Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

Your Comment on the Beachlands South project application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at substantive@fastrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Department of Conservation		
First name	Lana		
Last name	Gooderham		
Postal address	PO Box 10420, Wellington 6140		
Mobile phone	[redacted]	[redacted]	[redacted]
Email	[redacted]		

2. We will email you draft conditions of consent for your comment			
X	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct

3. Please provide your comments on this application
Please find comments attached



Linda Kirk
Fast Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 27/10/2026

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Comments on a fast-track consenting application

Fast-track Approvals Act 2024 section 53

To: The Expert Panel

From: Department of Conservation

Regarding fast-track project: **Beachlands South**

Fast track Reference: FTAA-2606-1256

1 Overview

1.1 Beachlands South Limited Partnership (the Applicant) has applied under the Fast Track Approvals Act 2024 (FTAA) for the subdivision and development of approximately 268.18 ha at 110 Jack Lachlan Drive, and 620, 712, 758 and 770 Whitford-Maraetai Road, Beachlands and the adjacent coastal marine area.

2.1 The development will include approximately 2,000 dwellings, a commercial local centre, education facilities, public transport and road upgrades, infrastructure, open spaces, public walkways, and an Ecological Protection and Enhancement Network (EPAN).

3.1 There is no Public Conservation Land within or adjacent to the proposal site.

4.1 The proposal seeks approvals that would otherwise be granted under the Resource Management Act 1991 (RMA), the Wildlife Act 1953 (WA), and the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA).

5.1 On 22 May 2026, the applicant notified the Department of Conservation (DOC/ the Department) of their intention to lodge the application in June 2026. The application was lodged on 26 June 2026. As such, the 20 working days' notice requirement was met by the applicant.

6.1 Notwithstanding this, it is noted that the applicant requested fulsome consultation with the Department as part of their notification. Limited information was supplied to Department at the time of this request. The Department requested further information/clarification on 28 May 2026, 4 June 2026 and 8 June 2026, and briefly met with the agent on 16 June 2026. The information requested was provided to the Department. At this meeting, the Department noted the limited opportunity for input prior to lodgement. The agent acknowledged this and requested high-level preliminary comments.

7.1 High level comments from the Department were provided on 24 June 2026.

8.1 The Department has previously prepared a report on behalf of the Director-General of Conservation (D-G), in accordance with section 51 of the FTAA (s51 Report). This s53 report also provides an updated set of amended Wildlife approval conditions to those put forward in the s51 Report. These conditions are attached as **Appendix B** to this report.

9.1 In accordance with sections 53(2)(k) and 53(2)(m)(i) of the Act, the Director-General of Conservation (D-G) has been invited to comment on the substantive application. Statutory delegations are in place for the Department to provide commentary on behalf of the D-G.

10.1 These comments focus on bringing together the matters identified by the Department's technical or consultant advisors that DOC considers require further consideration by the Panel.

2 Department of Conservation advice

2.1 The following advice is based on the updated application documents provided to the EPA on 14 September 2026.

2.2 The assessment in this report is informed by expert advice from the Department's technical advisors (or consultant advisors). The Department has relied on the advice of the following technical experts:

a. Dr Dave West – Senior Ecologist – in relation to freshwater;

b. Mr Nicholas Harker – Technical Advisor – in relation to lizards;

c. Ms Aneesa Delpachitra – Advisor Marine – in relation to marine ecosystems;

d. Ms Chloe Corne – Technical Advisor Marine – in relation to marine mammals;

e. Dr Joshua Thoresen – Senior Ecologist – in relation to terrestrial and wetland ecosystems;

f. Dr Della Bennet – Associate Principal Ecologist – in relation to avifauna; and

g. Mr Brent Henry – Associate Principal Ecologist – in relation to bats.

2.3 All technical advisors, except for Mr Nicholas Harker, have prepared formal statements of advice which have informed these s53 comments and are attached as Appendices C – H of this report.

2.4 The Department's assessment has been confined to the identification of ecological values, the actual and potential effects of the proposal on these values, and the proposed measures to manage these effects.

