opposes the deemed certification clauses in the resource consent conditions."	NZTA continues to seek deemed certification. Refer to paragraphs 31 to 37 of the Memorandum of Counsel for the New Zealand Transport Agency Waka Kotahi in response to Minute 4 of the Expert Panel, dated 4 May 2026.
04/05/2026	S53 report, paras 3.14-3.16 and Attachment C	1.37	Stream alignment conditions	"The current conditions do not provide for monitoring of outcomes from the stream realignments. …Monitoring conditions are required to ensure that the design, once implemented, is achieving 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."	NZTA does not consider separate outcome monitoring of stream realignments is required. The purpose of the stream realignments is to reinstate stream form and function where short sections of watercourse have been repositioned. The proposed stream realignments are short, low-gradient sections and will be designed by a SQP in accordance with Condition C2.11. NZTA therefore does not consider that separate monitoring of the realignments is required to demonstrate achievement of no net loss. Where the realignments reinstate the affected stream reach and maintain stream form and function, they are relied on as remediation. Where residual stream effects remain, including from permanent culverting, reclamation, or loss of stream extent / value that cannot be fully avoided, minimised or remedied, those residual effects have been included in the stream offset package and will be monitored through the EMP and offset reporting conditions. Requiring additional monitoring of each realigned reach, with a further offset / compensation trigger, would duplicate the existing effects management framework and risk conflating remedial works with offsetting. NZTA's approach is the same as that taken in the Takitimu FTAA process. The Takitimu panel accepted NZTA's approach in this regard (see Takitimu decision, paragraph 336). Details on stream realignment requirements and remediation and/ or offset requirements are set out in the EcIA Section 6.4.7.3. NZTA's stream ecologist provides the following comments on each stream realignment and provides context to the process to remediate or offset stream habitat values. The commentary firstly provides a general comment on the stream realignments, and then provides specific comments for the individual stream realignments required to facilitate the Project. Overall, the stream realignments within the Project are comprised of small reaches (i.e., < 100 m). These are to occur in a catchment that has had large-scale and successful historical

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					stream realignments. The Project designs consider the geomorphic characteristics and geometry (plan form and section) of the existing stream channel (including upstream and downstream reaches) as these have proved to be successful. In addition, the design outcomes required by condition C2.11 consider how certain stream characteristics (e.g., substrate, riparian planting, woody debris, hydraulic heterogeneity) will be maintained or remediated through the stream realignments. Importantly, the references to offsetting below relate to losses of stream extent or values that cannot be fully remedied by the realigned channel itself. They do not mean that the realigned channel is being treated as an offset site. Taranaki Stream: The Project will reinstate and remediate ~ 60 m of stream channel due to the loss of 30 m of Taranaki Stream. The stream realignment designs will follow the principles described in condition C2.11. No residual effects requiring offset are anticipated at this location, as stream effects are remediated via restoration of the realigned stream. The Taranaki Stream has a recent history of large-scale realignments via the Ravenswood sub-division (~750 m realignment occurred to provide space for the sub-division construction). This historical realignment has been shown to be successful due to the presence of fish and macroinvertebrates and the creation of stream function and habitat values (as assessed via the SEV method for this Project). Therefore, as similar geomorphic characteristics are being designed into the Project realignment the smaller (e.g., reach scale) realignment is also expected to successfully reinstate stream function and habitat will develop (per that currently present at the Taranaki Stream). Monitoring to demonstrate the success of the Taranaki Stream realignment is not required because of this certainty of outcomes. Taranaki Stream tributary: The Project will reinstate and remediate ~75 m of Taranaki Stream tributary. The realigned section is relied on as remediation. However, there will be the permanent loss of c. 40 m stream value / extent that cannot be fully remedied by the alignment which will be offset through the stream offset package. The stream realignment designs will follow the design principles outlined in condition C2.11. The construction of the Ravenswood sub-division has created this small low gradient tributary. This tributary now connects the upper catchment modified watercourses, that would have contributed to the original Taranaki Stream back into the Taranaki Stream at its current confluence. As outlined above, the designs of the Project realignment will utilise similar geomorphic characteristics to those present at the constructed tributary channel. These have been shown to be successful due to the presence of fish, fish habitat and stream function (as observed in the SEV scores for the site). Therefore, as similar geomorphic characteristics are being designed into the Project realignment the smaller (e.g., reach scale) realignment will also be successful as stream function and habitat will develop (per that currently present at the Taranaki Stream - tributary). Due to the certainty of outcomes, monitoring of the Taranaki Stream Tributary realignment is not necessary. Waihora Stream: In the context of stream effects the Waihora Stream realignment relates to a 120 m portion of stream channel which is present at the terminal end of the stream. It does not

