

Appendix A: The Department of Conservation's suggested amendments to applicant conditions 6 October 2026

Condition number	Draft applicant condition	DOC's comments
PART A - GENERAL CONDITIONS APPLYING TO ALL CONSENTS		
G4.	Before the commencement of bulk earthworks (other than for the Paetawa Road stage) authorised by these consents, and before the Stormwater Management Plan (Condition R72) and the final Ecological Restoration Management Plan (Condition G26) for any stage other than the Paetawa Road stage are submitted for certification, the consent holder shall prepare a three-dimensional numerical groundwater model of the site, that is set up in transient mode to perform predictive analysis over a minimum period of twenty years. The purpose of the groundwater model is to: [...] (d) inform the trigger levels and management responses in the Hydrological Monitoring Report (Conditions R42 and R43) and the ecological restoration objectives for wetlands in the Ecological Restoration Management Plan; and (e) identify any effect of the development on water levels in Te Harakeke Swamp and the Peka Peka Road Swamp, and on groundwater levels and pressures in the land downgradient of Te Harakeke Swamp to the west and north-west of the site (including the Paetawa Road properties), and the measures by which any such effect will be managed.	This condition should be amended or additional conditions added to better understand the overall impact of the proposed works and reflect matters including: - baseline water level benchmarks from pre-construction - identify thresholds that encompass minor, moderate or significant departures from threshold - specific management responses for each - a process that involves escalation if adverse effects persist - reassessment of the development design if a significant shift in baseline water levels is to occur.
MANAGEMENT PLANS		
G9	At least 20 working days prior to construction commencing, or unless otherwise specified in the following conditions, and as relevant to that stage or for the entirety of the project, each management plan listed in Table G1 must be submitted to the Council identified in Table G1 as the certifying Council for certification that the management plan meets the objective specified in the conditions for that management plan, and gives effect to the relevant conditions of consent to which it relates. Where Table G1 identifies both Councils, the	

	plan shall be submitted to both and shall not be treated as certified until both Councils have certified it, each in respect of the consents it administers.																																																																																											
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Iwi entities	At least 20 working days before vegetation clearing	The addition of the table G1 is helpful to see a list of all of the management plans and which authority certifies these. The inclusion of the Department of Conservation as party to review the Ecological Restoration Management Plan (ERMP) is welcomed. DOC is unsure why it is not listed as the certifying authority to the Lizard Management Plan. This dual certification issue is outlined in general comments above. Additionally, the Hydrological Monitoring report – also has ecological implications including the potential for adverse effects on wetlands if a significant change from baseline water levels results from the development. This includes impacts on the threatened mudfish, in which case DOC should also be listed review party.
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G18	Where a management plan listed in Table G1 provides for the management of Threatened or At Risk species, or is required to be consistent with the Wildlife Approval	As above, it is unclear how the two separate approval processes for																																																																																										

	associated with these consents, the consent holder shall provide the draft management plan to the Department of Conservation for comment at least 20 working days before submitting it for certification. The management plan submitted for certification shall record the comments received and how they have been addressed and, where they have not been, the reasons why not. Nothing in this condition requires the approval of the Department of Conservation to a management plan certified under these conditions.	the LMP will operate. This matter is unresolved and still of concern to DOC in relation to implementation.
ECOLOGICAL RESTORATION MANAGEMENT PLAN		
G26	The consent holder shall submit a final Ecological Restoration Management Plan (ERMP), prepared by a SQE Person (ecologist) with support from a wetland hydrologist, to both Councils and the Department of Conservation for certification at least 20 working days before the commencement of earthworks in the area to which it relates, or of the monitoring required by these conditions, whichever is earlier. The ERMP may be prepared for the entire proposal or on a staged basis, and shall be a single document that addresses, in separate parts, the wetlands (Conditions R40 to R71), the Ngārara Stream and other streamworks (Conditions R111 to R118) and the matters relevant to the consents granted by Kāpiti Coast District Council (Condition S89).	While DOC welcomes the inclusion of DOC as review party in table G1, it should also be listed in this condition. Table G1 limits DOC's involvement to when threatened species are being managed. DOC has an interest in the management of all terrestrial values, particularly in this location where there are rare and threatened ecosystems.
G27	The purpose of the ERMP is to set out how the wetland and stream outcomes in Condition R41 and Table R1 and the Ngārara Stream outcomes in Condition R94 will be achieved, monitored and, where necessary, remedied or adapted where monitoring indicates the initial target outcomes have not been met. A and to provide a full schedule and timetable of the restoration, planting, pest control, monitoring, maintenance tasks and reporting for each stage shall be provided . The ERMP shall be in general accordance with the draft ERMP submitted with the application (Appendix 1) and shall be prepared with reference to the CEMP and the Hydrological Monitoring Report.	The condition should require adaptive management to better manage effects when monitoring shows that target outcomes are not being met.
DRAINAGE AND RECLAMATION OF WETLANDS AND ASSOCIATED OFFSETTING AND ENHANCEMENT WORKS		
GENERAL		
R40	The maximum area of wetland that can be drained or reclaimed shall not exceed an area of 1.69ha.	Appendix 26 submitted in support of the application, para 4.3.1 states "Four (4)

