

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I MUA I TE KŌTI TAIAO O AOTEAROA
TE WHANGANUI-Ā-TARA ROHE**

ENV-2023-WLG-000005

Under the **RESOURCE MANAGEMENT ACT 1991**

In the matter of the direct referral of applications for resource consents and notices of requirement under sections 87G and 198E of the Act for the Ōtaki to North of Levin project

By **NEW ZEALAND TRANSPORT AGENCY-WAKA KOTAHI**

Applicant

JOINT STATEMENT OF TERRESTRIAL ECOLOGY EXPERTS

7 August 2023

INTRODUCTION

1. This joint witness statement relates to expert conferencing on the topic of terrestrial ecology.
2. The expert conferencing was held on 7 August 2023, facilitated by Environment Commissioner Buchanan.
3. Attendees at the conference were:
 - (a) Mr Nick Goldwater (witness for Waka Kotahi). Mr Goldwater is the author of Technical Assessment J: Terrestrial Ecology lodged with the application, and of a statement of evidence dated 4 July 2023.
 - (b) Mr James Lambie (witness for the Regional Councils). Mr Lambie is the author of Appendix 2 (Terrestrial Ecology) to the section 87F report for the Regional Councils, Mr Lambie provided a note setting out matters that remain in dispute in advance of the conference.
 - (c) Mr Bryn Hickson Rowden (witness for the District Councils). Mr Hickson Rowden is the author of Appendix 1 (Terrestrial and Freshwater Ecology) to the section 198D report for the District Councils. Mr Hickson Rowden provided a note setting out matters that remain in dispute in advance of the conference.
 - (d) Ms Siobhan Karaitiana (witness on behalf of Muaūpoko Tribal Authority). Ms Karaitiana lodged a statement of evidence dated 4 July 2023.
 - (e) Mr Quentin Parr (witness on behalf of Ngāti Raukawa). Mr Parr lodged a statement of evidence dated 4 July 2023.

CODE OF CONDUCT

4. This joint statement is prepared in accordance with section 9.4 of the Environment Court Practice Note 2023.
5. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

PURPOSE AND SCOPE OF CONFERENCING

6. The purpose of conferencing was to identify, discuss, and highlight points of agreement and disagreement on terrestrial ecology issues arising from the Project.

7. Conferencing proceeded generally in line with the agenda agreed to by all relevant parties and experts, and provided to Commissioner Buchanan in advance of the conferencing.
8. All attendees reviewed Technical Assessment J and the evidence, council expert reports and notes on issues that remain in dispute in advance of the conference.
9. **Annexure A** records the agreed issues.
10. Except where recorded in Annexure A, the attendees agree that the primary data, methodologies and standards, and key facts and assumptions are as set out in the Assessment of Environmental Effects for the Project, and in particular Technical Assessment J.

Date: 7 August 2023



Nick Goldwater



James Lambie



Bryn Hickson Rowden



Siobhan Karaitiana



Quentin Parr

ANNEXURE A – EXPERT CONFERENCING ON TERRESTRIAL ECOLOGY

Participants: Nick Goldwater (NG), James Lambie (JL), Bryn Hickson Rowden (BH), Siobhan Karaitiana (SK) Quentin Parr (QP)

Issue	Agreed Position	Disagreements or reservations, with reasons
Outcome monitoring	All agree to include reference in REM19(a) to monitoring of the natural character planting directed under RWB3(a)(ii).	
Bat survey	<p>All agree to have included in the Ecology Management Plan provision for a targeted pre-clearance survey for bats. The survey is to be of suitable roosting habitat and undertaken between October-April by a bat specialist.</p> <p>Prior to inclusion the conditions should be reviewed by Waka Kotahi's bat expert.</p>	BH notes that he is not a bat expert and is relying on a communication with bat experts.
Management of certain regional pest management plan species	<p>All agree there is a risk of field horse tail and yellow bristlegrass being present in borrow sites and these species being spread to non-infested sites across the alignment.</p> <p>Provision should be provided to first establish the presence of these species within the designation. If found, there must be a protocol to reduce spread that may include vehicle hygiene or borrow material hygiene. This protocol should be identified in the Ecology Management Plan provisions.</p>	

	<p>These two plants should be included in REM4.</p>	
<p>Conditions</p>	<p>All agree to amend RTE1C(a) to include ...restoration of adjacent gravelfield through weed control and appropriate indigenous planting.</p> <p>All agree to include in REM19(e) a new (iii) determine any further work that may be required to achieve offsetting targets and performance standards.</p> <p>All agree that REM17 and REM18 should include a provision for checking the baseline assumptions of the recipient sites relative to the offsetting model calculations.</p> <p>All agree in RTE6 after 'undertaken' add "by a suitably qualified person or persons".</p> <p>All agree that in the two instances where 'suitably qualified person' are referred to in conditions there may be a need to more tightly define that role.</p> <p>Specifically in RTE2(e) 'suitably qualified person' should be replaced with 'avifauna specialist'. In RTE5(a) insert after 'undertaken' add "by a suitably qualified herpetologist...".</p>	

NPS-IB	All agree that the methodology for the project for assessing significance and effects management meets the requirements of the NPS-IB.	
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