

**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

---

**STATEMENT OF EVIDENCE OF ROBERT CRAIG NAPIER (TRANSPORT  
AGENCY PROJECT MANAGER) ON BEHALF OF THE NZ TRANSPORT  
AGENCY**

25 May 2018

---

**BUDDLEFINDLAY**  
Barristers and Solicitors  
Wellington

Solicitors Acting: **Paul Beverley / David Allen / Thaddeus Ryan**  
Email: david.allen@buddlefindlay.com / thaddeus.ryan@buddlefindlay.com  
Tel 64-4-499 4242 Fax 64-4-499 4141 PO Box 2694 DX SP20201 Wellington 6140

## TABLE OF CONTENTS

QUALIFICATIONS AND EXPERIENCE.....	2
EXECUTIVE SUMMARY .....	2
SCOPE OF EVIDENCE .....	4
BACKGROUND AND ROLE.....	5
SH3 AND THE CURRENT MT MESSENGER SECTION .....	7
THE PROJECT AND THE AWAKINO GORGE TO MT MESSENGER PROGRAMME.....	9
THE PROJECT OBJECTIVES AND HOW THE PROJECT RESPONDS TO THEM .....	10
CONSIDERATION OF ALTERNATIVES .....	13
CONSULTATION AND ENGAGEMENT .....	14
THE FUTURE OF THE EXISTING MT MESSENGER SECTION OF SH3 .....	22
RESPONSE TO SUBMISSIONS AND SECTION 42A REPORTS.....	22

## QUALIFICATIONS AND EXPERIENCE

1. My name is Robert Craig Napier.
2. I am the Mt Messenger Project Manager and Awakino Gorge to Mt Messenger Programme Manager at the NZ Transport Agency.
3. I am qualified as a Chartered Professional Engineer, having obtained this certification with Engineering Council South Africa (ECSA) in 1998 and Institute of Engineers Ireland (IEI) in 2003. My professional working career commenced in 1990 in South Africa and also includes 5 years in Ireland and United Kingdom and 12 years in New Zealand. My professional career includes roles as research engineer, design engineer, construction engineer and supervisor, project and programme manager and various roles as business unit manager of multi-disciplinary engineering and transportation professionals.
4. My qualifications include a Bachelor of Science degree in Civil Engineering from the University of Cape Town (1994), a Bachelor of Transportation Engineering (Honours) degree from the University of Pretoria (1998), and a Master's degree in Business Administration (MBA) from University College Dublin in 2005.
5. My evidence is given in support of the Notice of Requirement ("**NoR**") and resource consent applications lodged by the Transport Agency for the Mt Messenger Bypass Project to improve the section of State Highway 3 ("**SH3**") between Ahititi and Uruti, to the north of New Plymouth ("**Project**"). I confirm that I am authorised to give this evidence on behalf of the NZ Transport Agency ("**Transport Agency**").

## EXECUTIVE SUMMARY

6. SH3 is a strategically important route, both at a regional and national level. It connects the Taranaki region through to the Waikato region, and on to key economic and transportation hubs in Hamilton, Tauranga and Auckland. However, the Mt Messenger section of SH3 (and more broadly the Mt Messenger to Awakino Gorge section of SH3) is of an inadequate standard in relation to its importance and function.
7. In early 2016, the Minister of Transport announced that the Project would be funded by the Crown. The intention is that the Project will address the current issues with the Mt Messenger section of SH3, in order to provide an appropriate level of service for this vital piece of regional and national infrastructure. The Project is part of a broader Awakino Gorge to Mt Messenger Programme ("**AG2MM**"), which will provide a safe, fit for purpose transport link between the Taranaki region and the north.
8. The Transport Agency's Project objectives are:

- (a) to enhance the safety of travel on State Highway 3;
  - (b) to enhance the resilience and journey time reliability of the State highway network;
  - (c) to contribute to enhanced local and regional economic growth and productivity for people and freight by improving connectivity and reducing journey times between the Taranaki and Waikato Regions; and
  - (d) to manage the immediate and long term cultural, social, land use and other environmental impacts of the Project by so far as practicable avoiding, remedying or mitigating any such effects through route and alignment selection, highway design and conditions.
9. The first three Project objectives relate to the identified issues with the existing Mt Messenger section of SH3, and the strategic importance of this route. The fourth Project objective reflects the Transport Agency's focus on managing the potential environmental effects of the Project. At a high level, the Project responds to each of the objectives as follows:
- (a) the Project's modern and fit-for-purpose highway design will provide for a significant improvement in the safety environment of this section of SH3;
  - (b) the Project will provide for greatly improved reliability for this section of SH3, with fewer closures from slips or crashes, and reduced maintenance requirements. This will in turn provide for greater journey time reliability for people and freight;
  - (c) the provision of the Project, being a modern and fit for purpose design, will greatly improve connectivity across this section of SH3. As an additional benefit, it will deliver average one-way journey time savings of 4:05 minutes for light vehicles and 6:28 minutes for heavy vehicles. The improved connectivity and reduced journey times in turn will contribute to enhanced local and regional economic growth and productivity for people and freight;
  - (d) the need to appropriately manage the potential adverse environmental effects of the Project has been a key focus for me personally, for the Transport Agency, and for the Alliance team. Extensive efforts have been made to that end through the consideration of alternatives for the Project, design efforts, and the development of comprehensive mitigation and offset measures to address the environmental effects of the Project. Those measures will be secured through the proposed framework of conditions and management plans.
10. The Transport Agency has followed a detailed and thorough process in considering alternatives options for the Project. The Multi Criteria Analysis

("MCA") led by Mr Peter Roan in 2017 was central to that process. The MCA provided invaluable information to the Transport Agency to inform its decision as requiring authority.