		wetlands (W3, W5, W9 and W10) and parts of Wetland Clusters 2 and 3 will be removed by infilling, resulting in a total wetland removal of 1.67ha. While a minor numerical difference, there should be clarity on the wording.
WETLAND OUTCOMES		
R41	The purpose of Conditions R40 to R71 is to achieve the following outcomes for the wetlands on the site. The certified ERMP shall be designed to achieve these outcomes, and the monitoring and reporting required by those conditions shall report progress against them: (a) Retained wetlands: the 6.52 ha of existing wetland retained on the site (being the wetlands identified in the ERMP as retained, including Te Harakeke Swamp and the Peka Peka Road Swamp) is maintained in its existing extent and wetland type, with no reduction in hydrological function or ecological value attributable to the exercise of these consents; (b) Removed wetlands: no more than 1.69 ha of existing wetland (wetlands W3, W5, W9 and W10 and parts of Wetland Clusters 2 and 3, as identified in the ERMP) is drained or reclaimed (Condition R40); (c) Created wetlands: not less than ~~1.74~~ 1.86 ha of new wetland is created in the locations, of the wetland types and of not less than the minimum areas set out in Table R1, and each created wetland achieves, by year 15 after completion of its planting, the Wetland Ecological Valuation (WEV) score predicted for it in the certified ERMP; (d) Wetland buffers: not less than 7.26 ha of indigenous buffer planting is established around the retained and created wetlands, with an average	In relation to point (c) DOC believes the amount of created wetlands should be higher. The amended Regional Policy Statement for the Wellington Region states that: “Applications for biodiversity offsetting or aquatic offsetting of adverse effects on ecosystems and species that meet the criteria in Policy24A(b) can on be considered if at least a net gain, and preferably a 10% net gain or greater, in the <i>indigenous biodiversity</i> values affected can be reasonably demonstrated.” It is preferable to demonstrate a net gain when offsetting biodiversity loss and this is the premise of the ecological assessment from the applicant. This statement then leads

