

BEFORE THE FAST-TRACK PANEL

IN THE MATTER of the Fast-track Approvals Act 2024 (**FTAA**)

AND

IN THE MATTER of an application by Pukerua Property Group Limited Partnership under section 42 of the FTAA for the Mt Welcome, Pukerua Bay, Porirua application

APPLICATION NO. FTAA-2603-1181

**MEMORANDUM FROM THE DIRECTOR-GENERAL OF CONSERVATION
RESPONDING TO MINUTE 18 OF THE PANEL**

11 September 2026

Terry Calmeyer Consultant Planner Fast-track Applications DOC Te Papa Atawhai PO Box 10420 Wellington 6140 Telephone: 022 318 7577 Email: tcalmeyer@doc.govt.nz	
---	--

Introduction

1. This memorandum has been prepared on behalf of the Director-General of Conservation (**D-G**) by the Department of Conservation (DOC). It responds to Minute 18 of the Panel dated 4 September 2026 in respect of the Mt Welcome, Pukerua Bay application (the “Minute”).
2. The Minute, in paragraph [3] refers to the Panel’s request to Mr Bramley to provide a report on the matters discussed at ecological conferencing and to providing DOC with an opportunity to provide comments by noon on the 11 September 2026.
3. A copy of Mr Bramley’s report was received by DOC on the 8 September 2026. This memorandum provides comments on Mr Bramley’s report.
4. Comments from DOC’s ecological and planning experts are attached as:
 - a) Attachment 1: Comments from Ms Hooker regarding terrestrial ecology
 - b) Attachment 2: Comments from Mr Wedding regarding lizards
 - c) Attachment 3: Comments from Dr Collins regarding freshwater ecology, and
 - d) Attachment 4: Comments from Mr Whitelock regarding RMA planning matters.



Linda Kirk
Fast Track Applications Manager

Attachment 1: Comments from Ms Hooker regarding terrestrial ecology

Before the Fast-track Panel

Under: The Fast-track Approvals Act 2024

In the matter of: FTAA-2603-1181 Mount Welcome

Statement of advice Name: Tayla Hooker

Area of expertise: Terrestrial ecology flora

Relationship to DOC/Role: Technical advisor flora and ecosystems

Date: 9/09/26

Introduction

1. My full name is Tayla Jane Hooker.
2. I am providing ecological advice to the Director-General of Conservation in relation to the fast-track application for the Pukekura Property Group Limited Partnership application for the development of a 949 lot subdivision near Pukerua bay referred to as Mt Welcome.

Instruction

3. I have been instructed to/or am providing expert advice on behalf of DOC on the Mount Welcome subdivision – Fast-track application and review Dr Bramley's ecological report.

Qualification and Experience

4. I have a bachelor's degree in Environmental Science (Wildlife and Conservation Biology) from Deakin University, Melbourne, Australia.
5. I have been employed by the Department of Conservation since 2020. For five years I was employed as Biodiversity Ranger based in Twizel/Te Manahuna, working closely with managing and monitoring threatened plant populations within the area. For the past year I have been employed as a Technical Advisor

for flora and ecosystems, where I facilitate threatened plant and ecosystem work over the Lower North island.

6. During this time, I have surveyed 18 different pastoral leases in the Mackenzie Basin for their inherent biodiversity values as a part of the Crown Pastoral Lease Act (CPLA).
7. I have provided evidence and attended a hearing for Balmoral solar array within the Mackenzie basin. Within the Lower North Island I have provided advice for various fast track applications.
8. I assist in the monitoring and management of New Zealand's threatened plant flora and their associated ecosystems within the districts of Ngāmotu (New Plymouth), Whanganui, Te-Papa-i-Oea (Palmerston North), Te Whanganui-a-Tara (Wellington), Whakaoriori (Masterton) and Ahuriri (Napier).

Code of conduct

9. Whilst it is acknowledged this is not an Environment Court Proceeding; I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in the preparation of this advice. Unless I state otherwise, this assessment is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
10. Dr Bramley reiterates the EIANZ process and explanatory note¹ well. It's not explicitly written but is implied that the scale of effects is not appropriately or consistently applied in the EcIA report. I re-iterate that this is the case and the applicant has effectively 'zoomed in' for assessing the value of the impact area (assessing the direct footprint of the area) and then 'zoomed out' to assess the level of impact (assessing the entire remnant or catchment). Irrespective of this the scale of impact dis-regarding the rarity of the remnants from a wider ecological context, specifically that many of the environments (wetlands or terrestrial) are significant and additionally either regionally rare or acutely threatened nationally.

