

19 January 2026

Mary Walmsley
Hearing Administrator
Private Bag 3010, Hamilton, 3204

planchange@hcc.govt.nz

Tēnā koe Mary,

WITHDRAWAL OF RIGHT TO BE HEARD IN RESPECT OF NOTICE OF REQUIREMENT – ALTERATION TO RUAKIWI ROAD RESERVOIR DESIGNATION

The submission by the Director-General of Conservation (DG, submission no. 2), dated 21 October 2025, included several points regarding the management of construction, vegetation removal, and light effects on indigenous biodiversity and habitat, particularly the Long-tailed Bat (LTB, Threatened – Nationally Critical).

As outlined in the submission, the Department of Conservation's (the Department) interest in this project is to ensure that the conditions are appropriate and enforceable, management plans follow best practice, compensation for effects on biodiversity aligns with the effects management hierarchy, robust monitoring and compliance measures are in place to deliver an effective compensation package.

Following the release of Hamilton City Council's s42A report, the Department reviewed the recommended designation conditions provided in Appendix A and considered that further amendments were required to ensure effects on LTB are no more than minor and the loss of potential bat habitat is appropriately managed.

Importantly, pre-hearing consultation between the Requiring Authority (the RA) and the Department occurred prior to the end of December 2025. This consultation addressed the Department's concerns and discussed how the conditions could be amended.

These changes have been described and explained in the terrestrial ecology evidence of Dr MacKay¹. The condition changes have been accurately recorded in Attachment A to Mr Dawson's planning evidence².

The amendments to conditions 42, 43, 51 and 78 address concerns for the following reasons:

Ecological and Landscape Management Plan (ELMP):

Under Condition 42(b) it is mandatory for multiple maps to be established showing location of bat roost features, 7.4ha of pest mammal control, 0.58ha of planting, and 1ha of the 'no mow' area, all of which will be located across the Hamilton Lake Domain. Importantly, Condition

¹ Statement of Evidence of Dr Jamie William Booth Mackay (Terrestrial Ecology) dated 19 December 2025.

² Statement of Evidence of Chris Dawson (Planning) dated 19 December 2025, Attachment A.

42(d) sets out the information requirements for how the ELMP will be implemented which are in accordance with best practice including the DOC Bat Recovery Group Advice Note³.

Regarding the duration of monitoring and maintenance for artificial roost boxes under Condition 42(d), the Department retains concerns that inspections and maintenance limited to 10 years are not appropriate. It is likely that most artificial roost boxes will not be used because the bats find them unsuitable, and in these cases, it is agreed that there is no advantage to maintaining them in the long term. However, if bats do use some of the boxes, it is appropriate to inspect and maintain the used boxes beyond the 10-year timeframe because roosts are very limited in this landscape, and the planting offered as compensation for removal of existing roost features will take many decades to develop roost features, if it ever does.

Condition 43 requires annual reporting to the Consent Authority detailing the results of the roost checks carried out under Condition 42(d). This condition also provides the Department with a copy of the annual report, which is supported.

Vegetation Removal – Bat Management Plan (BMP):

Condition 50 requires a suitably qualified and experienced ecologist to submit a BMP to manage the impact the activity on bats as to:

- a. *Avoid or mitigate the effects on long tailed bats from the removal of any vegetation and/or trees that are potential bat roost habitat.*
- b. *Provide for the safety of long-tailed bats and avoid as much as practicable the risk of injury or death of bats during vegetation removal.*
- c. *Protect bat habitat and restore through pest control and revegetation including through wider effects management.*

Condition 51 sets out the information requirements to be included in the BMP including a map identifying trees, and a pre-felling methodology for mapped trees in accordance with the Department's advice note on protocols for minimising the risk of felling occupied bat roosts⁴.

It is noted that following the changes provided in Mr Dawson's evidence⁵, condition 50(c) no longer has a means of implementation. Therefore, it is considered this objective can sit under Condition 41 as set out below (**green text** indicates change, with an underline indicating an addition and a ~~strikeout~~ indicating a deletion):

41. The objective of the ELMP shall be to:

³ [New Zealand Bat Recovery Group Advice Note – Planting to provide roosts](#)

⁴ [Protocols for minimising the risk of felling occupied bat roosts](#)

⁵ Statement of Evidence of Chris Dawson (Planning) dated 19 December 2025, para [137].

- a. Ensure the reservoirs and valve chamber are integrated into the lake domain through the combination of landscape, tree planting and paths.
- b. Ensure the treatment takes into account the CEMP.
- c. Protect bat habitat and restore through pest control and vegetation including through wider effects management including:
 - i. Providing 42 bat roost features (artificial and protected natural) with predator proof banding above and below.
 - ii. Providing 7.4 hectares of pest control within the Lake Domain.
 - iii. Providing 0.58 hectares of restoration planting within the Lake Domain.
 - iv. Providing 1 hectare of “no mow” grassland within the Lake Domain.

Lighting Design:

A lighting plan is required to be prepared with an objective on bats as follows:

...

- b. *the spill of light from artificial lighting from the activities within the designation shall seek to address adverse effects on LTB and their foraging and roosting habitats by managing light strength, placement of luminaries, lighting wavelength, shielding, and lighting controls.*

The methods of implementation set out in Condition 78(b) follow the protocols outlined in the advice note for reducing the effects of artificial light on LTB. It is understood that lighting will only be located along the Ruakiwi Road boundary, away from any potential bat roosts and foraging habitat. This appropriately addresses lighting effects on LTB.

Overall, it is considered that the recommended conditions provided in Mr Dawson's evidence, along with the suggested changes outlined above, will ensure that effects on LTB are appropriately managed.

The DG respectfully asks that this letter be made available to the Panel.

Thank you for considering these comments. Please contact Ronan Whitelock (Resource Management Planner, rwhitelock@doc.govt.nz) if you wish to discuss any of the matters raised in this letter.



Nāku noa, nā

Niwha Jones
Operations Manager, Waikato
Department of Conservation
Te Papa Atawhai