

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission by AMBURY PROPERTIES LIMITED on the PROPOSED WAIKATO DISTRICT PLAN pursuant to Clause 6 of Schedule 1 of the Act seeking the rezoning of land at Ohinewai

JOINT WITNESS STATEMENT OF EXPERTS IN
RELATION TO PLANNING

1. INTRODUCTION

1.1 On 25 and 26 June 2020, expert conferencing sessions in relation to Planning were undertaken by John Olliver and Stuart Penfold (APL), Angus McKenzie and Fraser Graafhuls (Mercury), Chloe Trenouth (WDC), Ian Mayhew (WRC and NZTA), Ken Tremaine (Future Proof), Sarah Loynes (NZTA), Gavin Donald (Waikato-Tainui) and James Whetu (Mana Whenua) (25 June only). This Joint Witness Statement is a record of the outcomes of this session.

1.2 The session was facilitated by Hearing Panel members, Dr Phil Mitchell and Paul Cooney.

1.3 Also in attendance as observer was;

(a) Will Gauntlett (WDC).

1.4 Notes were taken by Carolyn Wratt (WDC).

Agenda - issues considered at conferencing

1.5 The issues identified as forming the agenda for the conferencing were:

1) *The stop-bank breach scenario does not lead to flooding affecting developable parts of the Ohinewai Structure Plan (OSP). Therefore, are specific planning provisions required to address that potential hazard?*

- 2) *Is a specific OSP plan provision required to address Mercury's concerns over the cumulative effects of development within the floodplain or can this be addressed in the PWDP Stage 2 process?*
- 3) *Should the current 100 year design flood level of 7.37m for Lake Walkare be spatially mapped in the District Plan?*
- 4) *Does the Three Waters further reporting (the Mid-Waikato Servicing Strategy-MWSS) need to be completed and the Kaitiaki Environmental Values Assessment (KEVA) report reviewed, to determine if the proposal will give effect to the Vision and Strategy?*
- 5) *Does the proposal create opportunities to work towards restoring and protecting the Waikato River providing some improvements to water quality associated with the retirement of dairy farm use, treatment of stormwater runoff from impervious areas, ecological enhancement, potential for improved public access to Waikato River through walkway/cycleway along part of the stop bank, and removal of existing contaminated soil on the site?*
- 6) *Should the (currently unknown) effects as a result of adjacent development of Ohinewai Lands and Shand Properties Ltd be accounted for as part of the assessment of the proposal?*
- 7) *Are the effects of the proposal (positive and negative) understood clearly enough so that an objective planning assessment can be made?*
- 8) *What are the key objectives and policies of the Waikato Regional Policy Statement (WRPS) to be considered in the assessment of the rezoning proposal?*
- 9) *What weighting should be applied to the statutory documents and if they are significant, is the OSP consistent with them?*
- 10) *Does the proposed rezoning give effect to the NPS-UDC and does it override or influence the interpretation of WRPS/ Future Proof?*
- 11) *Is the national significance of this section of the Waikato Expressway accepted and does the proposal align with the function and purpose of the Expressway?*
- 12) *Plan provisions (not discussed in conferencing).*

1.6 The following sections of this joint witness statement address each of these issues or questions, noting where agreement has been reached and, in the event of disagreement, the nature of the disagreement and the reasons for that disagreement.

2. ISSUE ONE – FLOODING AS A RESULT OF WAIKATO RIVER STOP BANK BREACH

The stop-bank breach scenario does not lead to flooding affecting developable parts of the Ohinewai Structure Plan (OSP). Therefore, specific planning provisions are not required to address that potential hazard.

2.1 The experts did not agree on this issue. However further discussions with the Flooding Experts are proposed and further details will be provided in evidence.

3. ISSUE TWO – CUMULATIVE EFFECTS OF DEVELOPMENT WITHIN THE FLOODPLAIN

Is a specific OSP plan provision required to address Mercury's concerns over the cumulative effects of development within the floodplain or can this be addressed in the PWDP Stage 2 process?

3.1 On this issue, the experts agreed that further discussion on this topic is limited given the details of Stage 2 of the PDP are not yet known.