¹ Environment Institute of Australia and New Zealand. (2026, August). *Ecological Impact Assessment (EcIA): EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems. Interpretation of scale in assessment of ecological values and magnitude of ecological effects*. Environment Institute of Australia and New Zealand. <https://www.eianz.org/document/item/8955>

11. Dr Bramley makes note and agrees with utilizing the results from a BOAM model that accounts for loss of high value SNA to provide a ratio that can also be used for offsetting the losses of other indigenous vegetation across the site. I in addition agree.
12. In addition to this, Dr Bramley notes that the 25.8 ha of landscape architecture proposed as indigenous vegetation is not taken into account. I note that, for this to be considered for offset, it would need to meet the offset guidelines, most importantly it would need to be representative of the areas lost or 'like for like.' It would require management and monitoring plans that differ to a landscape architecture site. Ideally, offset sites would be based of historic landcover of the area which was once kohekohe and tawa forest (there are exceptions to this specifically where threatened flora cannot persist in this forest type, but this does not apply here). On this basis, the indigenous revegetation if defined as an offset should be designed to achieve these outcomes.
13. In regard to aquatic ecology where offsetting is considered, I agree with Dr Bramley's statement that the retention wetlands cannot be an offset for lost stream values as this is not a like for like situation.
14. Dr Bramley proposes that the current offset proposal in the EclA is better defined as mitigation. This view is predominantly based in the location that the restoration occurs, in this case it occurs on site and is proposed to reduce the current impacts of the project. Therefore, in Dr Bramley's view the proposed restoration is better referred to as mitigation rather than ecological offsetting.
15. While I understand some of the rationale behind this reasoning, I disagree that the project as it is currently designed can have the impacts fully addressed in mitigation.
16. In my view, mitigation is required throughout the site, specifically where development occurs around or adjacent to wetlands, that are otherwise avoided. The introduction of impermeable surfaces surrounding wetlands introduces adverse effects in increase runoff, evident in the need for the creation of five stormwater retention ponds. These effects require mitigation measures such as wetland buffers and revegetation, the appropriate extent of which this would occur is another matter. This is mitigation because it remedies effects as a result of the development.

17. Residual impacts are those that remain after mitigation measures have been implemented. In this case there is still residual impacts across the site, specifically in the loss of wetland and stream extent, but additionally where wetlands or streams have not been buffered and are within the development footprint.
18. A permanent loss of freshwater values extent, in this case wetland and stream extent triggers the need for aquatic offsetting. This is where additionality is particularly important in this regard. Measures undertaken to mitigate the direct effects of development on retained wetlands are necessary components of the proposal and should not be relied upon as offsets. Rather, offsetting for the permanent loss of wetland and stream extent should be demonstrably additional to the mitigation measures that are required to address the project's direct effects.
19. Dr Bramley then correctly notes that the mitigation hierarchy has not been demonstrated transparently by the applicant.
20. I agree with Dr Bramley's concerns regarding the use of retention wetlands as meaningful offset.
21. Given my point 10 – 14 I disagree and am of the view a BOAM is required.
22. I agree with some of the reservations in regards to offsetting, as it is an inherently high-risk tool that trades present ecological values for future predicted values as a result from management interventions. It is unclear whether Dr Bramley seeks the use of Biodiversity Compensation Models (BCM). In my opinion, they should not be used in this particular case for the reasons below.
23. BCMS are simplified accounting modes that aggregate the qualitative habitat attributes into a score (i.e. 1 – 5), which is then used to assess the then appropriateness of the proposed offset measures. In doing so, complex ecological variables are condensed into a single metric. Although the BCM outputs may be simpler to read, ultimately the approach is highly subjective and reliant on assumptions made by the assessor. Instead of relying on direct measurements of ecological losses and measuring against a suitable benchmark, BCMS assign values to attributes that are subjective. In addition

to this it lacks features that account for uncertainty, models that do not account for this are subject to overstating the likelihood of achieving anticipated gains.

24. More Broadly, BCMs attempt to simplify a process that is inherently complex namely quantifying ecological loss and demonstrating future ecological equivalence or gain. Tools that simplify a process that should be complex should be treated with great caution. I consider that peer reviewed models such as Biodiversity Offsetting Accounting Model (BOAM) is an appropriate methodology to be used for this project. BOAM provides a more transparent framework for assessing biodiversity loss and gain. Further the limitations of the BCM model have been explored recently by Corkey et al (2023) ².

² Corkery, I., Barea, L. P., Giejsztowt, J., Maseyk, F. J. F., & Mealey, C. (2023). *Poorly designed biodiversity loss-gain models facilitate biodiversity loss in New Zealand*. *New Zealand Journal of Ecology*, 47(1), Article 3548. <https://doi.org/10.20417/nzj ecol.47.3548>

Attachment 2: Comments from Mr Wedding regarding lizards

1. Introduction

1. My full name is Christopher James Wedding and I am providing expert advice on behalf of the Department of Conservation (DOC) on the Mt. Welcome, Pukerua Bay, Porirua Application.

