Before the Expert Consenting Panel

under: the Fast-track Approvals Act 2024

in the matter of: applications for resource consents and archaeological authorities and notices of requirement by the New Zealand Transport Agency Waka Kotahi to develop a rapid transit link and associated infrastructure and connections between Brigham Creek and Auckland City centre, alongside State Highway 16, known as 'North West Rapid Transit'

applicant: **New Zealand Transport Agency Waka Kotahi**
Requiring Authority and Applicant

Statement of Evidence of Jeremy Garrett-Walker for New Zealand Transport Agency Waka Kotahi

Dated: 3 June 2026

Reference: Paula Brosnahan (paula.brosnahan@chapmantripp.com)
Nicola de Wit (nicola.dewit@chapmantripp.com)

chapmantripp.com
T +64 9 357 9000
F +64 4 472 7111

PO Box 2206
Auckland 1140
New Zealand

Auckland
Wellington
Christchurch

chapman tripp

STATEMENT OF EVIDENCE OF JEREMY GARRETT-WALKER FOR NEW ZEALAND TRANSPORT AGENCY WAKA KOTAHI

1 My full name is Jeremy Garrett-Walker. I am the author of the Freshwater Ecology Assessment lodged (*Freshwater Assessment*).[1]

2 My qualifications and experience are set out in the Freshwater Assessment. I reaffirm the Code of Conduct statement set out in the Freshwater Assessment.

3 My evidence has been prepared to support the NZ Transport Agency Waka Kotahi's (*NZTA*) response to comments on NZTA's application for resource consents, archaeological authorities and notices of requirement (*NORs*) (together, the *Application*) for the North West Rapid Transit Project (*Project* or *NWRT*).

SCOPE OF EVIDENCE

4 My evidence responds to the freshwater aspects of the comments provided by the Director General of Conservation (*DOC*)[2] and, in particular, the 'Review of Te Ara Hauāuru Northwest Rapid Transit Freshwater Ecology Assessment' prepared by Dr Richard Storey and attached to the comments (*Ecology Review*).[3]

5 My evidence addresses the following key themes:

5.1 Context for this Project;

5.2 Assessment of ecological values;

5.3 Assessment of ecological effects;

5.4 The effects management hierarchy;

5.5 The effects management approach, including why offsetting is not required and why the Stream Ecological Valuation (*SEV*) method should not be used for this Project;

5.6 Riparian planting ratios; and

5.7 DOC's proposed amendments to NZTA's Resource Consent Conditions.

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1 Part 6 – Attachment 6.15C – Freshwater Ecology Assessment (*Freshwater Assessment*).

2 Comment 27 – Department of Conservation (*DOC Comment*).

3 Comment 27a - Review of Te Ara Hauāuru Northwest Rapid Transit Freshwater Ecology Assessment, May 2026 (*Ecology Review*).

CONTEXT FOR THIS PROJECT

6 As an overarching comment, I consider Dr Storey has not appropriately considered the specific context for this Project, and the need to tailor the assessment and mitigation to that context, including:

6.1 The affected streams are highly modified systems with tolerant ecological communities that are indicative of impairment and degradation; and

6.2 The extent of streams impacted (even in a 'worst case' scenario) is very minimal given the size of the Project.

ASSESSMENT OF ECOLOGICAL VALUES

7 Dr Storey identifies that I have assigned different ecological values to the streams within the Project Area compared with the Assessment of Ecological Effects lodged with the Application (*AECOM assessment*).[4] Dr Storey says my assessment underestimates the ecology value of the streams.[5]

8 Dr Storey raises a concern that my assessment of ecological value differs from that of AECOM assessment, notwithstanding that both assessments apply the Ecological Impact Assessment Guidelines.[6] The following paragraphs clarify the basis for this difference. While both assessments adopt the same overarching EcIA framework and consider the four standard "matters" (representativeness, rarity/distinctiveness, diversity and pattern, and ecological context), the difference in outcomes reflects how the underlying attributes are interpreted and integrated, rather than any fundamental difference in methodology.