2.5 The Department has also provided comments on draft conditions of consent, as presented in Attachment 0C of the application.

2.6 In summary, the Department is of the view that, while there appears to be no fundamental flaws with respect to the proposed development, further information is required from the applicant to fully understand the scale and nature of potential adverse ecological effects, and to ensure that those effects are mitigated or managed through appropriate conditions of consent. Further information is sought in relation to freshwater, marine mammals, terrestrial

ecology, avifauna and bats. The Department's assessment of these matters is summarised in Section 3 below.

2.7 The Department further notes that ecological effects management measures are put forward in the management plans that support the application. It is the Department's view that the content of these management plans should be amended and/or strengthened to more effectively address the adverse effects of the proposal. It is also considered that amendments to existing conditions, or new conditions, will be required to ensure that the conditions include the limits or standards to be complied with by the consent holder, rather than those limits being solely included in the management plans. This will ensure that the relevant limits are enforceable by the relevant consent authority. High level commentary on conditions is provided in **Appendix A** of this report.

2.8 The Department seeks to work constructively with the Applicant in obtaining the relevant information and narrowing areas of potential disagreement. The Department is available for further discussion, technical meetings, or review of any additional information provided. If deemed necessary by the Panel, the Department welcomes expert conferencing as an efficient means of narrowing outstanding issues.

3 Assessment

Freshwater

3.1 Dr West has reviewed the proposal as it relates to freshwater biodiversity. He has raised concerns regarding the adequacy of surveys undertaken to identify freshwater values on site and has identified areas where he disagrees with the Ecological Impact Assessment's (EcIA) conclusions regarding the effects of the proposal on freshwater values and the suitability of proposed measures to address these.

Identification of values

3.2 Dr West has advised that further assessment is required to ensure freshwater values are adequately identified, particularly in relation to the presence of fish and invertebrate, īnanga spawning habitat, fish passage, and hydrological connection.

3.3 A robust and reliable assessment of effects relies on the accurate identification of values present on site. The Department therefore recommends that the following additional information is sought from the Applicant:

a. Instream sampling of streams proposed to be reclaimed or piped to determine the resident freshwater fauna present and likely to be impacted.

b. Fish surveys in streams where eDNA surveys detected Giant kōkopu or īnanga;

c. Identification of īnanga spawning habitat.

3.4 If additional values are identified, the Department recommends that effects on those values are properly assessed, and appropriate management measures adopted.

Assessment of effects

3.5 Dr West's view is that some actual or potential adverse effects have not been adequately assessed.

3.6 He has advised that adverse effects on the hydrology of lower waters due to upstream piping, diversions, and infilling have not been assessed. He considers it typical for such upstream works to exacerbate storm damage to lower waterways when higher discharges cause stream bank erosion and damage to instream fauna. He also considers that a reduction in wetlands and ponds on the site will reduce the hydrological connection and benefits to streams located downstream.

3.7 The Department therefore recommends that an assessment of the potential for adverse effects on the hydrology of lower waters be sought from the Applicant. Any adverse effects identified should then be managed in accordance with the relevant planning provisions.

3.8 Dr West has advised that Giant kokopu (At Risk – Declining, and Regionally Critical in Auckland) are likely to be present downstream of the reclaimed and impacted stream reaches and may be adversely affected by the proposal. The Department recommends that an assessment of effects on the Giant kokopu be undertaken, with additional effects management proposed if necessary.

Effects management

3.9 Dr West has noted that the primary measure to address effects of freshwater stream, wetland, and pond loss is the "freshwater compensation wetland".

3.10 Informed by a site visit, Dr West has advised that large parts of the proposed "freshwater compensation wetland" appear to be coastal-saline influenced wetlands rather than freshwater wetland. Dr West has further advised that of the three compensation wetland planting zones identified, it is likely that only the most inland North-eastern zone is likely to be a freshwater wetland. Dr West is therefore of the view that the freshwater compensation package does not adequately address effects associated with the loss of stream values and extent, the loss of freshwater wetland values and extent, and the loss of freshwater connectivity.