2. Qualification and Experience

2. I am Ecology Manager and a principal terrestrial ecologist at Babbage Consultants Limited, specialising in herpetology (reptiles and amphibians).
3. I have 20 years professional experience and hold the qualification of Master of Science (Zoology and Environmental Science) degree from Massey University. I am a full member of the Environment Institute of Australia and New Zealand (EIANZ), the Society for Research on Reptiles and Amphibians in New Zealand (SRARNZ) and the New Zealand Herpetological Society (NZHS), the latter of which I am a current officer and former President (2012-2015).
4. In my capacity as a specialist herpetologist, I have been an invited participant in Department of Conservation-led workshops for lizard mitigation research needs, co-authored Auckland Council's technical publication on the Conservation status of reptiles (Melzer et al. 2022) in the Auckland Region, undertaken lizard survey and salvage, including reporting on outcomes and presenting results and recommendations at conferences (SRARNZ 2009, 2017, 2026).
5. I have led the ecological effects or management components of large-scale projects, including quarry expansions, Plan Changes, and Notices of Requirement. Recent examples of my experience include:
6. Ecology advice, review and input to consent conditions for Private Plan Changes (PPC 93 (2024); PPC119 (2026); Papakura to Bombay, Notice of Requirement for NZTA Stage 2 route protection, (2024).
7. Ecological impact assessments, residual effects modelling, management and monitoring for approved Fast Track applications, including technical lead (including herpetological matters) for Brookby Quarry Covid-19 Fast Track (2024); Drury Quarry FTAA (2025); Kings Quarry FTAA (2025); Rangitootuni- Riverhead Countryside Living subdivision FTAA (2025).

8. Within the Wellington Region, I led the herpetological assessments of the RiverLink Project (2021) for Tonkin & Taylor, and I continue to provide ongoing construction management advice. I also led the approved (2026) Fast Track Application for Wellington International Airport's Southern Seawall Renewal, which will require management of Northern Grass skink (*Oligosoma polychroma*) and Raukawa gecko (*Woodworthia maculata*).

3.Code of conduct

9. Whilst it is acknowledged this is not an Environment Court Proceeding; I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in the preparation of this advice. Unless I state otherwise, this assessment is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

4. Comments

10. Thank you for the opportunity to comment on Dr Bramley's ecological advice dated 7 September 2026. My comments concern the assessment and management of effects on indigenous lizards.
11. I support his advice that non-detection should not be treated as evidence of absence, and that management should encompass suitable habitat where lizards may occur. I also support his emphasis on providing the best achievable release habitat, with effective and sustained predator management.
12. I agree with Dr Bramley's discussion on page 4 concerning assessment scale, including the need to avoid diluting localised effects through an unjustifiably broad assessment or magnifying them through an unduly narrow boundary. As recorded under Issue 4 of the signed Lizard Joint Witness Statement (JWS, pages 11–12), my assessment considers the local ecological landscape beyond the development boundary, informed by habitat connectivity, plausible dispersal and known records.
13. The JWS records no copper skink records in the DOC herpetofauna database for the adjoining landscape, although its extent was undefined. This does not establish absence. Equally, superficially similar vegetation elsewhere, or captures approximately 30 km away, do not demonstrate that

the affected population forms part of a larger, continuous local population. I therefore agree with Dr Bramley that each local population must be evaluated on its own merits. The implications for the affected habitat fragment and population are addressed under Point 1 below.

14. I also agree with Dr Bramley's identification of leaf litter, rotting logs and sheltered undergrowth as important copper skink habitat features. His description on page 7 should expressly include pine forest where these features occur. I provide two documented examples that support this:

- Wildland Consultants' Western Springs Park Lizard Management Plan (Report 4582, 2019, revised February 2021) records copper skinks found in woody debris within mature pine forest. Subsequent salvage recovered 14 copper skinks along the proposed access track, including 12 through hand-searching.
- The Waihi North (FTAA-2504-1046 Ecology and Landscape Management Plan (Waihi Area, 2025, section 4.5.5) identifies 5.1 ha of pine plantation at Gladstone Open Pit as known copper skink habitat and includes its loss in a biodiversity compensation model, additional to lizard management.

15. These examples reinforce the need to assess pine forest by its ground-layer habitat features. At Mt Welcome, copper skink detections at the pine edge and potentially suitable adjoining vegetation support assessment of the wider connected fragment.

16. While I support these aspects of Dr Bramley's advice, the following substantive matters remain unresolved.

5. Extent of affected habitat and required habitat restoration

17. The extent of potential lizard habitat affected by the development remains disputed.

18. In my opinion, the application underestimates the extent of lizard habitat affected by the development. The approximately 3,500 m² relied upon in the assessment largely represents surveyed or detection locations, rather than the full extent of contiguous potential habitat associated with those

records. As explained in my expert statement and the JWS, the native shrubland and adjoining pine forest associated with Areas 8, 9 and 10 alone comprises approximately 2.7 ha of potential habitat.

19. As mapped, the project footprint would permanently remove almost that entire fragment, including all identified skink habitat and confirmed lizard locations within it. This represents the loss of almost all habitat associated with the only known copper skink population within the development site, with the potential loss of that local population. The concern therefore extends beyond uncertainty about habitat boundaries: the assessment materially understates the habitat loss and, consequently, the management response required.

