

**BEFORE THE TARANAKI REGIONAL COUNCIL AND NEW PLYMOUTH
DISTRICT COUNCIL**

MT MESSENGER BYPASS PROJECT

In the matter of the Resource Management Act 1991

and

In the matter of applications for resource consents, and a notice of requirement by the NZ Transport Agency for an alteration to the State Highway 3 designation in the New Plymouth District Plan, to carry out the Mt Messenger Bypass Project

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF PETER ANTHONY ROAN
(ASSESSMENT OF ALTERNATIVE OPTIONS, MCA PROCESSES / OVERALL
PLANNING ASSESSMENT, CONDITIONS AND MANAGEMENT PLANS) ON
BEHALF OF THE NZ TRANSPORT AGENCY**

17 July 2018

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INTRODUCTION

1. My full name is Peter Anthony Roan.
2. My supplementary evidence is given in relation to applications for resource consents, and a notice of requirement by the NZ Transport Agency ("the **Transport Agency**") for an alteration to the State Highway 3 designation in the New Plymouth District Plan, to carry out the Mt Messenger Bypass Project ("the **Project**").
3. I have the qualifications and experience set out in my statement of evidence in chief ("**EIC**") dated 25 May 2018.
4. I repeat the confirmation given in my EIC that I have read the 'Code of Conduct' for expert witnesses and that my evidence has been prepared in compliance with that Code.
5. In this evidence I use the same defined terms as in my EIC.

SCOPE OF EVIDENCE

6. My supplementary evidence updates my EIC in relation to the consideration of alternative route options for the Project, and updates made to the:
 - (a) Project designs;
 - (b) Restoration Package;
 - (c) Management plans; and
 - (d) The set of proposed designation and resource consent conditions.

ASSESSMENT OF ALTERNATIVE OPTIONS: DISCUSSIONS WITH NEW PLYMOUTH DISTRICT COUNCIL SINCE MY EIC WAS FILED

7. In my EIC I describe the assessment of alternative process for considering the route options for bypassing the Mt Messenger section of SH3.
8. The NPDC 42A report queried why the Transport Agency did not select the online option (Option Z from MCA2) as its preferred option.
9. As I note in my EIC, and as described by Mr Symmans in his EIC and detailed further in his supplementary evidence, the northern end of Option Z runs adjacent to and through a large landslide feature. Mr Symmans' EIC describes the significant ground engineering required to isolate the alignment from the landslide. That engineering meant that Option Z carried the highest cost of the five MCA2 shortlisted options.
10. Mr Symmans' supplementary evidence reports on recent geotechnical monitoring, which confirms that the landslide is active. Mr Symmans notes

that the recent monitoring observations are entirely consistent with the understanding of this landslide feature at the time of MCA2.

11. Mr Symmans also reports on the further discussions that have occurred with NPDC's geotechnical advisor, Mr Allison. I understand that Mr Allison agrees with Mr Symmans on the extent of the landslide feature and on the implication that a resilient online option could not be established without significant ground engineering.
12. I have now also discussed this matter further with NPDC's Planning Officer, Ms Rachelle McBeth, in relation to her comments through the 42A report regarding Option Z and her questions regarding its feasibility. I understand that with the benefit of the additional geotechnical material that has been provided to Council on the landslide feature, Ms McBeth is now generally satisfied with the conclusion that Option Z would not meet the Transport Agency's resilience criteria without significant cost. I understand that Ms McBeth now accepts the basis for the Transport Agency's selection of Option E as its preferred option.

RELEVANT UPDATES TO THE PROJECT SINCE MY EIC WAS FILED AND IMPACT ON MY ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

13. Aspects of the Project have been updated since my EIC was filed. These changes relate principally to:
 - (a) The intensive, multi-species pest management programme, which has been expanded from an area of 1,085ha to an area of 3,650ha of native forest, following further discussions with DOC and Ngāti Tama. The rationale for this expansion is described in the supplementary evidence of Mr Chapman and Mr MacGibbon. Mr MacGibbon also provides further detail on the pest management methodology, which has been updated through discussions with DOC and also with Ngāti Tama and their specialist advisors. The ELMP has been updated to reflect these changes. Provision is also made in the proposed designation conditions for a "*pest management peer review panel*" to provide expert pest management advice to NPDC, if required.
 - (b) The addition of a small pest free lizard area (1ha minimum), which would be fenced with a pest proof fence, to benefit local lizard populations and into which lizards captured during vegetation removal during construction could be relocated. This proposal is discussed in the supplementary evidence of Mr Chapman and Mr MacGibbon. The ELMP has been updated to reflect this change.
 - (c) The vegetation removal protocol ("**VRP**"), which has been revised and now focusses on the larger older trees within the Project footprint, which are those most likely to contain communal/maternity roosts. This change has been described by Mr Chapman in his supplementary

evidence, and is based on the additional offset benefits to bats of the expanded pest management area.

