

**IN THE MATTER of the Fast-track Approvals Act 2024**

AND

**IN THE MATTER of Takitimu North Link Stage 2 (FTAA-2507-1085)**

**JOINT WITNESS STATEMENT (JWS) IN RELATION TO:**

## **Expert Conference Topic: ECOLOGY and PLANNING (1)**

Date: 20 January 2026

Expert Conferencing Held on: Date: 20 January 2026 Time: 9:00am to 6:45pm

Venue: Online & In-person in Tauranga

**Independent Facilitator: Marlene Oliver**

Admin Support: Antonia Vincent

## 1 Attendance:

- 1.1 The list of participants is included in the schedule at the end of this Statement.  
Note: This schedule includes details of the participants expertise and employment.
- 1.2 It is acknowledged that Pirirākau and Ngāti Taka representatives attendance is in their capacity as cultural leaders and requires them to consider their positions with their hapū.

2 Basis of Attendance and Environment Court Practice Note 2023

2.1 All participants agree to the following:

- (a) The Environment Court Practice Note 2023 provides relevant guidance and protocols for the expert conferencing session;
- (b) They will comply with the relevant provisions of the Environment Court Practice Note 2023;
- (c) They will make themselves available to appear before the Panel if required;
- (d) This statement is to be filed with the Panel and posted on the EPA website.

### **3        Matters considered at Conferencing – Agenda and Outcomes**

#### **3.1        Detailed design / management plan approach (refer to agenda items 1, 2, 10 and 11)**

**The position of AB (and supported by JG-W) is as follows:**

- 4        The proposed conditions do not include a “Condition 1”, a requirement that the works be carried out in general accordance with the application and plans. The Applicant has taken this approach to allow flexibility for detailed design, which is yet to take place.
- 5        I do not consider this approach to be one that leaves the understanding of the ecological impacts until later. Instead, the assessment and proposed conditions set out an ecological effects envelope that the Project can be constructed and operated within while managing potential effects. The approach of management plans and flexibility then allows and incentivises detailed designs that minimise the ecological impacts of the Project.
- 6        There are a suite of checks and balances that ensure the outcomes anticipated within the EEA and conditions are achieved. Prior to works starting, the Ecological Management Plan (*EMP*) needs to be drafted by suitably qualified experts and submitted to and certified by the Regional Council. The application therefore provides flexibility, but also defined bounds within which effects could occur. If it is not feasible to manage an effect within the condition framework, the effect would not be enabled by the consent. In this way, the extent of potential effects is restricted.
- 7        There are advantages to this approach, including that effects that might be unanticipated at this specimen design stage can be managed through the management plan process. I do not consider that developing draft management plans at this stage, based on specimen design, will provide any greater certainty of effect management, nor meaningful detail regarding the effects management package. I consider the appropriate way to deal with these matters is to ensure the outcomes required to ensure effects are managed are captured in the conditions of consent.
- 8        In my opinion, the proposed conditions have sufficient detail with respect to the required content of the management plans, monitoring, and performance criteria to ensure the effects are managed. However, I am open to discussing suggestions from other parties as to specific details that could be included in conditions on management plans (to the extent they are not already provided for in the conditions).

**The position of the following Ecologists – (NP, SD, MN, JW, CK, RB):** they consider that it is preferable for draft management plans to be prepared now. This is particularly so given that the applicants proposed conditions do not include a “condition 1” referring to works being carried out in general accordance with the application and plans. This introduces considerable uncertainty that could be addressed by draft management plans at this stage. In the alternative very prescriptive detailed conditions are required to address the uncertainty of effects, their management and outcomes monitoring, and the uncertainty related to detailed design yet to be undertaken.

**GU position** - Draft management plans should be provided to the panel in order to address fundamental conflicts and omissions of detail in the application materials. The alternative is to provide detailed conditions of consent that address alternative possibilities of effects management.

**Pirirākau and Ngāti Taka – (CB and KK)** Prefer draft management plans to be prepared now and to include reference to agreements between the applicant and hapū in relation to ecological impacts and future management. They consider that it is too complex to include such agreements in conditions of consent. They support the process used in Takitimu Stage 1 where a cultural management plan was prepared. They support the statement of GU above.