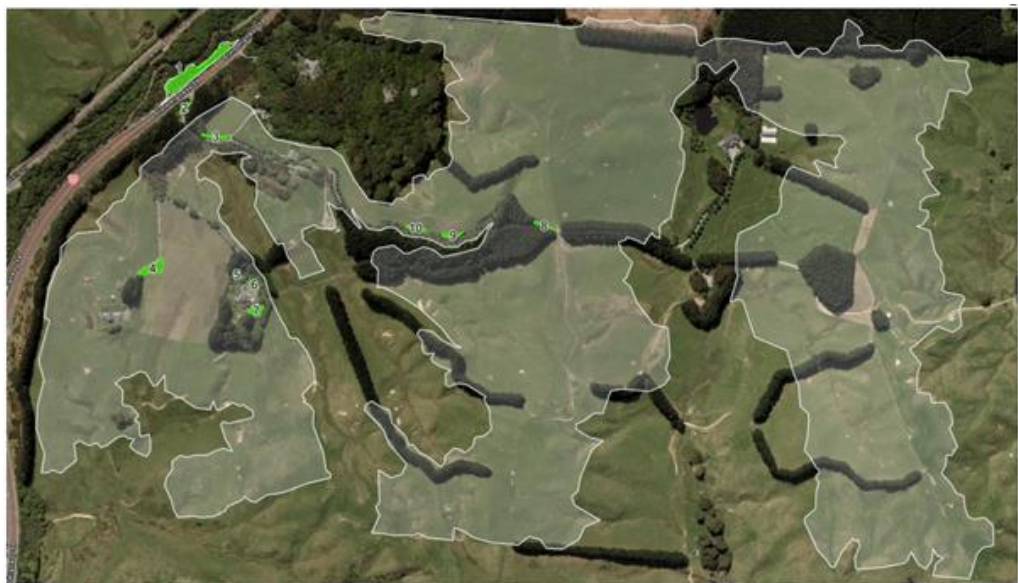


Figure 1. Project footprint (white), lizard habitat (green) "the site".

Figure 1. reproduced from Blueprint Ecology's assessment of effects memorandum (8 July 2026)

20. I support Dr Bramley's proposed investigative and escalation framework for salvage. However, additional salvage effort principally addresses the risk of injury and mortality during clearance. It does not replace the habitat removed or demonstrate that the affected population will persist following relocation. In my opinion, significant residual adverse effects remain insufficiently addressed by the proposed management.
21. The extent of restoration must therefore be reassessed against the full area of affected habitat, its quality and its contribution to the local population. A claimed habitat gain or restoration ratio based on the disputed 3,500 m² estimate does not demonstrate an adequate response. The additional approximately 2.4 ha of enhancement identified during conferencing should

be included in that reassessment, with its location, existing habitat value, proposed improvements, timing and enduring management clearly specified.

22. I recommend larger, more consolidated release and restoration areas, together with a transparent assessment of the habitat losses and expected gains. That assessment should account for establishment time, relocation risk and ongoing predator pressure, and demonstrate how restoration and any offset or compensation measures address the significant residual effects. Provision should also be made to increase the restoration requirement where further habitat is identified during investigations or salvage.
23. The full extent of potential habitat should be mapped before clearance. Subsequent findings should inform both salvage coverage and the habitat restoration requirement, rather than simply increasing the number of lizards moved into a predetermined release area.

2. Release-site habitat quality and planting

24. I recommend restoration planting throughout all release-site areas to establish dense, structurally complex indigenous ground cover suitable for copper skinks and northern grass skinks. The planting should be supplemented by suitable litter, woody material and other refuges, with species selection and layout providing the moisture, shelter and thermal conditions required by the target lizards. Full planting need not produce uniform shading or eliminate suitable basking opportunities.
25. The objective should be functional habitat at the time of release. Planting commitments alone do not establish that the site is ready to receive lizards. I recommend a measurable readiness requirement, including at least 80% live indigenous vegetation cover at ground level across each release site before relocation, supported by an assessment of refuge availability and habitat suitability by the supervising herpetologist.
26. Full restoration planting also has a practical role in protecting the release sites over time. In my experience on other projects, residents and maintenance contractors may perceive rough grass as untidy vegetation requiring mowing or clearance, despite its habitat value.

27. Establishing clearly defined indigenous restoration areas would help communicate their purpose as permanent wildlife refuges and reduce the risk of inappropriate maintenance. This should be reinforced through enduring protection, clear management responsibilities, resident information and restrictions on mowing, vegetation clearance and removal of habitat features.