3.11 Dr West has noted that there are several pragmatic amendments that could be made to the compensation-mitigation package to ensure that adverse effects of the proposal are managed appropriately. This includes:

a. removing existing barriers to fish passage on waterways unaffected by the proposal to better address the effects from loss of stream extent and values; and

b. increasing the extent of the "freshwater compensation wetland" by filling in the artificial drain that has been dug through the intertidal area from the tributary stream and adding the southern or true left bank area of the "North-eastern zone" to the extent of the freshwater compensation wetland. These two actions would improve freshwater benefits of the "freshwater compensation wetland" by

increasing freshwater retention, improving conditions for freshwater wetland plants and animals, and enabling the development of a functioning freshwater wetland.

Terrestrial Ecology

Identification and assessment of effects on values

3.12 Dr Thoresen has reviewed the application in relation to terrestrial and wetland ecology and has identified information gaps and inadequacies in the EcIA's identification and valuation of terrestrial vegetation and wetlands. Examples include the absence of any descriptions of vegetation and habitat in the location of the proposed wastewater disposal, the omission of species lists for terrestrial and wetland vegetation, the absence of wetland assessments for some impacted wetlands, the inconsistent and sometimes insufficiently justified categorisation of wetlands, and the potential underestimation of some wetland values.

3.13 Dr Thoresen has advised that this has resulted in an incomplete assessment of adverse effects on terrestrial ecology and, in some instances, has also resulted in the under-reporting of levels of adverse effects. Examples include the absence of an assessment of effects on wetland hydrology from the proposed groundwater take, the likely underestimation of effects from the loss of terrestrial vegetation, and the likely underestimation of effects on wetlands due to reduced surface water catchments.

3.14 Given the above, the Department recommends that further information is sought from the Applicant to ensure values are adequately identified, and that adverse effects are appropriately assessed and managed.

Effects Management

3.15 As noted above, Dr Thoresen is of the opinion that some of the values on site, and the effects on these values, have been under-reported. This has implications for the level of effects management proposed, because identified values are used as inputs for compensation modelling.

3.16 The Department therefore recommends that compensation requirements are recalculated once values have been properly assessed.

3.17 Dr Thoresen is of the view that the proposed compensation model approach using the Biodiversity Compensation Model (BCM) is inappropriate for trading stream losses for wetland restoration, as it is not like-for-like and uses calculations which are strongly influenced by area of loss and gain. Therefore, trading a narrow stream corridor for a wide wetland area will easily result in a positive trade in the BCM as the compensation area is by default much larger than the loss. Dr Thoresen considers that stream loss should instead be addressed through stream enhancement (rather than wetland enhancement), with an SEV (Stream Ecological Valuation) applied together with an ECR (Ecological Compensation Ratio) to calculate the appropriate like-for-like stream compensation for the losses. The Department supports this recommendation.

3.18 Dr Thoresen has noted that both a Wetland Ecological Valuation (WEV) and a BCM were used to calculate appropriate compensation for the wetland losses for the development. As noted above, he considers it inappropriate to determine compensation requirements by combining streams and wetlands in the same calculation. He has therefore recommended that wetland compensation requirements are determined separately using the existing WEV to calculate like-for-like wetland compensation requirements. The Department supports this recommendation.

3.19 Dr Thoresen has advised that the proposed compensation wetland is likely to be indirectly impacted by the development due to changes in the hydrology of the catchment. Additionally, he considers that future sea level rise may transition the freshwater areas of this wetland to a saltmarsh, or it may be inundated entirely. Noting that the proposed compensation wetland is already likely to be predominantly of saline influence, Dr Thoresen has advised that it is currently unclear whether the use of this wetland as compensation for the losses of wetlands due to the development is appropriate, and whether it will meet the long-term outcomes principle (Principle 6) in the NPS-FM Principles of aquatic compensation.

3.20 Given the above, the Department recommends that further information is sought from the Applicant in relation to potential effects on the proposed compensation wetland as a result of the proposed development due to changes in hydrology, and as a result of potential sea level rise. If further assessment identifies that the proposed compensation wetland will be adversely affected by the proposal, additional compensation measures will be required.

