

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 37 - Nukuhau (private) by AN Rajasingham LPT Trustees No 124 Limited anors to the Taupo District Council to rezone c.78ha of land in the Nukuhau area from Rural Environment to a mix of General Residential and Mixed Density Residential with a Neighbourhood Shopping Centre overlay.

STATEMENT OF EVIDENCE OF JOHN PAUL TURNER

Dated 20 October 2021

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INTRODUCTION

1. My full name is John Paul Turner.
2. I am a Technical Principal – Ecology with WSP, based in Hamilton, where I have been employed since 1999.
3. I have the following qualifications and relevant experience:
 - (a) BSc (Hons) Applied Science, specialising in environmental sciences, from The Polytechnic, Wolverhampton;
 - (b) 32 years' experience as a professional ecologist, having worked as an ecological consultant for 10 years in the United Kingdom, before taking up my position with WSP in New Zealand;
 - (c) extensive experience and expertise in valuing vegetation, habitats and species as part of many ecological impact assessments of a wide range of projects including major infrastructure within the Waikato and nationally, as well as technical peer reviews for Regional and District Council's;
 - (d) direction and interpretation of data from numerous long-tailed bat surveys and monitoring projects within the Waikato since 2011, including long-term monitoring of bat activity and behaviour along the Huntly, Hamilton and Cambridge Sections of the Waikato Expressway;
 - (e) a high level of familiarity with the ecology and values of ecosystems within the Waikato Region having lived in Hamilton for 22 years, with most of my work focussed within the Waikato Region; and

- (f) full membership of the Chartered Institute of Ecology and Environmental Management, the United Kingdom's main professional institute for ecologists, which I have held since 1995 and full membership of New Zealand Ecological Society.
4. I have been engaged by the applicant to provide evidence in respect of Private Plan Change 37: Nukuhau Private Plan Change (**PC37**) in matters relating to ecology.

CODE OF CONDUCT

5. I have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2014 and agree to comply with it. I confirm that the opinions expressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF EVIDENCE

6. My evidence will address issues relating to the assessment of the ecological issues associated with PC37 and in particular the impacts on indigenous vegetation and habitat of indigenous fauna.

SUMMARY OF EVIDENCE

7. Based on currently available information the site has low ecological value and no areas within the site that qualify as significant indigenous vegetation.
8. If long-tailed bats are confirmed to be present in the future then this may qualify parts of the site as being significant habitat of indigenous fauna, notably the stands of mature trees.
9. As the site has been highly modified it supports almost no indigenous vegetation and therefore there will be no significant adverse effects on the intrinsic value of the vegetation.
10. There will also be no direct adverse effects on watercourses. Potential adverse effects will be limited to effects on fauna and indirect effects on watercourses downstream of the plan change area.
11. There are four potential adverse ecological effects that will need to be addressed as part of any future resource consent application, being:
 - a) Effects on long-tailed bats;
 - b) Effects on NZ pipits;
 - c) Effects on lizards; and
 - d) Effects on watercourses downstream of the plan change area.
12. The s42 Report proposes additions to Rule 4a.7.2(d) to address effects on long-tailed bats, lizards and pipits. This is supported.

ANALYSIS

13. I undertook a walk over of the site on 21 February 2019 and subsequently I produced a written report setting out my ecological assessment on 1 October 2019. That report is set out at Appendix J to the Plan Change Application document lodged with Council (**Report**).
14. In terms of my methodology, the assessment was based on a review of existing information, including the Taupō District Plan, and the national bat database compiled by the Department of Conservation (DOC) (as at 5th June 2019). During my walkover of the site on 21st February 2019 I undertook a survey which recorded and assessed the value of vegetation and habitat types. Any bird species heard or observed were recorded. No acoustic bat monitoring or detailed lizard surveys were undertaken. However, the potential for the site to support native bats and lizards was assessed during the visit. Only land in the ownership of CN Top Ltd, Lexus Trustees 11 Ltd and Rajasingham Family Trust was accessible at the time of the site visit and covered during in the walkover.
15. Vegetation and habitat within parts of the plan change area that could not be accessed was observed and assessed from adjacent properties. Most of the key vegetation and habitat features within the areas that could not be accessed were visible properties or could be extrapolated using aerial images. Values could therefore be assessed with a reasonably high level of confidence. It should be noted however, that there is small risk that ecological values were missed using this approach.
16. My review of the Taupō District Planning Maps found no Significant Natural Areas (SNA's) within the proposed plan change area or within areas immediately adjacent. The closest SNA is c.1100m to the north-east.

17. In terms of vegetation and flora I concluded that the vegetation is dominated by introduced plant species, including weed species, and there is virtually no indigenous vegetation. Overall the vegetation within the proposed plan change area has very low intrinsic ecological value.
18. In terms of fauna my assessment focussed on the prevalence of birds, lizards, bats. I concluded that no bird species classified as 'At Risk' or 'Threatened' were recorded. With the possible exception of New Zealand pipit (*Anthus novaeseelandiae novaeseelandiae*), species classified as At Risk, it not expected that any At Risk or Threatened species regularly occur within the site based on the habitat types present.
19. Habitat exists for lizards within the plan change area i.e. wood piles, scrubby vegetation and rough pasture. The highly modified nature of the site means that the presence of At Risk or Threatened species is unlikely.
20. Although no long-tailed bats have been recorded within the plan change area, the presence of potential roost trees and flight paths, together with records of long-tailed bats within the wider landscape, means that there is a moderate risk of this species being present within the plan change area on a regular basis.
21. In terms of aquatic habitats, while there are overland flow paths through the site, there are no permanent streams. At the time of the site visit there was no surface water. Overland flow paths were dry with pasture grasses and weeds through their base (Photo 4 of the Report). There are no habitats within the site supporting aquatic habitat values.
22. I have reviewed the s 42A report in relation to PC 37 and the EIC of Mr William Shaw. While Mr Shaw raises some issues in matters of detail that could have been included in my assessment, these would make no material difference to my conclusions. There appears to be substantial difference

between Mr Shaw and myself as to the key residual issues and our conclusions concerning these matters. This is acknowledged in the s 42A Report¹ and I concur with this assessment. I also concur with the overall assessment on ecological effects provided in the s42A report² and note the proposed additions to Rule 4a.7.2(d)³ to address residual ecological matters at the time development occurs. I support these additions.

CONCLUSION

23. Based on currently available information the site has low ecological value and no areas within the site qualify as significant indigenous vegetation. If long-tailed bats are confirmed to be present in the future then this may qualify parts of the site as being significant habitat of indigenous fauna, notably the stands of mature trees.

24. As the site has been highly modified it supports almost no indigenous vegetation and therefore there will be no significant adverse effects on the intrinsic value of the vegetation. There will also be no direct adverse effects on watercourses. Potential adverse effects will be limited to effects on fauna and indirect effects on watercourses downstream of the plan change area. There are four potential adverse ecological effects that will need to be addressed as part of any future resource consent application, being:
 - a) Effects on long-tailed bats;

 - b) Effects on NZ pipits;

 - c) Effects on lizards; and

¹ Para 218, S42A Report.

² Paras 214-221, s42A Report.

³ Para 220, s42 Report.

d) Effects on watercourses downstream of the plan change area.

25. The proposed additions Rule 4a.7.2(d) to address effects on long-tailed bats, lizards and pipits is supported.

A handwritten signature in black ink, appearing to read 'John Turner', with a stylized flourish at the end.

John Turner

20 October 2021