- (d) The removal of one of the proposed excess fill disposal sites from the Project design. The fill site on the southern slope of Mt Messenger, immediately adjacent to the existing SH3 and identified on sheet 8 of the drainage general arrangements layout drawings, (Drawing MMA-DES-DNG-C0-DRG-1008 in the Drawing Set (Volume 2 of the AEE)) is now not to be utilised for construction of the Project. This means that works associated with stream diversions around this proposed fill site, along with the associated permanent stream culvert (culvert 19), are no longer required. This reduces the extent of physical effects on watercourses and their associated ecosystems, and Mr Hamill has outlined the implications of this in his supplementary evidence on freshwater ecology. An updated drawing showing this change is attached to my evidence as Appendix A. I note that this design change will also be reflected in updated versions of the other relevant drawings in the Drawing Set (Volume 2 of the AEE), however, those drawings have not been included in Appendix A.¹
- (e) Changes to the design of a number of the permanent culverts (including changing one culvert to a bridge) to provide a higher certainty of achieving appropriate fish passage at a wider range of stream flow conditions. These design changes have been described in the supplementary evidence of Mr McEwan and the benefits of the changes in terms of fish passage are described by Mr Hamill and by Mr Neale.
- (f) As noted above and described by Mr McEwan, the culvert at or about Chainage 2400 has been changed to a short bridge (approximately 25m in length) over the watercourse. The possibility of this change was acknowledged in the AEE report. An overview of the construction method for this bridge is summarised in the CEMP (at section 2.4.5) and a SCWMP also will be prepared. Provision is made in the designation conditions for provision of an Outline Plan in relation to this new bridge.
- (g) Additional water quality and aquatic ecology monitoring has been proposed, as described by Mr Ridley and by Mr Hamill (and addressed also in the updated CWMP and ELMP). This monitoring, which includes real-time water quality monitoring, will further enhance the ability to manage and respond to erosion and sediment during the construction earthworks, and will enable trends in instream ecological health to be better monitored during the construction works.
- (h) The full suite of final management plans have been updated and are provided in Annexure B to my supplementary evidence. Many of the updates to these plans are minor (e.g. date change from 'May 2018' to

¹ The intention is to provide an updated drawing set for the start of the hearing.

'July 2018'). More substantive changes have been made to the ELMP to reflect the changes to the biodiversity mitigation and offset proposals summarised above and described in the supplementary evidence of the Transport Agency's ecology experts. The CWMP and the three SCWMPs described by Mr Ridley have also been updated, reflecting further discussions that have occurred with TRC's advisors since May 2018.

14. The supplementary evidence of the ecology experts, and in particular the evidence of Mr Singers, Dr McLennan, Mr Chapman, Mr Hamill, Dr Neale and Mr MacGibbon, confirms that these changes to the Project all further avoid, remedy, mitigate and offset the ecological effects of the Project.
15. Based on the evidence of Mr Hamill and Dr Neale, I consider that the effects of the Project on freshwater ecology can be appropriately managed and mitigated, and the residual loss of habitat can be adequately offset to result in 'no net loss' of stream ecological values. The changes to culvert designs further avoid, remedy and mitigate effects on fish passage.
16. Mr MacGibbon identifies that the changes to the Project, and in particular the increased size of the pest management area ("**PMA**"), "*will increase the biodiversity benefits likely to accrue for kiwi, many forest birds, palatable plant species and potentially some lizard and invertebrate species by greatly increasing the health and volume of habitat and by reducing predation*". He states (at paragraph 33) that the proposed pest management programme will "*generate biodiversity gains that are significantly greater than the likely residual ecological effects of the Project*".
17. Mr Singers, Dr McLennan and Mr Chapman describe these biodiversity gains resulting from the increased PMA in terms of vegetation, avifauna and bats. All conclude that the benefits will be substantial.
18. Relying on the evidence of the ecology experts, I consider that the expanded Restoration Package for the Project will create significant ecological effects that are beneficial and positive, that these biodiversity gains will be enduring, and that they will be significantly greater than the residual ecological effects of the Project. The updated ELMP provides for these outcomes and conditions are proposed that will require the Transport Agency to implement the ELMP and its associated provisions.
19. In terms of the suite of management plans that describe how the Project will be implemented to appropriately management environmental effects and to comply with the designation and consent conditions, further discussions have been possible with the two Councils regarding the plans since the filing of my EIC.
20. From my discussions with the Councils I understand that, with the exception of the ELMP, the Councils have reviewed all of the management plans, have no