4. ISSUE THREE – 100 YEAR DESIGN FLOOD LEVEL MAPPED WITHIN THE DISTRICT PLAN

Should the current 100 year design flood level of 7.37m for Lake Waikare be spatially mapped in the District Plan?

4.1 The experts agreed on the following:

(a) Agree that the resolution of this as a district-wide issue is a multi-party exercise including at least the regional council, district council, Mercury, Waikato-Tainui and a range of stakeholders.

(b) Agree that further conversations between the parties represented at this conference may be of assistance with regards to the APL proposal.

4.2 The experts reached no agreement with regards to specifics of this proposal in relation to whether the design level should be mapped for the APL site.

5. ISSUE FOUR – TE TURE WHAIMANA O TE AWA / VISION AND STRATEGY (THREE WATERS)

Does the Three Waters further reporting (the Mid-Waikato Servicing Strategy- MWSS) need to be completed and the Kaitiaki Environmental Values Assessment (KEVA) report reviewed, to determine if the proposal will give effect to the Vision and Strategy?

5.1 The following positions of experts are noted on this Issue.

- (a) JO & SP - sufficient information is available, including the staged approach to development and the provision and upgrades of Three Waters Infrastructure to enable assessment in relation to the Vision and Strategy.
- (b) IM - there is an insufficient evidence base to confirm betterment, to give effect to the Vision and Strategy.
- (c) SP - acknowledged that further work is to be undertaken and presented in evidence to address stormwater management considerations.
- (d) GD, KT, CT - concerned that without the MWSS there is no certainty of a long term solution and therefore there is concern the development may precede the ability to service it.
- (e) SP - there are municipal solutions that have been put forward to service the development and hold points are to be put in place to ensure development does not proceed until fully compliant solutions are in place. Medium-term Huntly option will also assist to address existing compliance issues.
- (f) GD - concerned that there is uncertainty about what the MWSS will deliver and the level of treatment. Concerned that the solution of servicing (which the staging of the development relies on) will be a poor outcome.
- (g) SP and JO - any consenting process for municipal solutions required will 'set the bar high' and ensure the Vision and Strategy is given effect to as part of the consenting process.
- (h) JO - Ohinewai is located between Huntly and Te Kauwhata, so is ideally located with respect to the potential MWSS outcome.

(l) JW – Notwithstanding the uncertainty of the MWSS and the discharge to the Waikato River, there are other areas where APL are giving effect to the Vision and Strategy e.g. enhancing access and connection to the environment, restoration of Lake Rotokawau/wetlands, and methodology around managing stormwater.

5.2 The experts reached no agreement with regards to specifics of this proposal in relation to the Vision and Strategy and the matters will need to be addressed in evidence. It is acknowledged that further discussions once the MWSS document is released (expected July 2020) may help clarify the situation.

6. ISSUE FIVE – TE TURE WHAIMANA O TE AWA O WAIKATO / VISION AND STRATEGY (THE AWA) OBJECTIVES

Does the proposal create opportunities to work towards restoring and protecting the Waikato River providing some improvements to water quality associated with the retirement of dairy farm use, treatment of stormwater runoff from impervious areas, ecological enhancement, potential for improved public access to Waikato River through walkway/cycleway along part of the stop bank, and removal of existing contaminated soil on the site?

6.1 The experts agree that a proposal of this scale provides opportunities for achieving the objectives of the Vision and Strategy.

6.2 There is disagreement as to whether the proposal gives full effect to the Vision and Strategy.

6.3 The following positions of experts are noted on this Issue.

(a) GD - more certainty of outcomes is required and is fundamental to an assessment of Vision and Strategy matters.

(b) JO and SP - the proposal will address specific objectives in the Vision and Strategy.

(c) CT agrees with JO/ SP provided that there is certainty provided via plan provisions.

