Before the Expert Panel

*under:* the Fast-track Approvals Act 2024

*in the matter of:* an application for resource consents, approvals and a notice of requirement to alter a designation, to construct a four-lane, median divided highway to replace existing State Highway 2 corridor between Te Puna and Ōmokoroa, known as 'Takitimu North Link - Stage 2'

*applicant:* **NZ Transport Agency Waka Kotahi**
*Requiring Authority and Applicant*

Supplementary Statement of Evidence of **Jeremy Garrett-Walker** for NZ Transport Agency Waka Kotahi

Dated: 6 March 2026

Reference: Rebecca Tompkins [redacted]
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# SUPPLEMENTARY STATEMENT OF EVIDENCE OF JEREMY GARRETT-WALKER FOR NZ TRANSPORT AGENCY WAKA KOTAHI

1 My full name is Jeremy Garrett-Walker.

2 I am a Senior Freshwater Ecologist at Boffa Miskell. I have held this role for nine years. Prior to Boffa Miskell, I worked as a Research Officer at the University of Waikato within the aquatic sciences department. An overview of my relevant experience and qualifications is set out in the Ecological Effects Assessment lodged with the Application.[1]

3 I have been involved in the Project since 2022. I am the co-author of the Ecological Effects Assessment lodged with the Application.[2]

## CODE OF CONDUCT

4 Although this matter is not before the Environment Court, I confirm that I have read the Code of Conduct for expert witnesses as contained in section 9 of the Environment Court Practice Note 2023. I agree to comply with that Code. My qualifications as an expert are set out in the Ecological Effects Assessment. I am satisfied that the matters which I address in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

## SCOPE OF EVIDENCE

5 My evidence has been prepared to support the NZ Transport Agency Waka Kotahi's (*NZTA*) response to the Panel's draft conditions on the Application.[3] Specifically, my evidence focuses on:

5.1 The proposed condition that sets limits on stream lengths affected and post-construction culvert extent. I explain why, given the generally low existing stream values and the outcomes framework already proposed (design requirements, verification and adaptive management), such a condition is not strictly necessary to manage effects and the absence of it would not compromise ecological outcomes. If the Panel retains a cap, I identify the clarifications needed so it accurately distinguishes existing open-channel length that may be impacted from the maximum culvert length permitted post-construction. I note I am comfortable with higher maxima to reflect the additional flexibility sought by NZTA.

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1 Appendix 9.4.4. Ecological Effects Assessment.

2 Ibid.

3 Dated 25 February 2026.

5.2 The proposal to reference the Stream Ecological Valuation (*SEV*) method in conditions. In my opinion, SEV is a useful technical tool rather than a mandated method, and conditions should remain outcomes based (i.e., focussed on habitat function, fish passage compliance, and observed ecological responses), with any "no net loss" requirement demonstrated using a method appropriate to the context (which would need to be agreed with council, through the certification process for the Stream Management and Monitoring Plan), not necessarily SEV. I outline why relying on SEV as the sole success measure can introduce subjectivity and distract from clear ecological observations, and why method flexibility within the Stream Management and Monitoring Plan (*SMMP*) is more appropriate.

5.3 The treatment of 'potential value' in any accounting or success tests. I reiterate my earlier position that, in this modified rural setting, potential values should be realistic and achievable under current or modestly improved regimes, rather than theoretical ideals requiring substantial external interventions. Where potential is used in the case of residual effects, I set out how it should be explicitly justified on a stream-by-stream basis and applied in a way that remains proportionate to the existing values and effects.

**Condition relating to stream length realignment not necessary**

6 In my opinion the imposition of a stand-alone stream-length cap is not strictly necessary to manage freshwater effects on this Project.

7 A cap is not required because the affected streams are typically of low ecological value and the subsequent realignment would be of similar or greater ecological value. As this would equate to, at least, a no net loss (and potentially a net *increase*) in aquatic habitat and, therefore, fauna, values, there is no ecological value-driven basis for a condition which restricts or caps the amount of re-alignment given the condition requiring at least a 1:1 stream length replacement across the alignment.

8 I also note that the specimen design would already achieve a net increase in open-channel length and a net reduction in total culvert length, with delivery secured through the SMMP via design requirements, fish-passage compliance, post-livening verification and adaptive management. On that basis, the existing outcomes framework is sufficient. I did not oppose a cap during expert conferencing because its inclusion does not affect the ecological outcomes otherwise provided for in the conditions (and further strengthened in the conditions provided to the Panel on 16 February 2026).

9 If the Panel nevertheless retains a cap, I consider that the condition wording requires amendment. As currently framed, it conflates two distinct concepts:

9.1 the extent of existing open-water streams that may be disturbed (realigned/reclaimed/culverted); and

9.2 the postconstruction maximum total length of culvert/piping.

10 My suggested alternative approach is to have a two-limb cap:

10.1 A cap on the total length of existing open-water Watercourse that may be realigned, reclaimed and/or culverted (i.e., a ceiling on the amount disturbed); and

10.2 A cap on the post-construction total culvert/piped length (i.e., a ceiling on the final extent of culvert).

11 For clarity, I note that bridges are not culverts where the channel remains open, removal of existing culverts is not (and should not be) limited (as culvert removal has positive ecological effects), and that there is no cap on the length of new open-channel realignment (which is ecologically beneficial as noted above and is verified through the SMMP success criteria). My proposed two-limb structure of the condition (as is provided for in LC.01 Condition 28 and BC.01 Condition 13.12, as attached to NZTA's memorandum of counsel dated 6 March 2026) avoids the current ambiguity.