11. Since my involvement with the Project began in 2016, we have been constantly engaging with key stakeholders, and have also followed public engagement processes. We have focussed in particular on Ngāti Tama given their special role as landowners and mana whenua. Other key stakeholders include directly affected landowners, and the Department of Conservation ("**DOC**").
12. Overall, I consider that the work carried out by the Project team in engaging with stakeholders and the wider public translates, in RMA terms, to substantial consultation with potentially affected parties and the wider community. I was extremely pleased to read about the positive acknowledgement in both Section 42A Reports of the Transport Agency's consultation and engagement approach and activities.
13. The fact that we received 1,154 submissions in support of the Project<sup>1</sup> reflects the general support for the Project that I have encountered. It also reflects the overriding theme of the public feedback, which is that the Transport Agency should simply get on and build this much needed improvement to SH3.
14. The Transport Agency has initiated a process with the New Plymouth District Council ("**NPDC**") to establish what will happen to the existing section of SH3 that will be bypassed on completion of the Project. This process is ongoing.

## **SCOPE OF EVIDENCE**

15. The purpose of my evidence is to provide a high level introduction to the Project and its development to date, with a particular focus on the engagement carried out by the Transport Agency with key stakeholders and the general public in developing the Project. My evidence addresses:
  - (a) my role in respect of the Project;
  - (b) the development of the Project, in the context of the overall SH3 Awakino Gorge to Mt Messenger Programme;
  - (c) the importance of SH3, and the current state of the Mt Messenger section of SH3;
  - (d) The Project in the context of the overall SH3 AG2MM;
  - (e) the Project Objectives (under section 171(1) of the Resource Management Act 1991 ("**RMA**")) and how the Project responds to them;

---

<sup>1</sup> There were 17 late submissions in support, all standard 'form' submissions.

- (f) the Transport Agency's consideration of alternative routes, sites and methods for the Project;
- (g) the consultation and engagement carried out by the Transport Agency and Alliance with stakeholders and how the Project has evolved in response to that consultation and engagement;
- (h) the future of the section of SH3 that will be bypassed once the Project has been constructed; and
- (i) responses to submissions and the Section 42A Reports.

## **BACKGROUND AND ROLE**

- 16. This section outlines the initial investigations undertaken by the Transport Agency at a Programme and Project level, as well as my own role as Programme and Project Manager with respect to the oversight of investigations I provide.
- 17. Firstly, in terms of my role, I was appointed in March 2016 as the Programme Manager for the overall AG2MM Programme, as well as the Project Manager for Mt Messenger Bypass Project.
  - (a) AG2MM consists of two large capital projects - the Mt Messenger Bypass Project and the Awakino tunnel bypass – and a third project comprised of approximately 58 kilometres of safety improvements, located along the SH3 corridor in between these two large capital projects.
  - (b) As Programme Manager, my primary responsibility is to coordinate the overall direction and key decisions (technical, funding, stakeholder consultation) across the three projects, insofar as they would potentially impact on the overall outcomes for this section of SH3. For example, the coordinated strategy and approach with respect to stakeholder engagement has been held at a Programme level because of the range of common stakeholders with common interests across the projects, including territorial authorities, transport operators and iwi / Māori groups.
  - (c) As Project Manager for the Mt Messenger Bypass Project, my responsibility has been to lead the initial investigations and the development of the Project through the various stages of the Agency's Business Case Approach, as described further below.
  - (d) In this capacity, beginning in March 2016, I led and coordinated the team of independent consultants – including Opus International Consultants (field investigations and design services) and Incite (RMA planning services) – whilst also leading all of the stakeholder engagements.

- (e) During this time, I reported to the SH3 Steering Group, comprised of senior Transport Agency managers and more recently to the Senior Manager (System Design and Delivery).
  - (f) During October 2016, the Agency commenced the process of procurement of the Alliance team and I was a member of the evaluation team which was formed to evaluate the tender submissions in the Alliance selection process.
  - (g) In March 2017, following the tender evaluation process, the Transport Agency appointed an Alliance to progress the design (including options assessment), consenting and construction of the Project. The Alliance includes the Transport Agency, Downer Construction, HEB Construction, Opus International Consultants and Tonkin and Taylor.
  - (h) Since the appointment of the Alliance by NZTA in March 2017, I have continued in the role as the SH3 Awakino Gorge to Mt Messenger Programme Manager and the Mt Messenger Project Manager.
  - (i) I have also been appointed as the Owner Interface Manager. In this capacity I have joined the Alliance Management Team, reporting to the Project Alliance Board. I continue to lead the engagements with key stakeholders including landowners and iwi.
18. In respect of the Alliance in particular:
- (a) The Alliance has been named *Te Ara O Te Ata*, which is a name gifted by Ngāti Tama. Te Ata is a local taniwha which manifests on the coast of Parininihi (Whitecliffs) and is of cultural significance to Ngāti Tama.
  - (b) The centre of an Alliance culture is trust, collaboration, and integration, which extends outwards to relationships with project stakeholders and landowners so that the optimal and most integrated solution is implemented. In response to the sensitive nature of the environment that the Project sits in, the Alliance team developed an overriding philosophy or motto which underpins the approach we have to developing the option through design and construction: "*to tread lightly on the land*". This motto has also been articulated further into the Alliance Charter, with references to our purpose, guiding principles and key result areas.
19. As background from a project development perspective, the Transport Agency has completed a number of studies to this point, as follows:
- (a) Strategic Case (2014). The purpose of this study was to define and understand the problems or opportunities along SH3 (New Plymouth to Hamilton), and demonstrate that there will be sufficient benefits to justify investment to investigate the problem further. This study concluded

there was a case for change, and confirmed that the problems identified by stakeholders do occur.

