
MINUTE 8 OF THE EXPERT PANEL
Ecology Workshop Actions
Hunua Quarry Development [FTAA-2603 -1185]
4 September 2026

[1] The purpose of this Minute is to address the actions following the Ecology Workshop on 3 September 2026. The Panel again thanks the parties for their attendance at the workshop. The Panel recognises that some of the timeframes below are tight but that reflects the nature of this process.

[2] As discussed during the workshop the Panel now holds the master version of the conditions and management plans (but as previously indicated may have a workshop on the conditions if necessary and may request the Applicant for additional inputs / drafting corrections as we go). Where parties seek changes to the conditions is they could please provide their proposed drafting and indicate exactly where it is to be included. The Panel can then include it as it agrees. In relation to this if the Applicant could tabulate all its proposed condition and management plans amendments arising in relation to ecology (and other matters as it wishes in response to matters raised to date) through this process that will assist us in readily considering them and making necessary changes.

[3] At the end of the session the following actions were recorded:

- (a) The Applicant is to amend the Lizard Management Plan to align with the agreed relocation locations with the Department of Conservation (Department). The applicant is to also check the drafting in the text proposed to be added to Section 6.4.6 of the LMP following Auckland Council's comments as to the "<10%" applying to each stage and not the total clearance area.

- (b) The Applicant and the Department are having an ongoing conversation as to compensation / adaptive management in relation to lizards.
- (c) The Applicant to consider the drafting of condition 157 / 162 (depending on versions) to confirm legality and intent (which all parties supported) of including the proposed offsetting now.
- (d) The Applicant to consider including some mechanism in the conditions (such as an advice note) that the Department is to be provided with the opportunity to review the Stream Realignment Management Plan prior to certification by Auckland Council and be provided with the monitoring outcomes in relation to the Mangapū Stream diversion.
- (e) The Applicant will consider a MCI band for the monitoring conditions for the Mangapū Stream diversion that align with the affected reach results and the long-standing quality bands published by Stark & Maxted (as referenced in the Stream Realignment Management Plan).
- (f) For the Mangapū Stream diversion Auckland Council and the Department are to provide, ideally in a tabular form, their reasons why and where the proposed 'remediation' for the diversion is deficient and what they consider is required (the quantum) to deliver appropriate ecological outcomes for each matter. That is to be provided to the Panel and the Applicant by 4pm on Wednesday 9 September. The Applicant is to provide its response by 4pm Friday 11 September. The parties are of course encouraged to discuss these matters among themselves during this time. The Applicant will also address the legal question of whether the diversion is remediation as advanced or some form of 'mitigation', including a consideration of, and application of the evidence against, relevant case law¹ (and noting

¹ Including as the Applicant may consider relevant, *Trans-Tasman Resources Ltd v Taranaki-*

as relevant the terminology in the NPS-FM and NPS-IB). As discussed, all parties agree that it is the ecological outcome that is key but the terminology here does potentially influence the scope of the ecological outcome.

- (g) The Applicant will update the SEV/ECR calculations in Appendix 15 to the Ecological Assessment to be consistent with the Table 1 in the Response to Comments Ecology Memorandum (dated 18 August 2026).
- (h) The Applicant will provide a **succinct** summary of the steps (with reasons) it took to identify appropriate offsite sites (especially what sites close to the Hunua Quarry it considered and discounted).
- (i) The Department will, subject to availability (but it will greatly assist the Panel), provide any additional legal support for its position that clause 42(2) of the Freshwater Fisheries Regulations 1983 applies to **all** culverts, including the ongoing (future) maintenance of existing culverts that predated the regulations. The Department is also to suggest additional offset or compensation quantum it considers is required by the Applicant to appropriately compensate for its position in relation to the culverts (and the loss of that benefit). That information is to be provided to the Panel and the Applicant by 4pm on Wednesday 9 September. The Applicant is to provide its response by 4pm Friday 11 September (and if no legal response is provided by the Department to still be clear as to why it considers clause 42(2) of the regulations do not apply to the ongoing (future) maintenance of existing culverts that predated the regulations).
- (j) The Applicant to consider providing additional / tighter wetland offset area monitoring to more robustly support future assessment of its success. At the same time the Applicant will also consider the

Whanganui Conservation Board [2021] NZSC 127, [2021] 1 NZLR 801; *J F Investments Ltd v Queenstown Lakes District Council* EnvC Christchurch C48/06, 27 April 2006; *Alexandra Flood Action Society Inc v Otago Regional Council* EnvC Christchurch C102/05, 20 July 2005.

robustness of the restoration planting monitoring too. The Applicant is to provide the Panel with any proposed condition drafting amendments to address these matters in line with [2].

- (k) The Applicant to consider a short response addressing its position as to the Department's concerns relating to reduced water flow in the Mangapū Stream and potential effects of aquatic habitat and biology due to groundwater effects (noting this does not relate to the MALF but generally reduced flows and the ecological effects of those).
- (l) The Applicant to provide new condition drafting for threatened and at-risk species.
- (m) The Department is to provide its position on the Ecology Workshop Agenda items 5.1 (application of BOAM) and 5.2 (Timing of revegetation) as soon as practicable, and by 5pm Tuesday 8 September at the latest.

[4] In relation to timing if specific times are not mentioned above could the Applicant, please provide any final responses by 4pm Friday 11 September (or before).

[5] If any party seeks clarification on the above matters, please inform the Panel via the EPA.



David Allen

Hunua Quarry Development Expert Panel Chair