

**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 SAM ROSS DIXON  
(STATUTORY PLANNING ANALYSIS) ON BEHALF OF THE NZ TRANSPORT  
AGENCY**

17 July 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

INTRODUCTION .....	2
SCOPE OF EVIDENCE .....	2
UPDATED RESTORATION PACKAGE .....	2
STATUTORY PLANNING ANALYSIS EVIDENCE IN LIGHT OF UPDATED RESTORATION PACKAGE.....	4

## **INTRODUCTION**

1. My name is Sam Ross Dixon.
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. This statement of evidence sets out:
  - (a) a summary of the updates on the Project since my EIC was filed; and
  - (b) my updated statutory planning analysis, in light of the updates to the Project.

## **UPDATES TO THE PROJECT SINCE MY EIC WAS FILED**

7. The principal updates, changes and refinements to the Project since my EIC was filed on 25<sup>th</sup> May 2018 are set out below.
8. An updated Restoration Package is offered by the Transport Agency, as outlined in Mr MacGibbon's supplementary evidence. This will include a PMA increased in size from 1085ha to 3650ha. Pest management over this enlarged PMA will be in perpetuity and will include the intensive management of rats, mustelids, possums, feral cats, goats and pigs, as well as the exclusion of all farm livestock. Mr MacGibbon states in his evidence that the size, duration and intensity of the proposed pest management programme is unprecedented as mitigation or offset for the construction of a new road in New Zealand. This will, in Mr MacGibbon's opinion, generate biodiversity gains that are significantly greater than the likely residual ecological effects of the Project.
9. The residual ecological effects on lizards will be compensated for by the capture and translocation of striped skink and arboreal geckos salvaged during vegetation clearance to a pest proof fenced enclosure built around suitable habitat in an area where striped skink have recently been recorded.

This proposal is discussed in the supplementary evidence of Mr Chapman and Mr MacGibbon.

10. As stated in Mr Chapman's evidence the bat vegetation removal protocol ("**VRP**") has been altered to include trees of 80cm dbh (diameter at breast height) or larger rather than trees larger than 15cm dbh. This change has been made because the oldest/tallest/largest trees within the Project footprint are those most likely to contain communal/maternity roosts and with the knowledge that the 3650ha PMA will more than offset the residual effects caused to long-tailed bats.
11. The approach used by Mr Hamill and described in his supplementary evidence to calculate offsets for freshwater ecology effects using the Stream Ecological Valuation (SEV) method has been reviewed by Dr Neale. Mr Hamill has subsequently made minor updates to his SEV methodology and totals. Dr Neale confirmed in his supplementary evidence that the approach taken to calculating offsets was comprehensive and appropriate.
12. The Transport Agency proposes changes to the design of a number of the permanent culverts 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. Additionally, Mr Hamill outlines a more detailed ecological monitoring programme, including fish and invertebrate species and diversity monitoring at downstream locations.
13. The removal of one of the proposed excess fill disposal sites from the Project design (on the southern slope of Mt Messenger immediately adjacent to the existing SH3) is also offered, as discussed by Mr Roan in his supplementary evidence.
14. The full suite of management plans have been updated and are provided in Annexure A to Mr Roan's supplementary evidence. Changes have been made to the ELMP to reflect the changes to the biodiversity mitigation and offset proposals.
15. The construction related management plans have been refined, as outlined in Mr Ridley's supplementary evidence. The key amendment to the updated CWDMP is that it now includes a requirement for continuous turbidity sampling at downstream locations from the Project earthworks.
16. The Alliance has completed a further inspection of the existing landslide feature on the current SH3 alignment and completed a round of monitoring of the inclinometers (displacement recorders) installed in the investigation boreholes. As outlined in Mr Symmans' supplementary evidence this monitoring has confirmed that the existing landslide continues to actively

displace at a rate that is consistent with what was modelled at the time of MCA2.

17. Since my EIC was filed, the Transport Agency has also pursued:
  - (a) ongoing engagement with mana whenua, property owners and stakeholders, as outlined in Mr Napier's and Mr Dreaver's supplementary evidence; and
  - (b) ongoing meetings with TRC and NPDC to discuss and refine the proposed construction management plans and conditions of the NoR and consents, as outlined by Mr Roan in his supplementary evidence.

### **STATUTORY PLANNING ANALYSIS EVIDENCE IN LIGHT OF UPDATES TO THE PROJECT**

18. The purpose of my EIC was to provide 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 was to provide an assessment of the Project against the relevant statutory planning instruments. Overall my EIC concluded 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.
19. In light of the updates to the Project over the past six weeks (or thereabouts) my assessment and conclusions as stated in my EIC stand. I consider that my assessment and conclusions are strengthened by the amended offset and compensation package and in particular the increased size of the PMA. Mr MacGibbon states that the amended 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”.*
20. He states (at paragraph 32) that the proposed pest management programme will *“generate biodiversity gains that are significantly greater than the likely residual ecological effects of the Project”.*
21. The amended Restoration Package and the various Project refinements that are described within the supplementary evidence of the ecologists and other experts give me additional confidence that the Project is aligned with the biodiversity objectives and policy intent of the relevant statutory planning documents. In particular the BIO Objective 1 of the RPS, which calls for the:

*“maintenance and enhancement of the indigenous biodiversity of the Taranaki region, with a priority on ecosystems, habitats and areas that have significant indigenous biodiversity values”*

and Objective 16 of the New Plymouth District Plan which seeks to:

*"sustainably manage, and enhance where practical, indigenous vegetation and habitats".*

22. Another noteworthy development since filing my EIC is the 30 May 2018 TRC and Government announcement of the *Taranaki Taku Tūranga - Our Place, Towards a Predator-Free Taranaki Project*. I understand that this is the single biggest predator project in the country.
23. The stated aim of that project is for Taranaki to be the first predator-free region in the country. The TRC website states:

*"Towards a Predator-Free Taranaki will cost \$47 million in the first five years with the ultimate aim of removing stoats, rats, and possums from all land types across the region – farmland, urban land, public parks, reserves and Mt Taranaki - by 2050".*

24. Should the Project proceed, and based on the evidence of the ecologists, it is likely that the Restoration Package (and in particular the pest management proposed in perpetuity by the Transport Agency) will ultimately contribute towards delivering on the stated objectives of the Taranaki Taku Tūranga Project.

**Sam Dixon**

**17 July 2018**