

BEFORE THE FAST-TRACK EXPERT PANEL

IN THE MATTER of the Fast-track Approvals Act 2024 (“FTAA”)

AND

IN THE MATTER of Waikanae North (FTAA-2603-1194)

JOINT STATEMENT OF EXPERT WITNESSES:

EARTHWORKS

9 September 2026

INTRODUCTION

1. Expert conferencing on the topic of earthworks took place online via Microsoft Teams from 9am-12pm on 9 September 2026.
2. The conference was attended by the following members of the Expert Panel:
 - a. Nigel Mark-Brown (“NMB”) (Panel Member)
 - b. Carolyn Wratt (“CW”) (Panel Member)
3. The conference was attended by the following experts
 - a. Susannah Tait (“ST”) (appointed by the Expert Panel)
 - b. Jon Williamson (“JW”) (appointed by the Expert Panel)
 - c. Mitch Lewandowski (“ML”) (Applicant)
 - d. Andrew Beatson (“AB”) (Applicant)
 - e. Ray O’Callaghan (“RO”) (Applicant)
 - f. Rakshit Vij (“RV”) (KCDC)
 - g. Monique Leith (“MLe”) (KCDC)
 - h. Gregor McLean (“GM”) (GWRC)
 - i. Katherine Greenaway (“KG”) (GWRC)
 - j. Joshua Knowles (“JK”) (GWRC)
 - k. Mike Scott (“MS”) (Ātiawa ki Whakarongotai Charitable Trust)
 - l. Liam McAuliffe (“LA”) (Ātiawa ki Whakarongotai Charitable Trust)
 - m. Helena Gerretzen Parata (“HGP”) (Ātiawa ki Whakarongotai Charitable Trust)
 - n. Pene Palaau Kaonohi (“PPK”) (Ātiawa ki Whakarongotai Charitable Trust)
 - o. Melanie McCormick (“MM”) (Ngā Hapū o Ōtaki)
 - p. Tiana Hakaraia (“TH”) (Ngā Hapū o Ōtaki)
4. Kerry Andrews (Planz) assisted the experts to draft the Joint Witness Statement (“JWS”). Ashley Jamieson and Alex Mickleson provided meeting support.

CODE OF CONDUCT

5. The experts confirm that they have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and referred to in the Fast-track Approvals Act 2024: Panel Conveners’ Practice and Procedure Guidance 25 July 2025, and agree to comply with it. The experts confirm that the issues addressed in this JWS are within their area of expertise, unless stated otherwise.

SCOPE OF JWS

6. In response to Minute 7 issued by the Expert Panel, a number of outstanding points were identified in relation to this topic. Those outstanding issues form the basis for the structure of this JWS. The Expert Panel took the opportunity to ask questions of the experts to clarify matters in relation to the earthworks matters of the project.

7. In this JWS, we report the outcome of our discussions in relation to each item (below), including by reference to points of agreement, disagreement, and unresolved matters or uncertainties. Where we are not agreed in relation to any issue, we have set out the nature and basis of that disagreement.

AGENDA ITEMS

CEMP (Condition 26), including content

8. JK advised that the CEMP should address the principles for ESC requirements, monitoring, and reporting. ML advised that the CEMP is an overarching document that the ESCP will sit under. RO agreed that the CEMP will pull together mitigation and remediation measures but acknowledged that further wording in condition 26 stating the intent of the CEMP would be useful. GM queried whether a single CEMP or a number of CEMPs for stages will be developed. ML confirmed that management plans can be singular or separated into stages. RO also confirmed that some stages will require additional management plans to control specific environmental factors. JK identified that GWRCs preference is for one CEMP and ESCPs for each stage. RO considers that a CEMP for each stage is appropriate. GM advised that this is a satisfactory approach if condition 26 specifies the CEMP requirements for each stage. RO advised that condition 109 could become redundant if condition 26 requires a CEMP for each stage. JK considers that a single CEMP that does the “heavy lifting” across the site and council requirements would be appropriate. RV advised that a GWRC “approved” CEMP being sent to KCDC would be helpful. The applicant will revise condition 26 and reissue to parties.
9. MS advised that Manawhenua have an interest in the CEMP and ESCP. NMB confirmed a later session will be held to discuss cultural matters.

ESCP requirements (Condition 25)

10. JK advised that the ESCP should be prepared in consultation with the contractor. ML confirmed that the condition will be updated accordingly. The applicant will revise condition 25 and reissue to parties.

