

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of Intensification Planning Instrument Proposed Plan Change 78: Intensification (**PC78**) to the Auckland Unitary Plan Operative in Part (**AUP**)

JOINT WITNESS STATEMENT IN RELATION TO:

Hearing Topic 012F Beachlands Transport Infrastructure Constraint

Expert conferencing held on	14 April 2023
Venue	Online
Independent facilitator	Richard Blakey
Secretariat planner	Michelle Creamer

1. Attendance

1.1. The list of participants is included in the schedule at the end of this Statement.

2. Basis of attendance and Environment Court Practice Note 2023

2.1. All participants agree to the following:

- a) The Environment Court Practice Note 2023 provides relevant guidance and protocols for the expert conferencing session;
- b) They will comply with the relevant provisions of the Environment Court Practice Note 2023;
- c) They will make themselves available to appear before the Independent Hearing Panel;
- d) This statement is to be filed with the Independent Hearing Panel and posted on the Council's website.

3. Matters considered at conferencing – agenda and outcomes

Unless otherwise stated – no name reflects a neutral position. Some experts were not present during all of the discussion/paragraph statements.

3.1. Transport as a qualifying matter

3.1.1. Are transport infrastructure constraints appropriate to identify as a qualifying matter?

- A. **Chris Freke, Lucy Deverall, Evan Keating** consider it appropriate to identify a transport QM due to constraints in the transport infrastructure for Beachlands.
- B. **Vijay Lala, Nick Roberts, Daryl Hughes** consider that applying a Qualifying Matter (QM) (including with a different activity status) could potentially be appropriate subject to s32 justification.
- C. **Vijay Lala, Nick Roberts, Daryl Hughes, Janette Yan** question whether it is more appropriate to deal with these matters through plan provisions as opposed to a QM.

3.1.2. Is there a constraint?

- A. **Chris Freke, Lucy Deverall, Flynn Roser** consider both Whitford-Maraetai road corridor and associated network have existing and future constraints and would not accommodate further development pressure if a QM was not applied.
- B. **Chris Freke, Lucy Deverall, Flynn Roser, Evan Keating** note that Beachlands is the only location where a transport QM is being applied based on its characteristics and differences, with these not applying to other areas in the region. Limited social, business, employment opportunities are some of the characteristics of the existing Beachlands township that warrant a QM.

3.2. **Is it appropriate to apply the Infrastructure – Beachlands Transport Infrastructure Constraint (BTIC) as a qualifying matter to limit the intensification requirements of Policy 3 of the NPSUD and the Medium Density Residential Standards (MDRS) in order to meet the well-functioning urban environment Objective of the NPS-UD?**

3.2.1. What are the known transport constraints in the Beachlands area?

- A. **Chris Freke, Daryl Hughes** consider that some intersections on the Whitford-Maraetai Road are operating at design capacity during peak times (morning and afternoon) but the road has some remaining capacity. **Flynn Roser** does not have enough information to confirm agreement with this statement.
- B. **Chris Freke, Flynn Roser, Daryl Hughes** – note that the road is the primary road serving Beachlands.
- C. **Chris Freke, Daryl Hughes, Flynn Roser** agree the bus network has a low level of service and has low patronage.
- D. **Chris Freke/Flynn Roser** notes that it is costly to provide an efficient bus service due to the fragmentation of journeys, sections of dead running

and is not attractive to users. In the absence of an attractive bus service people will revert to private vehicles.

- E. **Daryl Hughes** considers that the challenges of bus provision is typical of other settlements in Auckland and does not consider Beachlands unique in this regard and sees potential for patronage to increase.
- F. **Chris Freke, Daryl Hughes, Flynn Roser** agree the ferry service is currently near capacity and;
 - a) **Chris Freke, Flynn Roser** considers the ability to expand the ferry service is limited without major investment.
 - b) **Daryl Hughes** considers significant improvements could be achieved without major investment.

3.2.2. What are the likely implications of intensification requirements of Policy 3 of the NPSUD and the MDRS on any existing known transport constraints?

- A. The parties are in general agreement that the current dwelling numbers in Beachlands in July 2022 are 2,504.
- B. **Chris Freke, Lucy Deverall** advise that the Council's modelling indicates that the AUP(OP) plan enabled yield is 3,452. The plan enabled capacity under PC78 (with QM) has not been changed from the AUP(OP).
- C. The Council's s32 analysis indicates full implementation of MDRS would yield an additional 18,788 dwellings (to the enabled yield). Further modelling in February 2023 provides a plan enabled potential which has changed to an additional 17,041 with no QM. The modelling has provided feasible development potential of an additional 6,879 dwellings with no QM based on pre-1990 housing stock (an assumption was made that newer houses are less likely to be redeveloped).