- (d) IM agrees with CT and suggests that some mitigation proposed by APL are matters required to be addressed outside of the PDP, e.g. public access along the Waikato River.
- (e) IM - questions whether the establishment of a Major Hazard Facility (Sleepyhead Factory) within the OSP is adequately managed with respect to betterment and the risk of the activity. IM understands that there are no provisions for Major Hazard Facilities in the PRD; however the Panel have recently issued directions on this matter.
- (f) SP - APL have considered this matter and consider that the factory activities can be sufficiently managed via specific regulations under the Health and Safety at Work Act 2015 for such facilities (eg. Health and Safety at Work (Major Hazard Facilities) Regulations 2016 and Health and Safety at Work (Hazardous Substances) Regulations 2017) and also via the proposed plan provisions within the PDP.
- (g) JW - Mana whenua are of the view that the proposal has created those opportunities to localise the work towards restoring and protecting the Waikato River, when the wider catchment is included in the definition.
- (h) JO - these opportunities would not arise without this development - the investment is providing the opportunities.

7. ISSUE SIX - CONSIDERATION OF EFFECTS OF ADJACENT DEVELOPMENT

Should the (currently unknown) effects as a result of adjacent development of Ohinewai Lands Ltd (OLL) and Shand Properties Ltd be accounted for as part of the assessment of the proposal?

7.1 The following positions of experts are noted on this issue.

- (a) CT - acknowledges that it is difficult for APL to respond to other rezoning requests (ie.OLL). A key issue is that all proposals are somewhat premature without an understanding of the strategic direction for Ohinewai. If there was a clearer strategic picture, then each proposal could be assessed within the context of this.
- (b) SL - Waikato 2070 sets out the aspirations of the District but doesn't include evidence as to whether that aspiration can be delivered in reality. Acknowledges that the District wants to see an increase in employment opportunities. Doesn't think that the spatial plan being

prepared for the Hamilton to Auckland Corridor (H2A) project for this area is that far away (perhaps 6 months?) which will provide more evidence on how the settlement pattern can be achieved.

- (c) JO – the current focus of the detailed H2A planning is on other areas, and this area is not a high priority. Waikato 2070 is a growth strategy prepared under the LGA, the same as Waipa 2050 and Hamilton Urban Growth Strategy (HUGS). Those documents have all been very relevant under other similar planning processes.
- (d) IM – as a strategic assessment of the Waikato 2070 Growth Strategy has not been undertaken, it is very difficult to understand what infrastructure is needed to support it. For example, Waikato 2070 indicates a larger industrial area north of the APL site, and this could potentially change the infrastructure required to support it. It needs to properly plan for growth, and develop it in a sequential and logical way.
- (e) JO – we are working in a very dynamic planning environment and so long as there are enough triggers, flexibility and awareness of the surrounding area not to preclude other development, then that is sufficient. Waikato 2070 includes caveats that future areas will need to be subject to detailed feasibility studies and considers that this process is being undertaken now through this process for the OSP.

7.2 There is no agreement, and the individual parties are to address this issue in evidence if required.

8. ISSUE SEVEN – CONSIDERATION OF EFFECTS

Are the effects of the proposal (positive and negative) understood clearly enough so that an objective planning assessment can be made?

8.1 The following positions of experts are noted on this issue;

- (a) IM- concerned at how much reliance can be placed on APL vision to provide affordable housing and housing for their workforce, as opposed to being a standard residential development, and what planning controls are required to achieve this. For example, the residential development area could be on-sold to a private development company.

- 8.2 The experts agree that Issue Seven is at the heart of the assessment they need to prepare for the hearing, and until such time as the various JWS are available it is unclear to the planning experts exactly what the key technical issues are that will inform their overall planning assessments.
- 8.3 The experts agree that it will be useful to identify a list of the key issues upon which, in their opinion, a decision will hinge in relation to environmental effects, and will undertake to work offline in the process set out below in an attempt to provide greater clarity in order to assist the Panel at the hearing.
- 8.4 The experts agree that a document is to be prepared as set out below:
- (a) JO to summarise the JWS outcomes on behalf of APL to:
 - (I) identify in his opinion the key issues; and
 - (II) the extent to which there are any gaps in the information;
 - (III) such that he is able to produce what he considers to be a robust overall planning assessment - by 30 June 2020.
 - (b) All planning experts to liaise to produce their views on any revision to JO's document that they consider necessary - by 2 July 2020.
 - (c) The parties will then produce their evidence based on the 'red-lined' version.
 - (d) To the extent that it is helpful, another short conference may be organised (facilitated or otherwise).