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					relate to the small portion of stream realignment that is occurring immediately downstream of SH1 as this is part of the wetland complex. The effects due to the loss of wetland habitat are covered within the Wetland Offset package. The Project will result in permanent loss of stream value at this furthest downstream reach. These effects cannot be avoided, minimised, or remedied, therefore these residual habitat effects have been incorporated into the stream offset plan. The new stream realignment at this location will consist of a grassed 120 m long channel that can accommodate the intermittent base flows and any high flow events that currently occur. Due to the type of realignment being designed, monitoring of this realignment is not necessary. Further, any offset measures will be monitored through condition EM.6. In terms of the small stream realignment located immediately downstream of SH1, similar rational for success follows that described for Taranaki Stream and the Taranaki Stream tributary. Mainly this is a short (c 60 m) section of stream realignment in a stream that is low gradient, with very low flow heterogeneity (due to flow supplementation from Taranaki Stream), It has been historically realigned and stream function and geomorphic characteristics have been maintained in the realigned sections. Due to the certainty of outcomes, monitoring to demonstrate success is not required.
04/05/2026	S53 report, paras 3.17-3.21, 3.23-3.25	1.38	Lizard management conditions	DOC disagrees with removal of references to lizards from the designation conditions. “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.” DOC requests that designation condition 44 is reinstated.	NZTA does not agree that the designation conditions should reinstate condition 44 or introduce a lizard management plan requirement to the designation (or regional resource consents). The habitat assessment and survey work contemplated by the existing condition has already been undertaken. The results of that work are addressed in Volume 3J of the substantive application, and NZTA has sought a Wildlife Approval to authorise the capture, handling and relocation of lizards. The WA approval conditions, together with the LMP, are the appropriate mechanism for managing effects on lizards arising from the Authorised Activities. NZTA does not agree that a management plan condition should be imposed through the designation for the purpose of managing lizard habitat. The substantive application seeks an alteration to an existing designation, and it is only the effects of the change that are within the scope of the application. In relation to lizard habitat, this is limited to the additional area for inclusion in the designation boundary. The alteration does not reopen the entire existing designation or provide a basis to impose a broader lizard habitat management regime unrelated to the scope of the alteration sought.
04/05/2026	S53 report, paras 4.1-4.2 and Attachment D/4	1.39	Freshwater Fisheries Approval	“…the conditions between the Dispensation and the regional consents will need to be developed together to not overlap. …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.”	Please see response to comment 1.6 and Proposed Complex Freshwater Fisheries Approval Conditions Tracker
04/05/2026	S53 report, Attachment C	1.40	Amendments to Proposed Resource Consent conditions	Tracked changes to conditions provided. See the rows below for NZTA’s response to each suggested amended or new conditions.	

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<tr><td>04/05/2026</td><td>S53 report, Attachment C, condition C2.7</td><td>1.41</td><td>Permanent structure design</td><td>“Where practicable does not provide certainty that the alignments will meet proposed ecological outcomes of net-gain or no net-loss. The outcomes are required to ensure that the streams are still fit for toitoi and their intrinsic values are maintained.”

Suggested amendment:

The Consent Holder shall appoint a SQP to design new permanent culverts in Watercourses. The culverts shall be designed and constructed to achieve~~, where practicable~~, the following outcomes:

(a) Maintenance of the existing stream geometry (plan form and section) and natural geomorphology of the Watercourse;

(b) Inclusion of scour protection where required;

(c) Inclusion of a low flow channel to maintain water depth during low flows;

(d) Creation of pool, riffle and run sequences;

(e) Incorporation of instream woody habitat features;

(f) Utilisation of existing natural materials such as rocks, woody debris from the existing Watercourse (where present); and

(g) Incorporation of a planted flood plain terrace.</td><td>NZTA does not agree to the suggested condition amendment.

The design of permanent culverts is achieved through two complementary conditions, C2.9 and C2.10. Condition C2.9 requires culverts to be designed by a SQP to achieve specified ecological and geomorphic outcomes, where practicable. Condition C2.10 separately requires fish passage to be provided through the listed permanent culverts. The words “where practicable” are appropriate in the culvert design outcome condition because not every listed design outcome may be achievable, necessary or ecologically relevant for every culvert.

NZTA also proposes to refine the list of outcomes to better reflect the ecological advice. In particular clauses (d), (e) and (g) are not necessarily relevant to permanent culverts. It is proposed these clauses are removed.</td></tr>
<tr><td>04/05/2026</td><td>S53 report, Attachment C, condition C2.8</td><td>1.42</td><td>Permanent structure design</td><td>“Regulation 70 and the New Zealand Fish Passage Guidelines are best practice for ensuring the best ecological outcomes for freshwater fish. To ensure that the proposed biodiversity offsets will provide a net gain, or at least no net-loss, there should be required adherence to the NES-F and NZFPG.”

Suggested amendment:

(a) Fish passage shall be provided through the following new permanent culverts, when each culvert is livened, in ~~general~~ accordance with regulation 70 of the NES-F and ~~informed by~~ <u>the</u> NZFPG.

