

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**
Requiring Authority and Applicant

Statement of Evidence of Andrew Blayney for New Zealand Transport Agency Waka Kotahi

Dated: 9 July 2026

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STATEMENT OF EVIDENCE OF ANDREW BLAYNEY FOR NEW ZEALAND TRANSPORT AGENCY WAKA KOTAHI

- 1 My full name is Andrew Blayney.
- 2 I am the author of the Terrestrial Vegetation Ecology Assessment dated 24 April 2026 (*Terrestrial Vegetation Assessment*).¹
- 3 My qualifications and experience are set out in the Terrestrial Vegetation Assessment.
- 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 and experience are set out in the Terrestrial Vegetation Assessment. I am satisfied that the matters which I address in this report are within my area of expertise, except where I state that I am relying on information provided by another person or expert. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 5 My evidence has been prepared to support the New Zealand Transport Agency Waka Kotahi's (NZTA) response to comments on NZTA's notices of requirement (NORs) and applications for resource consents and archaeological authorities (together, *Application*) for the North West Rapid Transit Project (*Project* or *NWRT*).

SCOPE OF EVIDENCE

- 6 I am aware of the facilitated discussions between Auckland Council (*Council*) and NZTA on 23, 24 and 30 June and that all matters relating to terrestrial vegetation ecology remaining outstanding, with the exception of the addition of a requirement for replacement planting to be eco-sourced.
- 7 My evidence responds to the terrestrial vegetation comments in the Auckland Council terrestrial ecology memorandum prepared by Rue Statham dated 13 May 2026 (*Council memorandum*).²

DOUBLE ACCOUNTANCY

- 8 The Council memorandum says NZTA's Proposed Consent Conditions 14 and 15 are "*attempting double accountancy for the loss of both freshwater (aquatic) and terrestrial values*".³

¹ Attachment 6.15B – Terrestrial Vegetation Ecology Assessment.

² Appendix 16 – Technical Specialist Memo – Terrestrial Ecology, Rue Statham, 13 May 2026.

³ Council memorandum, Section 5, Mitigation vs Offsetting, paragraph 2.

- 9 In my opinion, the approach in NZTA's Proposed Consent Conditions 14(b) and 15(e) does not amount to double accountancy.
- 10 Riparian vegetation is terrestrial vegetation. Where riparian planting is undertaken to replace terrestrial vegetation loss, it can also contribute to instream values and function. That does not mean the same planting is being counted twice for management of the same effect. It reflects that a single measure can contribute to multiple ecological functions. Conversely, it would be incorrect to treat riparian planting as relevant only to instream function and not also to the replacement of terrestrial vegetation loss. In my view, the approach is not double counting, but correctly recognising the full ecological function of the measure proposed.
- 11 I note, importantly, riparian vegetation is accounted for in the vegetation loss figures within the Terrestrial Vegetation Assessment. The loss of this same vegetation is considered in the Freshwater Ecology Assessment dated 26 April 2026⁴ related to the impacts of the loss of the same vegetation on instream values. The effects to be managed are loss of native vegetation extent and impacts on the instream values within the Terrestrial Vegetation Assessment and Freshwater Assessment respectively. One effect is to be managed on an area of planting basis, while the other effect is to be managed by replacing riparian function along a length of stream. The reason the same planting can be recognised in both contexts is that riparian vegetation performs more than one ecological function. It is terrestrial vegetation in its own right, while also contributing to the condition and function of the adjacent stream. In my opinion, recognising those separate ecological functions does not amount to double accountancy of the benefits of the planting.
- 12 Accordingly, I continue to support NZTA's Proposed Consent Conditions 14(b) and 15(e).

LOCATION OF OFFSET PLANTING

- 13 The Council memorandum expresses concern that NZTA's Proposed Consent Condition 14 allows replacement planting "*some distance away from the impact*".⁵
- 14 I do not agree with that concern. In my opinion NZTA's Proposed Consent Condition 14 will appropriately address the terrestrial vegetation ecology effects of the Project.
- 15 As stated in Section 5 of the Terrestrial Vegetation Assessment, for permanent loss of in scope indigenous vegetation I recommend 1:1 area-based replacement planting within Significant Ecological Areas, riparian and coastal margins, and open space zoned land either within the Proposed Designation or within 1.5 kilometres of its

⁴ Attachment 6.15C – Freshwater Ecology Assessment.

