

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of a submission in respect of the **PROPOSED WAIKATO DISTRICT PLAN** by **AMBURY PROPERTIES LIMITED** pursuant to Clause 6 of Schedule 1 of the Act to rezone 178ha of land at Ohinewai

**MEMORANDUM OF COUNSEL FOR AMBURY PROPERTIES LIMITED IN RELATION TO REBUTTAL EVIDENCE**

**24 AUGUST 2020**

**Introduction**

1. Counsel for Ambury Properties Limited ("APL") respectfully refers to the memorandum of counsel dated 9 July 2020 which provided an overview of the 22 statements of evidence filed on behalf of APL on 9 July 2020.
2. Following that (and taking account of adjustments to the hearing timetable), on 13 August 2020 six other submitters and further submitters filed the evidence of 14 expert witnesses.
3. APL has produced 14 statements of rebuttal evidence to put the concerns raised by those parties into perspective.
4. In the hope that it will assist the Hearing Panel, the table attached as Attachment A summarises the issues raised by other parties and the rebuttal evidence that is being filed by APL today.
5. Every effort has been made to keep the rebuttal evidence as brief as possible, although some is necessarily lengthy due to the pedantic approach adopted by some of the other parties' experts, especially in relation to traffic.

**DATED** this 24th day of August 2020



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**S J Berry**

**Counsel for Ambury Properties Limited**

**ATTACHMENT A**

**AMBURY PROPERTIES LIMITED - REBUTTAL EVIDENCE**

<b>Discipline</b>	<b>Submitter evidence</b>	<b>APL rebuttal evidence</b>	<b>Issues addressed in rebuttal evidence</b>
<b>Corporate</b>	Ian Mayhew Ken Tremaine	Craig Turner	<ol style="list-style-type: none"> <li>1. WRC and Future Proof opposition;</li> <li>2. Importance of the residential component;</li> <li>3. Provision of infrastructure;</li> <li>4. Effects on Huntly;</li> <li>5. The opportunity offered by the proposal.</li> </ol>
<b>Corporate</b>	Ian Mayhew Melissa Hackell	David Gaze	<ol style="list-style-type: none"> <li>1. Whether TCG employees will want to live and work at Ohinewai;</li> <li>2. Infrastructure funding.</li> </ol>
<b>Flooding</b>	Ghassan Basheer (WRC) Grant Webby (Mercury)	Ajay Desai	<ol style="list-style-type: none"> <li>1. Modelling of the stop bank breach scenario;</li> <li>2. Amendments to plan provisions relating to finished floor levels.</li> </ol>
<b>Water/ wastewater</b>	Ken Tremaine (Future Proof) Ian Mayhew (WRC and NZTA)	Robert White	<ol style="list-style-type: none"> <li>1. Staging of development;</li> <li>2. Required upgrades to existing infrastructure;</li> <li>3. Long term servicing;</li> <li>4. The cost of water and wastewater servicing.</li> </ol>

Discipline	Submitter evidence	APL rebuttal evidence	Issues addressed in rebuttal evidence
<b>Economics</b>	Blair Keenan (WRC) Ken Tremaine (Future Proof) (re effects on Huntly)	Tim Heath Phil Osborne Brent Wheeler	<p>Tim Heath:</p> <ol style="list-style-type: none"> <li>1. Housing capacity in the Waikato district;</li> <li>2. Whether the OSP will become a "dormitory town";</li> <li>3. Effects on the regeneration of Huntly;</li> <li>4. Removal of the DFO.</li> </ol> <p>Phil Osborne:</p> <ol style="list-style-type: none"> <li>1. Approach to assessment of benefits;</li> <li>2. Appropriateness of the assessment of costs;</li> <li>3. Removal of the DFO.</li> </ol> <p>Brent Wheeler:</p> <ol style="list-style-type: none"> <li>1. Approach to calculating cost of capital.</li> </ol>

<b>Discipline</b>	<b>Submitter evidence</b>	<b>APL rebuttal evidence</b>	<b>Issues addressed in rebuttal evidence</b>
<b>Transport</b>	Robert Swears (NZTA) Sarah Loynes (NZTA) Vincent Kuo (WRC) Ian Mayhew (WRC and NZTA)	Cameron Inder	<ol style="list-style-type: none"> <li>1. The removal of the Discount Factory Outlet;</li> <li>2. Walking and cycling provision;</li> <li>3. Road safety issues;</li> <li>4. Feasibility of the rail siding;</li> <li>5. Site access proposals;</li> <li>6. Trip generation rates;</li> <li>7. Effects on Expressway function;</li> <li>8. Effects on the SH 1 Ohinewai Interchange;</li> <li>9. Public transport provision;</li> <li>10. Outstanding matters identified in the Joint Witness Statement.</li> </ol>
<b>Social effects</b>	Melissa Hackell (WRC)	Rob Quigley	<ol style="list-style-type: none"> <li>1. Appropriateness of the social impact assessment methodology;</li> <li>2. Appropriateness of the representation of stakeholders in the SIA;</li> <li>3. Potential for Ohinewai to become a dormitory town.</li> </ol>
<b>Ecology</b>	Thomas Wilding (WRC) David Klee (F&G)	Chad Croft	<ol style="list-style-type: none"> <li>1. The proposed pest control framework.</li> </ol>

Discipline	Submitter evidence	APL rebuttal evidence	Issues addressed in rebuttal evidence
<b>Coal resource Ohinewai</b> mine at	Dean Fergusson (Ralph) Gary Gray (Ralph)	Cameron Lines Nick Speight Dave Stafford	Cameron Lines: 1. Long term demand for coal; 2. Pit slope stability issues arising from a mine at Ohinewai. Nick Speight: 1. Geotechnical effects associated with widespread dewatering required for a deep open cast coal mine; 2. Estimated consolidation settlements from groundwater drawdown; 3. The likely effects of settlement. Dave Stafford: 1. The environmental impact for major dewatering around the proposed pit including the potential impact of lakes Rotokawau and Ohinewai.
<b>Planning</b>	Ken Tremaine (Future Proof) Angus McKenzie (Mercury) Sarah Loynes (NZTA) Ian Mayhew (WRC and NZTA) David Klee (F&G)	John Olliver	1. Cumulative effects of development and strategic fit; 2. National Policy Statement-Urban Development; 3. Water and wastewater provision; 4. Ecology; 5. Potential reverse sensitivity effects; 6. Updated plan provisions.