<table><tr><th>Stream</th><th>Culvert location</th></tr><tr><td>McIntosh Drain</td><td>South of Fullers Road</td></tr><tr><td>Waihora Stream</td><td>State Highway 1</td></tr><tr><td>Taranaki Stream</td><td>Bob Robertson Drive</td></tr><tr><td>Taranaki Stream</td><td>Pegasus Interchange</td></tr><tr><td>Wilsons Drain</td><td>South of Cam River / Ruataniwha</td></tr></table>
(b) Within 20 Working Days of the installation of a new permanent culvert:
i. Written confirmation must be provided to CRC that each structure has been constructed in accordance with clause (a), and</td><td>NZTA proposed an update to this condition recognising that fish passage will not be provided in general accordance with Regulation 70. Regulation 70 provides for culverts as a permitted activity, and resource consent is sought for the culverts as they are not able to meet the permitted activity conditions, therefore it is not accurate to state fish passage will be provided in general accordance with this regulation.

Fish passage will be provided with the design informed by the NZFPG. ‘Informed by’ is more appropriate terminology than ‘in accordance with’ in relation to the NZFPG, recognizing these are guidelines not specifications.</td></tr>
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				ii. The information required by Regulations 62, 63, and 69 of the NES-F must be provided to CRC. (c) Within 1 year of the installation of a new permanent culvert: i. An SQP shall inspect all culverts to determine whether an appropriate in-pipe substrate has been retained and fish passage is provided, and in the event that such substrate has not been retained or fish passage has not been provided, the Consent Holder shall make other modifications to the culvert recommended by the SQP; ii. Written confirmation must be provided to CRC of the SQP's inspection and findings under clause (i).	
04/05/2026	S53 report, Attachment C, condition C2.9	1.43	Realignment of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary	"The Department has recommended extensive amendments to the realignment conditions due to previous stream alignments failing to achieve ecological viability and maintain minimum flows required for freshwater fishes." "Where practicable does not provide certainty that the alignments will meet proposed ecological outcomes. The outcomes are required to ensure that the streams are still fit for native fish and their intrinsic values are maintained." "The New Zealand Fish Passage Guidelines should be used to guide the installation of instream structures and realigned streams." "The Department recommends the deletion of this condition [b] as there are concerns that relying solely on-stream length to offset effects caused by culverting and reclamation is a risky approach and are unlikely to generate the gains in ecological value required to manage these effects. Excessive stream meandering requires engineering solutions to maintain water within the desired channels which can lead to perverse outcomes e.g. bank and bed erosion requiring further engineering works to stabilise the channel. Instead, the Department supports a pragmatic approach that relies on realigned streams to convey water through the corridor, maximising ecological value where possible, but relying instead on *no highly meandered* realigned reaches to offset the effects on streams. Suggested amendment: The Consent Holder shall appoint a SQP to design the realignment of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary. The realignments shall be designed and constructed to achieve, ~~where practicable,~~ the following outcomes: (a) Channel and banks to have a natural form <u>in accordance with the NZFPG;</u> (b) ~~Length of the realigned stream shall be maximised through meanders~~; <u>Channel morphology shall be designed to achieve natural function and ecological performance without requiring engineered meanders that pose stability risks or require ongoing intervention</u>; (c) Dimensions (depth, width, and gradient pattern) shall be similar to the reclaimed Watercourse that it replaces to achieve similar velocities, depth profiles and wetted widths; (d) Maintenance of hydrological heterogeneity (pools, runs, riffles, etc) to a similar or better extent than the reclaimed Watercourse that it replaces.	NZTA accepts the recommended amendments in part. NZTA agrees the NZFPG should guide design of stream realignments and instream structures. NZTA proposes to amend clause (a) to: *(a)* Channel and banks to have a natural form that considers the geomorphology and geometry of the existing stream channel and is informed by the NZFPG; Stream realignments are designed to achieve geomorphic, hydraulic and ecological outcomes. There may be some instances where all ecological outcomes sought by the condition are not practicable to achieve, and therefore use of this terminology is considered appropriate. NZTA's stream ecologist agrees that meanders should not be artificially maximised, however does not accept that meanders should be avoided or excluded. Meanders should be appropriately designed to reflect the stream's geomorphic setting. The intent of clause (b) is to support naturalised channel form and ecological function, not require excessive or artificial meandering. NZTA proposes to amend clause (b) so that meanders are incorporated where they are appropriate and do not create stability risk or requiring unreasonable ongoing intervention. It is noted that the inclusion of 'where practicable' in the chapeau does allow this consideration, but the proposed amendments provide additional certainty. (b) Meanders shall be considered where this can be achieved without creating channel stability risks or requiring unreasonable ongoing intervention. Length of the realigned stream shall be maximised through meanders; Please see 2D Proposed Resource Consent Conditions Tracker for proposed updates to condition C2.11. NZTA does not agree that stream reclamation and realignments are losses that must be addressed by offsetting, if equivalent stream length and values are created during the stream realignment process. See response to comment 1.37