⁵ Council memorandum, Section 5, Mitigation vs Offsetting, paragraphs 3, 6 and 7.

boundary. I acknowledge that loss at one end of the Proposed Designation could be replaced by planting at the other end under the proposed condition, and that loss and planting may be a considerable distance apart.

- 16 However, I consider that the replacement planting location does not need to directly replicate the specific environment or location from which vegetation is removed, provided that the overall outcome maintains the extent, function, and connectivity of indigenous vegetation across those environments. That approach addresses the ecological effects identified, rather than applying a vegetation-type and specific location replacement approach. In the context of this Project, the effect I identified is principally the cumulative loss of a corridor-wide indigenous vegetation resource within a highly modified urban environment, where most of that vegetation is young, planted, and functionally similar. I did not identify effects of a kind that required a separate location-specific replacement framework for any area in the Terrestrial Vegetation Assessment.
- 17 I recommended NZTA's Proposed Consent Condition 14 allow for planting within 1.5 kilometres of the designation boundary because the Proposed Designation is defined by the infrastructure required for the Project, not by ecological suitability for replacement planting. It may be, in some stages, that the space available within the Proposed Designation will be constrained by the works and may not provide ecologically suitable locations for planting. The 1.5 kilometre allowance provides flexibility to locate planting in ecologically appropriate areas outside the Proposed Designation where necessary, so that the ecological outcome is not compromised by an ecologically arbitrary boundary.
- 18 Accordingly, I continue to support NZTA's Proposed Consent Condition 14(a)(ii).

RESTORATION OPPORTUNITIES

- 19 The Council memorandum also says "*details of the location of restoration opportunities*" have not been provided and that the proposed conditions are "*non-specific to the type and function of the native planting*".⁶
- 20 I do not consider that to be a point of concern. The Terrestrial Vegetation Assessment identifies a range of potential restoration and replacement planting opportunities, which I consider is appropriate for this stage of the Project development. Section 5.1 of the Terrestrial Vegetation Assessment identifies potential areas along Tōtara Creek and its tributaries, along stream 9, along tributaries of stream 3, within the Triangle Road Significant Ecological Area, and within Arch Hill Scenic Reserve. Those areas were identified as

⁶ Council memorandum, Section 5, Mitigation vs Offsetting, paragraph 3.

examples of suitable opportunities within the Proposed Designation to demonstrate the proposed management approach is achievable.

- 21 In my view, it is neither necessary nor desirable to fix planting locations in advance. The final quantum and location of planting should respond to the detailed design, the actual extent of vegetation loss, and the practical opportunities available at that time. A more rigid approach would reduce the ability to refine the design to avoid or reduce effects.
- 22 Accordingly, I continue to support NZTA's Proposed Consent Condition 14(c)(i).

ASSESSMENT OF EFFECTS AND EFFECTS MANAGEMENT HIERARCHY

- 23 The Council memorandum states that the Terrestrial Vegetation Assessment "*does not provide a detailed assessment of effects and the effects management hierarchy*".⁷
- 24 I do not agree. Section 4 of the Terrestrial Vegetation Assessment identifies the scale of vegetation loss associated with the Indicative Design and assesses the magnitude and level of effect and provides sensitivity testing. Section 5 then sets out the recommended response, including reinstatement within temporarily disturbed areas and replacement planting for permanent loss. This approach is acknowledged to be a mixture of remedy and offsetting.
- 25 In my opinion, Sections 4 and 5 provide a detailed assessment of effects and consider the effects management hierarchy. My recommended management measures are a proportionate and relatively simple response to a moderate level of effect on predominantly young, planted vegetation along the corridor – that approach does not mean the hierarchy has not been considered. Rather, it reflects my opinion that the nature of the vegetation affected, and the level of risk do not require a more complex management framework.

ACCOUNTING AND MODELLING

- 26 The Council memorandum says offsetting or compensation accountancy is not discussed and that biodiversity offset accountancy modelling should be provided using the Biodiversity Offset Accountancy Model (*BOAM*).⁸
- 27 That is not correct. Section 5.0 of the Terrestrial Vegetation Assessment expressly considers whether biodiversity offset modelling or any other demonstration of adequacy of the proposed effects management approach is required. I concluded that modelling or

⁷ Council memorandum, Section 5, Mitigation vs Offsetting, paragraph 3.

