

**MT MESSENGER BYPASS PROJECT: SUMMARY OF EVIDENCE OF SAM ROSS DIXON
(STATUTORY PLANNING) FOR THE NZ TRANSPORT AGENCY**

1. I have been involved in the Project since early 2016, prior to the appointment of the Alliance in March 2017. During 2016 I shared my local knowledge of the area with the Transport Agency and Project team. I also undertook a range of planning related tasks including constraints mapping and various inputs to an initial MCA, statutory assessment and early stakeholder engagement with NPDC, TRC and Ngāti Tama.
2. I consider that I have a very good understanding of the Project environment. I live locally and I regularly travel north on SH3 from New Plymouth for both work and pleasure.
3. Since the appointment of the Alliance in March 2017 I have continued to provide planning and local engagement support to the Project. I have worked with members of the Alliance design and planning team and the various technical experts to identify and assess potential adverse effects. I attended all of the route selection MCA workshops in 2017 (MCA1 and MCA2) led by Mr Roan and I have continued to support the community and regulatory engagement led by the Transport Agency.
4. My EIC provides my assessment of the NoR and resource consent applications, in light of the considerations set out in the relevant sections of the RMA. In doing so, my primary focus has been to provide an assessment of the Project against the relevant statutory planning instruments.
5. In summary, I consider that the proposed works for the Project, as set out in the NoR, AEE and supporting technical reports and expert evidence, address the matters set out in Section 171 and 104 of the RMA and that:
 - (a) The designation is necessary to protect the land required for the Project so as to enable its construction, operation and maintenance.
 - (b) The designation provides for land use under the District Plan, and additional resource consents are still required for works pursuant to sections 9, 12, 13, 14, and 15 of the RMA. The necessary resource consents have been sought in parallel with the designation as is appropriate.
 - (c) The comprehensive AEE (and supporting technical documents and evidence) for the Project accompanies the applications and appropriately identifies, and assesses, the environmental effects of the Project.
6. In terms of the matters set out for consideration under s171(1) of the RMA, I have had particular regard to the relevant provisions of policy documents, the consideration of alternatives, reasonable necessity of the designation and other matters. In terms of the

matters set out for consideration under s104 of the RMA, I have had regard to the relevant provisions of policy documents, actual and potential effects, and other matters. The planning documents relevant to my assessment are set out in my EIC at paragraph 8.

7. As detailed in the evidence of Mr Napier, Mr Kenderdine, Mr Roan, Mr McCombs, Mr Copeland and Ms Turvey, the proposed works will have positive effects and are reasonably necessary to enable the Transport Agency to meet both its statutory obligations and the Project objectives. The positive effects are also consistent with the relevant objectives and policies of the planning documents and other relevant strategic documents for the region such as: *Tapuae Roa: Make Way for Taranaki: Taranaki Regional Economic Development Strategy (August 2017) and the Long Term Plans (2015-2025) for the Taranaki Regional Council and the New Plymouth District Council*
8. As detailed in the AEE and the extensive evidence provided on behalf of the Transport Agency in relation to potential adverse effects, the Project will avoid, remedy, mitigate, offset or compensate the effects in a manner that is consistent with the relevant objectives and policies of the planning documents.
9. In terms of the objectives and policies, as set out in my EIC (paragraphs 70 to 112) there are key themes or issues in the relevant statutory planning documents as they relate to the Project. These themes flow through the RPS and associated regional plans, and the District Plan. The key issues/themes that are expressed within the planning documents that are particularly relevant to the Project are identified in my EIC as:

- (a) growth and development in Taranaki;*
- (b) regionally significant infrastructure;*
- (c) public health and safety;*
- (d) avoiding and mitigating the effects of natural hazards;*
- (e) tangata whenua values and cultural heritage;*
- (f) biodiversity & water quality; and*
- (g) natural features, landscapes and amenity.*

10. In my EIC I identify these themes and I refer out to the various statutory plans, the Project technical reports and AEE and the evidence of others. Overall, I conclude that the Project is consistent with the outcomes sought by the planning instruments which a planner and decision maker are required to have particular regard to when considering the NoR. I note that Ms McBeth has reached a similar conclusion to my own albeit cautiously due to the complexity of the ecology and cultural effects and the level of confidence or certainty that the Project can offset or compensate for these effects.