- (b) Programme Business Case (March 2015). This study outlined the context, case for change, and development of a programme for investment on SH3 between Awakino Gorge and Mount Messenger. The recommended programme provided a broad package aimed at a balance of safety, resilience, and efficiency outcomes.
- (c) Indicative Business Case (completed August 2015). The purpose of this study was to summarise the further development and assessment of intervention packages, and the case for investment for AG2MM. In terms of the Mt Messenger component of AG2MM, the recommended activity was a realignment of SH3 at Mt Messenger. This was seen to offer strong gains in all the investment objectives (safety, resilience, and journey experience outcomes).
- (d) Detailed Business Case (2016-2017). The purpose of this study was to provide confidence to proceed to the Pre-Implementation and Implementation phases. In December 2017, the Chief Executive of the Transport, under NZTA Board Delegation, approved the DBC and enabled lodgement of resource consents and the NoR for the Project.

### **SH3 AND THE CURRENT MT MESSENGER SECTION**

- 20. SH3 is a strategically important route, both at a regional and national level.
- 21. SH3 connects the Taranaki region through to the Waikato region, and provides connectivity to key economic and transportation hubs in Hamilton, Tauranga and Auckland. It is relied on heavily by local industry, and the general public. Accordingly, the route is essential to enabling people and communities of Taranaki to provide for their social, economic, and cultural wellbeing (as explained in the evidence of Mr Peter McCombs, Mr Michael Copeland, and Ms Wendy Turvey).
- 22. In the Transport Agency's One Network Road Classification, SH3 through to Taranaki is a Regional Road, being a road that:
  - (a) makes a significant contribution to the social and economic wellbeing of a region;
  - (b) is a major connector between regions, in particular significant places, industries, ports and airports; and
  - (c) provides a critical alternative route to SH1 and SH4 (when closed due to extreme weather).
- 23. The Transport Agency also has a statutory duty as a lifeline utility provider to maintain its network to function at the fullest possible extent during and after



an emergency.<sup>2</sup> SH3 is critical to connectivity between Taranaki and Waikato in emergencies, particularly given the poor quality of the alternative options when SH3 is closed.<sup>3</sup>

24. However, the current standard of SH3 over Mt Messenger, and more broadly the Awakino Gorge to Mt Messenger section, is not in keeping with its strategic importance.
25. In terms of the Mt Messenger section in particular, the highway has significant constraints and deficiencies that affect its safety, reliability and resilience (as set out in Mr McCombs' evidence). Fundamental issues with the current Mt Messenger section of SH3 include:
  - (a) steep grades;
  - (b) a tortuous / winding alignment;
  - (c) restricted forward visibility;
  - (d) a narrow tunnel at the summit; and
  - (e) vulnerability to interrupted service because of natural and traffic related incidents: breakdowns, crashes, landslips, and rockfalls.
26. Mr McCombs' evidence (and the Transport Agency's position) is that the Mt Messenger section of SH3 of an inadequate standard in relation to its importance and function.
27. The poor quality of the existing SH3 has led to investigations and improvements of the corridor over Mt Messenger since the 1970s. Three projects commenced between 1970 and 2014, including:
  - (a) In the 1970's and 1980's the Ministry of Works and Development for the National Roads Boards undertook initial corridor investigations.
  - (b) In 2002, the Taranaki Regional Council ("**TRC**") responded to the ongoing concerns about route security, safety and efficiency of the section of SH3 between Taranaki and Waikato and established a SH3 Working Group. The precursor to the Transport Agency, Transit New Zealand, undertook an assessment of three options for the Mt Messenger route, including a coastal, western and eastern route (relative to the existing SH3 route).
  - (c) Most recently, in 2014, the Government announced funding to accelerate a package of regionally important State Highway projects through to Accelerated Regional Roding Programme ("**ARRP**"). Taranaki was eligible for funding to finalise investigation and consenting

---

<sup>2</sup> Civil Defence and Emergency Management Act 2002, section 60.

<sup>3</sup> See Mr McCombs' evidence on this issue.

work for SH3 Awakino Tunnel and Mt Messenger bypasses, and general improvements along this corridor of SH3.

28. In early 2016, the Minister of Transport announced that the Mt Messenger Project would be funded by the Crown as part of the ARRP and signalled a potential construction start date (assuming the notice of requirement and consents were granted) of late 2018 / early 2019.
29. The intention is that the Project will address the issues with the Mt Messenger section of SH3 identified above, in order to provide an appropriate level of service for this vital piece of regional and national infrastructure.

