

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 016A Business Zones – City Centre Zone Subtopics

Expert conferencing held on	23/05/2023
Venue	Online
Independent facilitator	Sarah Shaw
Secretariat planner	Beth Maynard

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

3.1. Qualifying matters

- a) The following experts consider that an appropriate approach for the applicable qualifying matters is to be addressed through the zone provisions, and that other appropriate approaches include addressing qualifying matters through precincts and overlays: **Elisabeth Laird, David Haines, Clare Covington, Mark Benjamin, Alice Morris, Nick Roberts, Karl Cook, Mark Arbuthnot, and Doug Fairgray.**
- b) The following experts consider that it is most appropriate that qualifying matters be addressed through overlays: **John McCall and Evan Keating.**
- c) The following experts are neutral on this matter: **Nicki Williams, Hannah O’Kane, Graeme McIndoe, Penny Anson, Alex Glasgow, Howell Davies, Warren Nicholson, Ezra Barwell, Severin Soder, Sheerin Samsudeen, Peter Kensington, Cam Wallace, Megan Walker, Jeremy Whelan, and Robin Byron.**

3.1A Benefits of intensification

- a) The following experts consider that maximising the benefits of intensification does not necessarily follow from enabling as much development capacity as possible: **Doug Fairgray, Graeme McIndoe, Clare Covington, and David Haines.**
- b) The following experts consider that maximising the benefits of intensification does not require unrestricted development capacity: **Elisabeth Laird, Doug Fairgray, Graeme McIndoe, Clare Covington, and David Haines.**
- c) The following experts consider that where there are conflicts between achieving intensification benefits and enabling as much capacity as possible, then achieving intensification benefits should be afforded priority: **Doug Fairgray, Clare Covington, and David Haines.**
- d) The following experts consider that where there are conflicts between achieving intensification benefits and enabling as much capacity as possible, then achieving intensification benefits (including high quality urban design

outcomes) should be afforded priority: **Sheerin Samsudeen, Severin Soder, Elisabeth Laird, Graeme McIndoe, and Howell Davies.**

e) The following experts consider that Policy 3(a) of the NPS-UD needs to be addressed in terms of its wording: **Nick Roberts, Karl Cook, Mark Arbuthnot, Elisabeth Laird, John McCall, Cam Wallace, Nicki Williams, and Hannah O’Kane.**

f) The following experts are neutral on this matter: **Mark Benjamin, Jeremy Whelan, Evan Keating, Robin Byron, Alice Morris, Peter Kensington, Warren Nicholson, and Alex Glasgow.**

3.2. Height – general approach

3.2.1. Is the overall approach taken to height in the city centre chapter H8 appropriate?

- a) The following experts consider that it is appropriate to include general building height limits in the City Centre Zone to implement NPS-UD Policy 3(a) where there are no qualifying matters: **Elisabeth Laird, Doug Fairgray, Clare Covington, Severin Soder, Sheerin Samsudeen, and David Haines.**
- b) The following experts consider that it is **not** appropriate to include general building height limits in the City Centre Zone to implement NPS-UD Policy 3(a) where there are no qualifying matters: **John McCall, Evan Keating, and Cam Wallace**
- c) The following experts are neutral on this matter: **Peter Kensington, Warren Nicholson, Ezra Barwell, Jeremy Whelan, Alice Morris, Karl Cook, Nick Roberts, Graeme McIndoe, Mark Arbuthnot, Nicki Williams, Mark Benjamin, Howell Davies and Hannah O’Kane**

3.3. Urban design outcomes

3.3.1.