Pirirākau and Ngāti Taka seek an active and ongoing role in the development, implementation and monitoring of ecological measures for TNL2.

They consider that the current proposed conditions are not adequate and need to be expanded to provide sufficient reassurance to hapū that they will have genuine and effective involvement in the detailed design stage and preparation and implementation of management plans.

These expanded conditions are necessary to ensure we are able to carry out kaitiakitanga responsibilities within our rohe. The taiao and wai throughout the TNL2 project is recognised through the Ngā Hapū ō Ngāti Ranginui Claims Settlement Act 2025 and should be recognised and protected through statutory measures including conditions of consent. The potential impacts of the consent must be considered both relating to construction but also the ongoing long-term timeframe for which the infrastructure shall be used. These will be much more appropriately managed through consent and designation conditions rather than through non-statutory processes.

**Framing of management plans: Using hapū values:**

Hapū seek the acknowledgement and protection of our cultural values as identified within the submitted CIA's and to be further identified by a cultural indicator framework.

**Writing of management plans:**

Co-development of management plans is required to ensure that hapū are active participants in shaping the management plans. The wording of conditions needs to reflect this role.

**Implementation of management plans:**

Hapū should be provided roles within the implementation of the management plans – monitoring, mitigation (planting etc.) and the ability to support the contractor with specialist advice.

**Hapū concerns and recommendations:**

- That unforeseen effects trigger a change to management plan implementation – condition wording should enable amendment of plans.
- Should management plans need to be amended, they are accompanied by further consultation, and a written statement of how the changes align with the outcome of consultation with hapū/cultural indicator framework

- Pirirākau and Ngāti Taka both concur with Dr Ussher's concerns regarding the lack of sufficient detail in the conditions and specialist reports and would like to see a draft EMP submitted to the panel for review. This EMP should be co-designed with hapū.
- A cultural indicator monitoring framework should be designed to inform all management plans. This must be a condition of consent.

### 3.2 Stream Assessments

JG-W advised that the description of the impact on streams is quantified within the Ecological Assessment as follows:

- Table 28 – summaries the effects – realignments + culverts
- Table 27 – more detail on culverts
- Table 26 – more detail in realignments

MN, NP, JW and CK consider that it is not usual practice to reclaim and relocate streams and to describe that as remediation under the NPS-FM. MN considers this action to be offsetting and therefore different provisions in the NPS-FM would apply.

GU considers that reclaiming and relocating streams is a form of mitigation and can be viable if hydrological and physical characteristics can be replicated. However, without sufficient detail or assurance stream realignments should be considered subject biodiversity offsetting which is likely to result in a greater quantum of stream restoration required to manage effects. This information regarding hydrology and physical characteristics is insufficient within the application and should be laid out in a management plan.

MN, NP, CK and JW agree with GU and consider that under offsetting it is likely that more stream effects management would be required than is proposed.

JG-W Considers that the labelling is a communication tool and he is satisfied that in his statement of evidence he showed that the proposal can satisfy the requirements related to aquatic offsetting principles in the NPS-FM.

MN, GU, CK, JW and NP consider the issue is very important to understanding how effects are quantified and managed and how the statutory framework of the NPS-FM is applied.

**JG-W, JW, CK, GU, MN and NP agree that the following wording be included to the appropriate consents:**

***"The Consent Holder must ensure that the total length of Watercourses/River impacted by permanent reclamation and culverting or piping is no greater than 3500m, of which no more than 500m is culverting or piping".***

Further clarification is required whether the term watercourses or river is appropriate with the aim of ensuring modified (watercourses/rivers) are included. Planners for BOPRC and the applicant are asked to consider this and report to the Conditions Workshop on 21/1/26.

The representatives for Pirirākau and Ngāti Taka support the inclusion of an overall cap on watercourses/river impacts subject to conditions that clearly specify where impacts occur, how functional and cultural equivalence will be achieved, and what remediation and mitigation measures apply if outcomes are not delivered.