3.21 To ensure that indigenous vegetation and wetlands are adequately managed, Dr Thoresen has recommended amendments or additions to the Applicant's proposed consent conditions. Those recommendations include the addition of requirements to monitor wetland vegetation and hydrology and to clearly demarcate the EPAN prior to earthworks commencing.

Avifauna

3.22 Dr Bennet has reviewed the proposal in relation to avifauna and has advised that there are information gaps and limitations in data collection, and that it is therefore not possible to determine all of the species that may be present on site, or to understand how species presently use the site. Dr Bennet considers that this information is necessary to understand effects of the proposal on avifauna and to assess the appropriateness of proposed mitigation measures.

3.23 Using the information that has been provided, Dr Bennet has reviewed the assessment of effects on avifauna and has identified areas where additional assessment is required, or where changes to the assessment approach are required. Examples include the recommendation to assess effects on species across all of the habitats they use, to give adequate consideration to effects on ground-nesting species, and to undertake an assessment of cumulative effects.

3.24 Dr Bennet has also provided recommendations in relation to the proposed effects management. She has advised that further information is required to assess the adequacy of some measures proposed and has also recommended amendments to other measures to ensure they adequately address effects. Examples include the requirement for additional information regarding how the size of piling safe zones for kororā was established, and what monitoring methodology will be used to assess effects on coastal avifauna. Examples also include the recommendation to increase proposed buffer zones from nesting birds in accordance with best practice to ensure that disturbance to birds nesting in these areas is minimised.

3.25 Dr Bennet has also noted that it is an offence to disturb or destroy any species protected under the Wildlife Act 1953 (WA), including any protected exotic avifauna species. She has therefore recommended that requirements for nest checks and buffer distances also apply to protected exotic species. The Department notes that if protected exotic avifauna will be disturbed or destroyed, the Applicant will need to first obtain a permit under the WA.

3.26 In light of Dr Bennet's advice, the Department recommends that additional information is sought from the Applicant to ensure that avifauna values are adequately identified and protected.

Marine Mammals

3.27 Ms Corne has reviewed the proposal in relation to marine mammals and has advised the principal risk posed by this project to marine mammals is underwater noise from pile driving during coffer dam construction.

3.28 Ms Corne has raised concerns with the proposal to use criteria for auditory injury as the basis for proposed mitigation of underwater noise and has advised that underwater noise mitigation measures should instead be designed to avoid exceeding temporary threshold shifts (TSS) for the Very High Frequency (VHF) cetacean hearing group. Ms Corne has also provided recommendations to help ensure that the proposed marine mammal management zones are appropriate, the proposed bubble curtains are effective in reducing underwater noise generated by the project, and the risk of vessel strike is appropriately managed.

3.29 Ms Corne has concluded that the risks identified can be managed through the preparation and implementation of a comprehensive Marine Mammal Management Plan (MMMP) prepared by a suitably qualified and experienced practitioner (SQEP) and implemented through consent conditions. It is noted that the Applicant has included a requirement for an MMMP in the proposed consent conditions but has not included a requirement that it be prepared by a SQEP and has not provided a draft MMMP with their application. Ms Corne has recommended additional information that should be included in the MMMP, including requirements relating to pre-start and shutdown procedures, marine mammal observation zones, avoidance and minimisation measures, noise verification monitoring, and adaptive management.

3.30 To ensure that marine mammals are appropriately protected from the adverse effects of underwater noise, the Department seeks that Ms Corne's recommendations are adopted by the Applicant.

Coastal Ecology

3.31 Ms Delpachitra has reviewed the proposal in relation to marine ecosystems and has advised that marine values have been adequately identified, and that effects on individual values have been appropriately assessed and managed. Ms Delpachitra has however advised that cumulative effects of the activities on the receiving marine environment have not been described, and that it is therefore not possible to determine how the effects of the proposed activities may interact and potentially add to existing pressures in the environment.

3.32 The Department recommends that an assessment of cumulative adverse effects be sought from the Applicant and that any adverse effects identified be managed in accordance with the relevant planning provisions.