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				(e) Same or better mosaic of substrates as the reclaimed Watercourse that it replaces; (f) Constructed using natural materials and have planting of indigenous vegetation for a zone of at least 10 metres either side of the banks. Such planting shall: (i) Be of a suitable species composition; (ii) Include woody plants within 1m of the bank; and (iii) Be maintained until 80% indigenous canopy cover and a general absence of weeds is achieved; (g) Fenced to exclude stock; (h) Have large and medium woody debris (in slow run and pool habitats) at the time of construction of the realigned Watercourse; and (i) Have a range of medium and large cobble (in riffles and faster sections) at the time of construction of the realigned Watercourse. (j) Realignments of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary.	
04/05/2026	S53 report, Attachment C, condition C2.10	1.44	Realignment of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary	"As previously mentioned, the Department notes that previous large scale stream realignments have failed to achieve outcomes stated in the resource consent conditions and assessments of environmental effects. There are no conditions proposed that provide certainty that the effects will indeed be managed and that there will be no net-loss of value. The Department recommends that a clear ledger is required that demonstrates how the design is managing the effects of culverting, reclamation and realignment effects and achieving no net loss of stream ecological value." Suggested condition: The SQP must demonstrate that the realignment designs will provide for no net loss of stream ecological values that the total length of Watercourses to be created as a result of Watercourse realignments is equal to or exceeds the total length of Watercourses that are reclaimed or culverted, due to culverting and/or reclamation activities. Residual effects require further offsetting. The SQP must include a transparent, auditable SEV x length ledger for each affected reach that: (a) Identifies pre-impact, post-impact and potential SEV scores; (b) Quantifies residual effects after mitigation; and (c) Calculates the offset required using ECR accounting	NZTA does not accept the suggested condition. Large scale stream realignments are not proposed. The proposed realignments are short and of low gradient. NZTA does not agree that stream realignments are losses that must be addressed by offsetting, if equivalent stream length and values are created during the stream realignment process. The purpose of the realignment is to remedy effects by reinstating stream form and function. This has been responded to in comment ID 1.37. In addition, comment ID 1.37 also provides information from NZTA's stream ecologist on how stream realignments will be successful due to the design process in condition C2.11. Where the realignments reinstate the affected stream reach and maintain stream form and function, no residual effect requiring offset is anticipated. Where residual stream effects remain from permanent culverting, reclamation, or loss of stream extent / value that cannot be fully avoided, minimised or remedied, those effects have been incorporated into the stream offset package. Further, NZTA notes that the condition MP.8 (n) and (o) require that where stream offset has occurred (for culverting and reclamation activities) there will be a requirement to set out and state how the principles, methodologies, processes, targets, monitoring and reporting that will be used to achieve the no net loss of the stream offset measures. Therefore, the requirement for an additional "ledger" outlining similar information is not required nor necessary and would duplicate the existing framework. It risks conflating remedial stream realignment works with offset measures for residual effects.
04/05/2026	S53 report, Attachment C, condition C2.11	1.45	Realignment of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary	"The Department recommends this additional clause which is required to demonstrate that the realigned/reinstated waterways are likely to succeed." Suggested condition:	NZTA does not accept the suggested condition. The realignments affect short sections of existing streams that are vertically fixed at each end and with perennial base flow contributing from upstream of the realignment. The realignment designs seek to replicate existing channel hydraulic characteristics and capacity, and are therefore not expected to alter existing base flow regimes. Condition C2.11(d) requires the design to maintain hydrological heterogeneity (pools, runs, riffles, etc) to a similar or better

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				The designs of the realignments of Wairoa Stream, Taranaki Stream, and Taranaki Stream must include hydraulic modelling to demonstrate maintenance of surface flow year-round.	extent than the reclaimed watercourse that it replaces, where practicable to do so. The realignments are not expected to alter the existing perennial flow regime so hydraulic modelling to demonstrate year-round flow is not considered necessary or appropriate.
04/05/2026	S53 report, Attachment C, condition C2.12	1.46	Realignment of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary	"The Department recommends including the condition to ensure that realigned/reinstated tributaries demonstrate that the outcomes stated in their application report and offsetting are met." Suggested condition: The SQP must provide success measures and criteria designed to confirm no net loss of Watercourse functions, extent and values, as informed by a baseline assessment of each Watercourse to be impacted along with the design. The baseline success measures and criteria shall include the SEV value, Fish IBI and macroinvertebrate indices of each impacted watercourse. If the baseline assessment identifies a potential residual loss in function or values or extent that cannot be managed within the relevant affected Watercourse, the SQP shall include a mitigation and/or offset package (using for example, the SEV:ECR accounting approach) in the Ecological Management Plan in conditions MP.7 – MP.8 that demonstrates how this residual effect will be managed, including any success targets and/or criteria specific to managing the residual effects that are identified.	NZTA does not accept the suggested condition. NZTA does not agree that stream realignments are losses that must be addressed by offsetting or that each realignment requires separate no net loss monitoring or offset calculations. This has been responded to in comment ID 1.37. In addition, comment ID 1.37 also provides information from NZTA's stream ecologist on how stream realignments will be successful due to the design process in condition c 2.11.
04/05/2026	S53 report, Attachment C, condition C2.13	1.47	Realignment of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary	"As the stream diversion works will be critical for managing the effects on the environment, CRC should certify the plan, as they have appropriate expertise. The ecological management plan requires certification to ensure it meets its objectives; the stream diversion works should equally be certified." Suggested condition: The consent holder shall not commence any stream diversion works until the required design in C2.9 – C2.12 has been certified by CRC. If CRC replies that the realignment designs that has been provided to CRC for certification is not suitable to certify and provides reasons for this, the Consent Holder shall re-submit the realignment design to CRC for certification in accordance with the requirements as specified in the relevant conditions C2.9 – C2.12.	NZTA does not accept the suggested condition. The proposed conditions already require the relevant designs to be prepared by a SQP and include clearly defined ecological and geomorphic outcomes that must be achieved where practicable. For permanent culverts, the conditions require fish passage be provided as informed by the NZFPG. C2.10 also requires written confirmation be provided to CRC within 20 working days of installation that fish passage has been achieved; and within one year the culverts must be inspected by SQP to confirm pipe substrate has been retained and fish passage is being provided. The SQP can direct the Consent Holder to make modifications if pipe substrate has not been retained or fish passage not provided. For stream realignments, the conditions require design by a SQP to achieve specific outcomes. NZTA considers further certification by CRC unnecessary in light of these exiting requirements. In addition comment ID 1.37 provides information from NZTA's stream ecologist on how stream realignments will be successful due to the design process in condition c 2.11. Requiring CRC certification of the designs would introduce an additional approval step for matters that are already controlled through outcome-based conditions and SQP design requirements. It is noted CRC has not suggested amendments to these conditions.