9. **ISSUE EIGHT – KEY OBJECTIVES AND POLICIES OF THE WRPS**

What are the key objectives and policies of the Waikato Regional Policy Statement to be considered in the assessment of the rezoning proposal?

Chapter 2 Vision and Strategy + Chapters 8 and 10 and Objective 3.4 Health and well-being of the River

- 9.1 The following positions of experts are noted on this issue.

- (a) CT- objective 3.4 seeks that the Vision and Strategy (as set out in Chapter 2) is achieved.
- (b) JO - APL Investing \$1.3B in the River communities, particularly Huntly, creating opportunities for improvements that would not otherwise arise. APL has part of the shared responsibility to improve the river.
- (c) JO - Three stages of OSP development - Years 1-2 can be serviced on site, Years 3-7 to connect to Huntly plants for wastewater and water supply, 7 years + to connect to the MWSS solutions. This makes best use of existing infrastructure.
- (d) IM - acknowledges that APL can contribute to the Vision and Strategy but uncertainty over wastewater in particular makes it difficult to draw a firm conclusion.
- (e) SL - considers the test is not whether objectives are met, but whether you maintain or enhance, compared to the settlement pattern identified in Future Proof as stated in Policy 6.14.3.
- (f) GD - If Huntly plant is compliant then acknowledged OSP could connect to it as it is an existing consent, but Stage 3 would need to demonstrate improvements like all other discharge permits since the Vision and Strategy has been in place.

9.2 The experts agree that there is no particular weighting of the objectives in the Vision and Strategy (2.5.2), and not all of the objectives will be relevant to the APL proposal.

9.3 GD - where a discharge or water take is involved in a proposal those issues affecting the health and wellbeing of the area will in most cases become the focus of assessment.

9.4 The experts agree that a fundamental issue is the future provision of wastewater services, and the associated certainty, including in relation to funding.

9.5 The experts did not agree on whether the Vision and Strategy is achieved and this will be addressed in evidence (also refer to Issue Four above).

Objective 3.9 Relationship of tangata whenua with the environment

- 9.6 The experts agree that this is a key objective for Waikato-Tainui and is highly directive.

Objective 3.12 Built Environment

- 9.7 The following positions of experts are noted on this issue.
- (a) JO – although unanticipated it can be considered as planned development if it meets the criteria and guidance for alternative land release. It cannot fit into any of the nearby strategic industrial nodes. It uses spare capacity on the Expressway for its intended purpose by moving freight and people and supporting economic growth, and integrates with the NIMT. Other transport modes and alternative routes for local trips are being provided by local road connection along the river on the former SH1. It also integrates with water and wastewater infrastructure and provides economic and social support for Huntly.
 - (b) SL – The site is relatively isolated so will result in a very car dependent site on one of the most important corridors in NZ. There is a lack of a solution for public transport so is not sustainable. The proposal is utilising capacity but not 'protecting' (reference Policy 6.6 (a) and 6.3 (a) iii) the Expressway. There is no resilience around transport mode choice
 - (c) CT, KT, IM, GD – concerned about the scale of commercial activities proposed (28,000m² DFO) and how it will undermine the social and economic viability of Huntly, even if the DFO is limited in scope, including affecting Waikato-Tainui tribal members as part of the Huntly community. Also concerned at difficulty of administering the plan provisions and of the implications if it failed.
 - (d) CT, GD – also concerned with water allocation and that available water has been allocated for Huntly growth.
- 9.8 The experts agree that this objective is fundamental to the consideration of the proposal, but there are different views on the extent to which the OSP achieves the relevant clauses given the differing technical views on certain matters. These will be addressed through evidence.

Objective 3.14 Māori and values of freshwater bodies

- 9.9 The experts agree that this is a key objective for freshwater outcomes.

Policy 6.1 Planned and co-ordinated Infrastructure

- 9.10 The experts agree that Policy 6.1 refers to the principles in Section 6A and that it is not particularly directive in that regard as to be had to it.