3. Predator management in the future residential environment

28. I support Dr Bramley's recommendation for effective and sustained predator management. However, the advice does not establish whether the proposed arrangements adequately address the change from farmland to a residential environment, including the introduction of domestic cats and potential changes in other predator pressures. In particular, the JWS records proposed mammalian pest control for two years after the final release and cat management for ten years; the adequacy of those periods remains disputed.
29. In my opinion, this remains an unresolved effects-management issue. The management framework should specify the predators being addressed, control methods and coverage, duration, responsibility and funding, together with monitoring targets and corrective actions. Predation by domestic cats requires explicit consideration alongside other mammalian predators.
30. These measures should operate before lizards are released and continue for as long as the release sites are relied upon to address the development's effects. On page 14 of my expert statement, I recommended considering a residents' association, or similar body, to manage and maintain restoration planting, pest control and compliance with domestic cat management requirements. The responsible body, its obligations and enduring funding should be clearly established.
31. I support the precautionary direction of Dr Bramley's advice. However, the extent of affected habitat, the area and readiness of release sites, and enduring predator and habitat management remain unresolved. These matters should be addressed in the revised LMP and associated conditions before the adequacy of the proposed management can be established.

Attachment 3: Comments from Dr Collins regarding freshwater ecology

Introduction

1. My full name is Dr Kathryn Elizabeth Collins.

Instruction

2. I have been asked to provide expert advice on behalf of the Department of Conservation on the Mt Welcome – Fast-track application in relation to review of Dr Bramley's ecological report.

Qualification and Experience

3. I hold a PhD in Biological Sciences from the University of Canterbury (2019), a Master of Resource Studies with first class honours (2012) and a Bachelor of Environmental Management (2009) both from Lincoln University.
4. I am employed as a Senior Science Advisor in the Freshwater Ecosystem and Threats team at the Department of Conservation. I have held this position for 8 years and prior to completing my PhD I worked in environmental strategy and policy at Auckland Council. My work focuses on river and wetland restoration, freshwater biosecurity, fish passage, and aquatic macrophytes. I am a member of the New Zealand Freshwater Sciences Society and am a current NZFSS executive committee member.

Code of conduct

5. Whilst it is acknowledged this is not an Environment Court Proceeding; I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in the preparation of this advice. Unless I state otherwise, this assessment is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Discussion

6. Thank you for the opportunity to comment on Dr Bramley's ecological advice dated 7 September 2026. My comments are in relation to his advice where it relates to freshwater ecology.

Application of the EIANZ EcIA guidelines

7. Dr Bramley confirms my understanding of the EIANZ guidelines and explanatory note, that "the magnitude of an effect must be assessed at the same spatial scale as the ecological value assessment".
8. Section 5.2 of the applicants Ecological Assessment uses the EIANZ guidelines for assessing the level of ecological effects: "The magnitude of the effect of the loss of gully wetland in each main catchment is considered as a proportion of the similar or better habitat within the Taupo swamp catchments between Plimmerton and Pukerua Bay for the western draining systems, and in the Kakaho west and Kakaho east for those systems."
9. The Ecological Assessment assesses the value of the wetlands as low to negligible (Section 4.2) and the level of effect associated is very low in terms of the EIANZ guidelines.
10. By comparing the loss of habitat within each main catchment, the magnitude of the impact at the site is minimised. In contrast, the EIANZ Guidelines explicitly refer to 'site' when describing criteria for magnitude of effect.
11. The EIANZ issued an explanatory note in August 2026 because they became concerned that practitioners were assessing ecological values at one scale, then assessing effect magnitude at a much larger scale, which can artificially reduce the apparent level of effect.
12. The explanatory note reiterates that: ecological value and effect magnitude should generally be assessed at the same spatial scale, and wider landscape or catchment context should inform the assessment but not replace the scale at which values were assessed. The note specifically warns against using the existence of lots of habitat elsewhere to dilute the significance of loss at the affected site.

13. The Ecological Assessment repeatedly concludes that wetland effects are "very low" or "less than minor" because losses are compared against the wider catchment resource. For example, for the Taupo catchment wetlands, approximately 0.9 ha of wetland loss is proposed. This is compared against ~55 ha of wetland habitat in the wider Taupo catchment, therefore only ~1.6% loss, concluding "low magnitude" and "less than minor" effects. For the Kakaho catchment wetlands, 0.51 ha wetland lost is compared against approximately 4 ha of wetland in the catchment, therefore ~12.75% loss. This is deemed a moderate magnitude but still resulting in a very low level of effect due to the assessed low value of wetlands.
14. EIANZ explicitly says this approach may minimise the extent of effect to such a degree that mitigation, offsetting or monitoring are no longer properly considered and specifically cautions against this sort of scale amplification.
15. Dr Bramley concludes, "On that basis, the panel can place more reliance on assessments of effect that have explicitly set out the scale of the assessment and maintained the same scale when assessing value and assessing effects than those which have not."
16. Therefore, I support Ms Dixon's values assessment in her substantive evidence, where she applies the EIANZ methodology, maintaining the same scale when assessing value and effects. This finds the level of ecological effect for wetlands in the Taupō, Kakaho West and East sub-catchments to be moderate; and low in the Muri catchment, and the pasture wetlands in the Taupō sub-catchment. This finds that the adverse effects on wetlands are more than minor and do require offsetting. I believe Ms Dixon's assessment is supported by Dr Bramley's conclusion on reliance of assessments.