	planted width of not less than 20 m at Te Harakeke Swamp, 10 m at the Peka Peka Road Swamp and 9.7 m at the other wetlands, and achieving 80% canopy closure within 5 years of planting. Residential allotments should be excluded from wetland buffers; (e) Enhancement planting within retained wetlands: node planting of a minimum of 1.1 ha within the retained wetlands, as described in the ERMP, is established and maintained so as to progressively increase indigenous wetland plant cover; and (f) Wetland W3: the loss of wetland W3 is addressed by the off-site works at Queen Elizabeth Park required by Condition R54 and described in the certified ERMP. Note: The outcomes in (a) to (d) are performance requirements. The enhancement planting in (e) is additional to the wetland creation and buffer planting, is specified as a minimum with the final area to be confirmed through the certified ERMP, and beyond the 1.1 ha proposed in the application, is not subject to the canopy closure or WEV targets in this condition. <table><tr><th>Offset wetland cluster (ERMP)</th><th>Location</th><th>Wetland type</th><th>Area available for wetland creation and enhancement (m², AEE Table 22)</th><th>Vegetation communities (ERMP Tables 6 and 7)</th><th>Predicted WEV score (year 15)</th></tr><tr><td>OWC1 (OW1 to OW11 as allocated in the certified ERMP)</td><td>Adjoining Wetland Cluster 2 (Ngārara Stream wetlands), within the eastern stormwater detention area</td><td>Swamp (excavated to groundwater)</td><td>8,819</td><td>W1 and W2</td><td>As predicted in the certified ERMP</td></tr><tr><td>OWC2</td><td>Adjoining Wetland Clusters 2 and 3, within the eastern stormwater detention area</td><td>Swamp (excavated to groundwater)</td><td>12,958</td><td>W1 and W2</td><td>As predicted in the certified ERMP</td></tr><tr><td>OWC3</td><td>As shown in the certified ERMP</td><td>Swamp (excavated to groundwater)</td><td>3,419</td><td>W1 and W2</td><td>As predicted in the certified ERMP</td></tr><tr><td>Total</td><td></td><td></td><td>25,196 (2.52 ha) available in total, within which not less than 17,400 (1.74 ha) of new wetland shall be created</td><td></td><td></td></tr></table>	Offset wetland cluster (ERMP)	Location	Wetland type	Area available for wetland creation and enhancement (m², AEE Table 22)	Vegetation communities (ERMP Tables 6 and 7)	Predicted WEV score (year 15)	OWC1 (OW1 to OW11 as allocated in the certified ERMP)	Adjoining Wetland Cluster 2 (Ngārara Stream wetlands), within the eastern stormwater detention area	Swamp (excavated to groundwater)	8,819	W1 and W2	As predicted in the certified ERMP	OWC2	Adjoining Wetland Clusters 2 and 3, within the eastern stormwater detention area	Swamp (excavated to groundwater)	12,958	W1 and W2	As predicted in the certified ERMP	OWC3	As shown in the certified ERMP	Swamp (excavated to groundwater)	3,419	W1 and W2	As predicted in the certified ERMP	Total			25,196 (2.52 ha) available in total, within which not less than 17,400 (1.74 ha) of new wetland shall be created			to a requirement of a 1.1:1 ratio resulting in the 1.86 hectares of necessary wetland creation. In relation to (e) all retained wetlands should have planting to restore wetlands to an indigenous state alongside the removal of weed species. The increased area of planting is welcomed, however, a map should be provided that illustrates the cover of planting, including within all retained wetlands. Within these areas, planting and weed control should be undertaken in a manner that increases their indigenous cover and ecological integrity. As mentioned, prior to conferencing, DOC has limited visibility on engagement between the applicant and GWRC regarding the off-site works discussed in (f). The works proposed by the applicant should be additional to any work already proposed in the QEII Park and also not creating outcomes, such as draining wetlands, that could be contrary to work GWRC has proposed.
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ECOLOGICAL RESTORATION MANAGEMENT PLAN

R44

The ERMP required in respect of **Condition G6 and G27**, shall:

- (a) In respect of monitoring:
 - i. Ensure that the retained wetlands maintain their extent, hydrology, and do not reduce in ecological values;
 - ii. Describe the methods, timing, and frequency of monitoring of wetlands with regard to potential adverse effects of sediment discharge into the wetlands associated with the proposed earthworks; and
 - iii. Establish benchmark conditions prior to construction and ensure appropriate measures are implemented, and adapted when outcomes are not being achieved, to retained wetlands where they may be affected by the development to ensure corrective actions are undertaken if issues are identified.
- (b) In respect of wetland offset creation:
 - i. [...]
- (c) In respect of wetland buffer, wetland restoration planting, and pest control:
 - i. Be in general accordance with the draft ERMP submitted with the application and be prepared with reference to the Construction and Environmental Management Plan;
 - ii. Detail the required wetland buffer and restoration planting that contribute to a net gain in ecological outcomes for the site;

In relation to (a) iii - Similar to comments above regarding hydrological changes, before any construction takes place, benchmark conditions should be established. A range of interventions should be developed that match different impacts, from those generating minor to severe effects.

In respect of (c) ii, there is already a requirement under the Regional Plan for wetland buffers to be provided. The wetland buffers offered by the applicant are not more than that. As DOC has requested previously, and as mentioned in comments on LU127 below, buffer areas should not be incorporated into residential allotments.

In (c) v (d), DOC believes the wording should be amended to provide contingencies to be put in place if the 80% does not occur, to actualise the offset proposal. Monitoring is to occur for a 15 year period, therefore it is appropriate that contingency plans