9 The AECOM assessment applies a structured, attribute-based scoring approach, whereby individual attributes within each matter are assigned discrete scores and then the highest scoring attribute informs the overall rating for that matter.[7] This approach places considerable weight on specific indicators (for example, SEV scores or the presence of certain species), such that moderate or higher scores in one or more attributes can elevate the overall value assigned to a site or reach. By contrast, my assessment applies the EcIA framework in a more integrated manner, consistent with the EcIA Guidelines' emphasis on professional judgement and the need

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[4] Attachment 6.15 – Assessment of Ecological Effects, 15 December 2025 (now superseded) (*AECOM Assessment*).

[5] Ecology Review, sections 2.0 and 3.0.

[6] Environment Institute of Australia and New Zealand, 2018, 2nd ed (*EcIA Guidelines*).

[7] AECOM Assessment, section 2.1.1.

to interpret ecological data holistically. In this context, individual attributes (including SEV and species presence) are considered alongside, and tempered by, other attributes such as ecological condition, degree of modification, functional integrity, and the broader landscape and catchment context.

10 In my opinion, the different weighting and integration of these attributes explains the divergence in ecological value ratings. In highly modified urban catchments such as those associated with the Project, I consider isolated moderate scores in certain metrics (e.g. SEV or the presence of tolerant or widespread species) do not, in themselves, indicate moderate overall ecological value when considered in the context of degraded habitat condition, limited ecological function, and reduced connectivity. Accordingly, my assessment places greater emphasis on these contextual and functional attributes in determining overall value. This results in ecological value ratings that are typically lower than those derived through a 'highest-score-wins' attribute-driven approach, but which I consider to more accurately reflect the actual ecological condition and functioning of the receiving environment.

11 For completeness, I note that the EcIA Guidelines do not prescribe a rigid or formulaic method for combining attribute scores, nor do they require that the highest scoring attribute determine the outcome. Rather, they emphasise the need to integrate multiple attributes using professional judgement, and caution against over-reliance on matrices or scoring systems in a way that could distort ecological interpretation. My assessment is consistent with that guidance, and the values assigned reflect a reasoned synthesis of all relevant ecological evidence.

12 Dr Storey says Threatened and At Risk species are not mentioned in my assessment, except in relation to stream 8.[8] Fish (and kākahi) are considered in my report and inform the biotic communities in each stream. However, for the reasons highlighted in paragraph 10, I have weighed up their presence alongside other attributes, conditions, and context to inform the ecological value. For example, Dr Storey is of the opinion that all sites should score "moderate" or "high" for the rarity and distinctiveness matter; however, this ignores the other attributes relevant to this matter.

13 Dr Storey criticises my description of the SEV scores for the streams within the Project Area.[9] Like AECOM, I have used the SEV as an input in my assessment to inform my understanding of stream condition, alongside macroinvertebrate, fish, and habitat data.

[8] Ecology Review, section 3.0.

[9] Ecology Review, section 3.0.

However, consistent with the EcIA Guidelines, I did not rely on SEV exclusively to determine ecological value.

14 Dr Storey says my assessment relies on "narrative descriptions" rather than "quantitative data".[10] That statement does not accurately reflect the nature of my assessment.

15 My assessment relies on quantitative data, including SEV scores, macroinvertebrate indices, and fish records (much of which is sourced from or consistent with the AECOM dataset). I then did a site visit so that I could apply professional judgement and interpretation to place that data in context. This integrated approach is consistent with the EcIA Guidelines, which require the application of professional judgement to interpret multiple lines of evidence, rather than reliance on quantitative metrics in isolation. Accordingly, I consider my approach is consistent with standard practice, and that Dr Storey's concern is misdirected.

