

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:

STORMWATER

10 September 2026

INTRODUCTION

1. Expert conferencing on the topic of stormwater took place online via Microsoft Teams from 9:30am-12:30pm on 10 September 2026.
2. The conference was attended by the following members of the Expert Panel:
 - a. Sue Simons (“SS”) (Chair)
 - b. Nigel Mark-Brown (“NMB”) (Panel Member)
 - c. James Whetu (“JW”) (Panel Member)
 - d. 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. Ray O’Callaghan (“RO”) (Applicant)
 - e. Andrew Beatson (“AD”) (Applicant)
 - f. Joseph Harris (“JH”) (Applicant)
 - g. Jamie Whittaker (“JWh”) (Applicant)
 - h. Charlotte Lockyer (“CL”) (KCDC)
 - i. Paul Busing (“PB”) (KCDC)
 - j. Monique Leith (MLE) (KCDC)
 - k. Colin Shields (“CS”) (KCDC)
 - l. Katherine Greenaway (“KG”) (GWRC)
 - m. David Wilson (“DW”) (GWRC)
 - n. Joshua Knowles (“JK”) (GWRC)
 - o. Mike Scott (“MS”) (Ātiawa ki Whakarongotai Charitable Trust)
 - p. Liam McAuliffe (“LA”) (Ātiawa ki Whakarongotai Charitable Trust)
 - q. Pene Palaau Kaonohi (“PPK”) (Ātiawa ki Whakarongotai Charitable Trust)
 - r. Melanie McCormick (“MM”) (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 stormwater 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

Internal roading network

8. CS advised that KCDC would expect that internal roads will be subject to EPA. CS advised that a memo has been sent to the panel regarding the local road network concerns.

*JWh and CS left the meeting.

Stormwater Management Plan (Condition 87):

9. JK advised that condition 87 should be amended to include:
 - Clear guidance on access for maintenance requirements
 - The minimum depth to seasonally high groundwater level
 - Operation and Maintenance Requirements

Condition 88

10. JK advised minor changes needed to refer to utility operator (instead of KCDC) and amend certification “requirement”. ML agrees with these changes.

GW monitoring should inform the SMP

11. DW advised that groundwater will inform stormwater design and that stormwater management needs to be above groundwater level which will affect earthworks and outcomes. NMB confirmed JLWs position from yesterday’s conferencing that a water balance assessment and a groundwater model needs to be developed.
12. DW confirmed that the proposed stormwater treatment should manage water quality impacts on the receiving environment. But it’s not clear how to achieve treatment and conveyance and earthworks above the groundwater table. NMB clarified that at this stage the groundwater level and how it can be managed is missing from the design. SS and NMB noted interrelated issues i.e. hydrology and ecology. DW advised that any design priority will constrain/inform design.
13. RO agrees that the stormwater devices need to sit above the highest groundwater level which in turn drives minimum ground level. RO advised that the groundwater model will inform detailed design. And that there are options for including adaptive management measures in the stormwater system. RO advised that the applicant now has two winters of groundwater recordings. SS asked what would be the optimum number of recordings. RO advised that the proposed system has considered existing conditions and other disciplines with the ability to adapt over time.
14. DW queried whether a plan showing “pinch points” in the system. RO advised that this has been done and there is one area that was identified as potentially problematic. JH supported comments by RO. JLW considered that the picture was yet to be completed understanding water levels and finished ground level. JLW advised that NZTA is doing a project near Waikanae North relying on two years of monitoring and extrapolating it out using a model. RO advised that the applicant will likely have three years of monitoring prior to commencing detailed design.

15. DW noted that there are stormwater management options that can be adopted and manage outcomes. SS queried solution in conditions and DW advised a groundwater monitoring plan that establishes a design seasonally high groundwater level is sufficient to inform stormwater design.

