

## Waipa District Council Proposed Private Plan Change 20: Airport Northern Precinct Extension

Hearing Speaking Notes: Barbara Hammonds, Regional Conservation Manager (Waikato)

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# Forest & Bird

TE REO O TE TAIAO | Giving Nature a Voice

Tēnā koutou Commissioners and others

### 'Death by a thousand cuts'

1. My name is Barbara Hammonds. I am the Regional Conservation Manager for Waikato for Forest & Bird, and will be speaking on behalf of our concerns generally. After I speak, William Jennings will present our legal submissions, by AVL.
2. The main purpose of Forest & Bird is the preservation and protection of the indigenous flora and fauna and the natural features of New Zealand: we are 'A Voice for Nature'.
3. Our key concern is the survival of this population of critically endangered long-tailed bats on the southern edge of urban Hamilton and the rural land to the south. Due to their highest possible threat classification, ANY population is important.
4. I have reviewed the s42A recommendations on our submission and further submissions. A number of those recommendations do address our concerns, and we cover some of these below. However, the recommendations do not go far enough and so fail to adequately address our concerns about the survival of these bats.
5. We appreciate that our submission points and further submissions are accepted, but we are surprised that among the reasons given is that 'The PPC20 amendments currently proposed largely replicate the provisions in the Hamilton Peacocke Plan Change 5, including the identification and mapping of Bat Habitat Areas'. Unfortunately, the PC5 provisions did not take the provisions in the Amberfield subdivision as precedent setting and as a consequence fall far short of what is required for bats to persist in the area.
6. The 'recommended amendments' for **9.7 Bat Habitat / Biodiversity** are: 'as set out in Appendix 1' and are insufficient.
7. I start with the addition of paragraph **10.2.3A** to 10.2, Resource Management Issues. Compared with the decision we sought: 'A new paragraph is added to 10.2 specifying that any development does not negatively impact on long-tailed bats being able to persist in this area, including cumulative impacts', and compared with the wording in DOC's submission, which we supported [in our further submission], the wording in the second sentence of 10.2.3A is too restrictive:

'...must recognise and provide for protection of *identified areas of bat habitat.*'

8. This is very different to the suggestion we supported and continue to support:  
 ‘...must recognise and provide for *the identification and protection of significant bat habitat*, in addition consideration must be given to (but not limited to) the potential impact of lighting effects, noise and habitat loss on long-tailed bats.’<sup>1</sup>
9. The proposal, even in its amended form, will not achieve the requirements of Section 6(c) of the RMA: ‘The protection of areas of significant indigenous vegetation and *significant habitats of indigenous fauna*’.<sup>2</sup>
10. The reporting officer’s comment on the proposed changes to policy **10.3.2.2A** is that these include preparing and implementing an Ecological Management Plan (this was in the original proposal), ‘(with *specific outcomes relating to Bat Habitats*)’<sup>3</sup>, which is an amendment. However, the amended 10.3.2.2A appears *even less favourable* for the persistence of bats in the area than the original wording, given its reliance on one small Bat Habitat Area of 5ha, in comparison with the 89ha of bat habitat which is proposed to be lost (or 130ha if the area already Airport Business Zone is included), which is cut in two by a road, and surrounded by an industrial area. Bats might not even use it, as is made clear by Tertia Thurley, DoC’s bat expert, in her evidence<sup>4</sup>.
11. We agree with inclusion of the word ‘functional’ in the amendment to Policy 10.3.2.2A(a) suggested in the JWS by Jesse Gooding, Gerry Kessels and Tertia Thurley:  
 ‘To maintain or enhance significant long-tailed bat habitat values by: (a) providing *functional* Bat Habitat Areas for long-tailed bats within the Northern Precinct’.<sup>5</sup>
12. The policy amendment to 10.3.2.2A (d) (ii) of ‘*avoid or mitigate more than minor adverse effects on long-tailed bat habitat values outside of Bat Habitat Areas*’ we agree with. This appears to give effect to our point that the effects management hierarchy needs to be applied, with avoid, remedy and mitigate in that order, and before offsetting and compensation.
13. However, we asked for this wording to be included with the requirement to prepare an EMP: ‘**Avoid the loss of habitat and connectivity between habitats; protect and enhance long-tailed bat habitat and connectivity between habitats; mitigate any loss of long-tailed bat habitat and effects on long-tailed bat ecological values by planning for replacement habitat well in advance of any changes.**’ The amendments will not achieve this.
14. Clarity that the Bat Management Plan is to be ‘prepared by a suitably experienced bat ecologist’ in Rule 10.4.2.14B (a) is commended, but does not go far enough. Our submission asked that this ecologist ‘*must consult with a DOC appointed ecologist, and must also take the wider landscape used by bats into account.*’
15. Forest & Bird shares the grave concerns of Ms Thurley about the survival of this population if PPC20 proceeds:  
 ‘In my opinion the greatest threat to the persistence of this local population into the future comes from **the ongoing reduction in the space available for the bats to live in, and the continual clearance of woody vegetation, including roost trees.**’<sup>6</sup>
16. Ms Thurley’s evidence backs up the concerns raised in our submission, including the *cumulative impacts* of the expansion of urban and industrial areas in the home range of this population, such as the Peacocke Structure Plan Area immediately to the north, this plan change if it proceeds, and

