

**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 EROSION AND SEDIMENT CONTROL EXPERTS

8 August 2023

INTRODUCTION

1. This joint witness statement relates to expert conferencing on the topic of erosion and sediment control.
2. The expert conferencing was held on 8 August 2023, facilitated by Environment Commissioner Buchanan.
3. Attendees at the conference were:
 - (a) Mr Keith Hamill (witness for Waka Kotahi). Mr Hamill is the author of Technical Assessment H: Water Quality, and of a statement of evidence dated 4 July 2023.
 - (b) Mr Gregor McLean (Witness for Waka Kotahi). Mr McLean is the author of Appendix 4.3 (Erosion and Sediment Control Technical Assessment Report) to the Project's Design and Construction Report (Appendix 4 to Volume II of the Application). Mr McLean also authored a statement of evidence dated 4 July 2023.
 - (c) Mr Kerry Pearce (witness for the Regional Councils). Mr Pearce is author of Appendix 6 (Erosion and Sediment Control) to the section 87F report for the Regional Councils. Mr Pearce provided a note setting out issues that remain in dispute in advance of the conference.
 - (d) Mr Logan Brown (witness for the Regional Council). Mr Brown is the author of Appendix 3 (Water Quality and Aquatic Ecology) to the section 87F report for the Regional Councils. Mr Brown provided a note setting out issues that remain in dispute in advance of the conference.
 - (e) Ms Justine Bennett (witness for the District Councils). Ms Bennett authored Appendix 5 (Stormwater and Water Quality) to the section 198D report for the District Councils. Ms Bennett provided a note setting out issues that remain in dispute in advance of the conference. Ms Bennett attended the conference via video conference.
 - (f) Mr Quentin Parr (witness on behalf of Ngāti Raukawa). Mr Parr lodged a statement of evidence dated 4 July 2023.

CODE OF CONDUCT

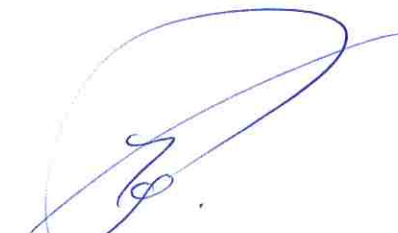
4. This joint statement is prepared in accordance with section 9.4 of the Environment Court Practice Note 2023.

5. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

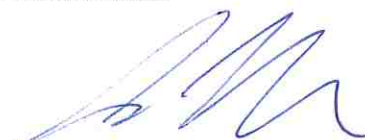
PURPOSE AND SCOPE OF CONFERENCING

6. The purpose of conferencing was to identify, discuss, and highlight points of agreement and disagreement on erosion and sediment control 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 H, Appendix 4.3 to the Design and Construction Report 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 H and Appendix 4.3 to the Design and Construction Report.


Date: 8 August 2023



Keith Hamill



Gregor McLean



Kerry Pearce



Logan Brown



Justine Bennett



Quentin Parr

ANNEXURE A – EXPERT CONFERENCING ON EROSION AND SEDIMENT CONTROL

Participants: Keith Hamill (KH), Gregor McLean (GM), Kerry Pearce (KP), Logan Brown (LB), Justine Bennett (JB), Quentin Parr (QP)

Issue	Agreed Position	Disagreements or reservations, with reasons
Use of GD05 and the Waka Kotahi guidelines	Erosion Sediment Control Monitoring Plan - All agree that Schedule 8d) provisions should give consideration to the appropriateness of the design standards (ESC Guidelines).	
Flocculation	All agree that RES8(b) should be removed. All agree that RES8(a) should include "and chemical treatment system" after 'sediment retention ponds'.	Note: RES8(b) should be removed because it only allowed for one type of chemical treatment system.
Priority catchment monitoring and discharge standards/triggers	Erosion Sediment Control Monitoring Plan - All agree that Schedule 8d) provisions should include requirements for escalating the response if there is poor performance of a device as indicated by repeated exceedances.	
Related conditions	All agree to amend RES1(d)(ii) to include "equal to or greater than 100mm".	
Specific monitoring	Freshwater Ecology Management Plan - All agree that the Schedule 7g) provisions should include specific monitoring within the streams feeding the lakes (catchment C and D).	

Sediment thresholds	All agree to translate the deposited sediment related triggers from the Aquatic Monitoring and Response Framework from KH's evidence (4 July) into RFE4.	
---------------------	--	--