### **Streams - Potential Values**

GU summarised the issue as: if significant residual effects remain after stream realignment and if aquatic offsetting calculations, for example SEV are the accounting tool applied, should potential values be used in the calculations, rather than current values. The implication of using potential values is that potentially a far greater quantum of stream restoration will be required to achieve no net loss.

GU, CK, NP, MN and JW consider that using potential values aligns with accepted industry practice by the majority of ecologists and the NPS-FM.

CK, MN, JW and NP consider that the potential ecological value of all the impacted streams being reclaimed and/or culverted needs to be offset through the use of realignment and an additional offsetting package that captures the remaining residual effects.

GU considers that offsetting for streams should be applied to residual effects after mitigation (realignment) on the proviso that there is confidence that realignment will result in successful stream replacement. He considers that for this project there are residual effects arising from the loss of stream length on a per stream basis that should be subject to offset calculations.

JG-W maintains his position expressed in his statement of evidence (paras 36-41) that potential values should be realistic.

**JG-W, JW, CK, GU, MN and NP agree that if draft management plans relating to ecological matters are not to be prepared now then additional conditions should be included in the contents of the stream management and monitoring plans to require information relating to the calculation, management, monitoring and reporting of residual effects. The participants acknowledge that some components have been suggested in Conditions proposed by the parties. The participants consider that the additional drafting should include an opportunity for all parties to contribute. They suggest that the process be coordinated by John Olliver (Planner for the applicant). Realistically the output from this process could be available by Friday 13<sup>th</sup> February 2026.**

Examples of conditions that could be taken into account in the above process include:

- NZTA Condition 30.6
- BOPRC BC.01 (Condition 12.1(e)): LC.01 (Condition 26.1(d)) – version dated 9<sup>th</sup> December 2025; also of relevance would be some of the conditions in the BOPRC earlier versions
- DOC (Section 53 comments – Stream Offset Management Plan Condition)
- Greater Wellington Regional Council Conditions for the Covid 19 Fast Track for Plimmerton Farm Stage 1 (available online)
- Otaki to North of Levin State Highway Project
- Cambridge to Piarere State Highway 1

### **3.3 Avifauna, Lizards and removal of exotic terrestrial vegetation – refer to agenda items 7, 8 and 9 (amended wording to read exotic terrestrial)**

**AB, GU, SD and RB agree** that additional conditions of consent are required for the management plans, including providing for:

- Planting should include species that will provide foraging and roosting resources for kākā, kārearea, shining cuckoo and kererū.
- Wetland creation and enhancement to provide habitat for at risk and threatened wetland birds recorded or assumed to be present within the development footprint. Note: refer to LC.01(Condition 31.12)

- In NZTA Condition 15.1.(a)3 – add: including the creation of log stacks and adding mulch into plantings.

### 3.4      **Wetlands – refer to agenda items 3, 4 and 5**

SS, KE and GU agree that additional conditions or amended conditions of consent are required:

- On stormwater and earthworks during construction to address discharge near sensitive wetland areas including Merrin wetland and Ōmokoroa wetland – it is suggested that such additions could be made to NZTA Conditions 9 and 12.
- Representatives for Pirirākau cited an example in Takitimu North Link Stage 1 where legal action had to be taken to get remedial action undertaken when stormwater devices failed and adverse effects on adjoining land occurred. In light of this concern, the applicant should review their Erosion and Sediment Control Plans (particularly NZTA Condition 9) to ensure that such situations are avoided, and remedial actions can be enforced.

#### **Wetland Assessment and Indirect Effects on Wetlands**

AB – advised that Table 30 in the Ecological Assessment details the quantum of loss of wetlands. It also details the effects management approach for each individual wetland. For some moderate wetlands it is an offset ratio approach but moderate value wetlands in the Ōmokoroa and Merrin wetland are dealt with a compensation framework.

#### **Offset Ratios – moderate value wetlands**

SD Position Statement:

If restoration forms part of offset ratios for moderate value wetlands, ratios should reflect restoration intensity. Restoration activities vary significantly in their ecological benefit, and ratios need to account for this variation. For example, re-establishing native vegetation in areas dominated by exotic species (through plantings) is likely to deliver greater ecological gains than simply controlling scattered pest plants in a wetland already dominated by native species. Restoration categories could be defined by their type and intensity and associated with ratio multipliers that reflect the expected ecological outcomes.