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<sup>1</sup> Submission 20, DOC, p5

<sup>2</sup> This was raised in Paragraphs 8 and 14 of my submission. The amendment above will not achieve this.

<sup>3</sup> Section 42A Report, at [9.7.18, Reasons p53]

<sup>4</sup> Tertia Thurley, Statement of Evidence, 7 March 2023

<sup>5</sup> JWS Ecology & Bat Habitat, 8 Feb 2023, at [3.3.1a]

<sup>6</sup> Tertia Thurley, Statement of Evidence, 7 March 2023, at [4.3]

others, which are significantly reducing the area of functional habitat available for bats. They are being squeezed from the north and from the south.

17. I cannot stress enough the vulnerability of this population of bats to extinction, and again, quote from Ms Thurley:

**‘THE POPULATION OF LONG-TAILED BATS IN SOUTH HAMILTON IS VERY VULNERABLE TO EXTINCTION: ...** The presence of long-tailed bats in a city is rare as they have disappeared from almost all other cities in New Zealand. The vegetated river and gully system and the accompanying rural farmland is likely a key reason why bats are still present to the south of Hamilton.’<sup>7</sup>

18. The significance of this population is also recognised in the recent refurbishment of the Hamilton Airport terminal by Waikato Regional Airport Limited, which is wholly owned by Waipā, Waikato, Ōtorohanga, and Matamata-Piako district councils, and Hamilton City Council. Advised by Māori design specialists:

‘the mighty Waikato River and the endangered pekapeka – the native long-tailed bat – are celebrated in carpeting and the decorative glass balustrades on the upper level of the terminal as well as in the ceiling design.’<sup>8</sup>

It would be a tragic irony if PC20 contributes to the local extinction of this iconic species which has been made such a feature in the terminal building.

19. ‘Death by a 1000 cuts’ i.e. the local extinction of long-tailed bats, is the likely outcome if this Plan Change proceeds<sup>9</sup>. Cumulative effects have not been properly considered, which is why we continue to oppose this Plan Change.

Thank you. Do you have any questions now or would you like to wait until after Mr Jennings has presented Forest & Bird’s legal submission?

Dated 16 March 2023

Barbara Hammonds  
Regional Conservation Manager (Waikato), Royal Forest and Bird Protection Society of New Zealand Inc.

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<sup>7</sup> Tertia Thurley, Statement of Evidence, 7 March 2023, at [7 and 7.2]

<sup>8</sup> <https://www.nzherald.co.nz/environment/six-diverse-developments-to-add-to-waikatos-world-class-infrastructure/>

<sup>9</sup> Our submission, paragraph 25