

**Attachment 6:**

**Further information requested under Section 92 of the Resource Management Act 1991**

**Contents**

Ecology ..... 1

| #              | Category of information | Specific Request   | Reasons for request  |
|----------------|-------------------------|--|--|
| <b>Ecology</b> |                         |  |  |
| E1             | Drury Crossing          | <ul style="list-style-type: none"> <li>Please clarify what the implication is in terms of NoR 5 preventing the consent holder (Drury South Limited) implementing their consent conditions, or if they have already been implemented what the mechanism would be that ensures the development effects remain offset?</li> </ul> | <p>The lodged application material recognises that the ‘Drury South Crossing development area’ is subject to resource consent BUN60305778 (Over the entirety of the Drury South Industrial Precinct and Drury South Residential Precinct areas). BUN60305778 requires planting along the Hingaia River and its tributaries (referred to as Harrison, Stream Roslyn Stream and Transpower Stream) to offset the development’s impacts. BUN60305778 also requires that this planting be either protected in perpetuity by a suitable legal mechanism or vested to Council.</p> |
| E2             | Ecological Reporting    | <ul style="list-style-type: none"> <li>Please confirm the use of the relevant terms and related assessment.</li> </ul>   | <p>There is a discrepancy in the application of the EIANZ (2018) assessment framework in the EclA (from table 6-28 onwards). The EclA gives the magnitude of effect as ‘Very Low’ and the level of effect as ‘Negligible’. Within the EIANZ guideline, the magnitude of effect ranges from Negligible – Very High (i.e., Very</p>  |

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|    |                         |   | <p>Low is not a category); and the level of effect can range from Very Low to Net Gain (negligible is not a category). It is considered that these terms have been used interchangeably, and the assessment has carried forward on this assumption.</p>   |
| E3 | Ecological Reporting    | <ul style="list-style-type: none"> <li>Please elaborate on the justification for the 50 m search radius in terms of sufficiency to address impacts on nesting birds and why the search radius is 50m, but the setback distance is reduced 20 m? It would have been anticipated that these setback and search distances would need to be species and activity specific.</li> </ul> | <p>To address the disturbance and displacement of native birds to construction activities the EclA recommends that: <i>Prior to any works beginning a nest bird survey should be undertaken of wetland areas within <u>50 m radius</u> of the works footprint. If nesting native birds are detected, then a <u>20 m buffer</u> surrounding the nest <u>should</u> be clearly demarcated and works <u>not completed</u> within this buffer until birds have fledged</i>". [emphasis added]</p> |
| E4 | Ecological Reporting    | <ul style="list-style-type: none"> <li>Depending on the response above (E2 - 4), please update the Ecological Management Plan conditions accordingly.</li> </ul>  | <p>It is also noted that the condition uses the terms should, which infers that activities could be undertaken in this setback, which would appear to undermine the intent of the setback. This is also exacerbated by the reference to activities not being completed in the setback, which infers that they could commence and progress.</p>  |
| E5 | Conditions - All        | <ul style="list-style-type: none"> <li>To ensure this assessment remains current at the time of implementation, is it intended to update the reference to be 'industry best practice'?</li> </ul>   | <p>References to EIANZ guidelines. It is accepted that the 2018 EIANZ guidelines are current industry best practice, but with an extended lapse date being sought for the NoRs of 20 years, this may not be the case at the time of implementation.</p>   |

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| E6 | Conditions - All        | <ul style="list-style-type: none"> <li>Is it intended that the conditions are updated to utilise absolute and minimum standards specified?</li> </ul>   | The conditions include references to 'as far as practicable', 'reasonably practicable', most notably in respect to the Ecological Management Plan condition. These terms are defined (in the condition set) it is unclear who's opinion would be informing these assessments, and they would not be robust enough for Council to take enforcement action on (if should it ever be required). |
| E7 | Conditions - All        | <ul style="list-style-type: none"> <li>Is it intended to update the conditions to reflect the need for the plan (ULDMP) to contain the necessary supporting technical information, which confirms that the planting offsets or compensates for any high vegetation / fauna habitat values, if required, and as proposed in the EclA?</li> </ul> | Both the AEE and the EclA make reference and recommendations for a Restoration Planting Plan; however, this is not covered in the proposed conditions set. If this recommendation is intended to be included within the Urban and Landscape Design Management Plan ( <b>ULDMP</b> ) then the condition will need to be updated   |
| E8 | Conditions - NoR1       | <ul style="list-style-type: none"> <li>It is intended that the ecological survey results or the Ecological Management Plan are to be included in the list of material to be reviewed at the Outline Plan of Works. See the existing wording for the NoR 2 conditions. Is it intended to update the general condition 1 of NoR 1?</li> </ul>     | Currently there is no mechanism to enable Council to review the Ecological Management Plan, nor the ecological survey information.   |
| E9 | Conditions - NoR1       | <ul style="list-style-type: none"> <li>Is it intended to update pre-construction condition to remove reference to</li> </ul>  | Wording clarification.   |

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|   |                         | <ul style="list-style-type: none"><li>• management plans being required by resource consent?</li></ul> |                     |