16 The assessment of ecological values inherently involves, and requires, the application of professional judgement, so some variation in outcomes between assessors is expected. I consider the differences between my assessment and the AECOM assessment reflect differences in the application of professional judgement within a standard methodology, a not a departure from best practice by either of us.

17 Overall, I am satisfied that the methodology I have applied is robust, consistent with the EcIA Guidelines, and provides a sound basis for the assessment of ecological value and subsequent effects.

ASSESSMENT OF ECOLOGICAL EFFECTS

18 Dr Storey says effects should be assessed at a reach-based scale.[11] In my opinion, the catchment-based scale that I have adopted is appropriate for the context of this project and consistent with the EcIA Guidelines.

19 The EcIA Guidelines recommend that the spatial scale of an assessment reflects the ecological systems and processes being considered. In the context of freshwater environments, streams operate as connected systems, with ecological function and values extending beyond individual reaches. On that basis, I have assessed effects at the catchment scale, which I consider best reflects the way stream systems function.

20 I have assessed the magnitude of effects with reference to the proportion of stream habitat and values affected by the Project

[10] DOC Comment, paragraph 2.10; Ecology Review, section 2.0.

[11] DOC Comment, paragraph 2.11; Ecology Review, section 4.2.

relative to the total available habitat within each catchment. This approach provides a measure of the scale of change within the system, rather than focusing solely on the absolute loss or impact at individual locations.

21 In my view, assessing effects at an individual reach scale would risk overstating effects by removing them from their wider ecological context, and conflating the loss of a discrete feature with a loss of ecological function at a system level.

22 In other words, reach-based scale can inflate apparent magnitude by ignoring the ecological scale at which fish populations and macroinvertebrate assemblages interact and recover.

23 I consider my approach is consistent with the EcIA Guidelines, which are intended to encourage a contextual interpretation of effects, rather than a purely site-based description.

24 In any event, my assessment identifies the nature and extent of direct effects at the site and reach level, including the extent of stream modification associated with the culvert extensions and bridges. I consider this information provides a clear link between the proposed works and resulting habitat changes.

25 Overall, I consider my approach to defining spatial scale and assessing magnitude and significance is robust, consistent with the EcIA Guidelines, and provides a sound basis for evaluating the ecological effects of the Project.

26 I remain of the view that the magnitude of the Project's potential freshwater effects is low to very low, reflecting the relatively small proportion of habitat affected by the Project and the limited change to overall ecological function.

27 Finally, Dr Storey says my assessment assumes that streams 2, 5 and 10 will not be directly impacted by the Project.[12] Although they are unlikely to be impacted,[13] I have in fact assessed the values of those streams[14] and provided sensitivity testing for effects on those streams.[15]

THE EFFECTS MANAGEMENT HIERARCHY

28 Dr Storey is concerned about my application of the effects management hierarchy used in the National Policy Statement for

[12] Ecology Review, section 4.3.

[13] Freshwater Assessment, section 3.1.

[14] Freshwater Assessment, section 3.3.

[15] Freshwater Assessment, section 4.6.

Freshwater Management (*NPS-FM*), and my recommended mitigation measures.[16]

29 My assessment evaluated the ecological values of the receiving environment and the level of potential effects arising from the Project. This assessment provides the technical basis to inform the application of the effects management hierarchy, including whether avoidance, remediation, mitigation or offsetting/compensation measures are required.

30 I acknowledge that Policy 7 of the NPS-FM seeks to avoid the loss of extent and values of freshwater ecosystems to the extent practicable, and clause 3.24 recommends the application of the effects management hierarchy. I understand the way in which the NPS-FM must be applied to this Project is addressed in legal submissions.

31 From an ecological perspective, the application of the NPS-FM effects management hierarchy is inherently linked to the level and 'significance' of effects. I have assessed the freshwater ecological effects of the Project as low to very low.[17] All effects are Very Low except for the riparian loss associated with the moderate value streams (streams 3 and 8), reflecting the limited extent of habitat affected by the Project and the characteristics of the receiving environment.