Policy 6.3 Co-ordinating growth and infrastructure

- 9.11 The following positions of experts are noted on this issue.
- (a) CT- noted the policy uses the word 'ensuring' so is directive and covers timing, staging and sequencing of infrastructure provision. Question whether staging provisions would achieve clause (a)(iv).
 - (b) CT, JO - Noted the discussion above on Objective ~~3.2~~^{3.12} is also relevant.
 - (c) JO - The 'tipping point' at which APL invests in Huntly wastewater versus the MWSS solution is important.
 - (d) IM noted the same issues arise with transport infrastructure, particularly in relation to cumulative effects of other development.
- 9.12 The experts agree that Policy 6.3 is fundamental to the assessment of the APL proposal and implements Objective 3.12 (noting the policy digs deeper into the detail).
- 9.13 The experts agree that ensuring certainty of infrastructure provision will need further developed plan provisions.

Policy 6.6 Significant Infrastructure and energy resources

- 9.14 Acknowledgement that with respect to recognition of the Waikato Expressway, matters within this Policy are captured in the assessment for Objective 3.12 (c). IM noted that the effects on the Expressway are a fundamental concern.

Policy 6.14 Adopting Future Proof land use pattern

- 9.15 The following positions of experts are noted on this issue.

- (a) KT – commercial land uses are not considered in this policy and there is an industrial land use bias in it. The words in (g) 'are consistent with' are key.
- (b) JO – where there is insufficient guidance on alternative land release, you can refer to Future Proof 2017. The new 'Responsive approach to planning' (7.5 of Future Proof) is not in the Guiding Principles and is not sufficiently reflected in the alternative release criteria.
- (c) CT – accepts that the settlement pattern in Future Proof 2017 hasn't been updated and that it may change as a result of Hamilton to Auckland Corridor work and Future Proof Phase 2.

9.16 The experts agree that clauses (a), (d) and (h) are not relevant but all other clauses are relevant. IM reserves his position to further consider clause (d).

9.17 The experts agree that Method 6.14.3 applies to residential and industrial alternative land release in relation to 6.14(g).

9.18 The experts agree that the proposal needs to be assessed against the Future Proof Guiding Principles as well as the Development Principles in Section 6A of the RPS, and both require the proposal to be consistent with them as required by Method 6.14.3 and Policy 6.14 (g).

9.19 The experts agree that Policy 6.14 provides enough flexibility through the provisions for alternative land release for a proposal such as the OSP to be considered.

Policy 6.16 Commercial development in the Future Proof Area

9.20 The following positions of experts are noted on this issue.

- (a) JO – the introduction to the policy refers to commercial activity being 'primarily through' and 'is to be managed' and 'predominantly' indicating some flexibility. There are variances in the respective economic advice in terms of impacts of the DFO. The policy intent is to ensure there is not impact on other centres, not necessarily that it is precluded.
- (b) CT – first part of the policy clearly defines the hierarchy and that is important; DFO is the key concern as it would have significant impacts on existing centres, particularly Huntly, and does not meet

communities needs; it could be located anywhere. KT agreed it would create a new significant commercial centre. Proposed neighbourhood centre is acceptable.

- (c) CT, SL – In terms of Item (b) the DFO will attract traffic from a wider area.
- (d) KT – the policy was not intended to provide for this kind of centre. Hence it is not covered in the alternative land release provisions.
- (e) CT, KT – The scale of the proposal is such that it creates a new significant commercial centre.

9.21 The experts agree that not all parts of Policy 6.16 are relevant as outlined below:

- (a) Parts a), b), d), e) and g) are agreed by all as relevant.
- (b) Part c) is relevant but of little consequence.
- (c) Part f) is not relevant.

9.22 The experts agree that the DFO does not fall within the functional classifications in Table 6.4.

9.23 The experts agree that Policy 6.16 promotes a centres strategy but that it allows commercial activity outside of centres provided it is managed to meet criteria (a)-(g).

9.24 The experts agree that this policy is fundamental to the consideration of the DFO aspect of the proposal, but there are different views on the extent to which APL achieves the relevant clauses given the differing technical views on certain matters. This will be addressed through evidence.