Modelling undertaken by the Council for the preceding figures was based on a wider modelling for PC78 as a whole. The methodology used for Beachlands is the same as used for other areas under PC78.

- D. **Chris Freke, Lucy Deverall, Flynn Roser** advise that the Council's work to date indicates with development based on plan enabled dwellings (3,500) some safety improvements are required but no significant increases to capacity would be required. An additional 3,000 (resulting in 6,500) would require the Whitford bypass (initially costed at 200 million in the s32 report) and more sections of 3 laning for safety reasons (and public transport upgrades). An additional 6,000 resulting in 9,500) would need 4 laning to the Whitford bypass to be in place. The impact of an additional 3000 and 6000 on the network beyond the Whitford village has not been fully

assessed but one of the routes Whitford to Howick is problematic from a safety point of view.

- E. **Daryl Hughes** considers that approximately 3,000 additional dwellings can be accommodated by the existing transport infrastructure given upgrades to key intersections along Whitford-Maraetai Road and public transport services in Beachlands. Beyond that amount, more significant network and public transport improvements may be required, depending upon travel characteristics at the date at which the 3,000 dwellings is surpassed.

3.2.3. Does Beachlands warrant the application of a transport constraints qualifying matter to limit intensification requirements of Policy 3 and MDRS?

- A. **Vijay Lala, Nick Roberts, Daryl Hughes** - Yes, subject to confirmation of Council's modelling comments regarding Council's s32 analysis (and initial cost estimates) and the application of a more nuanced approach to the assessment of that QM (i.e. DA or RDA). Noting that plan change 88 is not included within the PC78 area. We do not support the application of a QM across this area as a result of any subsequent hearing process as transport triggers are proposed to address transport effects.

- B. **Chris Freke, Lucy Deverall, Evan Keating**– Yes.

3.3. Provisions relating to the BTIC

3.3.1. Are the notified objective, policy and provisions appropriate and/or sufficient to support the utilisation of the qualifying matter and achieve a well-functioning urban environment?

- A. **Chris Freke, Lucy Deverall** note the s32 analysis has considered the costs and benefits of the QM and zoning approach but acknowledge assessment is required on the notified provisions.
- B. **Evan Keating** considers that the section 32 did not consider a range of options as the option of using a qualifying matter to 'rollover' the existing zoning was not considered (this could be a low density residential zone). The Waka Kotahi submission was neutral with regard to the method to achieve the objectives and could include re-zoning the area.
- C. **Vijay Lala, Nick Roberts** consider that further analysis is required into the costs and benefits of different activity statuses in relation to the BTIC QM. This should include consideration of Restricted Discretionary / Discretionary Activity status.
- D. **Chris Freke, Lucy Deverall, Evan Keating, Vijay Lala, Nick Roberts** agree that Objective H3A.2(11) should be amended as shown below:

Objective H3A.2(11)

Intensification is avoided in areas with significant ~~public~~ transport infrastructure constraints.

3.4. Site or area-specific issues

3.4.1. If Maraetai is considered to be within the urban environment,¹ what are the known transport constraints in Maraetai? What would the implications be for the existing known transport constraints in Maraetai as a result of intensification under the NPS-UD? Is it appropriate to extend the BTIC to Maraetai?

A. **Chris Freke and Evan Keating** note that Maraetai is within 500 metres of Beachlands at its closest point. Submissions have been received seeking it be added to the Beachlands urban area. Whilst this is being addressed in another session it was noted that adding it without any QM would increase the additional dwellings and add further traffic and hence if it is added there will be a need to apply any Beachlands BTIC to it and potentially revise the provisions.

3.4.2. Is it appropriate to remove the BTIC from 1 Seventh View Avenue, Beachlands?

A. **Lucy Deverall, Chris Freke** do not consider it appropriate to remove the BTIC from this site.

B. Submitter not present to speak to the question.

4. PARTICIPANTS TO JOINT WITNESS STATEMENT

4.1. The participants to this Joint Witness Statement, as listed below, confirm that:

- a) They agree that the outcome(s) of the expert conferencing are as recorded in this statement; and
- b) They have read the Environment Court's Practice Note 2023 and agree to comply with it; and
- c) The matters addressed in this statement are within their area of expertise; and
- d) As this session was held online, in the interests of efficiency, it was agreed that each expert would verbally confirm their position to the Facilitator and this is recorded in the schedule below.

4.2. Confirmed online – 14 April 2023

Unless otherwise stated – no name reflects a neutral position. Some experts were not present during all of the discussion/paragraph statements.