### **THE PROJECT AND THE AWAKINO GORGE TO MT MESSENGER PROGRAMME**

30. As mentioned above, the Project is one of a series of improvements the Transport Agency is undertaking along SH3. Further north the Transport Agency has lodged resource consent applications and has lodged a NoR for an alteration to the existing designation for the Awakino Gorge Project. The Awakino Gorge Project will:
  - (a) remove an existing one lane tunnel;
  - (b) improve the resilience of that section of SH3, resulting in a forecast 80% reduction in road closures (50% reduction in the average duration of road closures);
  - (c) provide for a projected 60% reduction in Deaths and Serious Injuries ("**DSI**") resulting from crashes; and
  - (d) save 20 seconds of journey time per one-way journey.
31. In between the Awakino Gorge Project and the Mt Messenger Bypass Project there are numerous safety upgrades being undertaken within the existing SH3 corridor. These include:
  - (a) intersection improvements;
  - (b) speed management;
  - (c) vegetation removal and signage;
  - (d) new passing opportunities; and
  - (e) slope stability treatments at high risk locations.
32. This safety upgrade work will collectively result in a projected 26% reduction in DSI resulting from crashes (avoiding 17.6 DSI over 10 years), a 27% reduction in road closures and a 29 second travel time saving per one-way trip.

33. While the Mt Messenger section is the focus of my evidence, it is important that it is placed in context of the overall AG2MM programme of works, and the overall benefits AG2MM will deliver. AG2MM will, taken together, provide a safe, fit for purpose transport link between the Taranaki region and the north. As explained in Mr McCombs' evidence it will also provide an oversized / heavy vehicle connection which is presently impeded by the Awakino and Mt Messenger sections of SH3.

#### **THE PROJECT OBJECTIVES AND HOW THE PROJECT RESPONDS TO THEM**

34. As the requiring authority in respect of the NoR for the Project, the Transport Agency developed the following Project objectives, including for the purposes of section 171(1) of the RMA:
- (d) to enhance the safety of travel on SH3;
  - (e) to enhance the resilience and journey time reliability of the State Highway network;
  - (f) to contribute to enhanced local and regional economic growth and productivity for people and freight by improving connectivity and reducing journey times between the Taranaki and Waikato Regions; and
  - (g) to manage the immediate and long term cultural, social, land use, and other environmental impacts of the Project by so far as practicable avoiding, remedying or mitigating any such effects through route and alignment selection, highway design and conditions.
35. The first three Project objectives relate to the identified issues with the existing Mt Messenger section of SH3, and the strategic importance of this route. The fourth Project objective reflects the Transport Agency's focus on managing the potential environmental effects of the Project.
36. Below I set out (at a very high level) how the Project responds to each objective. The detail on all of these matters is provided in the evidence of the various witnesses for the Transport Agency.

#### **Enhancing safety of travel**

37. Mr McCombs provides a detailed explanation of the Project's positive highway safety effects. Put simply, the Project's modern and fit-for-purpose highway design will provide for a significant improvement in the safety environment of this section of SH3.
38. More specifically, the Project will greatly improve safety by:
- (a) increasing forward visibility such that it is suitable for 100km/hr operating speed (throughout);
  - (b) increasing passing opportunities;

- (c) providing shorter travel distance;
- (d) improving road geometry (curves / gradients / wider shoulders);
- (e) providing safer access for stopping including for the walking tracks (including parking);
- (f) providing a safer environment for pedestrians and cyclists; and
- (g) reducing driver frustration.

### **Enhancing resilience and journey time reliability**

39. Mr McCombs explains in his evidence that the Project will provide for greatly improved reliability for this section of SH3, with fewer closures from slips or crashes, and reduced maintenance requirements. This will in turn provide for greater journey time reliability for people and freight, including because it will reduce the occasions on which the (much longer) alternative routes need to be used.

### **Improving connectivity and reducing journey times**

40. Mr McCombs (as well as Mr Kenneth Boam) explain that the provision of the Project, being a modern and fit for purpose design, will greatly improve connectivity across this section of SH3 (in the context of connectivity between Taranaki and Waikato, the Project should be seen as part of the broader AG2MM improvements).
41. With specific reference to reduced journey times, Mr McCombs explains that the Project will deliver:
- (a) an average one-way journey time saving of 4:05 minutes for light vehicles and 6:28 minutes for heavy vehicles;
  - (b) in conjunction with the other AG2MM improvements, significantly reduced journey times for over-dimension loads by enabling those loads to use SH3 as opposed for a significantly longer (3hr 45 min) journey via Whanganui;
  - (c) increased average operating speeds for all vehicles, from 56 km/h to 77.6 km/h;
  - (d) more, and safer, passing opportunities (improved forward visibility and opportunities along the whole length (excluding tunnel) versus the current substandard passing and climbing lanes); and
  - (a) a shorter length (6km versus the current 7.4km).
42. As signalled in the objective, the improved connectivity and reduced journey times in turn will contribute to enhanced local and regional economic growth and productivity for people and freight.

43. Mr Copeland's evidence describes the economic benefits of the Project. These are related to improved efficiency (culminating in significantly reduced journey time, lower vehicle operating costs), safety (reduced accidents), and improved reliability (minimising future road closures of SH3 at Mt Messenger).
44. For freight, the economic benefits are significant because of the:
  - (a) reduced journey times for over-dimension loads which currently are unable to use SH3; and
  - (b) reduced journey times for heavy vehicles which, combined with other SH3 and wider network upgrades, will significantly reduce the Wiri-New Plymouth freight journey time (see above).

