

**Hearing of Resource Consent Application APP.040213.01.01 by the  
Mangawhai Historic Wharf Trust**

**Joint statement of agreed facts and of resolved and unresolved issues of bird experts  
17 September 2020**

**Experts Present:**        **Katrina Hansen (KH) - NRC**  
                                 **Dr John Craig (JC) - Applicant**  
                                 **Ian Southey (IS) - NZFTCT**  
                                 **Dr Tony Beauchamp (TB) - DoC**

**Facilitator:**            **Paul Maxwell – NRC**

The following Joint Witness Statement has been agreed by all technical experts involved in conferencing on the 17<sup>th</sup> September 2020.

Issues addressed:

- (1) Which species, listed as ‘threatened’ or ‘at risk’ in the New Zealand Threat Classification System lists and those listed by the International Union for Conservation of Nature and Natural Resources as ‘threatened’, are known to be present in and around the subject site, including estimated numbers (if known).
  - All in agreement with the below table

Common name	Name	Umbrella category current	Conservation Status current	Size - subject site? Mangawhai Middle Harbour	Life cycle use	Construction impact	Use of the wharf (wider impacts)	Scale	ICUN
New Zealand fairy tern	<i>Sternula nereis davisae</i>	Threatened	Nationally Critical	25 of 40 birds	breeding, roosting	disturbance one pair, none if outside breeding season	disturbance of 66% of the breeding pairs	national	Vulnerable Decreasing
Banded dotterel	<i>Charadrius bicinctus bicinctus</i>	Threatened	Nationally Vulnerable	6	foraging	none	little	regional	Not Threatened - Less concern
Lesser knot	<i>Calidris canutus rogersi</i>	Threatened	Nationally Vulnerable	60 to 200	Foraging	none	potentially if the cockle beds are less accessible	local or regional	Near Threatened - Decreasing
Caspian tern	<i>Hydroprogne caspia</i>	Threatened	Nationally Vulnerable	20-30	Breeding foraging	limited	little	less than minor	Least Concern - Increasing
Black billed gull	<i>Larus bulleri</i>	Threatened	Nationally Critical	4	foraging	none	little	less than minor	Endangered
Reef heron	<i>Egretta sacra</i>	Threatened	Nationally Endangered	1	foraging	limited	little	less than minor	Least concern
Eastern bar-tailed godwit	<i>Limosa lapponica baueri</i>	<b>At Risk</b>	Declining	250	foraging	none	little	less than minor	Near Threatened
South Island pied oystercatcher	<i>Haematopus finschi</i>	<b>At Risk</b>	Declining	50	foraging	limited	little	less than minor	Least Concern - Decreasing
Variable oystercatcher	<i>Haematopus unicolor</i>	<b>At Risk</b>	Recovering	50	foraging	limited	little	less than minor	Least Concern - Increasing
Northern New Zealand dotterel	<i>Charadrius obscurus aquilonius</i>	<b>At Risk</b>	Recovering	250	foraging	limited	little	national	Near Threatened
Pied shag	<i>Phalacrocorax varius varius</i>	<b>At Risk</b>	Recovering	10 to 20	foraging roosting	limited	little	less than minor	Least concern

(2) What each of the above species use the subject site and surrounds for (e.g. breeding, roosting, feeding etc.).

- All agree as per table above.

(3) Whether the construction of the wharf will have any adverse effect on these species and, if so, the nature and scale (magnitude) of those effects.

- Agreement if the NZFT are not present there are no effects.
- Disagreement on the scale and scope of effects on the NZFT when they are present.

**Nature and Scale of effect if the NZFT was present during construction.**

- IS – If there was persistent disturbance from construction they would avoid the site., Unsure of future ramifications but the pair bond might not form that season, if the birds if they left and went somewhere else, they could encroach on another pair leading to fighting /potentially death, females might not come into breeding condition if feeding was restricted. Also, my observations in 2018 and 2019 indicate that the breeding season seems to start in June and to be well underway by July. Dates should be determined by observation not opinion.
- TB – The presence of a lot of people and the wharf construction including pile driving, means the birds would leave the site, if it is during the breeding season, it would affect the breeding season for the resident pair– the magnitude of the scale of effect would be the resident pair may not nest.
- KH – Construction work while birds are present, means they would be unlikely to use the site, or the ability to feed, the breeding season would be affected.
- JC – The pile driving should be undertaken outside of the breeding season, does not believe people working on the wharf would have a more than minor effect on the NZFT.

(4) Scale of effects on the other species are agreed as per the above table.

(5) Whether the use of the wharf will have any adverse effect on these species and, if so, the nature and scale (magnitude) of those effects.

- KH/IS/TB – all agree that use of the wharf and increase use of the adjacent area will have an impact on the area with increased activity having a potential negative effect (more than minor/potentially significant) on the birds over the 30 year period.

- JC – Agrees there will be more activity due to the wharf. But effects would be transitory and less than minor.

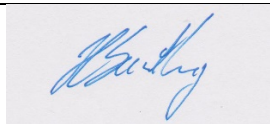
**Specific Comments:**

- IS – Likely to be displacement – unsure what the magnitude would be.
  - TB – In the extreme disturbance caused by the middle harbour becoming a recreation hub, members of the fairy tern population using the middle harbour will try to breed and if unsuccessful leave and encroach on other sites to establish foraging territories and breeding sites. KH – The use will have some impact, the boating and recreation activity will have an impact, is likely to be a more than minor impact.
  - JC – The wharf is being put there to increase human usage, will constrain people to an area outside of what the birds use.
- (6) The scale of effects should identify whether they at an individual, local population, national population, and/or global population level.

All in agreement with the below:

- NZFT – National
- All other species – Local

**Signed by or on behalf of:**

Party	Person Signing	Email Confirmation	Signature
New Zealand Fairy Tern Charitable Trust	Ian Southey	18.09.2020 @ 10:50AM	
Northland Regional Council	Katrina Hansen	18.09.2020 @ 12:53PM	
Mangawhai Historic Wharf Trust	Dr John Craig	20.09.2020 @ 1:19PM	
Director General of Conservation	Tony Beauchamp	18.09.2020 @ 1:57PM	