

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Notice of Requirement to alter a designation for the
HCC Central City Reservoir – Ruakiwi Road

STATEMENT OF REBUTTAL EVIDENCE OF DR JAMIE WILLIAM BOOTH MACKAY

(Terrestrial Ecology)

Dated 5 February 2026

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INTRODUCTION

1. My full name is Jamie William Booth MacKay.
2. My qualifications and experience are as set out in paragraphs 2-7 of my primary statement of evidence dated 19 December 2025.
3. I reconfirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it.

PURPOSE OF REBUTTAL EVIDENCE

4. The purpose of this rebuttal statement of evidence, which is provided on behalf of Hamilton City Council (**HCC**), is to address comments raised by the Department of Conservation (**the Department**) in relation to the duration of monitoring and maintenance of artificial roost boxes in its letter dated 19 January 2026 (**the Department's letter**)¹.

REBUTTAL

5. The Department's letter contains the following statement:

...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.

¹ "Withdrawal of right to be heard in respect of notice of requirement – alteration to Ruakiwi Road reservoir designation". Letter from Niwha Jones (Operations Manager, Waikato, Department of Conservation) to Hearing Panel dated 19 January 2026.

6. As described in my primary evidence at paragraph 56, construction of the two reservoirs will result in the loss of 0.58 ha of treeland that provides foraging and potential roosting habitat for long-tailed bats. It is not possible to avoid this habitat loss, however compensation to address the residual effects of the vegetation loss is proposed.
7. The compensation package is described in my primary statement of evidence at paragraphs 61-62. It predicts a net gain outcome for bats of 27% through provision of the following within the Hamilton Lake Domain:
 - a) 0.58 ha of indigenous planting.
 - b) 7.4 ha of pest mammal control.
 - c) 1.0 ha of “no mow” grassland.
 - d) Protection and/or relocation of 19 existing roost features.
 - e) Installation of 23 artificial roost boxes.
8. Pest mammal control, maintenance of roost features, and provision of “no mow” grassland will occur for 10 years. Maintenance of plantings will be undertaken for 5 years, by which point it will be well-established and not require further maintenance.
9. Bat activity at the site is consistently low, indicating that the site is not preferred habitat for long-tailed bats. In addition, all trees containing potential roost features scheduled for removal are within 110 m of a well-lit road and are likely subject to high predation pressure meaning the trees only provide moderate quality roosting habitat.

10. It should be noted that artificial roost boxes are one component of a compensation package designed to enhance long-tailed bat habitat throughout the Hamilton Lake Domain. Further, given the low bat activity, and the impacts of light and pest mammals reducing the quality of existing roosting habitat in this location, I maintain my conclusion given in my primary evidence that a 10 year maintenance period for all artificial roost boxes is proportionate to the level of impact. As such, I do not consider it necessary to extend the monitoring and maintenance period beyond 10 years for any artificial roosts that are confirmed to provide roosting habitat for long-tailed bats.

Dr Jamie William Booth MacKay

5 February 2026