32 In this context, I do not consider the Project results in residual *adverse* effects on freshwater ecological values. Accordingly, the level of ecological response required is proportionately limited,[18] and aquatic offsetting is not required for consistency with the effects management hierarchy.

33 Regardless, the Project incorporates measures that avoid and minimise effects where practicable, including the use of bridge structures that avoid instream piers, and the application of standard construction management practices. In addition, mitigation measures such as riparian restoration are proposed, which will contribute to maintaining freshwater values.

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16 Ecology Review, at section 5.0.

17 Freshwater Assessment, section 4.4 and section 4.5.

18 EcIA Guidelines, section 6.4.3, page 84, which states: *"Options in the 'High and Moderate adverse' category represent a level of effect that requires careful assessment and analysis of the individual case. Such and effect could be managed through avoidance, design, or extensive offset or compensation actions"* and *"Low and Very Low categories should not normally be of concern, although normal design, construction and operational care should be exercised to minimise adverse effects."*

34 In my opinion, my assessment is consistent with the NPS-FM and the effects management hierarchy when applied in a manner proportionate to the effects of this Project.

EFFECTS MANAGEMENT APPROACH

Offsetting is not required for this Project

35 Dr Storey says offsetting is required for the Project and should be determined using the SEV method.[19]

36 As set out in my evidence above, I have assessed the freshwater ecological effects of the Project as low to very low, and that the Project will not result in residual adverse effects on freshwater ecological values. In that context, I do not consider that aquatic offsetting is required. My conclusion is consistent with standard effects management frameworks, in which offsetting is generally directed at addressing residual effects of a scale or significance that cannot otherwise be avoided, remedied or mitigated. I also note that the Auckland Unitary Plan encourages biodiversity offsetting where there are *significant* residual adverse effects.[20] In this instance, the residual ecological effects are not significant.

37 As aquatic offsetting is not required, I consider it is not necessary to use the SEV method to calculate ecological compensation or offset ratios to support an appropriate effects management response.

38 In my opinion, it should not be assumed that any or all stream works require offsetting.

39 Dr Storey suggests the effects from bridge construction require offsetting.[21] Bridging is generally an avoidance measure in that it retains the existing stream bed and instream habitat. The primary effects associated with bridge installation, where there are no instream piers, relate to riparian disturbance and associated indirect effects, rather than direct loss of instream habitat. For the Project, those effects have been identified and are addressed through riparian reinstatement. I do not consider that the Project bridge works will give rise to residual instream effects that would require biodiversity offsetting.

The SEV is a tool, not a mandated method

40 I agree that SEV can be a useful tool for describing stream function and informing effects management. However, in my opinion, it does not need to be applied in all cases. It should be applied where it is an appropriate tool for the scale and context of the effects being

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19 Ecology Review, section 5.1.

20 Auckland Unitary Plan, Policy E15.3(3) and 'Chapter J, definition of 'Biodiversity offset'.

21 Ecology Review, section 5.1.

addressed. In particular, I do not consider it appropriate to apply SEV in a strictly formulaic manner, and particularly where that results in an effects management response that is disproportionate to the actual ecological impact of the Project.

41 I also note that application of the SEV method does not necessarily result in strictly like-for-like ecological outcomes, particularly where gains are achieved through riparian enhancement rather than direct replacement of instream habitat. While such measures can provide ecological benefit, this reinforces the need to use these tools carefully and proportionately, rather than as a default requirement.

42 The approach I have adopted focuses on achieving appropriate ecological outcomes through avoidance, minimisation, and targeted mitigation measures. This approach includes riparian restoration associated with stream works, which contributes to improving habitat condition and ecological function within the receiving environment.

43 In my opinion, the appropriateness of an effects management approach should ultimately be judged by the outcome it delivers. In this instance, I consider the proposed measures for the Project will deliver outcomes that are proportionate to the scale of effects identified and appropriate to maintain freshwater ecological values.