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04/05/2026	S53 report, Attachment C, condition C2.14.	1.48	Realignment of Waihora Stream, Taranaki Stream, and Taranaki Stream tributary	"The Department has recommended extensive amendments to the realignment conditions due to previous stream alignments failing to achieve ecological viability and maintain minimum flows required for freshwater fishes." Suggested condition: Five years after the Completion of Construction of the Waihora Stream, Taranaki Stream, and Taranaki Stream tributary Watercourse realignments, a SQP shall assess each Watercourse realignment and Watercourse reinstatement undertaken in accordance with Condition C2.9 and provide a report to CRC. If the report concludes that any of the success measures and criteria in Condition 2.9 have not been achieved and / or the success is not considered stable, a SQP shall: Review and update the design to include methods and interventions to support the achievement of the relevant requirements; or Recommend suitable remedial, offset, and/or compensation alternatives to achieve the relevant requirements, to be agreed in writing between the Consent Holder and certified by CRC including a time bound requirement for the implementation of the recommended alternatives. Any updates required to the design as a result of clause (a) and (b) must be provided to CRC for written certification by a suitably qualified and experienced professional prior to implementation.	NZTA does not accept the suggested condition. Comment ID 1.37 provides information from NZTA's stream ecologist on how stream realignments will be successful due to the design process in condition c 2.11. Condition C2.11 requires the realignments to be designed and constructed by a SQP to achieve specific outcomes and also requires indigenous riparian planting to be maintained until 80% indigenous vegetative cover and a general absence of weeds is achieved. This provides an ongoing establishment and maintenance requirement for the riparian planting component of the realignments. Given the low risk that the short realignments will fail to achieve the design outcomes in Condition C2.11, NZTA does not consider a further five-year assessment, redesign, certification and potential offset / compensation process to be necessary or proportionate.
04/05/2026		1.49	Canterbury mudfish	"The conditions proposed are considered backstop conditions necessary to protect Canterbury mudfish in the instance that they are found on site. They are not onerous on the applicant as they are required to protect a Nationally Critical species and potentially would not be necessary if the consent holder had undertaken fish surveys in the wetlands. The creation of a management plan is only required if it is confirmed that Canterbury mudfish are present. If Canterbury mudfish are not present, then the consent holder does not need to prepare one."	Refer to the Statement of Evidence prepared by Patrick Lees.
04/05/2026	S53 report, Attachment C, condition GC.5.	1.50	Canterbury mudfish	"The probability that a nationally critical species is present in the unsurveyed wetlands is sufficiently high that surveying is of critical importance." Suggested condition: Within 12 months prior to starting Project Works, the Consent Holder must undertake additional pre-construction survey work by a suitably qualified and experience freshwater ecologist with significant knowledge of mudfish within the	Refer to the Statement of Evidence prepared by Patrick Lees.