### **Managing environmental effects**

45. The need to appropriately manage the potential adverse environmental effects of the Project has been a key focus for me personally, for the Transport Agency, and for the Alliance team. Extensive efforts have been made to that end, including through:
  - (a) A thorough process of considering alternative route and form options for the Project (centred on the Multicriteria Analysis ("**MCA**") process described by Mr Roan in his evidence). This allowed for a range of significant potential effects (environmental, cultural, and social) to be avoided in the first instance;
  - (b) Further detailed work, in collaboration with our team of expert consultants, and in discussion with key stakeholders, to refine the design selected Project option to reduce environmental effects;
  - (c) The inclusion of detailed mitigation measures, to be applied during the construction of the Project as well as once the Project is operational (described in detail in the evidence of the various witnesses for the Transport Agency); and
  - (d) The development of a substantial package to specifically address (through mitigation / offsetting / compensation) the ecological effects of the Project ("**the Restoration Package**").
46. The Restoration Package, described in the evidence of Mr Roger MacGibbon, is a core part of the Project. It includes a range of measures. Of particular note is the provision for pest management in perpetuity (or until technology has changed to the extent that pest management is no longer necessary) over a 1085ha area; together with restoration planting, seedling planting and riparian restoration. Together, these measures will achieve significant positive biodiversity outcomes that will continue on into the future.

47. The measures put in place to manage the environmental effects of the Project have been devised in consultation with key stakeholders, including DOC, Ngāti Tama and others. Those measures will be secured through the proposed framework of conditions and management plans, as described by Mr Roan in his evidence. In most cases,<sup>4</sup> fulsome drafts of the management plans have been developed and provided for consideration through the hearing process.

## CONSIDERATION OF ALTERNATIVES

48. In my role as Project manager, I was responsible for the Transport Agency's consideration of alternative options for the Project in terms of section 171(1)(b) of the RMA.<sup>5</sup>
49. Section 6 of the Assessment of Environmental Effects lodged with Project applications ("**AEE**") describes the process of assessing alternatives that was followed by the Transport Agency. In broad terms, this process included:
- (a) an initial MCA process carried out in 2016, led by Mr Lindsay Daysh;
  - (b) a subsequent period of public consultation on options, from November 2016 – January 2017;
  - (c) a further, more detailed two-stage MCA process carried out in 2017. This process was led by Mr Peter Roan, and is the focus of his statement of evidence on alternative options;
  - (d) a public consultation exercises in June 2017, to gain input on the five shortlisted options; and
  - (e) finally, further refinement and consideration of the shortlisted options by the Project team and the Transport Agency, ultimately leading to the selection of the Project option.
50. The outcomes of the in-depth 2017 MCA process were central to informing the Transport Agency in terms of its choice of the Project route option (and the use of the proposed tunnel and bridge to avoid potential effects). However, as Mr Roan explains, the MCA process did not, and was not intended to, directly select the Project option. Rather, the MCA process provided invaluable information to the Transport Agency to inform its decision as requiring authority.
51. Following the analysis of the results of the MCA process (particularly the shortlist process) and subsequent refinement work, and having regard to cost estimates, the Transport Agency selected the Project option.<sup>6</sup>

---

<sup>4</sup> The exception is that the full suite of Specific Construction Water Management Plans has not yet been prepared – there are three that have been prepared and are being provided.

<sup>5</sup> As well as the consideration necessary under Schedule 4 of the RMA in terms of the resource consent applications.

## CONSULTATION AND ENGAGEMENT

52. As the Project Manager, I have been responsible (since March 2016) for the Transport Agency's programme of consultation and engagement with key stakeholders, and the public generally.<sup>7</sup> In my experience, engagement and the information provided through engagement is invaluable to the process of developing and refining infrastructure projects.
53. To guide our consultation and engagement process, we developed a Māori Engagement Framework,<sup>8</sup> as well as a Project Engagement Strategy, Engagement Objectives and Engagement Principles. Those are set out in the AEE. From my personal perspective, I would summarise the approach that I and the Project team took to engagement as follows:
- (a) genuinely and actively listening to all stakeholders;
  - (b) ensuring stakeholders and the general public feel they are able to openly provide their views and knowledge; and
  - (c) being accessible as a Project team.
54. Put simply, the touchstone for engagement was to earn and retain trust. The intention was that this would allow the Transport Agency to gather the most useful feedback it could through the process.
55. Overall, I consider that the work carried out by the Project team in engaging with stakeholders and the wider public translates, in RMA terms, to substantial consultation with potentially affected parties and the wider community.
56. I am really pleased to read about the positive acknowledgement in both Section 42A Reports of the Agency's consultation and engagement approach and activities, including with key stakeholders, Ngāti Tama and landowners.

### Engagement with key stakeholders

57. Section 7 of the AEE summarises the engagement conducted with stakeholders. I wish to add my own perspective to that summary as Project Manager, particularly in terms of those stakeholders that were the primary focus of engagement.

#### *Ngāti Tama*

58. Ngāti Tama was identified early on as the most important stakeholder in the development of the Project. The Project area traverses Ngāti Tama's rohe. In addition, the Project footprint (and most of the options that were considered) run through land returned to Ngāti Tama as cultural redress in its historical Treaty of Waitangi settlement.

---

<sup>6</sup> The Project option is the option referred to as Option E in the shortlist MCA process.

<sup>7</sup> Section 7 of the AEE provides an overview of that programme.

<sup>8</sup> For the overall SH3 Awakino Gorge to Mt Messenger Programme.