Bats

3.33 Mr Henry has reviewed the application with respect to effects on bats. It is his view that further assessment is required to determine whether there is any bat activity on the subject site, to ensure that appropriate mitigation measures can be implemented.

3.34 Mr Henry considers that the extent of the acoustic surveying is not adequate for the scale and nature of the proposed development. For proposals that will result in a permanent change in landscape, Mr Henry considers that at least three survey periods are required. Mr Henry further considers that inadequate information has been provided in the report to substantiate the conclusion that the site is unlikely to be frequently used by long-tailed bats.

3.35 Potential effects of lighting on bats are also addressed by Mr Henry. He considers the EcIA has not adequately assessed the potential effects of artificial light at night and recommends implementation of bat-friendly lighting measures to minimise disturbance to foraging and commuting bats. Mr Henry also recommends taking a precautionary approach to potential effects on bats by installing bat roosts regardless of whether bats are detected. Mr Henry notes that the Fauna Management Plan is unclear on the details of installation of bat boxes, including ratios and installation requirements.

3.36 Mr Henry considers that further information should be sought from the Applicant to address the matters identified. Depending on this information, there may be updates required to the Fauna Management Plan. Further, changes to the condition may be required to address effects on bats, provide sufficient mitigation of potential adverse effects and to ensure that minimum requirements are included in conditions, where those requirements are necessary to manage effects, rather than only being included in the Fauna Management Plan. For example, it is appropriate that minimum lighting requirements are conditions of the consent.

Lizards

3.37 The Applicant has applied for a Wildlife approval as part of the substantive application for the capture, handling, temporary holding and relocation of indigenous lizards on the subject site. Surveys of the site found no indigenous lizards on the site, however, the site does provide potential habitat for some indigenous species, and the Wildlife approval has therefore been applied for on a precautionary basis.

3.38 The Department provided comments on the application in its s51 report. As part of those comments, the Department identified that there was some inconsistent information on the lizard species identified in the vicinity of the subject site in the EcIA and the species listed in the Fauna Management Plan (FMP). In addition, the Department sought clarification on the species listed in the draft Wildlife approval conditions provided by the Applicant (as Attachment 0C of the application).

3.39 As a consequence, it was noted in the s51 report that there may be further changes to the Wildlife conditions as part of the s53 comments. The Department has liaised with the Applicant to clarify these inconsistencies and confirm the species to be listed on the Wildlife approval. The Applicant has confirmed (via email on 12 October 2026) that they are seeking that the Wildlife approval cover three species, being Copper skink, Ornate skink and Forest gecko.

3.40 The Department's herpetologist has reviewed this information and agrees with the applicant that these three species should be listed in the Wildlife approval. Should any other species be located on site, these will be dealt with under incidental discovery protocols, and the applicant would need to stop works and seek advice from DOC, or a variation to their authority to include the species that has been found.

3.41 As part of the s53 comments, the Department also proposes formatting changes to the Wildlife conditions to improve readability for consistency with other Wildlife approvals. The amended conditions are attached as **Appendix B** to this report.

3.42 With respect to draft consent conditions applicable to lizards, the Department considers that changes are needed to ensure all relevant matters are covered, and to avoid duplication. The EIA states that the Fauna Management Plan (FMP) will be implemented prior to and during vegetation clearance works to minimise potential adverse effects on indigenous fauna, including management measures for indigenous birds, lizards, and bats. However, the consent conditions only reference the FMP in the definitions section of the proposed consent conditions and in the Wildlife approval conditions.

3.43 The conditions do include a requirement for a Lizard and Bat Management Plan (LBMP), which is a special information requirement under Chapter 1458[1] of the Auckland Unitary Plan: Operative in Part 2016 (AUP). However, the LBMP conditions only contain objectives and information requirements specific to lizards.

[1] I458.9 (6) of Chapter I458 of the Auckland Unitary Plan.

3.44 The Department recommends that the conditions are amended to include a requirement to prepare and implement management plans (either individual plans or a combined fauna management plan) for lizards, bats and avifauna, and that the conditions include plan objectives, methods, and key information requirements specific to each. This may result in consequential changes to the Wildlife approval conditions. Comments on draft consent conditions are set out in **Appendix A**.