44 I remain satisfied that my recommended effects management approach is appropriate, proportionate and consistent with the EcIA Guidelines and the ecological effects of the Project.

RIPARIAN PLANTING RATIOS

45 Dr Storey says the proposed extent of riparian planting is inadequate, and there is no clear rationale for the recommendations.[22]

46 The Project's mitigation approach focuses on standard construction management practices, including erosion and sediment control and fish salvage where required, together with targeted measures such as riparian planting associated with stream works. These are established measures for managing freshwater ecological effects and I consider they are appropriate in the context of the Project.

47 Riparian planting is proposed to address the disturbance of the riparian margin from bridging and effects on stream function, including shading, bank stability and organic matter inputs from culverting. The riparian planting proposed is a direct mitigation response applied within the affected system.

[22] Ecology Review, section 5.1.

48 The riparian restoration ratios I have adopted (1:1 for bridge-related impacts and 1.5:1 for culvert-related impacts) are based on the nature, scale and significance of effects, rather than a standardised metric. In my opinion, this approach reflects a proportionate and effects-based application of the EcIA Guidelines.

49 For bridge crossings, a 1:1 ratio is appropriate as the primary effect is the localised removal of riparian vegetation, while the instream habitat remains largely intact. Reinstating riparian planting on an equivalent area basis provides a direct replacement of key functions including shading, bank stability, and organic inputs, and is commensurate with the low level of effect.

50 For culvert extensions, I have applied a 1.5:1 ratio to recognise that, while instream habitat is not lost entirely, it is simplified within the culvert footprint. Culverts retain some ecological function (e.g. flow and limited habitat), but typically reduce complexity and connectivity with riparian processes. The additional 0.5 uplift in planting is intended to address this partial reduction in function by enhancing riparian inputs such as shading, organic matter, and buffering, and thereby improving conditions over time.

51 These ratios are proportionate and reasonable, taking into account the short lengths of stream affected, the highly modified receiving environment, and the overall low to very low level of effect. In my view, the proposed level of riparian restoration appropriately addresses the ecological effects without overstating them.

52 I do not consider that additional measures, including biodiversity offsetting or the application of accountancy-based mitigation ratios, would materially improve ecological outcomes given the limited scale of effects. More importantly, in my view such approaches would not be proportionate to the effects of this Project, and are not justified.

53 Overall, I remain satisfied that the mitigation I have recommended is appropriate, effective and consistent with the scale of ecological effects of this Project.

RESPONSE TO DOC'S PROPOSED AMENDMENTS TO THE CONSENT CONDITIONS

54 DOC has proposed a number of amendments to the Proposed Resource Consent Conditions.[23] I have reviewed these proposed changes from a freshwater ecology perspective. In the following paragraphs, I provide my opinion on the appropriateness of those amendments, having regard to the nature, scale, and significance of the Project's ecological effects and the extent to which the proposed

[23] DOC Comment, section 3.0.

amendments are necessary and proportionate to manage those effects.

Condition 15 – works in watercourses

55 DOC has proposed a number of amendments to Condition 15.

56 I do not have any concerns with the intent of the proposed amendments to clauses (a)(ii) and (c)(ii) of Condition 15, which provide more specific wording as to the types of streams for riparian planting where native vegetation is permanently removed. In my opinion, these changes do not materially alter the ecological outcome, and are generally consistent with maintaining stream function and habitat condition. I understand NZTA will propose some minor changes to the wording, which I am comfortable with.

57 I disagree with the proposed amendment to clause (d) of Condition 15, which would require the use of SEV or similar accountancy approaches. As set out in my evidence above, I do not consider that the scale of the Project's ecological effects warrants the application of detailed accountancy tools. In my opinion, the use of SEV in this context would introduce additional complexity and design uncertainty without materially improving ecological outcomes. The mitigation approach I have recommended (and which is contained in NZTA's Proposed Resource Consent Conditions), including the use of simple, proportionate ratios, provides sufficient and appropriate flexibility to respond to site-specific conditions while remaining commensurate with the scale of the Project's effects.