Completeness of ecological surveys

17. Dr Bramley outlines that "*The completeness of the terrestrial ecological surveys is a matter of contention, with the interested parties of the view that the lack of information contributes materially to the uncertainty of the overall level of ecological effects attributable to the Project.*"
18. I argue that this is not limited to terrestrial ecology and also applies across the freshwater ecological assessment. As highlighted in the aquatic ecology

and wetlands JWS, this is important because if additional fish species were detected or increased distribution of known species, this would impact fish passage provision requirements, fish salvage proposals, calculation of SEVs and assessment of value with flow on effects into conditions and management plans.

19. In addition, Dr Bramley's comments around the adequacy of lizard surveys to detect where they are present equally apply to the freshwater environment, where caution should be exercised that species are "absent" from all or part of the Site is based purely on a lack of sightings. I do not consider the fish survey undertaken to date by the applicant to be sufficient to rule out fish being present in these waterways. Consequently, fish presence may be more widespread and/or species more abundant than the findings of the Ecological Assessment, given the limited sampling effort.

Use of retention wetlands to offset stream loss

20. Dr Bramley outlines that "Some of the stream loss is proposed to be offset via the retention wetlands ... which will provide potential habitat for at least some fish species. I note that technically this would not represent an offset because the habitats are not like for like."
21. Like for like (in this case, stream for stream) offsetting is my preferred approach, using retention wetlands to offset stream loss does not deliver no net loss or better in terms of stream extent and values as required by the NPS-FM. Fish passage must be provided to all wetland areas, to enable this habitat to be utilised.

Fish passage enhancements downstream of the site

22. Dr Bramley notes "*The invited parties have questioned whether stream enhancements downstream of the Site should be considered (particularly the replacement of two culverts that currently prevent fish passage). Given that these involve third parties, any requirements to address fish passage in these culverts would rely on voluntary third-party arrangements and could not be required via consent conditions.*"
23. I believe the applicant should consider the remediation of downstream fish passage barriers as part of an offset package. As they are outside of the project site, I acknowledge that this is not straightforward as it would involve third parties, however, this could have significant benefits in terms of

opening up habitat to fish. This would have a high value for offsetting and could reduce the amount of offsetting required on site.

Benefits and limitations of riparian planting

24. I agree with Dr Bramley that riparian planting can provide benefits to water quality, shading and terrestrial-aquatic linkages. Riparian planting width is a key factor in the realisation of these benefits. The buffer width for streams and wetlands in the application is a maximum of 5m with some having nothing. I recommend the minimum width be 10m, given the steep landscape and headwater nature of waterways on the site.

Offsetting compared to mitigation

25. Dr Bramley concludes that *"Because the applicant's proposed wetland creation and gully and riparian planting are entirely contained within the boundaries of the Site, my view is that it is more appropriately considered as on-site mitigation, not offsetting."*
26. I disagree with this view, rather, I believe the proposal is an offset. The location of the proposed wetlands within or outside the project site does not determine their position in the effects management hierarchy. Given wetlands and streams are being removed, then the values are going to be attempted to be recreated, I believe that this is an offset and requires the rigour which goes with designing an offset and monitoring it for success. While the wetland areas on site are showing typical signs of impairment associated with rural land management practices, these effects are reversable, they will still be providing wetland functions and they have potential values that have not been considered. Wetland creation is risky, may not succeed, may not achieve the same values and will have a time lag before lost values are reestablished.
27. The NPS-FM directs that there is no net loss in the extent and values of wetlands and waterways. While these impacts are mitigated through the use of the retention wetlands, there are still residual effects remaining. As the residual effects are not being mitigated, the NPS-FM policy still applies, and they must be offset or compensated. Regardless of the distinction between offsetting and mitigation, principles such as additionality, like-for-like, actual gains in terms of biodiversity and transparency around trade-offs are important to ensure sound decision making to help ensure there is

no loss in extent and values and that residual effects are appropriately managed.

28. I agree with Dr Bramley that transparency over how the effects management hierarchy has been applied to the project would be extremely helpful. The transparent quantification of loss and expected gain is exactly what the applicant should be demonstrating. I agree that additionality is challenging, but a transparent calculation can still be done on the loss of current values (and even potential values) that can be gained at another site, and this incorporates error and time lags. This should be done using a Biodiversity Offsetting Accounting Model (BOAM).
29. I agree that water levels in retention wetland will spike during and immediately after rainfall events and drop rapidly. Natural wetlands are generally subject to comparatively stable flow regimes. The retention wetlands are primarily designed to solve an engineering problem, not an ecological one, their purpose is for stormwater retention and managing flood flows rather than for biodiversity. I agree that sediment deposition remains a concern, any sediment removal must occur outside of ecological offset areas.

Maintenance of fish passage

30. Dr Bramley states his *“understanding from the expert conferencing is that fish passage would be provided at all retention wetlands, which was not the case in the original application. Installation of impassable barriers should be avoided.”*
31. I agree that fish passage should be provided for and that the construction of structures creating a barrier to fish passage should be avoided, regardless of any existing fish passage barriers outside of the project site.
32. Fish passage must be provided into and out of retention wetlands for them to be regarded as habitat for fish. Providing fish passage into the retention wetlands would allow a greater area of habitat to be occupied and utilised by fish. The retention wetlands are replacing the existing waterways and will result in a loss of flowing waterway habitat. If the retention wetlands do not allow for fish passage past the culverts and dams, then this additional habitat will not be able to be utilised.