4 Relevant planning provisions

4.1 The Planning Assessment (Attachment 0B of the substantive application) identifies the statutory provisions of relevance to the proposal. The following section identifies areas where the Department disagrees with the Applicant's assessment, or considers further information or discussion is required in relation to provisions of relevance to ecological values.

New Zealand Coastal Policy Statement 2010 (NZCPS)

4.2 Policy 11 of the NZCPS relates to the protection of indigenous biodiversity in the coastal environment. The policy includes directions to avoid adverse effects on indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists, and taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened. In her expert advice, Ms Corne has identified several species of marine mammal that meet these criteria and are likely to be present within or transit through the project area.

4.3 The Department is of the view that the adoption of Ms Corne's recommendations regarding the management of effects on marine mammals would help to ensure consistency with this policy.

National Policy Statement for Freshwater Management 2020 (NPSFM)

4.4 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. Clause 3.22, implemented as Policy E3.3(17) of the AUP, further directs that adverse effects associated with the loss of extent or values of natural inland wetlands from urban development are managed by applying the effects management hierarchy.

4.5 As noted above, Dr West and Dr Thoresen have raised concerns regarding the adequacy of the Applicant's identification of wetland values and extent, the anticipated effects on these, and the suitability of proposed measures to address these effects. To ensure consistency with this proposal, the Department recommends that further assessment is undertaken in accordance with Dr West and Dr Thoresen's recommendations and that, if required, additional measures are proposed to ensure that any more than minor residual adverse effects are appropriately offset or compensated in accordance with the NPS-FM principles for aquatic offsetting and compensation.

4.6 Policy 7 of the NPS-FM directs that the loss of river extent and values is avoided to the extent practicable. Clause 3.24 of the NPS-FM, implemented as Policy E3.3(18) of the AUP, directs that the loss of river extent and values is avoided unless the council is satisfied there is a functional need and that effects have been managed by applying the effects management hierarchy.

4.7 The Department considers that to ensure consistency with the above provisions, the Applicant needs to adequately identify stream values and extent, to assess adverse effects on these, and to then manage adverse effects through the application of the effects management hierarchy. The adoption of recommendations from Dr West and Dr Thoresen, including in relation the identification of stream values and the use of appropriate compensation models, will help to ensure this.

4.8 Policy 9 of the NPS-FM directs that the habitats of indigenous freshwater species are protected. As noted above, Dr West is of the view that the presence of freshwater fish within impacted streams have not been adequately assessed. To ensure consistency with this policy, the Department recommends that additional assessment is undertaken to identify fish species present, and to determine whether any further measures are required to manage adverse effects of the proposal on these.

National Policy Statement for Indigenous Biodiversity 2023 (NPSIB)

4.9 Policy 8 of the NPS-IB directs that the importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for. Clause 3.16 of the NPS-IB further directs that any significant adverse effects of new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy, and that any other effects must be managed to give effect to the objective and policies of the NPS-IB. Clause 3.16 also requires that every local authority changes its plans and policy statement to be consistent with the requirements of the clause.

4.10 Policy E15.3(2) and (3) of the AUP largely reflects the requirements of Clause 3.16, although it only encourages offsetting of any significant residual adverse effects on indigenous vegetation and biodiversity values and does not include reference to compensation. The Department therefore recommends that the AUP policy be read alongside Clause 3.16, with greater weight given to the clause, being from a higher order document.

4.11 As noted above, Dr Bennet has identified gaps and errors in the identification of avifauna values present on site, the anticipated effects on these values, and the measures proposed to address effects. Likewise, Mr Henry is of the view that survey efforts to identify the presence of bats on site has been inadequate, and that measures to manage adverse effects may also be insufficient, particularly if the presence of bats on site has been underestimated.

4.12 To ensure consistency with the above provisions, the Department recommends that additional information is sought from the Applicant to demonstrate that bat and avifauna values have been comprehensively identified and that any significant adverse effects are managed by

applying the effects management hierarchy. For any other adverse effects, the Applicant should demonstrate that effects are being managed in accordance with the NPS-IB provisions including the direction to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss, and to recognise and provide for the importance of indigenous biodiversity outside of SNAs.