	iii. Detail pest control within wetland areas; iv. Identify the enhancement (node) planting within the retained wetlands referred to in Condition R41(e), including how its extent, species and location may be adapted in response to monitoring; and how that planting will be monitored (including plant cover) within the wetland monitoring programme; v. Provide the following information: a. Details of planting of the native vegetation buffer including what species will be used; b. Confirmation that all species in the planting palette are eco-sourced and that karaka (<i>Corynocarpus laevigatus</i>) is excluded from the palette; c. Details of monitoring and maintenance of the planting including weed management; d. A plan to ensure 80% canopy closure on the plantings within 5 years; and monitored for 15 years. The plan shall include contingencies to address failure to met this target or if ecological decline has occurred. e. Confirmation that the wetland will be clearly delineated by flags or fencing to ensure contractors are aware of the boundary; and (d) In respect of hydrology: i. [...]	occur within this time frame and post the 15 year time period if ecological decline has occurred.
MONITORING		
R48	To assess potential effects on wetland condition including dryland plant invasion, erosion and sedimentation, wetland area loss and exotic species invasion, the Consent Holder shall undertake monitoring of retained wetlands including:	Clause (a) should be amended to be more specific about how many plots are to be used, to ensure a good

	(a) For the duration of earthworks, XX monitoring plots of 2 x 2 m for groundcover, 5 m radius for scrub and saplings, and 10 m radius for trees (adjusted as needed for smaller wetlands) established within each retained wetland potentially affected by the development as determined by a SQE person (ecologist) with input from a wetland hydrologist. (b) [...]	cover, and whether the plots are permanent and repeatable plots or randomised.
R51	Reporting of wetland monitoring certified under Condition G26 above shall include, but not be limited to: (a) A baseline wetland monitoring report that shall be completed prior to earthworks commencing to form a basis for further monitoring of effects and include any necessary/relevant trigger thresholds if they are deemed necessary. Three control wetlands shall be monitored alongside the potentially impacted wetlands to provide baseline data; (b) The results of each monitoring event shall be compiled into a report detailing the inspection date, the ecologist's qualifications, monitoring results, and any recommended management changes; (c) If any unanticipated adverse effects on the wetlands are identified during monitoring, as indicated by exceeding trigger levels/values set out in the ERMP, the consent holder shall cease any active works (if being undertaken) and: - Immediately notify the Manager of the unanticipated adverse effects/exceedance of trigger levels/values; - Investigate the cause, and put in place any measures required to remedy the effect and prevent reoccurrence;	Amend (c) to ensure that if the monitoring period falls within the construction work phase, the works should be stopped to allow for an investigation and determination of next steps. The proposed amendment to iv provides clarity that actions are required to be undertaken.

	iii. Liaise with the Manager regarding steps that have been and or need to be undertaken; iv. Record details of investigations, probable cause of the issue, lessons learnt and actions undertaken to remedy, ~~or to be~~ <u>Additionally, identify actions</u> taken to prevent reoccurrence; and v. within 15 working days of the notification in (i) submit to the Manager a report with the information required by (iv). (d) If no adverse effects are detected, a summary report shall be submitted to the Manager within three months of completing the monitoring.	
WETLAND CREATION AND ENHANCEMENT		
R53	The Consent Holder shall undertake, maintain, and protect a minimum of: (a) The creation of not less than 17,400 m² (1.7486 ha) of new wetland, of the wetland types, in the locations and of not less than the minimum areas set out in Table R1; (b) The enhancement of 65,200 m² (6.52 ha) of retained existing wetland, as described in the application documents referenced in Appendix 1 and detailed in the certified ERMP; and (c) The planting and maintenance of not less than 72,600 m² (7.26 ha) of wetland buffer, of the average widths set out in Condition R41(d).	As mentioned previously, the 1:1:1 replacement ratio should be applied in light of the amended regional plan rule, and as such a 1.86 ha minimum new wetland is necessary.
R54	Offsetting / compensation and enhancement shall be undertaken on-site, except for the purposes of wetland W3, which shall be undertaken at Queen Elizabeth II regional park, as detailed in the certified ERMP.	Please see comments above in relation to R41. Such works should be additional to works already identified for QEII park but should also the wider subdivision, should not be detracting from