Policy 6A Development Principles

9.25 The following positions of experts are noted on this issue.

- (a) CT – some of the principles are highly strategic while others are very specific.

9.26 The experts agreed that it is difficult to confirm what 'should' and 'consistent with' means. If possible, Planners to liaise further on this issue.

- 9.27 The experts agree that there is no hierarchy specified in the principles, each principle needs to be weighted with respect to each individual proposal and the significance of its effect.

Map 6C Future Proof Map

- 9.28 The experts agree that the proposal is already accepted as being an unanticipated alternative to this settlement pattern.

Table 6D Future Proof tables

- 9.29 The experts agree that further discussion on this is of limited use.

Policy 11.2 - Protect significant Indigenous vegetation and significant habitats of Indigenous flora

- 9.30 No agreement was reached on this matter. It was acknowledged that this is an important issue for the Waikato Regional Council due to the possibility of black mudfish being found on the site. Further liaison with IM and JO/SP was proposed.

- 9.31 Chapter 13 – Natural Hazards

- 9.32 It was proposed that Mercury, Waikato Regional Council and Mana Whenua may want to liaise further regarding Chapter 13 Natural Hazards.

10. **ISSUE NINE – WEIGHTING OF STATUTORY DOCUMENTS**

What weighting should be applied to the statutory documents and if they are significant is the OSP consistent with them?

Future Proof 2009 & 2017

- 10.1 The experts agree the following:
- (a) Future Proof 2017 was conducted under the special consultative process in the LGA and has been taken into account in previous decisions and judgements.
 - (b) Future Proof 2009 no longer exists.
 - (c) There are two separate processes; the RPS is based on Future Proof 2009 and includes specific tables and maps that have not changed even though the 2009 version has been superseded by the 2017 version.

- (d) The settlement pattern and the guiding principles have not altered substantially between 2009 and 2017.
- (e) Future Proof 2017 is a relevant strategy to which regard is to be had under RMA s74(2)(b).

Waikato 2070

10.2 The following positions of experts are noted on this issue.

- (a) JO - It reflects the very latest thinking around the land use pattern within Waikato District and also took into account the APL proposal which was already on the table. Considers it should be given significant weight. Considers that the document qualifies itself by saying that these areas are subject to further investigations.
- (b) KT - not happy with the outcome as the land use has not been integrated with the ability to service it.
- (c) CT - while Future Proof and Waikato 2070 have the same statutory relevance under RMA s74(2)(b), the fact that Future Proof is embedded in the RPS gives it far more weight (e.g. must be given effect to). The Future Proof settlement pattern is in the RPS in terms of the map. Waikato 2070 has identified areas for growth but it can't have the same weight as Future Proof because of the uncertainties.
- (d) SL - Waikato 2070 has not provided a comparison against the current Future Proof settlement pattern e.g. the effect on the state highway network.

10.3 The experts agree that given the case law it has the same statutory relevance as Future Proof under the RMA s74(2)(b) in that it has been prepared under the special consultative process in the LGA.

10.4 There was no agreement on weighting of Waikato 2070 and Future Proof so it will be subject to evidence.

Waikato Area Blueprints

10.5 The following positions of experts are noted on this issue.

- (a) CT and IM - they have very little weight because they are a community led process of capturing their aspirations. Did not go through a special consultative process.

- (b) SL – Walkato 2070 is an articulation of the Blueprints in land use terms.
- (c) JO – less weight than Future Proof and Walkato 2070, but wouldn't discard it. The Blueprints have informed Walkato 2070.
- (d) KT – the analysis of the Walkato economy and employment needs has been undertaken by Derek Kemp. He has provided a framework for how to implement the analysis including land use change. Useful analytical information, but not because it ended up in Blueprints *per se*, but is a useful body of analysis.

10.6 The experts agreed that the Blueprints are not an RMA s74(2)(b) matter but contain some useful information.

Hamilton to Auckland Corridor Plan (H2A)

10.7 The experts agree that the Hamilton to Auckland Corridor Plan has little or no statutory weight but the information that informs it may be useful.

