

## MEMORANDUM

**To:** Independent Hearing Commissioners

**From:** Carol Bergquist, Senior Ecologist, Auckland Council.

**Date:** 15 April 2021

**Re:** HUIA REPLACEMENT WATER TREATMENT PLANT (BUN60339273): OFFICER RESPONSE TO EVIDENCE REGARDING TERRESTRIAL ECOLOGY

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1. This memorandum is to set out my reply to the evidence of the applicant and submitters presented at the Hearing regarding the Huia Replacement Water Treatment Plant.
  2. I prepared a technical memorandum on terrestrial ecology dated 20 November 2019 which is included in the Hearing Report as Attachment 4, page 776. I note that in that memorandum, my overall conclusions were that:

*“There are some adverse ecological effects that can be remedied, mitigated or offset on site with implementing the ecological conditions recommended in section 8 of this technical memo. However, there are also outstanding and significant residual effects that cannot be adequately mitigated. The proposal directly conflicts with the provisions and expected outcomes for the SEA overlay. However, there is also the long-standing Designation underlying the SEA overlay that has recently been tested through the Environment Court and High Court with the decision that the Designation provides for the water treatment plant upgrade. Because of this unique circumstance of the underlying Designation and provided that the compensation package can offer adequate and permanent ecological restoration and enhancement for the Waima Catchment, the proposal is considered to be acceptable.”*

I note that I have now changed my overall position on this proposal, and I will comment on this below. In short, I no longer consider the proposal is acceptable.

I also proposed a number of conditions should consent be granted and these were included in the set of conditions attached to the Hearing Report as Attachment 10. I also provide comment with respect to amendments to conditions made by the Applicant.

Condition 23. The Applicant is seeking to change the condition from requiring “written approval” for the final Ecological Management Plan (EMP) to requiring “certification.”

I disagree with the use of “certification” because although a draft EMP has been provided, there are some changes to this draft required. For example, the requirement for a separate Kauri Dieback Management Plan, timing of weed and pest control of the area outside the works footprint to enhance release/refuge areas for relocated lizards before any vegetation clearance, and further protocols for bat survey, rescue and care that need to be reviewed. There is also the requirement to refer to relevant specialist ecologists and to

consult with DOC and Forest and Bird. Consequently, there may be a number of changes to the draft EMP that should be reviewed for approval by Council.

I recommend the condition be changed to:

*The Consent Holder shall submit the final EMP to the Council at least forty (40) working days prior to the commencement of works (excluding site investigations, demolition and removal of buildings and structures, and establishment of site entrances and fencing) for written approval that the EMP complies with the requirements of Conditions 20 - 22, as applicable. The EMP shall be prepared by a suitably qualified person with reference to relevant specialists as required.*

3. With respect to terrestrial ecological matters raised during the Hearing; There is general agreement that the ecological values of the Project Site are Very High (Applicant, Council and submitters including Dr Timothy Martin and Shona Myers), the magnitude of effects of the proposal are High (Applicant)/Very High (Council and submitters including Dr Timothy Martin) and that after avoidance, remediation and mitigation on site, there are significant residual effects (Applicant, Council and submitters including Michelle Hooper for the Director-General of Conservation). These residual effects are proposed by the Applicant to be compensated for through implementation of a Waima Biodiversity Management Plan (WBMP) with the objective of improving the ecological condition of the Waima Catchment (compensation package).
4. A number of issues have arisen during the Hearing relating to the compensation package. I will leave this to my colleague Dr Graham Ussher to cover.
5. My focus has been on the ecological effects of habitat loss and disturbance to wildlife, and management measures to lessen the impact of that loss. Such measures have been incorporated within the Ecological Management Plan as required by the Proposed Conditions C 18-23.
6. For the outstanding residual effects, that is permanent loss of 3.5 hectares of significant native bush that cannot be mitigated on site, I rely on the evidence of my colleague Dr Graham Ussher that implementation of the Waima Biodiversity Management Plan (WBMP) will be commensurate with this biodiversity loss and will deliver the expected biodiversity enhancement of the Waima Catchment.
7. However, it appears from the evidence of kauri dieback experts and my colleague Dr Murray Fea that there is a high risk of irreversible ecological damage well beyond the site with the real

potential for the accelerated spread of kauri dieback disease. I'm not a plant pathogen expert but as a general ecologist, I find this risk unacceptable. In conclusion, regardless of the Designation of the area and regardless of the reassurance that the compensation offered through the WBMP is adequate, because of the high risk of endangering kauri forests beyond the site I cannot support the application.