

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

Notices of requirement for designations under section 168 of the Act, in relation to Te Ahu a Turanga; Manawatū Tararua Highway Project

BY

NEW ZEALAND TRANSPORT AGENCY
Requiring Authority

**JOINT STATEMENT OF ECOLOGY EXPERTS (FRESHWATER ECOLOGY
AND NATURAL CHARACTER)**

19 March 2019

INTRODUCTION

1. This joint witness statement relates to expert conferencing on the topic of freshwater ecology and natural character.
2. This joint witness statement relates to the notices of requirement lodged by the New Zealand Transport Agency ("**Transport Agency**") for designations under section 168 of the Resource Management Act 1991 ("**RMA**"), in relation to Te Ahu a Turanga; Manawatū Tararua Highway Project (the "**Project**").
3. The expert conferencing was held on 19 March 2019 at the Palmerston North Conference and Function Centre.
4. Attendees at the conference were:
 - (a) Dr Adam Forbes (Forbes Ecology) for the Transport Agency;
 - (b) Kieran Miller (Boffa Miskell Limited) for the Transport Agency;
 - (c) Boyden Evans (Boffa Miskell Limited) for the Transport Agency;
 - (d) John Hudson (Hudson Associates Landscape Architects) for the Manawatū District Council, Tararua District Council, and Palmerston North City Council ("**Councils**");
 - (e) Logan Brown for the Councils;
 - (f) James Lambie for the Councils.

CODE OF CONDUCT

5. This joint statement is prepared in accordance with section 4.7 of the Environment Court Practice Note 2014.
6. We confirm that we have read the Environment Court Practice Note 2014, and in particular Appendix 3 – Protocol for Expert Witness Conferencing, and agree to abide by it.

PURPOSE AND SCOPE OF CONFERENCING

7. The purpose of conferencing was to identify, discuss, and highlight points of agreement and disagreement on ecology and related natural character matters arising from the notices of requirement relating to the Project, and the submissions received in relation to them.

8. The scope of the issues covered at this conference included:
- (a) Natural character matters as they relate to ecology raised by Horizons, the Councils, and through landscape expert conferencing;
 - (b) Assessment of freshwater ecological values;
 - (c) What will be covered in the Regional Consenting phase;
 - (d) Indicative effects assessment;
 - (i) Scale used to assess effects;
 - (ii) Erosion and sedimentation (including treatment devices);
 - (iii) Disposal of spoil.

KEY FACTS AND ASSUMPTIONS

9. Refer to Annexure A.

METHODOLOGIES AND STANDARDS

10. Refer to Annexure A.

AGREED ISSUES

11. Refer to Annexure A.

DISAGREEMENT AND REASONS

12. Refer to Annexure A.

PRIMARY DATA

13. Refer to Annexure A.

RESERVATIONS

14. Refer to Annexure A.

Date: 19 March 2019



A Forbes



K Miller



B Evans



J Hudson



L Brown



J Lambie

ANNEXURE A

In the matter of notices of requirement for designations under section 168 of the Resource Management Act 1991, in relation to Te Ahu a Turanga; Manawatū Tararua Highway Project.

Expert conferencing – freshwater ecology and related natural character matters

Participants: Dr Forbes (AF), Kieran Miller, Boyden Evans (BE), John Hudson (JH), Logan Brown (LB), (AB), James Lambie (JL).

Issue	Statements	Agreed Position	Disagreements, with reasons
Natural character criteria (Table 4.5 of Mr Evan’s EIC)	<p>Question for ecologists from the landscape conferencing session:</p> <p><i>“Do the ecology experts agree that the list of attributes in column 2 of Table 4.5 of Mr Evans’ evidence in chief (page 32) are an acceptable list of attributes for the purpose of assessing natural character in respect of the Project”</i></p> <p>LB noted differing importance of drivers of stream processes, example given riparian function versus stormwater discharge.</p>	All agree the natural character criteria are appropriate.	