12 I note that, should NZTA seek higher maximum stream length that can be impacted (e.g., to provide additional detailed design flexibility), I am comfortable with a higher maximum in principle due to the anticipated positive ecological effects which are secured via NZTA's other proposed conditions, as noted above. I am confident that the existing condition framework will ensure that any increase in effects arising from additional works is matched (or better) by increased ecological benefits at the stream system scale (improved openchannel extent, habitat condition, fish passage, and overall ecosystem functioning).

**SEV reference in the Panel's proposed conditions**

13 In my opinion, the SEV method is a useful technical tool but not a compulsory assessment framework,[4] and it should not be hardwired into the consent conditions. Conditions for this Project are better framed around outcomes (for example, stream habitat function, fish passage compliance, and verified ecological responses), because the proposed management approach captured in the conditions provided to the Panel on 16 February 2026 already delivers these via the

[4] For more detail, see my statement of evidence dated 16 December 2025.

SMMP (design requirements, post-livening verification, and adaptive management).

14 Where conditions refer to "no net loss", I would expect the Consent Holder's nominated SQEP to run calculations to demonstrate that outcome has been achieved; however, in my view the conditions should retain method flexibility rather than prescribing SEV specifically. This flexibility allows the SMMP to select and document the most suitable calculation(s) approach alongside clear, observed measures (e.g., habitat audits and fauna monitoring) that confirm performance in the field.

15 My opposition to nominating SEV as the sole success metric reflects the subjectivity that can arise both in input choices and in the determination of 'potential' values for Environmental Compensation Ratio (*ECR*) calculations. Different reasonable input choices can yield materially different results, which risks misdirecting effort away from observed stream performance.

16 I support the conditions provided by NZTA to the Panel on 16 February 2026 (and those provided by NZTA to the Panel on 6 March 2026), which include succinct outcomes-focused conditions (e.g., requirements for naturalised channel design, fish-passage compliance, post-livening habitat audits at set intervals, and adaptive-management triggers if results fall short), with any necessary calculations specified and certified within the SMMP rather than embedded in consent wording. This approach provides the certainty sought by the Panel's advisor while avoiding unnecessary method prescription.

17 In summary, I am not opposed to using SEV within the technical work where it adds value; however, I do not support (i) mandating SEV as the only method in the conditions, or (ii) making a single SEV score the decisive test of success. It is my opinion that an outcomes based condition set (as proposed by NZTA), verified by observed ecological data and supported by an agreed (ie through the SMMP certification process), but not pre-mandated calculation method, is the most robust and proportionate way to secure stream outcomes for this Project.

**Treatment of 'potential value'**

18 I note that in the Panel's revised conditions and as articulated in the Panel advisor's memo dated 24 February 2026, potential values will only be relevant when calculating residual effects, i.e. when NZTA doesn't replace a full extent of stream in a realignment.

19 As discussed in my previous evidence, 'potential value' should only be applied where it is realistic and demonstrably achievable in the specific landscape, not as a theoretical best-case default. In this modified rural setting, as I have previously explained, that potential

should reflect what can be attained under current use or probable use.

20 Using elevated 'potential' SEV values in ECR calculations can materially inflate the quantum of offsetting, particularly if a common theoretical target is applied to all affected streams irrespective of their context and feasibility. If potential value is incorporated, it should be supported by credible evidence that the stated uplift can actually be delivered.

21 Nevertheless, if the Panel is minded to include specific reference to the SEV/ECR calculation for offsetting any residual effects, my recommendation is that that Panel's conditions are amended to:

21.1 Clarify the SEV / potential value applies only to residual loss; and

21.2 To include an interpretation of 'potential value', to provide more certainty. This interpretation should be that potential value is considered and applied stream-by-stream and is evidence-based, limited to reaches where there are tangible indicators of achievability (e.g., existing fencing or partial restoration; feasible hydrology; landowner willingness or funded programmes), and with the rationale recorded in the SMMP rather than assuming potential values will exist in all locations.

22 Finally, I consider it appropriate to ground success in observed ecological outcomes (habitat audits, fish passage verification, and fauna responses) under the SMMP, with any SEV 'accounting' serving a supporting role and using realistic, documented potential where justified. This approach keeps the focus on achieving and verifying actual improvements in stream extent and condition anticipated by the Project's effects management package.

**Conclusion**

23 The freshwater effects of the Project are appropriately managed through the existing outcomes-based framework (e.g., design requirements, fish-passage compliance, and post-livening verification with adaptive management) under the SMMP, as per NZTA's proposed conditions provided to the Panel on 16 February 2026. On that basis, a stand-alone stream-length condition is not strictly necessary and would not necessarily improve ecological outcomes.

24 If the Panel retains such a condition, I recommend a clarified two-limb cap. This structure best reflects what I understand to be the intention at expert conferencing, while avoiding any unintended constraint on beneficial new open-channel realignments or culvert removals. Noting the specimen design already shows a net increase

in open-channel length and a net reduction in culvert length, I am also comfortable with a higher cap maxima should NZTA seek additional flexibility, as the condition framework and SMMP will ensure any incremental effects are matched, and exceeded, by ecological benefits at the stream-system scale.

25 I remain of the view that SEV should not be mandated in the conditions nor used as the sole success measure. Conditions should remain outcomes-focused, with any "no net loss" demonstration undertaken by an agreed method appropriate to context. Where 'potential value' is referenced, it should be applied only where realistic and demonstrably achievable.

**Jeremy Garrett-Walker**
6 March 2026