

resource consent. The developer would need to explain how they would avoid, remedy, or mitigate potential environmental effects of the development.

Submitters also raised concerns about the potential flow-on effects of the new housing development. They argued that it would increase light and sound pollution, disrupting residents and visitors. We note these concerns.

Protection of the Northern New Zealand dotterel birds

Submitters were eager to protect the habitat of the rare tūturiwhatu (Northern New Zealand dotterel), which nest in the area. Submitters told us that they considered the reserve to be a significant breeding and nesting habitat for the birds. We were advised that the reserve is not ideal for shorebirds, as they can be **disturbed by walkers and their dogs, motorbikes, and cattle**. We were also advised that there is “significant scope” for improvements to be made alongside the housing development to support the birds’ habitat. While the development takes place, the birds could be provided with safe nesting spaces. For example, shell banks could be created.

Other **mitigation** options have also been **suggested**. They include a ban on cats as a condition of consent for the development, and the creation of a more suitable habitat near the tip of the headland where the tūturiwhatu roost in autumn and winter.

We note that an environmental effects assessment would need to be conducted when the land developer applies for resource consent. This would entail considering the development’s effect on the tūturiwhatu and other birdlife.

Additionally, Ngāti Paoa told us that they **intend** to incorporate cultural and environmental design principles into the development plans, including for the protection of tūturiwhatu breeding sites. Ngāti Paoa confirmed that they are working closely with ecologists and biodiversity specialists to ensure that the development does not adversely affect the habitat for tūturiwhatu and other birdlife. Ngāti Paoa are also considering staging the development to minimise the impact during the peak nesting season (August to December).

Loss of open space and recreation facilities

Submitters were concerned that the bill would reduce the reserve’s open space. We note that public access to part of the proposed development land is currently restricted, as it is fenced to contain grazing livestock. If this bill became law, over 10 hectares of the headland would become **more accessible** to the public.

Some of us agree with submitters, and believe that this bill would lead to an unnecessary loss of open space. Some of us also support an alternative solution, such as offering Tāmaki Regeneration Company land to Ngāti Paoa.

Some submitters were concerned about the housing development’s impact on recreation facilities, as it would affect a third of the reserve’s sports fields. We note that the Minister for Building and Construction has committed to reinvesting 100 percent of the **proceeds** from house sales back into the Tāmaki community. The priority would be to enhance the reserve’s facilities. The majority of us consider that this would balance the housing development’s impact on the sports facilities, as their current poor drainage means the facilities are often not fully used in sustained bad weather.

Only a small percentage of New Zealand’s dotterel breeding habitat is **dog** free, none is **walker** free.

No **motorbikes** have ever been observed disturbing the dotterel. Where did the select committee hear evidence of motorbikes in their nesting areas?

The **cattle** work well with the dotterel to keep the grass short. The site has benefits like not having to worry about high tide events.

Many of these **mitigations** are experiments and should be framed as such with a plan B.

How can MPs make decisions based on **suggestions**? Will the person who made these suggestions be responsible for paying for them? If not who will? Who is responsible if the experiments fail?

What if Ngāti Paoa are not the developers or change their **intentions**? What responsibility is the Government taking for the future of these birds?

How will it become **more accessible**? Is it the select committees recommendation to introduce recreational threats to the dotterel nesting habitat?

If the environmental effects assessment suggests mitigations that cost millions of dollars will the **proceeds** be enough to cover them? Who will cover the ongoing costs of the mitigations?