Condition 75

16. PB clarified that this was largely covered yesterday in the flooding conferencing.

Other matters

17. PB advised that whole of life cost/cost to ratepayer is a key consideration for KCDC. A number of proposed conditions/outcomes of Waikanae North are inconsistent with KCDCs global stormwater consent and some proposed design solutions are relatively expensive over time. PB queried whether ultimately stormwater management of the site could transfer under the global consent.
18. NMB advised that there are examples in Auckland where the utility operator signs off the SMP enabling stormwater infrastructure to transfer to the network utility operators global consent.
19. JK acknowledged the options for transfer of consent in the long term but GWRC need to ensure conditions are enforceable. ML queried the mechanics of integrating into global consent. PB expressed concern that often issues are pushed to be resolved at detailed design and acknowledged the benefit of tackling issues early on.
20. MLe queried whether condition 88 was sufficient to enable early consultation on the detail of the stormwater system. PB noted that condition 106 ultimately places consent responsibilities on KCDC and therefore long-term management and maintenance requirements are very important to KCDC. MLe considers that KCDC should have an “approval” role in condition 88. DW highlighted that an operational stormwater consent will be “implemented” as the stages of the development are rolled out. RO confirmed that the intent is for both councils to be satisfied with the SMP and any updates to condition 88 to clarify that are appropriate.
21. CL noted condition 77 requires an annual monitoring report which would become KCDCs requirement to meet, in addition to global stormwater consent requirements (conditions 97 and 123 are similar, putting additional onus on KCDC’s management requirements). JK advised that the intent of future consenting arrangements (between KCDC and GWRC) will likely enable KCDC to operate under their global consent and surrender any bespoke consents. PB suggested taking that discussion offline. AB suggested that a mechanism enabling any bespoke requirements to “fall away” once management comes under KCDCs control.
22. MS advised that there is a strong link between stormwater, ecological and cultural outcomes and Manawhenua are seeking a role in the long term management of the whenua. SS queried whether “management” could be defined further (to be discussed at cultural conferencing). PB noted that co management is embedded in the global stormwater consents.
23. NMB queried whether the existing and proposed wetlands have a stormwater treatment function. MS confirmed this was a key issue for Manawhenua. MS advised that Manawhenuas preference is for treatment prior to entering wetlands. RO confirmed that the design is proposed with no treatment in wetlands.
24. MLe sought clarification on the area of wetland to be vested and the purpose. RO advised that there are plans showing stormwater lots and other lots will be vested for other

purposes (e.g. ecological). ML noted condition 124 requires the applicant to specify all lots for vesting and their purpose. PB clarified that it is the vesting of the eastern wetland detention device that remains unclear. MLe requested that a schedule of lots to be vested be provided by the applicant so that KCDC can raise issues sooner rather than later.

25. DW noted that all treatment needs to be completely outside ecological areas to support management and maintenance (National Environmental Standards for Freshwater 2020 implications).
26. MS noted Manawhenua would still like a role in managing stormwater to ensure no downstream impacts on wetlands. RO noted that the CEMP will provide for this input in part.
27. PB queried condition 165 (quality of stormwater). DW confirmed that GWRC cannot impose a consent notice and this is a KCDC function. PB noted that noncompliance with the consent notice would become a KCDC enforcement issue. ML noted this is a standard consent notice. PB noted that regulation of water quality requirements is not a KCDC function.

SIGNATURES OF EXPERTS



Jon Williamson



Mitch Lewandowski



Andrew Beatson



Joseph Harris



Ray O'Callaghan



Jamie Whittaker



Charlotte Lockyer



Monique Leith



Paul Busing



Colin Shields



David Wilson



Joshua Knowles

A handwritten signature in dark ink, appearing to read 'KATH' followed by a stylized flourish.

Katherine Greenaway

A handwritten signature in dark ink, appearing to read 'Melanie McCormick' in a cursive style.

Melanie McCormick

A handwritten signature in dark ink, appearing to read 'Michael S.' with a large circular flourish.

Mike Scott

A handwritten signature in dark ink, appearing to read 'Pene Palaau Kaonohi' in a cursive style.

Pene Palaau Kaonohi