59. I understood from an early stage that it would not be appropriate (and might not be possible) for the Transport Agency to seek to compulsorily acquire land that had been returned to Ngāti Tama as cultural redress for historic breaches of the Treaty. As such, I knew that the Project would not be able to proceed without Ngāti Tama's support and blessing. The approach to engagement with Ngāti Tama has very much been one of active collaboration in arriving at a final Project that Ngāti Tama is comfortable with (whilst still delivering a Project that the Transport Agency considers is appropriate).
60. In early 2016, I sought expert advice as to how best to engage with Ngāti Tama. Our advisors made the initial contact with Te Runanga o Ngāti Tama (as the mandated iwi organisation under the RMA and the Treaty settlement framework) in April 2016. From July 2016, Mr Michael Dreaver became involved to assist us as we continued to engage with Ngāti Tama.
61. Mr Dreaver explains the engagement with Ngāti Tama in more detail in his evidence. From my perspective, I wish to make the following key points:
- (a) the focus in terms of engagement with Ngāti Tama was very much on the Runanga. We were advised early on (including by Mr Dreaver) that the Runanga would be best placed to then carry out their own consultation with iwi members;
  - (b) I was privileged to be able to develop strong relationships with members of the Runanga. I spent time walking the Project area with several trustees including Larry Crow and Conrad O'Carroll, and speaking at length with Greg White and others. Their intimate knowledge of the area and its cultural environmental values has been invaluable to the Transport Agency in developing and refining the Project;
  - (c) I was also lucky enough to be able to spend time clearing traps and staying on the Pukearuhe marae in Waiiti, including with my family. On one particularly significant occasion in July 2017 my family was bestowed with a further privilege of carrying and releasing one of the kokako birds (that had been captured on Tiritiri Matangi Island) into the Waipingao valley;
  - (d) I have attended a large number of meetings with members of the Runanga and their advisors over the past two years (perhaps one per month on average, increasing in frequency over the last 6 – 9 months), as well as a number of hui on the marae to address other members of Ngāti Tama. In my view these meetings have been conducted in an open and constructive manner and I am extremely grateful to the Runanga for the effort they have put in to these meetings, and in advising the Project team generally;
  - (e) A good example of the benefits of our collaboration with Ngāti Tama is their input to the MCA process described by Mr Roan in his evidence.



Runanga representatives (Mr White, Mr O'Carroll, Mr Silich, Ms O'Carroll, Mr Crow) attended both 2017 MCA workshops along with their legal advisor Tama Hovell. They provided thoughtful and detailed analysis (including scoring under the MCA system) of each of the longlist and shortlist options, in terms of cultural values and effects. More broadly, their intimate knowledge of the Project area and its ecological and other values meant they provided a valuable discussion to the general discussions at the workshops, including in particular in respect of ecological effects; and

- (f) While they were in Wellington for an MCA workshop, we were able to take the Runanga representatives to see the recently completed McKays to Peka Peka expressway. This visit provided some insight into possible ways that Ngāti Tama's cultural values might be reflected in the final design details of the Project. Ngāti Tama will continue to be involved in the design of these details, as set out in the ELMP and LEDF, and described in the evidence of Mr Gavin Lister in particular.

*Other directly affected landowners*

- 62. In addition to Ngāti Tama, there are eight landowners who are directly affected by the Project, in the sense that the Transport Agency needs to acquire some of their land in order to construct the Project. Appropriate and respectful engagement with these landowners (and others who might have been directly affected by other route options) has been a top priority for me as Project manager, dating back to March 2016.
- 63. Tony and Debbie Pascoe are by far the most affected of these landowners, with a large portion of their property being required for the Project. I acknowledge that the chosen Project option impacts the Pascoes to a much greater extent than other options, particularly the options further to the west that were the main focus prior to the 2017 MCA process. I also acknowledge that the Pascoes were not happy about the selection of the Project by the Transport Agency.
- 64. I (and the Transport Agency's advisors) have been in active discussions with the Pascoes about the Project since April 2016. It is fair to say that the frequency and nature of those discussions intensified during and after the 2017 MCA process, particularly once the current Project option became a clear possible option for progressing the Project, and then once that option was selected. I have personally been to visit the Pascoes at their home approximately 20 times since April 2016. Our discussions with the Pascoes have focussed on:
  - (a) the Project and AG2MM objectives in terms of making the road safer and more resilient and reliable;

- (b) our field investigation programme, the establishment of Land Entry Agreements to allow preliminary investigations, and the coordination around Mr Pascoe's farming operation in order to enable these investigation activities;
  - (c) the route options for progressing the Project, and later the development of the chosen Project option. Fundamental in these discussions was the explanation of the development of the MCA framework, criteria and process;
  - (d) the actual and potential RMA effects of the Project on the Pascoes and their property; and
  - (e) property acquisition and compensation under the Public Works Act 1981 ("**PWA**").
65. Other Transport Agency witnesses address the potential RMA effects of the Project on the Pascoes, and how those effects are being addressed. I would add that discussions to acquire the land necessary to progress the land with the Pascoes are positive and ongoing.
66. Our discussions with the other directly affected landowners have also been in depth and frequent, especially since the 2017 MCA process. These discussions have involved many visits to sit and discuss the Project with the landowners in their homes. Again, other Transport Agency witnesses address the potential RMA effects the Project will have on landowners, and how those effects are being addressed.
67. Mr MacGibbon explains in his evidence the planting and pest management programme proposed to offset the ecological effects of the Project. As Mr MacGibbon notes, discussions with landowners about the (voluntary) acquisition of land for riparian restoration and planting, and pest control activities, have been constructive. In particular, Agreements in Principle to have been reached with a number of landowners.
68. PWA processes are ongoing with the directly affected landowners. As of the date of this evidence, we have signed agreements in place for the acquisition of land needed for the Project for four of the eight directly affected private landowners.<sup>9</sup> Discussions are ongoing with the other four landowners (including the Pascoes).<sup>10</sup>
69. Ngāti Tama is an additional landowner to these eight private landowners.