¹ To be conferenced at a later date

Expert's name and expertise	Party	Expert's confirmation (para 4.1(d) above) (Note items)
Graeme Roberts (Planning)	Fire and Emergency New Zealand	Did not attend
Shannah Leamy (Planning)	New Avenues no.8 LP	Attended, left 11.54am.
Janette Yan (Planning)	New Avenues no.8 LP	Attended, left 11.54am. (contributed to 3.1.1C)
Vijay Lala (Planning)	Beachlands South Limited Partnership	3.1.1B, C; 3.2.3A, 3.3.1C &D
Nick Roberts (Planning)	Beachlands South Limited Partnership	3.1.1B, C; 3.2.3A, 3.3.1C &D
Daryl Hughes (Transport)	Beachlands South Limited Partnership	3.1.1C; 3.2.1A, B, C, E, F(b); 3.2.2E; 3.2.3A
Brett Harries (Transport)	Beachlands South Limited Partnership	Did not attend
Rachel Morgan (Planning)	Fletcher Residential	Did not attend
Evan Keating (Planning)	Waka Kotahi	3.1.1A; 3.1.2B; 3.2.3B; 3.3.1D; 3.4.1A
Rodney Albertyn (Planning)	Waka Kotahi	Did not attend
Nicola Sedgley (Planning)	Nicola Spencer	Did not attend
John Brown (Heritage Architect)	Nicola Spencer	Did not attend
Phil Mitchell (Planning)	Retirement Villages Association of NZ	Did not attend
Hannah O'Kane/Nicki Williams (Planning)	Ryman Healthcare	Did not attend

Lucy Deverall (Planning)	Auckland Council	3.1.1A; 3.1.2A, B; 3.2.2B, C & D; 3.2.3B; 3.3.1 A & D; 3.4.2A
Chris Freke (Planning and Transport)	Auckland Council	3.1.1A; 3.1.2A, B; 3.2.1A, B, C, D, F(a); 3.2.2D; 3.2.3B; 3.3.1A & D; 3.4.1A; 3.4.2A
Flynn Roser (Transport Engineer)	Auckland Council	3.1.2A, B; 3.2.1B, C, D, F(a); 3.2.2D

Expert Conference attendance sheet

Topic 12F: Qualifying Matter (Infrastructure) – Beachlands Transport Infrastructure Constraint

Date: 14 April 2023

Facilitator: Richard Blakey

Location: MS-Teams

Submission number	Submitter name	Representative at mediation	Email	Notes (include arrival and leaving time where different)
837	Fire and Emergency New Zealand	Graeme Roberts (Planning)	Graeme.roberts@beca.com	Did not attend
939	Auckland Council	Lucy Deverall (Planning)	Lucy.Deverall@boffamiskell.co.nz	BM for AC 9.35am
939	Auckland Council	Chris Freke (Transport Planning)	Chris.Freke@at.govt.nz	9.35 AT for AC
939	Auckland Council	Flynn Roser (Transport Engineer)	Flynn.Roser@aurecongroup.com	9.36
947	Retirement Villages Association of NZ	Phil Mitchell (Planning)		Did not attend
1080	Fletcher Residential	Rachel Morgan (Planning)	rachelm@barker.co.nz	Did not attend
1216	New Avenues no. 8 LP	Shannah Leamy (Planning)	mark@planco.co.nz	9.37 – left at 11.54am
1216	New Avenues no. 8 LP	Janette Yan (Planning)	janette@planco.co.nz	9.37 – left at 11.54am

Plan Change 78 Intensification/Plan Change 79 Transport Provisions/Plan Change 80 RPS

Submission number	Submitter name	Representative at mediation	Email	Notes (include arrival and leaving time where different)
2049	Waka Kotahi	Evan Keating (Planning)	Evan.keating@nzta.govt.nz	9.38 – left at 11am. Rejoined at 11.22
2238	Beachlands South Limited Partnership	Vijay Lala (Planning)	Vijay.lala@tattico.co.nz	9.39 Need to leave at 11. Vijay back 1.42pm (after lunch).
2238	Beachlands South Limited Partnership	Nick Roberts (Planning)	nickr@barker.co.nz	9.39 Left 10.30. Back 11am Left 3pm
2238	Beachlands South Limited Partnership	Daryl Hughes (Transport)	Daryl.hughes@ckl.co.nz	9.39 Left at 3.20pm
2238	Beachlands South Limited Partnership	Brett Harries (Transport)	brett@harriesnz.com	Did not attend
2257	Ryman Healthcare	Hannah O’Kane (Planning)	Hannah.okane@mitchelldaysh.co.nz	Did not attend
2257	Ryman Healthcare	Nicki Williams (Planning)	Nicki.Williams@mitchelldaysh.co.nz	Did not attend