⁸ Council memorandum, Section 5, Mitigation vs Offsetting, paragraphs 3, 4 and 6.

similar was not necessary. I explained that the risk of biodiversity loss, and lag between effect and offset associated with the recommended approach are very low. That conclusion reflects the low conservation importance and young age of the vegetation affected, the staging of the Project such that loss and subsequent planting will occur in a staggered manner through the corridor, and the high level of certainty that the proposed effects management measures will be effective in a relatively short period of time.

- 28 In my opinion, offset modelling is a tool used to address uncertainty, time lags, and risk in demonstrating no net loss outcomes in circumstances where those outcomes are appropriate. It is not a mandatory requirement in every case where native vegetation is impacted or offsetting is proposed. Good practice biodiversity offsetting guidance⁹ says the degree of offset analysis should be commensurate with the likelihood of success of the proposed management response and the biodiversity conservation concern. For this proposal, the biodiversity conservation concern is low, and the likelihood of success is high. I consider therefore, aligned with this best practice biodiversity offsetting guidance, the effects of the Project can be offset and the level of analysis undertaken to support that conclusion is appropriate.
- 29 In suggesting a consent condition requiring the use of BOAM, Council appears to be applying a generic offsetting framework by default, rather than considering the degree of offset analysis required in this context. In my opinion, requiring the use of BOAM is disproportionate to the Project's potential effects and would not necessarily produce better ecological outcomes, or a more appropriate quantum of effects management, than the proposed ratio-based replacement planting.
- 30 For the above reasons, in this case, I do not consider that biodiversity offset modelling or similar is necessary to demonstrate the adequacy of the proposed management approach.

NO NET LOSS

- 31 The Council memorandum expresses the view that "*the proposed conditions ... will not demonstrate a no-net-loss / preferable gain in ecological value*".¹⁰
- 32 I do not agree. In my opinion, the proposed conditions, if implemented, are capable of achieving no net loss of terrestrial vegetation values in relation to the effects I have assessed.
- 33 I recommended 1:1 reinstatement where vegetation is temporarily disturbed, and 1:1 replacement planting for permanent loss, within ecologically relevant parts of the corridor and adjoining landscape. In

⁹ New Zealand Government. (2014). Guidance on good practice biodiversity offsetting in New Zealand. New Zealand Government, Section 4.2.3.

¹⁰ Council memorandum, Section 5, paragraph 6.

my opinion, that is sufficient to maintain the extent, function, and connectivity of indigenous vegetation across the Project Area over time.

TREE REMOVAL

- 34 I understand Council has suggested a "Tree Removal" condition which would require an arboricultural report to *"demonstrate that tree impacts on mature specimens are avoided, minimized and reduced through retention in the first instance, and provide for mitigation or offset planting to ensure there is no net loss of canopy coverage within the different habitats and areas"*.¹¹
- 35 I do not consider this condition is required to manage the terrestrial vegetation ecological effects of the proposed project. I consider that NZTA's Proposed Consent Condition 14 requires a suitable offset commensurate to the scale and severity of the ecological impacts on terrestrial vegetation.

REPLACEMENT OF NON-NATIVE VEGETATION

- 36 I understand Council has proposed the removal of the word "native" from several locations within NZTA's Proposed Designation Condition 26A and Consent Condition 14 which would require offsetting of the removal of all vegetation types dominated by non-native species (ie exotic grass, exotic treeland, exotic scrub).
- 37 In relation to Arch Hill Scenic Reserve (Designation Condition 26A), there is no non-native vegetation within the Proposed Designation apart from exotic grass and occasional pest plants.¹² I do not consider replacement planting of this vegetation to be appropriate.
- 38 In relation to SEAs and riparian and coastal areas (Consent Condition 14), I do not consider replacement planting of non-native vegetation is required to manage the terrestrial vegetation ecological effects of the Project. I do not consider the Project will have more than a very low level of effects on the terrestrial vegetation ecological values associated with these vegetation types. I also do not consider that requiring offsetting of these vegetation types is proportional to the potential effects of their loss.
- 39 I therefore continue to support NZTA's Proposed Consent Condition 14, which is aligned with my recommendations within the Terrestrial

¹¹ Appendix 12 – Technical Specialist Memo – Arboricultural Specialist, Regine Lueng, 1 April 2026, Section 8, paragraph 2.

¹² There is a small area of 'TL.2 Mixed Native and Exotic Treeland' however this is treated as native dominant vegetation.

Vegetation Assessment to manage residual effects on terrestrial vegetation values associated with this Project.

Andrew Blayney
9 July 2026