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				project area for Canterbury mudfish in accordance with methods described in Ling et al. (2013).[6]	
04/05/2026	S53 report, Attachment C, condition GC.6.	1.51	Canterbury mudfish	"Surveys should be submitted regardless of whether Canterbury mudfish are found to allow CRC and the Department to determine whether the surveys were appropriately undertaken. It further assists the wider knowledge about where Canterbury mudfish are located and their habitat." Suggested condition: If Canterbury mudfish are discovered during pre-construction surveys, the Consent Holder must stop all Construction Works that may directly affect the Canterbury mudfish locations until a Canterbury mudfish management plan is developed. The surveys must be submitted to CRC and the Department of Conservation for their information.	Refer to the Statement of Evidence prepared by Patrick Lees.
04/05/2026	S53 report, Attachment C, condition MP.3.	1.52	Certification and review process	"As explained in paragraphs 3.6-3.14 of the Department's s 53 comments, it is inappropriate for deemed certifications to be included. There is existing precedence in granted Fast-track approvals and case law for resource management consents that it is inappropriate. It must be removed." "Management plan advice note taken from the OGL-WN Combined HDC and WRC conditions (5 February 2026). As noted in the OGL-WN decision, the conditions imposed in the consents were in line with s 83 of the FTAA." Suggested amendments: The Consent Holder shall not commence any Construction Works within an area to which Management Plan condition(s) apply until the required Management Plan, or an amendment in accordance with condition MP.4(c), has been certified. ~~However, if the applicable Management Plan has been submitted to CRC for certification, and 30 Working Days has passed, and CRC has not certified the applicable Management Plan or advised that the Management Plan is not suitable to certify, the Management Plan will be deemed to have been certified and the Consent Holder may commence Construction Works in accordance with the applicable Management Plan as submitted.~~ Advice Notes: a. The certification (or withholding certification) of a monitoring plan, management plan or any other document by the Consent Authority must be based on the Consent Authority's assessment as to whether the document adequately addresses its objectives or requirements as set out in the relevant condition requiring the document's certification. b. Should the monitoring plan, management plan or any other document supplied in accordance with clause a) of this condition, in the opinion of the	NZTA does not accept the suggested amendments to conditions NZTA seeks deemed certification across all management plan conditions for consistency, and to better facilitate the efficient delivery of the Project. Updated condition wording is proposed to clarify that deemed certification will not occur if the relevant agency communicates to NZTA within the 30 working day timeframe, that the management plan is not suitable to certify. Deemed certification is only proposed in the event there is no communication from the certifying agency within 30 working days.

[6] Ling, N.; O'Brien, L.K.; Miller, R.J.; Lake, M. 2013: A revised methodology to survey and monitor New Zealand mudfish. Department of Conservation, Wellington, New Zealand. 45 p.

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				Consent Authority, achieve the requirements of the relevant condition(s) requiring the document's certification, the Consent Authority will issue a written confirmation (which will constitute 'the certificate') to the consent holder that the requirements of the relevant condition(s) have been satisfied; c. Where the monitoring plan, management plan or other document supplied in accordance with clause a) of this condition, in the opinion of the Consent Authority does not achieve the requirements of the relevant condition(s) requiring the document's certification, the Consent Authority will advise the consent holder in writing of the shortcomings, including additional information or measures, it considers necessary to meet the requirements of the relevant condition(s) and ask that the management plan(s) or document(s) be modified to address the concerns, and then be resubmitted; d. Certification must not be unreasonably withheld or delayed and certification or a response is expected to take no longer than 30 working days.	
04/05/2026	S53 report, Attachment C, condition MP.4.	1.53	Deemed certification	"Deemed certification should not be included in any amendments to management plans due to the reasons above and as explained in paragraphs 3.6-3.14, s 53 comments." Any certified Management Plan may be amended, if necessary, to reflect any changes in design, construction methods or management of effects without the need for certification, where the amendment(s): a) Has no or a de minimis adverse effect on the environment, or is a change that results in an improved environmental outcome; or b) Is an administrative change; and c) The amended Management Plan is provided to the CRC and~~, within 10 Working Days of receiving the amended Management Plan,~~ CRC ha<u>ve</u>~~s not~~ advised in writing that the amendment shall be re-certified under Condition MP.3 on the basis that the amendment(s) do ~~not~~ meet the requirements of clauses (b) or (c).	NZTA does not accept the suggested amendment to conditions NZTA has updated condition wording around deemed certification for clarification, and also updated condition wording relation to changes to management plans, including a definition of Material Change for certainty.
04/05/2026	S53 report, Attachment C, table 1.	1.54	Certification of management plans	**Management plans to be certified by CRC** Includes: Management Plan - <u>Canterbury mudfish Management Plan (CMMP)</u> Process- <u>Submit to CRC that it complies with conditions MP.8A.</u> Timeframe - <u>Submit to CRC for certification at least 30 Working Days before the Commencement of Construction Works that directly impact Canterbury mudfish.</u>	See response to comment ID 1.53 above.