Walkato-Tainui Environmental Plan - Tai Tumu, Tai Pari, Tai Ao

10.8 The experts agree that it is specifically referred to in section 74(2A) and must be taken into account.

Note: CT, SL, JO, SP, IM are experts in attendance from this point.

11. ISSUE TEN – NPS-UDC & WRPS/ FUTURE PROOF

Does the proposed rezoning give effect to the NPS-UDC and does it override or influence the interpretation of WRPS/ Future Proof?

11.1 The following positions of experts are noted on this issue.

- (a) CT, SL, KT, IM - as the guiding principles have not changed in Future Proof and there is a pathway for alternative land release this is not an issue that requires the NPS to provide direction. JO disagrees.
- (b) JO - the NPS does provide additional direction via higher level responsive planning objectives OC1 and OC2, and the WRPS has not been updated to strengthen the flexibility in line with the NPS-UDC.
- (c) KT and CT - OC1 and OC2 are not related to supply of land i.e. shortfall.

- (d) KT - OC1 and OC2 are not taken through to a policy requirement within the NPS.

11.2 The experts agree on the following matters:

- (a) The PDP must give effect to the WRPS and the NPS-UDC (s75(3)).
- (b) the WRPS must give effect to the NPS-UDC.
- (c) The NPS-UDC post-dates the WRPS and therefore the WRPS cannot be assumed to be giving effect to the NPS.
- (d) In the event that there was an inconsistency between the two documents (NPS-UDC and WRPS) the NPS takes precedence.

11.3 The experts did not reach agreement on Issue Ten and this matter will need to be addressed in evidence.

12. ISSUE ELEVEN – WAIKATO EXPRESSWAY

Is the national significance of this section of the Waikato Expressway accepted and does the proposal align with the function and purpose of the expressway?

12.1 The experts agree on the Expressway's national significance.

12.2 The experts do not agree whether or not the proposal aligns with its function and purpose. The following positions of experts are noted on this issue.

- (a) SL, CT, KT and IM agree that the key issue is the residential and commercial activity in relation to the Expressway and the need for short distance trips to undertake day to day activities.
- (b) JO and SP disagree and will therefore be addressed in evidence.

13. ISSUE TWELVE – PLAN PROVISIONS

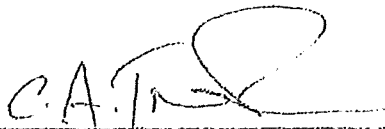
13.1 Other than as referenced above, details of plan provisions were not discussed during conferencing. The experts considered it desirable to have further discussions on plan provisions prior to the Hearing.

14. PARTIES TO JOINT WITNESS STATEMENT

14.1 The signatories to this Joint Witness Statement confirm that:


- (a) They agree with the outcome of the expert conference as recorded in this statement;
- (b) They have read Appendix 3 of the Environment Court's Practice Note 2014 and agree to comply with it; and
- (c) The matters addressed in this statement are within their area of expertise.

SIGNATURES:



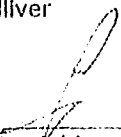
 Chloe Trenouth

Date: 3/7/2020




 John Olliver

Date: 2/7/2020



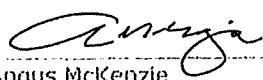
 Stuart Penfold

Date: 2/7/2020




 Ken Tremaine

Date: 06/07/2020



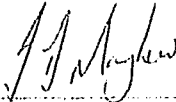
 Angus McKenzie

Date: 06/7/2020



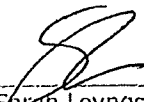
 Fraser Graafhuls

Date: 7/7/2020



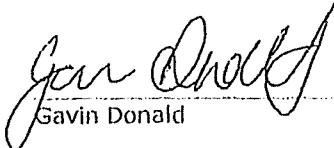
 Ian Mayhew

Date: 3/07/2020



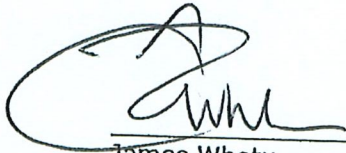
 Sarah Loynes

Date: 6/7/2020



 Gavin Donald

Date: 3/7/2020


James Whetu

Date: 7/07/20

On matters 1-6 only.