---

<sup>9</sup> Agreements have been signed with the owners of the Barlow, Thomson, Anglesey, and Scott properties.

<sup>10</sup> In addition to the Pascoes, discussions are ongoing with the owners of the Gordon, Beard, and Keighley properties (as well as with Ngāti Tama).

### *Ngāti Mutunga and Ngāti Maniapoto*

70. Mr Dreaver explains in his evidence that the rohe of Ngāti Mutunga is to the immediate south of Ngāti Tama, while the rohe of Ngāti Maniapoto is to the immediate north of Ngāti Tama. We wanted to ensure that we engaged with both Ngāti Mutunga and Ngāti Maniapoto including because the Project will indirectly affect the use of SH3 as it traverses their rohe.
71. Mr Dreaver provides more detail in terms of this engagement. Without wishing to speak for Ngāti Mutunga or Ngāti Maniapoto, my sense of their overall position was that they considered it was appropriate for engagement on cultural issues to focus on Ngāti Tama.

### *Nga hapu o Poutama*

72. Nga hapu o Poutama approached us in the first quarter of 2016 wishing to discuss the Project. As set out in their submission on the Project, they claim mana whenua status over the Project footprint and wider area. I do not claim any expertise in this respect. Again, our main focus in terms of engagement on cultural issues has been Te Runanga o Ngāti Tama as the mandated representative body for Ngāti Tama.
73. That being said, (and other team members) have had regular discussions with Nga hapu o Poutama about the Project (including meetings and correspondence and recently a site visit to walk the alignment) dating back to that first contact in 2016. Our intention has been to keep Nga hapu o Poutama informed about Project development, and to listen with respect and respond to their views. Mr Dreaver addresses the engagement with Nga hapu o Poutama in more detail in his evidence.

### *Department of Conservation*

74. DOC is a key stakeholder for the Project. This is because of:
- (a) its general conservation role, bearing in mind the environment the Project traverses and the effects the Project will have on ecological values (discussed in depth in evidence);
  - (b) the Restoration Package to address the ecological effects of the Project will likely, in part, take place on DOC administered land (as discussed by Mr MacGibbon in his evidence); and
  - (c) DOC's ongoing role in terms of the Ngāti Tama land (as part of the Treaty Settlement framework), including being responsible for the conservation covenant over the land, and its role in the Joint Advisory Committee that has specific functions in respect of the land.
75. Regular meetings with DOC about the development of the Project have been held since the third quarter of 2016. The frequency and detail level of these

meetings has increased over time, especially in the lead up to and following lodgement of the RMA applications for the Project. Of particular note:

- (a) as noted in Mr Roan's evidence, DOC representatives attended both the longlist and shortlist MCA workshops during 2017, to observe and also provide input that in turn was taken into account in the scoring process;
- (b) an Alliance / DOC "working group" was formed in 2017 to discuss the ongoing development of the Project; and
- (c) DOC provided detailed feedback to the Transport Agency on an advanced draft of the application materials (focussing on the various draft ecology reports).

76. Shortly before the applications were lodged, DOC confirmed in writing (letter on 17 August 2017) that they preferred the Eastern alignment option, compared to all other options. I believe the positive and collaborative engagement between the Transport Agency and DOC – through the establishment of a joint Working Group - played a role in giving DOC the information they needed to confirm this position.
77. Since the RMA applications were filed, the Project consultation ecologists have engaged with DOC ecologists to seek to address DOC's queries and concerns about the application, including through detailed in-person expert to expert meetings. In turn, changes have been made to the Project, particularly in terms of the proposed Restoration Package. These discussions have been facilitated by Mr Roan as well as DOC's consultant planner Ben Inger. Parallel discussions between Transport Agency (including myself) and DOC staff have also been ongoing since the lodgement of the application materials.
78. While the progress made in these post-lodgement discussions may not have resolved all of DOC's concerns, my understanding is that many of the points raised in DOC's submission have been substantially addressed. Our discussions have continued during this week, and are ongoing.

*New Plymouth District Council and Taranaki Regional Council*

79. NPDC and TRC are of course both key stakeholders for the Project, both as consent authorities and as representatives of the local population. Both Councils are also on the SH3 Working Party, which I discuss below.
80. The Project team has been holding regular meetings with both councils since introductory meetings and discussions about the Project, and the progression of applications, in mid-2016. The Councils provided invaluable assistance to the Project team in respect of who we might target for consultation.
81. We provided draft application documentation to the Councils in late 2017. We also took Council staff and key consultants on a site visit, and addressed questions that arose, just before lodgement.

82. We subsequently received detailed feedback, particularly in respect of ecological effects and the proposed offset and mitigation programme. As with DOC, this has led to engagement between the Project ecologists and the Councils' consultant ecologists in 2018, again including facilitated in person expert to expert meetings.
83. The Councils made a fulsome request for further information under section 92 of the RMA in March 2018. We prioritised dealing with that request promptly. Discussions about individual issues have continued since then.
84. Changes to the Project and the Restoration Package have flowed from our engagement with Council officers and consultant experts. Again, while our engagement with the Councils (and the changes we have made) may not have resolved all of the Councils' issues with the Project, I believe we have made substantial progress.