		GWRC's aspirations to address and remediate impacts of the past drainage of wetlands.
R69	The FWEP shall be prepared by a SQE person (Ecologist and Hydrologist), in consultation with Council, and the Department of Conservation, with the purpose of achieving at least a no net loss of wetland extent and values, and include but not be limited to: (a) Details of the repair or improvement of wetland creation and enhancement to ensure new limits and thresholds as set out in the certified ERMP are achieved; (b) The proposed time frame for implementing the works to ensure the wetland area, predicted ecological values and hydrology are achieved or maintained; (c) Details of specific monitoring until such time that the requirements of the FWEP are achieved; and (d) The legal and other mechanisms securing the protection and ongoing management of the wetland and planting in perpetuity.	It is appropriate, given DOC's interest in the management of wetland values and rare and threatened ecosystems, that DOC be involved in this process.
PARTS C AND D – KĀPITI COAST DISTRICT COUNCIL CONDITIONS OF CONSENT: SUBDIVISION AND LAND USE		
Nesting Native Birds		
S90	At least 20 working days prior to the commencement of vegetation clearance works, the Consent Holder must submit a Bird Management Plan (BMP) to the Manager of Resource Consents and Monitoring for certification. The BMP may form part of the ERMP and shall be prepared by an SQE person. The purpose of the BMP is to detail the management techniques that will be implemented to appropriately manage effects on native birds and native bird habitat as part of construction works.	
S91	The BMP must include, but not be limited to, the following details: (a) Identification of native bird habitat for protected native birds; and	Nesting birds can be disturbed during construction activity. The BMP should determine disturbance

	(b) Pre-clearance surveys for nesting native birds. (c) Construction setback distances from native nesting birds.	distances for the various construction activities, which will result in different noise and vibration levels.
Native Lizards (continued following page)		

S94	At least 20 working days prior to the commencement of vegetation clearance works, the Consent Holder must submit a Lizard Management Plan (LizMP) to the Manager of Resource Consents and Monitoring for certification.	For the Wildlife Approval, the Department seeks that any plan required to implement the Wildlife Approval should be certified by DOC as the administering authority. It is noted there are new condition 99 within the proposed resource conditions which provides for certification of the Lizard Management Plan. It is unclear how this will work in practice but it potentially creates a dual certification process for the LMP (i.e. DOC for Wildlife Approval and GWRC for resource consent purposes). While the dual certification is not opposed, it emphasises the need to ensure the provisions are integrated and aligned. It is not appropriate for the Council to be certifying changes to the Lizard Management Plan which will impact on the Wildlife Approval.
CATS AND DOGS		
LU94	The consent holder shall include the selected option and its associated obligations in all Sale and Purchase Agreements and Agreements for Sale relating to residential lots within the relevant part of the subdivision. These obligations shall be secured by way of	The ability of the consent holder to choose options, including between the wider development

	a caveat notice or equivalent instrument registered on each residential title, as described further below. Note: a different option can be chosen for the Paetawa Road lots from that chosen for the balance of the development. Condition LU1 requires separate notice to be provided for each of those parts. The selected option shall not be changed without the prior written approval of the Manager.	and for Paetawa Road lots, would seem to introduce a lack of certainty into the conditions. DOC's preference is cat exclusion.
LU119	The consent holder shall include educational material relating to domestic cat management in all Sale and Purchase Agreements and Agreements for Sale relating to residential lots. The material shall inform purchasers of: (a) the ecological values of the wetlands and SNAs within the development and the ecological importance of pest animal control; (b) for the lots accessed from Paetawa Road, the cat exclusion obligations imposed by the land covenant registered on the title of the lot; (c) the operation of the live capture cat trapping programme within ecological management areas, including the trap-checking frequency; (d) the distinction between domestic cats (microchipped and NZCAR-registered) and feral or stray cats, and the treatment that applies to each category when caught in ecological management areas; (e) the requirement that all cats over four months of age and all re-homed stray cats be microchipped, desexed and registered on the NZCAR, with registration details kept current; and (f) the strong recommendation that domestic cat owners confine their cats to their private property at all times to eliminate the risk of their cats being treated as feral cats under this programme.	While public education on the ecological values of wetlands and the importance of pest animal control is a positive step, the inclusion of this condition does not address DOC's concerns about the introduction of cats into the retained and new wetland areas. DOC's preference remains the exclusion of pet cats from the subdivision for reasons outlined previously through the use of a consent notice mechanism.

LU127	Dogs shall not be permitted to enter any ecological management area, including any wetland, wetland buffer, SNA, stream corridor, or restoration planting area within the subdivision. <i>ADD consequential amendment to exclude any wetland, wetland buffer, SNA, stream corridor, or restoration planting area from the subdivision, using a map to demarcate these areas.</i>	The application proposes wetland buffers within residential lots. Presumably, it is not the intention to ban dogs from parts of residential lots? A more practical approach which would also achieve other ecological outcomes such as better protecting the value of these features, is to exclude any ecological management area, including any wetland, wetland buffer, SNA, stream corridor, or restoration planting area from residential subdivision.
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