33. It would be reassuring to have confirmation from the applicant that this is the intention as this is not what has been applied for under Complex Freshwater Fisheries activities.

Attachment 4: Comments from Mr Whitelock regarding RMA aspects

Before the Fast-track Panel

Under: Fast-track Approvals Act 2024

In the matter of: FTAA-2603-1181 – Mt Welcome, Pukerua Bay, Porirua Project

Statement of advice: Ronan Whitelock

Planning Assessment

DOC Staff

11 September 2026

Introduction

1. My full name is Ronan Matthew Whitelock

Instruction

2. I have been requested to provide expert advice to the Director-General of Conservation (DOC/the Department) for the purposes of his comments on the Ecology Advice prepared by Dr Gary Bramley³ on the Mt Welcome Project Fast-track application.

Qualification and Experience

3. I am employed at the Department of Conservation as a Resource Management Planner. I have been employed in this role since March 2025. Before that I worked as a planning consultant for 2.5 years.
4. My experience as a planning consultant included preparing and lodging resource consent applications with district and regional councils. I also provided planning advice to clients, including guidance on proposed plan

³ Ecology Advice – Gary Bramley – 7 September 2026.

changes and the interpretation of district, regional, and national planning documents. The projects I was involved in while working as a planning consultant included subdivision and infill development, commercial development, earthworks and construction activities, ecological effects management, and activities within 10 metres of wetlands.

5. My experience at DOC includes interpreting plans and policy statements, assessing limited and publicly notified resource consent applications (both district and regional consents relating to various activities), and preparing submissions on notified resource consent applications and district plan reviews. This has included preparing and presenting planning evidence across multiple hearing topics for multiple proposed district plans⁴.
6. I have also provided comments on referral and substantive fast-track projects, including subdivision-related projects involving ecological matters⁵, and have been involved in numerous similar projects that are due to be lodged under the Fast-track Approvals Act 2024 (FTAA). In addition, I have provided comments on an application under the Natural and Built Environment Act 2023 relating to a solar farm development.
7. I hold a Bachelor of Environmental Planning, specified programme in Environmental Planning stream in Society and the Environment from the University of Waikato.
8. I am intermediate member of the New Zealand Planning Institute.

Code of conduct

9. Whilst it is acknowledged this is not an Environment Court Proceeding, I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in the preparation of this advice. Unless I state otherwise, this advice is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

⁴ Napier Proposed District Plan, Kaipara Proposed District Plan

⁵ FTAA-2407-1087 – Ashbourne Project

Scope of advice and expert opinion

10. My expert advice relates to the following:
- i. Adequacy of Dr Bramley's expert opinion on managing effects on the loss of wetland extent.

Material Considered

11. In preparing this advice I have reviewed the following documents as part of the substantive application:
- a) Mt Welcome, Pukerua Bay, Porirua – Substantive application;
 - b) Appendix 04 – Resource Consents Assessment;
 - c) Appendix 05 – Assessment of RMA planning document objective and policies;
 - d) Appendix 15 – Ecological Assessment;
 - e) Appendix E – Ecology Memorandum – dated 2 July 2026;
 - f) Department of Conservation's s53 comments and associated attachments;
 - g) Joint Witness Statement of Experts in the Field of Aquatic Ecology and Wetlands – Dated 18 August 2026; and
 - h) Ecology Advice – Dr Gary Bramley, 7 September 2026.

Planning Framework

12. The relevant national planning document for assessing effects on natural inland wetlands is the National Policy Statement for Freshwater Management 2020 (as amended 2025, the NPS-FM).
13. Of particular relevance, Policy 6 of the NPS-FM directs that there is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.
14. To implement this policy direction in relation to urban development, Clause 3.22(c) requires activities that affect natural inland wetlands are to be managed in accordance with the effects management hierarchy. For

completeness, I set out the definition of the effects management hierarchy below:

effects management hierarchy, in relation to natural inland wetlands and rivers, means an approach to managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) that requires that:

- (a) adverse effects are avoided where practicable; then
 - (b) where adverse effects cannot be avoided, they are minimised where practicable; then
 - (c) where adverse effects cannot be minimised, they are remedied where practicable; then
 - (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; then
 - (e) if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; then
 - (f) if aquatic compensation is not appropriate, the activity itself is avoided
15. In addition to the effects management hierarchy, Appendix 6 of the NPS-FM sets out the principles for aquatic offsetting. These principles set out that offsets should deliver conservation outcomes, address residual adverse effects, and be undertaken where they will result in the best ecological outcome, preferably close to the impact site or within the same ecological district. In my opinion these provisions are relevant to considering whether the proposed wetland replacement should be characterised as an aquatic offset or as another component of the effects management hierarchy.
16. On this basis, my assessment set out below on Dr Bramley's opinion regarding wetland replacement has been undertaken pursuant to the planning framework outlined above.