Chemical Treatment (Condition 30)

11. JK advised that GWRCs expectation is for bench testing prior to each stage. RO agrees that this is appropriate. The applicant will revise condition 30 and reissue to parties.

Maximum exposed (unstabilised) area (Condition 34)

12. JK sought clarification that the maximum exposed area be limited to the stage size. RO confirmed that this is the case. JK also advised that GWRCs expectation is that condition 34 also require the ESCP is appropriate to the soils, season and exposed area. RO considers that condition 25 should link to condition 34 stabilization requirements. The applicant will revise condition 34 and reissue to parties.

Monitoring requirements (Conditions 37 and 38)

13. All parties agreed that the condition will be amended to refer to “at a minimum once daily”. The applicant will revise condition 37 and reissue to parties.
14. All parties agreed that the note under condition 38 be moved into the condition. The applicant will revise condition 38 and reissue to parties.

Thresholds (Condition 39)

15. JK advised that an increase to the NTU threshold is necessary (to avoid ongoing infringements). GM advised that any threshold should be set based on ecological values. AB recommended confirming these thresholds prior to commencing earthworks. ML advised a new package of conditions may be needed to manage this issue. RO advised that existing predevelopment monitoring could be extended to include this. JK supported a standalone condition. GM advised there was a similar water quality condition on the Plimmerton farm development. RO recommended linking condition 39 A (second bullet point) to the new condition. The applicant will prepare new condition and revise condition 39 and reissue to parties.

Trenching and Excavation methodology

16. RV confirmed that KCDC require this methodology for each stage. RO clarified that any EPA package will include a methodology prepared by a geotechnical engineer where deep trenching is proposed in a stage. RO advised that condition 27 (CEMP) could be updated to include this. MLe recommended defining "deep trench". RO advised that the key factor for trenching will be interaction with groundwater and therefore all trenching will likely need geotechnical input. The applicant will update condition 27 and reissue to parties.

Earthworks / Engineered Fill Specification and Inspection and Test Plan

17. RV advised that stage specific fill specifications will be needed as part of a stages EPA package. RO recommended also including this information in condition 27 (CEMP). The applicant will update condition 27 and reissue to parties.

Detailed geotech design and specification peer review

18. RO does not consider that peer reviews on all earthworks are needed but if this is limited to only peer reviewing specific areas (rather than all earthworks) this is satisfactory. RV recommended that a note be included enabling KCDC to waive peer reviews where they see fit. RV or MLe to share recommended wording with the applicant to update.

Stage Specific Peat Management Schedule

19. RV advised that stage specific peat management schedule will be needed as part of a stages EPA package. RO recommended also including this information in condition 27 (CEMP). The applicant will update condition 27 and reissue to parties.

Construction monitoring and certification

20. RO noted proposed conditions 48 and 49. RV recommended updating this condition to include reporting that the CEMP measures (specifically in relation to deep trenching and peat management) have been implemented. RV or MLe to share recommended wording with the applicant to update. ML and RO agree with this update and will link to condition 27.

Slope stability

21. RV advised that the conditions need to confirm timing for the slope stability assessments. RO recommended an update to condition 47. RV or MLe to share recommended wording with the applicant to update.

NHoŌ Kaitiaki Monitor

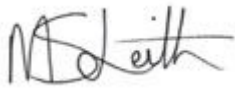
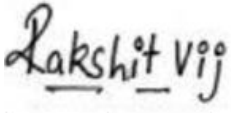
22. NMB considers that this can be discussed in detail at the cultural conferencing. MM advised that NHoO do not consider that a Kaitiaki monitor is needed onsite at all times

but that there is a risk of accidental discovery and therefore monitoring at certain stages is required. ML clarified that the reporting should have referred to minimal risk of koiwi discovery but agrees kaitiaki monitoring is appropriate. NHO and the applicant will develop a kaitiaki monitoring strategy. TH advised that koiwi discovery is not a rare occurrence and archaeological discoveries are almost certain. NMB requested the applicant refine wording of conditions in relation to this prior to cultural conferencing.

Other matters

23. MLE noted a previous meeting between KCDC and the applicant had led to resolution on a number of matters. MLE to provide notes on these to the applicant for them to update conditions.

SIGNATURES OF EXPERTS

		
Ray O'Callaghan	Mitch Lewandowski	Andrew Beatson
		
Monique Leith	Rakshit Vij	Joshua Knowles
		
Gregor McLean	Katherine Greenaway	Melanie McCormick
		
Tiana Hakaraia	Liam McAuliffe	Pene Palaau Kaonohi
		
Mike Scott	Helena Gerretzen Parata	