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04/05/2026	S53 report, Attachment C, condition MP.7.	1.55	Ecological management plan	The purpose of the EMP is to ~~address~~ avoid, remedy, and mitigate the ~~the management of~~ effects on ecology for the activities authorised under resource consents C1 – C3 to achieve at least no net-loss, and preferably a net gain, of indigenous biodiversity within the project site. The scope of the EMP is limited to: a) Indigenous biodiversity in and within 10 metres of Watercourses and Wetlands; b) Fish management in Watercourses; and c) Residual effects management for the matters addressed in Schedule 3.	NZTA does not accept the suggested amendments to the purpose of the EMP. The purpose of the EMP is to address the management of ecological effects associated with activities authorised under conditions C1 – C3, this includes measures to avoid, minimise and remedy adverse effects, as well as setting out how residual effects will be managed where they arise. No net loss is not appropriate as the overarching purpose of the EMP as a whole, and is more appropriately applied within the residual effects management framework.
04/05/2026	S53 report, Attachment C, condition MP.8.	1.56	Ecological management plan	The EMP must include […] (a) Approaches to the management of potential effects on indigenous birds, including: i. The avoidance of undertaking works during peak bird breeding season (September 1 to January 31 inclusive) ii. The procedures for pre-construction avifauna surveys; iii. Constraints on vegetation clearance; iv. Deterrents; v. Exclusion zones; vi. Supervision; and vii. Responses to accidental harm. "Works should be undertaken outside of peak spawning season to avoid impacts on present native fish." "Suggested wording "works should be undertaken outside of relevant peak spawning and migration seasons to avoid or minimise as far as possible impacts on native fish"." "The applicant has proposed to eradicate coarse fishes in the quarry lake remnant as part of measures intended to create suitable offset habitat for the loss and modification of natural wetlands. Managing is not equal to eradicating. Coarse fish species have negative effects on native species and ecosystems, therefore 'management' rather than 'eradication' will not provide appropriate benefit to native species and ecosystems." " The applicant's proposed offsetting will only meet its targets if pest species and exotic species are eradicated. Monitoring, akin to monitoring for plant seedling survival, is required to ensure that eradication has been achieved." *Fish management* (b) Fish recovery protocols to provide procedures for the salvage and relocation of fish shall include the: i. Location where fish and aquatic organisms shall be salvaged and released; ii. Methods to prevent fish entering the works area once defishing occurs	From a project delivery perspective, prohibiting works between 1 September and 31 January would effectively prevent construction of the Project, as this is main construction season, and generally allows construction to occur when water tables are lower, there is less rainfall runoff, and increased daylight hours (which assists with health and safety management). Should vegetation clearance be required in peak bird breeding season (1 September-31 January, inclusive), an experienced ecologist will search all vegetation for native bird nests no more than 48 hours prior to vegetation clearance. Where active bird nests are identified, individual trees and immediate surrounding vegetation within a 10 m buffer are to be left in situ, clearly marked and cordoned off until nesting birds have fledged or nests naturally abandoned, as verified by the Project Ecologist. These effects management measures (included in condition MP.8(i)) are appropriate to minimise the risk of damaging an occupied native bird nest to acceptable levels. NZTA's ecologists do not consider avoiding works between 1 September and 31 January, inclusive, is necessary or appropriate given the protocols outlined above. NZTA's stream ecologist does not consider the amendments to the conditions are required. They make the following comments: - Complete avoidance of peak spawning and migration for all fish species potentially present in Project watercourses may not be achievable within the construction program. Therefore, to provide flexibility the wording should remain to include measures to "avoid or minimise". It is noted that there is also a discrepancy in what is suggested in the text and the proposed MP.8 j condition by DOC. - Measures to manage pest fish may not be limited to the Quarry Lakes. - As outlined in Comment ID 1.29, monitoring is not required of the open water habitats within the wetland offset area. NZTA has proposed an updated to EM.7 requiring that ecological oversight requirements for the South Lake remanet infilling and wetland offset construction be specified in the EMP, which is certified by CRC.

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				iii. Methods used to hold fish following capture and prior to release iv. Measures to prevent fish impingement and / or entrainment in any pump used during stream dewatering. v. Roles and responsibilities for the ecologist/s, contractors and other people on site vi. ~~Measures to a~~ Avoid~~ance of undertaking work or minimise times~~ when peak native migratory fish species or native fish are spawning; vii. Deterrent, removal, recovery, relocation, and reporting methods prior to and post the commencement of construction activities; viii. Measures to ~~manage~~ eradicate coarse ~~pest~~ fish species ~~and exotic fish.~~ in the Quarry Lake. ix. Measures to monitor the success of the eradication of pest fish species and exotic fish from Quarry Lake, and proposed adaptive management protocols if eradication has not been achieved. (c) Site-specific guidance of native fish migration and spawning times; (d) Approaches to on-line stream works that, where such works cannot be avoided: i. Provide temporary fish passage; and ii. Manage the timing of works in respect of site conditions and to avoid peak fish migration and spawning seasons.	
04/05/2026	S53 report, Attachment C, condition MP.8A	1.57	Canterbury Mudfish	"Canterbury mudfish are a Threatened - Nationally Critical species. Wetlands, and other still and very slow moving water bodies are their preferred habitats and the wetlands in this project have not been surveyed for freshwater fishes. The Department has asked the applicant to survey the wetlands for Canterbury mudfish and they have refused at this time. The conditions proposed are considered backstop conditions necessary to protect Canterbury mudfish in the instance that they are found on site. They are not onerous on the applicant as they are required to protect a Nationally Critical species." NES-CS.1 If the CMMP is required by condition G.5 – G.6, the consent holder shall develop the plan in consultation with the Department of Conservation for certification by CRC in accordance with conditions MP.1 – MP.5. a) The objective of the CMMP is to ensure that there is no net loss of the Canterbury mudfish population within the project site. The objective shall be achieved by protecting existing habitat where practicable, or through species specific translocation protocols.	Refer to the Statement of Evidence prepared by Patrick Lees. NZTA has proposed a set of conditions addressing Canterbury Mudfish.
04/05/2026	S53 report, Attachment C, condition EM.2	1.58	Ecology residual effects management	"Any offset or compensation provided should achieve a net-gain as per NPSIB Appendix 3 and 4 for terrestrial biodiversity." More than minor residual adverse effects (those effects not addressed after avoidance, remediation, and minimisation) of the Construction Works authorised by these resource consents shall be offset and/or compensated to achieve ~~no~~ net gain ~~loss~~, for: a) Indigenous biodiversity within 10 metres of a Watercourse, Wetland, or lake; and	While the NPS-IB may recommend that a net gain be achieved for offsetting terrestrial indigenous biodiversity, the NPS-FM Appendix 6 states that a no net loss scenario is acceptable, and that net gain is only preferrable. NPS-IB Appendix 3, Paragraph 2: "Biodiversity offsets are not appropriate in situations where indigenous biodiversity values cannot be offset to achieve a net gain." NPS-FM Appendix 6 (Emphasis added): "These principles apply to the use of aquatic offsets for the loss of extent or values of natural inland wetlands and rivers…3. No net loss and preferably a net gain: This is demonstrated by a like-for-like quantitative loss/gain calculation,