4.13 Policy 15: Areas outside SNAs that support specified highly mobile fauna are identified and managed to maintain their populations across their natural range, and information and awareness of highly mobile fauna is improved. The Planning Assessment states that the site and surrounding coastal environment provide potential habitat for highly mobile fauna including northern NZ dotterel, banded dotterel, Caspian tern, bar-tailed godwit, banded rail and long-tailed bat. The assessment states that effects on these species will be managed through habitat retention, ecological restoration, pest management, freshwater enhancement, and species-specific management where required. The assessment subsequently concludes that the proposal is not anticipated to adversely affect the ability of these species to utilise habitats across wider natural range.

4.14 Dr Bennet has recommended several changes to the proposal to ensure that effects on NZ dotterel are appropriately managed. This includes recommendations to increase buffer zones from nesting dotterel, and to clearly state the requirements for using of grass and silt fences to deter dotterel from establishing nests on site. The Department considers the adoption of Dr Bennet's recommendations would ensure greater consistency with this policy.

4.15 Mr Henry has also recommended changes to the proposal, specifically in relation to artificial lighting and the use of artificial bat roosts, to reduce the level of adverse effects of the proposal on long-tailed bats.

4.16 Consistency with this policy should be re-assessed if further assessment, as recommended above, finds that any specified highly mobile fauna are present on site in greater numbers, or across a broader range of habitat types than had been initially assessed.

5 Conditions

5.1 The Panel is required, under the Act, to provide draft conditions and invite comments on them before they grant an approval. The Department notes that additional conditions or amendments to proposed conditions may be required in order to address the comments and recommendations made in this report. Suggested changes to conditions are attached to this report as **Appendix A** and **B**, however DOC also reserves its right to provide specific comments on conditions under s70 of the FTAA.

6 Summary of recommended additional information to be sought

6.1 The technical experts have identified a range of further information to be sought from the Applicant that will enable the Department to consider the nature and extent of effects arising from the proposal. These information requirements are briefly summarised below, and are expanded upon in the technical advice attached as Appendix C – G of this report.

Avifauna

6.2 The following information is sought in respect of avifauna.

a. Further surveying during the breeding season to determine avifauna species present on-site
b. Results of a search on the eBird database and included in reporting;
c. Clarification of the dates coastal bird surveys were conducted
d. Information about abundance and site use with respect to red-billed gulls;
e. An evaluation of the likelihood of each species of avifauna observed within or adjacent to the subject site using the site;
f. An assessment of the potential for shag species to use the trees overhanging the on-site ponds for roosting and nesting;
g. Assessment of cumulative effects on marine birds;
h. Expected piling noise and explanation of how this was used to determine the size of the safe zones.
i. A map that illustrates the coastal reserve area between the estuary and the development, including information about how wide this reserve will be, and how far the development will be set back from the estuary;
j. Assessment of the potential for ground-nesting species to utilise the site;
k. Clarification as to whether restrictions on cat ownership are proposed as part of the development, and if not, how elevated domestic cat numbers in the area will be managed to avoid increased predation risk

6.3 The following amendments are also sought in relation to management plans:

a. Further information on avifauna monitoring, including a monitoring methodology, and a map of areas to be surveyed;
b. Effects management actions to be addressed in the FMP that will be undertaken to reduce disturbance to adult birds, such as minimisation of on-site noise where possible,
c. The option to use a cloth bag for the removal of an injured bird should be removed, and transportation in a box should be required. The FMP should be updated to require the time, date and location of the injury/mortality to be recorded.
d. Specification in the FMP of the approximate height of grass required to deter tūturiwhatu/northern New Zealand dotterel from nesting on-site.

e. restrictions on cat ownership and/or the management of predation risk addressed in the CBMP.

f. Clarification in the CBMP whether the requirement for dogs to be leashed applies to the proposed coastal pathway to minimise the risk of dogs leaving the path and disturbing birds in the estuary

g. Specification in the CBMP that a pre-works survey is required for any mangrove clearance during the breeding season to determine whether any nesting birds or chicks are present.

