

Before the Taranaki Regional Council and New Plymouth District Council
Mt Messenger Bypass Project
Notices of Requirement and Consent Applications

under: the Resource Management Act 1991

in the matter of: Applications for resource consents, and a Notice of Requirement by the NZ Transport Agency for an alteration to the State Highway 3 designation in the New Plymouth District Plan, to carry out the Mt Messenger Bypass Project

Joint Witness Statement – **Designation and Resource Consent
Conditions**

Dated: **19.10.18**

EXPERT CONFERENCING JOINT WITNESS STATEMENT – DESIGNATION AND RESOURCE CONSENT CONDITIONS

INTRODUCTION

- 1 This Joint Witness Statement is written in response to the Hearing Commissioner's direction on 9 October 2018 (and confirmed in Commissioner's Minute 6 of 14 October 2018) that planning experts should conference and produce a joint witness statement to document areas of agreement and areas of disagreement.
- 2 A conferencing meeting was held in New Plymouth from 8.30 am to 1:30pm on 10 October 2018, and again on 18 October 2018 from 9 am to 3.30 pm.
- 3 Attendees at the meetings were:
 - Mr Peter Roan representing the NZ Transport Agency
 - Mr Colin McLellan representing the Taranaki Regional Council
 - Ms Kathryn Hooper representing the Taranaki Regional Council
 - Ms Rachelle McBeth representing the New Plymouth District Council
 - Mr Ben Inger representing the Director General of Conservation (via video-conference on 18 October)
 - Ms Rachel Purdy, as Facilitator. For the record, Ms Purdy is a Senior Resource Management Planner for the Applicant's Mt Messenger Alliance.
- 4 The scope of issues covered was in relation to the proposed designation and resource consent conditions.
- 5 The purpose of this conferencing was to discuss, clarify and reach agreement on issues raised in expert evidence of planning witnesses, and in questioning during the Hearing.
- 6 All participants in this conferencing confirm that they have read, understood, and agree to abide by the Environment Court's Practice Note 2014, including Appendix 3 – Protocol for Expert Witness Conferences.

PROGRESS

- 7 All matters set out in both the proposed designation and resource consent conditions have been reviewed by the planners and very good progress has been made towards resolving areas of difference.
- 8 Aside from a small number of matters that relate primarily to areas of disagreement between technical ecological experts (as recorded

in the 15 October 2018 Joint Witness Statement of the Ecologists), and which it is not possible for the planners to resolve, we now have a largely agreed set of conditions.

- 9 However, work is still required by Ms Purdy to tidy up formatting, check cross referencing and then complete a 'sense check', before providing the working document back to the planners to confirm that the text reflects the outcome of the discussions.
- 10 Allowing for that process, we believe that we will be in a position to file a final Joint Witness Statement and a complete set of proposed designation and resource consent conditions before 12pm on Tuesday 23 October 2018.
- 11 We note also that after the meeting on the 18th October closed, Ms McBeth identified that there are some matters relating to Scenario 4 in Condition 30 that she is seeking advice on. Any changes that Ms McBeth might be seeking will be reviewed by the planners over the weekend and incorporated into the final Joint Witness Statement. Wider consideration of this matter by the ecological experts may also be required.
- 12 We have considered whether there may be benefits from a 'hot-tubbing' forum with the Commissioner and believe that there will be few, if any, remaining planning matters that are unresolved on conclusion of the final Joint Witness Statement.
- 13 That said, we will be available to the Commissioner on Wednesday 24 October 2018 when the hearing reconvenes, if that is required.

Date: 19.10.18



Mr Peter Roan



Mr Colin McLellan



Ms Kathryn Hooper



Ms Rachelle McBeth



Mr Ben Inger



**Ms Rachel Purdy
(Facilitator)**