Attachment 2 - NZTA response to comments from Department of Conservation in relation to State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)					
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				b) Aquatic extent and values within a Watercourse or Natural Inland Wetland.	and is achieved when the extent or values gained at the offset site…are equivalent to or exceed those being lost at the impact site." Consequently, the NZTA ecologists consider that the retention of the wording 'no net loss' should still remain in relation to offsets for wetlands and watercourses. In any event, when making decisions under the FTAA, the Panel must give the greatest weight to the purpose of the FTAA, and while the Panel must take into account NPSs prepared under the RMA, it must not treat provisions in those documents as requiring the Panel to decline the application when there is inconsistency.
04/05/2026	S53 report, Attachment C, condition MP.8	1.59	Conditions regarding works during peak bird breeding season	Conditions changes to prohibit works during 1 September to 31 January inclusive.	Should vegetation clearance be required in peak bird breeding season (1 September-31 January, inclusive), an experienced ecologist will search all vegetation for native bird nests no more than 48 hours prior to vegetation clearance. Where active bird nests are identified, individual trees and immediate surrounding vegetation within a 10 m buffer are to be left in situ, clearly marked and cordoned off until nesting birds have fledged or nests naturally abandoned, as verified by the Project Ecologist. These effects management measures (included in condition MP.8(i)) are appropriate to minimise the risk of damaging an occupied native bird nest to acceptable levels. NZTA's ecologists do not consider avoiding works between 1 September and 31 January, inclusive, is necessary or appropriate. From a project management perspective, prohibiting works between 1 September and 31 January would effectively prevent construction of the Project, as this is main construction season, and generally allows construction to occur when water tables are lower, there is less rainfall runoff, and increased daylight hours (which assists with health and safety management).
06/05/2026	Dr Amber McEwan Statement of advice, 13/04/26, para 12.	1.60	Wetland offsetting	"Given the significant rarity of natural wetlands in this landscape, if their loss and modification is not able to [be] avoided, then appropriately significant effects management measures will be required. I consider that this is more likely to be achieved by focusing on alternatives to the currently proposed modification of the quarry lake remnant – a project which will require considerable input and is unlikely to succeed in replacing lost and modified habitat …"	A range of wetland offset options was considered by the NZTA ecologists when it became clear that some offsetting would be required. This included restoration and enhancement of existing degraded wetlands in close proximity to the Project area, construction of wetlands within the designation along the project alignment, and the final option of wetland creation within the South Lake remnant. 1. The restoration and enhancement of existing wetlands was not deemed to be viable because: a. The total area required for enhancement needed to account for both loss of extent and loss of values, which would require c.4.5 - 5.6 ha of wetland to be found that was sufficiently degraded to result in good outcomes for improvement to wetland values and function. b. The areas of potential habitat for enhancement present within suitable proximity to the impact sites are outside NZTA owned land, which introduces considerably uncertainty of delivering outcomes in the medium-term.

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					2. The creation of wetland habitat on existing soils along the alignment would result in a very piecemeal approach to offset and there was very low certainty that groundwater connectivity could be maintained. The quarry lake remnant, by contrast, has assured groundwater connectivity, habitat type creation can be controlled, and it is located close to both impact sites and seed sources for further future biodiversity establishment. The size of the South Lake remnant also means that, should additional offset area be required through final calculations prior to construction, then there is sufficient room to absorb all of any recalculated areas and still achieve a no net loss outcome.
06/05/2026	Dr Amber McEwan Statement of advice, 13/04/26, paras 2122.	1.61	Stream realignments	"…stream reclamation and stream realignments constitute ecological losses that must be addressed through offsetting, not treated as mitigation or "like-for-like" replacement within the road corridor."	NZTA does not agree that stream reclamation and realignments are losses that must be addressed by offsetting, if equivalent stream length and values are created during the stream realignment process. See response to comment 1.37. NZTA's approach in this Project is the same as that taken in the Takitimu FTAA process. The Takitimu Panel accepted NZTA's approach in that case (see Takitimu decision, paragraph 336).