#### *SH3 Working Party*

85. The SH3 Working Party represents users of SH3, as well as the authorities responsible for policing SH3. It includes:
  - (a) Councils (including NPDC and TRC);
  - (b) Police;
  - (c) the Road Transport Association; and
  - (d) the Automobile Association (“AA”).
86. Given the Project involves the upgrade (and rerouting) of SH3, the SH3 Working Party was identified as an important stakeholder at an early stage. Meetings have been held about the development of the Project to both inform and seek the input of the Working Party since early 2016. The Working Party has provided valuable feedback on safety and efficiency issues, which are of course central to the Project (and reflected in the Project objectives). This party has formally endorsed the Safe Roads Programme and the recommended activities put forward in NZTA's business case.
87. I note that the State Highway 3 Working Party,<sup>11</sup> the Road Transport Association and the AA, have lodged submissions in support of the Project.

#### *Other stakeholder groups*

88. Our engagement with stakeholder groups has not been limited to those discussed above. The Project team has met with and corresponded with a broad range of community groups, industry representatives, and environmental groups over the last two years, as set out in the AEE. One additional focus of our engagement I would like to highlight is the discussions

---

<sup>11</sup> The Transport Agency was not involved in the decision to submit or the preparation of this submission.

we had with Landcare Research and the Kōkako Specialist Group (“**KSG**”), particularly through 2017.

89. This engagement was directed at achieving a greater understanding of the potential effects the Project might have on kōkako in particular. The context at the time was that the release of kōkako to the west of the existing SH3 was being actively considered (this release has since occurred, as discussed by Dr John McLennan in his evidence). Our engagement with Landcare Research, the KSG, and of course Ngāti Tama, DOC and the Councils, has enabled us to proactively address any potential effects on kōkako (including through route selection, and the Restoration Package).

### **Public Consultation**

90. As well as focussing on engaging with specific stakeholders, we have carried out extensive consultation with the general public. The AEE details the two main rounds of public consultation since my time as Project Manager began:
  - (a) November 2016 – January 2017, being a broad public engagement exercise in respect of the three route options for the Project that were then under consideration; and
  - (b) June 2017, being a consultation exercise covering the options that were considered through the shortlist MCA process.
91. The AEE provides the detail as to the feedback we received through consultation, and how we responded (including through the development and design of the Project). From my perspective, the public was particularly engaged through these consultation rounds. The community open days we held were well attended, and we received a large number of formal written responses.
92. In both of these rounds of public consultation, the most favoured single route option was to the west of the existing SH3 (being the most ‘direct’ route). Of course, we did not end up selecting an option to the west of SH3 (these options did not generally perform well in the MCA process, for a range of cultural and environmental reasons).
93. However, the public feedback we received highlighted the importance of safety, travel time and resilience for the public. There was also a focus (though I would characterise it as secondary) on properly addressing environmental effects. In my view, the Project as it now stands responds well to these issues (which I note align neatly with the Project objectives).
94. The fact that we received 1,154 submissions in support of the Project – in contrast to 17 in opposition – reflects the general support for the Project that I encountered during our consultation exercises. It also reflects perhaps the overriding theme of the public feedback we received, which is that the

Transport Agency should simply get on and build this much needed improvement to SH3.

### **THE FUTURE OF THE EXISTING MT MESSENGER SECTION OF SH3**

95. The Transport Agency has initiated a process with the NPDC to establish what will happen to the existing section of SH3 that will be bypassed on completion of the Project. This includes addressing ongoing access requirements for existing landowners with access off this section of highway, as well as exploring options to allow for the continuing use of the existing Mt Messenger tunnel.<sup>12</sup>
96. In following that process, I continue to meet actively and frequently with NPDC on the topic of revocation of the State highway status of the current portion of SH3. The Transport Agency and NPDC have entered into an agreement to collaborate on this “due diligence” process including consultation with landowners, iwi, DOC and the public. We are well into this process now (with public consultation to occur during the first week of June) and anticipate that NPDC will be able to advise their position during August.

### **RESPONSE TO SUBMISSIONS AND SECTION 42A REPORTS**

97. I respond below to issues raised in submissions on the Project and in the Section 42A Reports] on the Project that relate to my evidence.

#### **Submissions**

98. I would like to acknowledge the large number of people and entities who made submissions on the Project. I consider this is a reflection of the high level of public interest in the Project, and the effort the Project team put into engagement with the public and with stakeholders.
99. I am of course pleased that the vast majority of submissions support the Project. Having said that, as Project manager I take the submissions in opposition seriously, and have sought to ensure that each opposing (and neutral) submission has been properly considered by the Project team and our team of consultants. The various witnesses for the Transport Agency respond to the individual submission points raised.

#### **Section 42A Reports**

100. As noted above, I was extremely pleased to see that both the NPDC and TRC Section 42A Reports recognised and complimented the engagement process we have followed for this Project. Of course, the Section 42A Reports both raise issues to be addressed in terms of environmental effects. Again, the various witnesses for the Transport Agency respond to the specific issues raised.

---

<sup>12</sup> Noting Mr Clough's evidence in that respect.

101. There is one specific point in the NPDC Section 42A Report I wish to respond to, in relation to the suggested provision of a rest area along the Project route.
102. As the Section 42A Report points out, there are other stopping places north and south of Mt Messenger. The Project will be replacing the current difficult and windy section of highway with a modern, fit for purpose road. The Transport Agency does not consider that a rest area is necessary along the Project route for transport / safety purposes.
103. Having said that, the possibility of a stopping area has been discussed with Ngāti Tama and directly affected landowners. Any such provision would be part of a cultural mitigation package agreed with Ngāti Tama and directly affected landowners, providing an opportunity for road users to further appreciate the cultural and environmental values of the area. A final decision on this issue would be made by the Transport Agency, in consultation with Ngāti Tama and directly affected landowners.

**Rob Napier**

**25 May 2018**