Managing effects on Wetlands

17. The Ecology Advice of Dr Gary Bramley provides an assessment of the effects management hierarchy and how it is being applied in the Mt Welcome Project.
18. Dr Bramley is of the opinion that the proposed wetland offsetting, is not an offset, instead a form of mitigation. His reasoning for this is based on case law, which found the definition of mitigation is any action that directly addresses environmental damage within the impact footprint, and offsets are explicitly calculated positive actions, including those undertaken

outside the direct impact footprint. Dr Bramley further considers that the distinction between mitigation and offsetting depends on both geography and the nature of proposed management action(s), which in his opinion are as follows:

“Mitigation: Actions taken on-site within the development footprint to reduce the immediate impacts of the project (e.g., planting native species in a degraded gully on the same farm).

Offsetting: A measurable conservation action taken to balance out a significant residual adverse effect that cannot be mitigated on-site.”⁶

19. While I am not a freshwater expert, from a planning perspective I do not agree with the interpretation of Dr Bramley in relation to what constitutes mitigation (or minimisation as set out in the effects management hierarchy of the NPS-FM), and what constitutes an offset.
20. In my opinion, the proposed wetland replacement is more appropriately characterised as an aquatic offset than as mitigation or minimisation. The defining feature is not its location within the project site, but rather that it is intended to counterbalance the residual loss of wetland extent through measurable replacement outcomes, consistent with the aquatic offset framework in the NPS-FM. It is also my opinion that, where wetlands are proposed to be removed the direct effect is the loss of that wetland extent.
21. While I acknowledge Dr Bramley’s distinction between mitigation and offsetting, I consider that the relevant question is whether the proposed wetland replacement is more appropriately characterised as an aquatic offset for the purposes of the effects management hierarchy in the NPS-FM. In my view, the assessment should be undertaken having regard to the purpose of the proposed response and the aquatic offset principles contained in the NPS-FM.
22. My understanding of mitigation, or minimisation, is that it involves reducing the scale, intensity, or significance of an adverse effect. By contrast, aquatic offsetting is directed towards addressing residual adverse effects through measurable actions that are intended to counterbalance those effects. In this case, the proposed wetland replacement is intended to address the

⁶ Ecology Advice – Gary Bramley – 7 September 2026, page 9

loss of wetland extent by providing replacement wetland habitat and associated ecological values.

23. I do not agree that the location of the proposed wetland replacement within the project site precludes it from being characterised as an aquatic offset. In my opinion, the NPS-FM clearly directs the offset being undertaken close to the impact site where this will result in the best outcome:

***“7. Landscape Context: an aquatic offset action is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ecological district...”**⁷ [my emphasis added where text is underlined].*

24. In my opinion, the fact that an aquatic offset is located within the same site as the adverse effect, does not determine whether it constitutes mitigation or offsetting. Rather, the characterisation of the management measure should be informed by its purpose, the nature of the residual adverse effect being addressed, and whether it satisfies the offset principles in the NPS-FM.
25. Accordingly, I consider the proposed wetland replacement is appropriately characterised as an offset. However, the question of whether the proposed offset is sufficient to appropriately address the residual adverse effects is a separate matter from whether it constitutes an offset in the first instance.
26. As stated in the DG’s s53 comments, DOC considers the proposed wetland offset does not meet the principles of aquatic offsetting, particularly Principle 3, which requires a like for like replacement⁸. I note this is also the respective opinions of Ms Tayla Hooker, Dr Katie Collins, and Dr Gareth Taylor in the JWS for aquatic ecology⁹.
27. In my opinion, the Applicant has not demonstrated that the proposed wetland offset constitutes a like for like replacement, noting that the proposed wetlands are also intended to serve a stormwater management function¹⁰.

⁷ NPS-FM, Appendix 6 – Principles for aquatic offsetting, Principle 7.

⁸ Department of Conservation s53 comments, page 19, para [4.72].

⁹ Joint Statement of Experts in the Field of Aquatic Ecology and Wetlands, 18 August 2026, page 17, para [56(c)].

¹⁰ I note in Minute 18, the Panel has requested the Applicant to undertake reconsideration for stormwater design. Therefore, compliance with the offsetting principles might be subject to change i.e. if stormwater is no longer being managed through the proposed wetland offsets.

28. Importantly, the effects management hierarchy in the NPS-FM provides that, where more than minor residual adverse effects remain after offsetting, aquatic compensation should be provided (and if aquatic compensation is not appropriate, the activity itself is provided). In my opinion, if the Applicant cannot demonstrate compliance with the aquatic offsetting principles¹¹, the proposal should instead be assessed as aquatic compensation under the effects management hierarchy, and the principles of aquatic compensation should be applied.

¹¹ As per clause 3.22(3)(a)(ii) of the NPS-FM the Applicant is required to comply with principles 1 to 6 of Appendix 6 and have regard to the remaining principles