AB agrees with SD and considers that the conditions should be amended to provide parameters in which restoration must achieve to have equivalent benefit to the alternate 1:2 ratio. AB to provide amended wording.

SD is concerned that natural wetlands might be modified, fragmented or wholly lost outside of the designation area and that no restoration and/or rehabilitation will be proposed under the existing consent conditions.

AB considers the indirect effects on wetlands have been considered within the effects management framework, and suggests that this can be managed by an addition to Condition 23.1(a)2 to include the management of potential effects on wetlands outside the designation to ensure their values and extent are protected.

#### 4 PARTICIPANTS TO JOINT WITNESS STATEMENT

4.1 The participants to this Joint Witness Statement, as listed below, confirm that:

- (a) They agree that the basis of their participation and the outcome(s) of the expert conferencing are as recorded in this Joint Witness Statement; and
- (b) They have read the Environment Court's Practice Note 2023 and agree to comply with it to the extent relevant; and
- (c) The matters addressed in this statement, to which a participant has attached their initials, are within their area of expertise; and
- (d) As this session was held online and in-person, in the interests of efficiency, it was agreed that each participant would verbally confirm their position in relation to this para 4.1 to the Independent Facilitator and the other experts and this is recorded in the schedule below.

**Confirmed online and in-person: Date: 20 January 2026**

EXPERT'S NAME & EXPERTISE	PARTY	EXPERT'S CONFIRMATION REFER PARA 4.1
Graham Ussher (GU) (Ecology)	Advisor to the Expert Panel	In-person Yes
Jeremy Garrett-Walker (JGW) (Ecology)	Applicant (NZTA) Consultant	In-person Yes
Andrew Blayney (AB) (Ecology)	Applicant (NZTA) Consultant	In-person Yes
John Olliver (JO) (Planning)	Applicant (NZTA) Consultant	In-person Yes
Nicola Pyper (NP) (Ecology)	BOPRC Consultant	In-person Yes
Eleanor Christensen (EC) (Planning)	BOPRC Employee	In-person Yes
Marlene Bosch (MB) (Planning)	BOPRC Employee	In-person Yes
Sue Southerwood (SS) (Engineering – Environmental)	BOPRC Consultant	Online Note from facilitator – Sue Southerwood left the conference without

		completing this schedule at the end of the session
Kate Everett (KE) (Engineering – Environmental)	BOPRC Consultant	Online  Note from facilitator – Kate Everett left the conference without completing this schedule at the end of the session
Shay Dean (SD) (Ecology)	BOPRC Employee	In-person  Yes
James Danby (JD) (Planning)	WBOPDC Consultant	In-person  Yes
Rhys Burns (RB) (Ecology)	DOC Employee	Online  Yes
Jacob Williams (JW) (Ecology)	DOC Employee	Online  Yes
Martin Neale (MN) (Ecology)	DOC Consultant	In-person  Yes
Christopher Kavazos (CK) (Ecology)	DOC Employee	Online  Yes
Liz Williams (LW) (Planning)	DOC Employee	In-person  Yes
Steph Taiapa (ST)	Ngāti Taka	In-person  Yes
Keita Kohere (KK) (Planning)	Ngāti Taka and Pirirākau RMA advisor	In-person  Yes
Jason Ake (JA)	Chair, Pirirākau Tribal Authority Incorporated	Online  Note from facilitator – Jason Ake left the conference without completing this schedule at the end of the session

Ngawa Hall (NH)	Chair, Pirirākau PSGE	Online  Note from facilitator – Ngawa Hall left the conference without completing this schedule at the end of the session
Carlton Bidois (CB)	Pirirākau Cultural Specialist	In-person attended until 5.15pm and paragraphs 3.1 – 3.4 in this statement  Yes
Jacqui Rolleston-Steed (JRS)	Pirirākau RMA Technical Advisor	In-person – attended for paragraphs 3.1 and 3.2 in this statement  Yes