Issue	Statements	Agreed Position	Disagreements, with reasons
	<p>LB noted would like to see stronger linkage to Regional/One Plan values criteria, for example Schedule B water quality targets.</p> <p>JL comfortable with the 1:1 assumption for addressing concerns about indigenous biological diversity and addressing wetland natural character.</p>		
Avoidance of QEII sites.	<p>The best way to avoid effects of the proposed road alignment on QEII streams would be to move the alignment north to avoid direct modification of the perennial and intermittent waterways.</p> <p>The designation corridor does not allow for avoidance.</p>	All agree.	
Minimising effects to QEII sites.	Other options to minimise effects on natural character could also include the use of bridges instead of culverts.	All agree.	
Weighting of attributes from a freshwater perspective.	There needs to be some consideration of weighting because all the attributes are not contributing equally to the natural character.	All agree.	

Issue	Statements	Agreed Position	Disagreements, with reasons
	<p>Within the NoR documentation, there is no evidence to suggest that a weighting conversation occurred or how it happened.</p>	<p>All agree.</p>	
	<p>(The group conversation clarified that NZTA's experts weighting of attributes was given sufficient attention through the expert group workshop and subsequent discussions into Technical Assessment #4).</p>		
<p>Role of the median statistic in the natural character assessment.</p>	<p>Evaluation via a combination of expert judgement and some form of statistic is appropriate, whereas, evaluation relying only on the median result is not appropriate.</p>	<p>All agree.</p>	
	<p>(The group conversation clarified that NZTA's experts' assessment applied expert judgement combined with the assessment of median score presented in Technical Assessment #4).</p>		

Issue	Statements	Agreed Position	Disagreements, with reasons
The importance of capturing high natural character values during the NoR.	It is important to capture areas of high natural character values during the current NoR assessment and it is acceptable to capture lesser natural character values through the subsequent regional consenting process.	All agree.	
Streams 7A, 7B, and 7C.	The assessment is that all of 7A is high natural character, as is the lower portion of 7B (below the waterfall). 7C is of a lower natural character.	All agree.	
Natural character scoring – the five-point scale.	<p>The five-point scale is effectively a nine-point scale.</p> <p>A series of small rating changes on the nine-point scale could result in a significant diminishment of natural character.</p>	All agree.	
Landscape character assessment (landscape point).	The grain of the landscape runs north-south where the corridor crosses east-west. This has an adverse effect on landscape character.	JH and BE agree.	
BE and JH leave conferencing at 11:20 am. Other experts continued conferencing.			

Issue	Statements	Agreed Position	Disagreements, with reasons
Is baseline information currently being collected intended as part of the NoR application.	The current freshwater baseline monitoring is intended to inform the regional consenting process and is not intended to inform the current NoR assessments (such as natural character).	All agree.	
Freshwater ecology offsetting – room available within the proposed designation area.	<p>There is likely to be insufficient stream length available for stream restoration within the proposed designation area, but there is likely to be available length within the wider sub-catchment to address adverse effects on freshwater values from the Project.</p> <p>Freshwater mitigation/offsetting should be implemented into the same sub-catchment as effects occur.</p>	<p>All agree.</p> <p>All agree.</p>	
Relationship between ecology (including biodiversity) effects management and natural character effects management.	The response to ecology and natural character effects associated with the road construction within the designation corridor needs to be considered separate from each other, but any implementation of the respective treatments can be applied in the same place.	All agree.	

Issue	Statements	Agreed Position	Disagreements, with reasons
Reference to Horizons SEV reference sites.	<p>The Horizons SEV reference dataset is a project in progress and the dataset is currently of a limited size.</p> <p>The SEV is only one tool for measuring the response to freshwater quality and natural character effects.</p>	<p>All agree.</p> <p>All agree.</p>	
Temporary versus permanent sediment effects.	Based on the EIANZ (2018) guidance (see Table 9), temporary sediment discharged to waterways could be of a duration up to 15-25 years.	All agree.	
Consideration of previous effects during the effects magnitude assessment.	No other modifications within sub-catchments were considered in the freshwater ecology magnitude of effects assessment.	All agree.	
Specified stream length condition for the management of natural character effects on high natural character streams.	From an ecology perspective, the wording of Condition 5 e) in Ms McLeod's EIC implies a direct step to stream loss rather than going through the mitigation hierarchy.	All agree.	