58 I also disagree with DOC's proposed deletion of clause (e) of Condition 15. I do not agree with the suggestion that the riparian planting proposed is "double counting" just because it contributes to both freshwater and terrestrial ecological outcomes. Clause (e) merely reflects the fact that riparian vegetation performs multiple ecological functions. Riparian planting is appropriately recognised as addressing both the loss of vegetation extent and the maintenance of instream function. These are distinct effects being managed by a single measure, which does not result in the same mitigation being counted twice. I consider that clause (e) should be retained as it provides clarity as to how riparian reinstatement contributes to managing the ecological effects of stream works.

Condition 17 – fish salvage and relocation

59 DOC has proposed amendments to Condition 17, including introducing a requirement to prepare a Fish Management Plan (*FMP*).

60 I do not consider that a stand-alone FMP is necessary to achieve appropriate ecological outcomes in this instance. Fish salvage and relocation are well understood and established practices, and can be effectively provided for through a consent condition requiring that works be supervised and undertaken by a suitably qualified and experienced person (*SQEP*). In my opinion, the approach in Condition

17 as proposed by NZTA provides a clear and enforceable outcome, without the need for additional documentation.

61 I also consider that a prescriptive FMP could inappropriately reduce flexibility in responding to site-specific conditions encountered during construction. In practice, fish salvage methods and decisions often need to be adapted based on factors such as flow conditions, habitat characteristics, and species present at the time of works. A more flexible, outcomes-based condition allows for this adaptability and, in my experience, is more likely to result in appropriate ecological outcomes than a fixed methodology set in advance.

62 For completeness, I also note that the reference to fish passage within the purpose of the FMP is not appropriate in this context. The primary ecological effect that this condition seeks to manage is effects on instream fauna during works. The provision of fish passage is addressed separately through Condition 13.

63 I agree with the inclusion of reference to instream works within clause (a) of Condition 17, as this better reflects the activities that may give rise to effects on aquatic fauna.

64 In relation to DOC's proposed insertion of clause (c), (d), and (e) to Condition 17, I do not consider any of these additions necessary. Matters relating to pest fish handling and biosecurity are already addressed through existing permitting and legislative frameworks (including MPI, DOC, and the Biosecurity Act), which provide appropriate controls without further duplication at the project level, particularly in the absence of any site-specific biosecurity risk. In relation to (e), prescribing specific fish salvage methods is not necessary given the requirement for suitably qualified practitioners, and risks limiting the ability to apply the most effective techniques in response to site conditions. In my view, these additional requirements would not materially improve ecological outcomes, are not proportionate to the scale of effects, and introduce unnecessary complexity to Condition 17.

CONCLUSION

65 In forming my conclusions, I have carefully considered the comments from the Director-General of Conservation and the review comments prepared by Dr Storey. While these comments address differences in perspective on methodology and interpretation, particularly in relation to the application of SEV/ECR and the extent of offsetting proposed, they do not alter my assessment of ecological value, the scale and nature of effects, or the effectiveness of the proposed mitigation. My conclusions are based on a site-specific, effects-based application of the EcIA Guidelines, and in my opinion continue to provide an appropriate and proportionate assessment of the Project.

66 The effects of the Project on freshwater ecology are low to very low, and do not result in residual *adverse* effects that require ecological offsetting. As such, my proposed approach to effects management, including the absence of biodiversity offsetting, is appropriate and proportionate to the scale of effects identified.

67 I am satisfied that the conditions NZTA has proposed, with the refinements outlined in my evidence above, provide a suitable and effective framework for managing freshwater ecological effects and achieving appropriate ecological outcomes.

Jeremy Garrett-Walker
3 June 2026