Terrestrial ecology

6.4 The following further information is sought in relation to terrestrial ecology:

a. Descriptions of the ecological characteristics of all of the wetland areas throughout the development (including the compensation wetland – Wetland 14) including species assemblages and cover. Dominant species cover for each wetland area should be mapped as for the terrestrial vegetation.

b. A detailed reassessment of the categorisation of wetlands as to whether they qualify for 'Natural Inland Wetland' status, as per the definitions in the NPS-FM.

c. A value assessment and descriptions of the potential receiving habitats for the wastewater dispersal field, including habitats adjacent to the area.

d. An assessment of effects for all potential wetland areas, including the compensation wetland (i.e. Wetland 14), likely to be affected by the proposed water take.

e. An assessment of effects for the proposed development for the changes to the watershed of the compensation wetland (i.e. Wetland 14).

f. An assessment of the appropriateness of using Wetland 14 as a compensation site taking into account the extent of saline influence in the area and the likely increase in saline influence in the future.

g. An updated Stream Ecological Valuation trading the stream losses for stream restoration elsewhere as compensation.

h. An updated Wetland Ecological Valuation trading the wetland losses for the restoration of the compensation wetland area.

Freshwater

6.5 The following information is sought in relation to freshwater ecology:

a. Additional in-stream sampling in the areas to be lost, and in downstream waterways.

b. Additional fish surveys for Giant kōkopu and īnanga.

c. Additional surveys of streams, ponds and wetlands on the wider site to understand the full extent of potential effects

d. Assessment of the stream, pond and wetland network in conjunction with each other in order to address effects and recognise benefits of connectivity between the ecosystems.

e. Assessment of the hydrological impacts of upstream piping and change in water flows.

f. Refinement of the compensation package to address the matters raised in DOC's advice, for example, fixing barriers on waterways unaffected by the development and increasing the extent of the 'freshwater compensation wetland'.

Marine Mammals

6.6 The following information is sought in relation to effects on marine mammals: Clarification of the sheet pile material being used (steel, timber, or another material), as this affects noise generation.

a. Confirmation of whether the underwater noise modelling is based on the actual construction methods and materials proposed.

b. Clarification of whether the modelling assumed the use of a sacrificial piling dolly; and/or an acoustic bubble curtain.

c. An adaptive management process (to be included in the MMMP) so mitigation can be adjusted if measured noise levels differ from predictions.

d. The assessment of effects to be updated based on Temporary Threshold Shift (TTS) thresholds, and a reassessment of mitigation measures using precautionary thresholds.

Marine environments

6.7 The following information is sought in relation to effects on the marine environment:

a. An assessment of the cumulative effects of the proposed activities on the marine ecosystems.

Bats

6.8 The following information is sought in relation to bats:

1. Further bat surveying, with at least 3 survey periods that target different stages of the long-tailed bat breeding season
2. Assessment of the foraging suitability of the subject site for bats

7 Summary

7.1 As discussed in this report, the Department does not consider that there are fundamental flaws with the proposal. Notwithstanding this, the Department has identified a range of further information required to assist with understanding the full nature and extent of the environmental effects of the proposal, and to support the drafting of robust and enforceable conditions to manage those effects.

7.2 The Department welcomes further discussion with the applicant to address these matters.

7.3 The Department is grateful to the Panel for its consideration of these matters.

8 Appendices

Appendix A – Comments on Draft Conditions

Appendix B – Draft Wildlife approval conditions

Appendix C – Statement of advice – Dr Dave West – Freshwater

Appendix D – Statement of advice – Ms Aneesa Delpachitra – Marine ecosystems

Appendix E – Statement of advice – Ms Chloe Corne – Marine mammals

Appendix F – Statement of advice – Dr Joshua Thoresen – Terrestrial ecosystems

Appendix G – Statement of advice – Mr Brent Henry – Bats

Appendix H – Statement of Advice – Dr Della Bennet - Avifauna