further feedback on the plans and consider that the plans can now be approved through the hearing process. I expect that the Officers will clarify this as part of their update to the hearing. In this regard, the certification process for the management plans sought by NPDC in its Section 42A Report (in paragraphs 318 to 323) is no longer required.

21. As noted, the ELMP has been updated and is attached to my evidence. The Councils Officers and their advisors have not had an opportunity to review this update of the ELMP. I would expect that this will occur before the hearing and that Officers will report on the provisions of this plan at the hearing. The evidence of the Transport Agency's ecology experts is that this plan appropriately reflects the methods that will be employed to manage ecological effects and implement the Restoration Package. In this regard, and based on the evidence of the Transport Agency's ecology experts, it is my opinion that this plan can also be approved at the hearing

UPDATED CONDITIONS

22. Since filing my EIC I have been involved in a series of discussion with the Council Officers regarding the proposed designation and resource consent conditions. Further, as summarised above there have been changes to the Project to further reduce adverse effects. As a consequence of these discussions the proposed conditions have been updated. I attach the updated conditions as Annexure A, which show the proposed amendments that I have recommended as underlined or struck through.
23. I make specific comment on the more substantive changes to conditions as set out below.
24. In relation to the proposed designation conditions I have recommended:
 - (a) Amendment to the definition of 'Completion of Construction Works', to make clear that the restoration planting activities may be continuing after the Construction Works for the Project are complete.
 - (b) Provision for an Outline Plan to be submitted to the Council for the new bridge at Chainage 2400 (Condition 7).
 - (c) In relation to 'Preparatory Works' (conditions 12), the addition of a clause requiring notification of the Council at least 5 days before commencing the works, with the notification to confirm that all measures required by the management plans will be in place over the duration of these works.
 - (d) Updating the conditions relating to the riparian planting and VRP provisions of the ELMP (Conditions 29).
 - (e) Additional performance targets for plant survival (Conditional 29B).

- (f) Updating the PMA in Condition 32 (to 3,650ha) and revising the focus of the specialist peer review panel in Condition 33 to providing pest management advice, based on Mr MacGibbon's supplementary evidence.
25. In relation to the proposed resource consent conditions I have recommended:
- (a) Restructuring the proposed TRC resource consent conditions throughout to incorporate a set of general conditions which apply to all of the regional resource consents, with a set of activity specific conditions relating to the specific activities.
 - (b) A single section 128 review condition (GEN 4) that would apply to all of the regional resource consents.
 - (c) The same notification provision for 'Preparatory Works' (GEN 15) as the proposed designation conditions.
 - (d) Amendment to the ELMP conditions (Conditions GEN 23, 24, 25(a), to clarify the matters of relevance to the regional consents (vegetation clearance and restoration plantings, fish passage, stream works).
 - (e) Deletion of the conditions relating to pest management and the peer review, as these matters are not of relevance to the regional consents.
 - (f) A series of amendments through the specific conditions to reflect areas of agreement with the Regional Council.
 - (g) Provision in the conditions relating to the permanent culverts, for an expert peer review to be completed of the designs of culverts at which fish passage is to be provided (Condition PCV 2).
26. In my opinion, the suite of proposed conditions set out in Annexure A are appropriate and will serve to ensure that the actual and potential adverse environmental effects of the Project will be appropriately managed.
27. Further, I consider that the process of discussions with the Councils and the inputs also from Ngāti Tama and from DOC since filing of my EIC, has further strengthened the package of measures proposed in the conditions to avoid, remedy, mitigate, offset and compensate the adverse environmental effects associated with the Project.

Peter Roan

17 July 2018

APPENDIX A
REVISED DRAINAGE GENERAL ARRANGEMENT DRAWING (SHEET 8)

Drawing MMA-DES-DNG-C0-DRG-1008

ANNEXURE A

DESIGNATION AND RESOURCE CONSENT CONDITIONS

ANNEXURE B
MANAGEMENT PLANS