11. Overall, I have concluded that the Project is consistent with the outcomes sought by the planning instruments which the NPDC, TRC and the decision maker are required to have particular regard to when considering the NoR and resource consent applications.
12. Overall, I consider that the Project is consistent with the relevant objectives and policies of the planning documents and with the purpose and principles in Part 2 of the RMA.
13. In light of the updates to the Project since the Transport Agency's EIC was filed, my assessment and conclusions as stated in my EIC stand. I consider that my assessment and conclusions are strengthened by the amended biodiversity offset and compensation package and in particular the increased size of the PMA.

Submissions received on the applications

14. I have read the submissions received in relation to the Project. A large number of submissions have been received which raise similar issues in support of the Project. From my reading of the submissions there are a very small number that explicitly challenge the Project's consistency with Part 2 of the RMA and the various planning instruments administered by the New Plymouth District Council and the Taranaki Regional Council.
15. In my EIC I respond to those submissions relevant to statutory matters (Te Korowai Tiaki o te Hauāuru Inc and Forest and Bird).

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16. I note that the NPDC reporting officer Ms McBeth has adopted the assessment provided within Appendix A of the AEE as it relates to the policies and objectives identified within that assessment.
17. Ms McBeth expressed reservations in her report regarding whether the adverse effects on ecology and biodiversity can be adequately addressed, where the level of mitigation and offsetting proposed is anticipated to result in a 'no net loss' in biodiversity over the medium term (10 to 15 years).
18. In my opinion, on the basis of the evidence on behalf of the Transport Agency the project will appropriately maintain and enhance ecological values. With reference to the evidence of Mr MacGibbon in particular I am given confidence that no net loss in biodiversity will be achieved over the medium term. Mr MacGibbon (at paragraph 32 of his supplementary evidence) states that the proposed pest management programme will "*generate biodiversity gains that are significantly greater than the likely residual ecological effects of the Project*".

19. The ecology evidence on behalf of the Transport Agency identifies that there is conservatism built into their modelling and that they have a high level of confidence that the proposed offsetting and compensation package will deliver a net gain in biodiversity over the medium term.

Response to the evidence of Mr Inger (for DOC) and Mr Carlyon (for Te Korowai)

20. With reference to my rebuttal evidence (para 11) I agree with Mr Inger on behalf of DOC that the particular section 6 matters he has pointed to are required to be recognised and provided for and are particularly relevant because of the unavoidable effects the Project will have on indigenous vegetation and habitats.
21. Mr Inger identifies at paragraph 10.2 of his evidence that “*the main issues are the quantum of mitigation and/or compensation to address adverse effects on long-tailed bats and freshwater values*”. Mr Inger identifies that he has relied on the evidence of the DOC ecologists to inform him that the level of biodiversity compensation is inadequate and that therefore the purpose and principles in Part 2 (s6) are not provided for.
22. I disagree. It is my view that Part 2 section 6 matters are provided for by the Project. I am given confidence from the expert ecology and restoration opinions presented by the Transport Agency, and in particular their responses in rebuttal evidence. In particular, in relation to bats (a matter contested by DOC’s ecology experts) I note Mr Chapman’s evidence that the present bat population in the Mt Messenger area is likely to be declining and, without the Project that decline will continue. In my opinion, on the basis of the evidence on behalf of the Transport Agency the project will appropriately maintain and enhance ecological values and it does provide for s6(a) and s6(c).
23. With reference to Mr Carlyon’s evidence on behalf of Te Korowai I have addressed his assessment in my rebuttal evidence. From my assessment none of the planning provisions Mr Carlyon refers to are so directive as to be highly weighted in directing the Commissioner’s decision to decline the NoR and consents in the manner sought by Mr Carlyon. In any regard, the matters that Mr Carlyon has chosen to address have been considered in my analysis and also in the detailed statutory and objectives and policies considerations presented in the AEE report.