- a) The following experts consider that the additional height and development capacity enabled in order to implement the NPS-UD should be subject to

development standards that may limit building height and density of urban form (other than for qualifying matters) in order to manage effects: **Graeme McIndoe, Elisabeth Laird, Sheerin Samsudeen, Severin Soder, Doug Fairgray, and David Haines.**

- b) The following experts consider that standards modifying building heights and densities should only respond to qualifying matters: **Nick Roberts, Karl Cook, John McCall, Evan Keating, Mark Arbuthnot, Mark Benjamin, Alice Morris, Cam Wallace, Nicki Williams, and Hannah O’Kane**
- c) The following experts are neutral on this matter: **Peter Kensington, Warren Nicholson, Ezra Barwell, Howell Davies, and Jeremy Whelan.**

3.3.2. Should the reference to “human scale” be retained in chapter H8 as notified?

- a) The following experts consider that the concept of “human scale” should be retained in the City Centre Zone chapter (not having reviewed each of the specific instances where the phrase is used in the chapter): **Elisabeth Laird, Sheerin Samsudeen, Severin Soder, Cam Wallace, Graeme McIndoe, David Haines, Doug Fairgray, and Howell Davies.**
- b) The following experts are neutral on this matter: **Karl Cook, Peter Kensington, Warren Nicholson, Ezra Barwell, Nick Roberts, Alice Morris, Nicki Williams, Mark Benjamin, Evan Keating, Hannah O’Kane, Jeremy Whelan, John McCall, and Mark Arbuthnot.**

3.3.3. Is it appropriate to retain standard H8.6.32. Outlook space as notified?

- a) The following experts agree that it is appropriate to include outlook space around buildings to provide for amenity of dwellings in the City Centre Zone as a qualifying matter as per s770(j): **Elisabeth Laird, Sheerin Samsudeen, and Doug Fairgray.**
- b) The following experts consider that Outlook space **could** be included as a qualifying matter as per s770(j), subject to meeting the requirements of Policy 4 and Policy 6(b) of the NPS-UD, and s77R of the RMA: **Karl Cook, Nicki Williams, Hannah O’Kane, Evan Keating, John McCall, Alice Morris, and Mark Arbuthnot.**

- c) The following experts consider that Outlook space **should** be included as a qualifying matter as per s77O(j), subject to meeting the requirements of Policy 4 and Policy 6(b) of the NPS-UD, and s77R of the RMA: **Graeme McIndoe, Cam Wallace, and Severin Soder.**
- d) The following experts are neutral on this matter: **David Haines, Warren Nicholson, Peter Kensington, Ezra Barwell, Howell Davies, Jeremy Whelan, and Mark Benjamin.**

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 23/05/2023

Expert’s name and expertise	Party	Expert’s confirmation (refer para 4.1)
Nick Roberts (Planning)	Ngāti Whātua Ōrakei Group / Fabric Property Limited / Viaduct Harbour Holdings	Yes, by Karl Cook on behalf
Karl Cook (Planning)	Sky City Auckland / University of Auckland / Precinct Properties	Yes
Mark Arbuthnot (Planning)	Ports of Auckland / M and L Investments	Yes
Jeremy Whelan (Planning)	M and L Investments	Yes
John McCall (Planning)	Kāinga Ora	Yes
Rachel De Lambert (Landscape Architecture)	Viaduct Harbour Holdings	Yes – attended before confirmation of any items
Graeme McIndoe (Urban Design)	Viaduct Harbour Holdings	Yes
Evan Keating (Planning)	Waka Kotahi	Yes

Auckland Council **PC78** Joint witness statement Topic 016A Business Zones – City Centre Zone
Subtopics

Hannah O’Kane (Planning)	Retirement Villages Association of New Zealand / Ryman Healthcare	Yes
Mark Benjamin (Planning)	John Abel-Pattinson	Yes
Elisabeth Laird (Planning)	Auckland Council	Yes
Sheerin Samsudeen (Urban Design)	Auckland Council	Yes
Severin Soder (Architecture)	Auckland Council	Yes
Warren Nicholson (3D visualiser)	Auckland Council	Yes
Megan Walker (Heritage)	Auckland Council	Yes – Attended for items 1-3.1.
Doug Fairgray (Economics)	Auckland Council	Yes
Peter Kensington (Planning / landscape)	Auckland Council	Yes
Ezra Barwell (Parks policy)	Auckland Council	Yes
Howell Davies (Urban forestry and arboriculture)	Auckland Council	Yes
Alex Glasgow (Agronomist)	Auckland Council	Yes – Attended for items 1 – 3.1A
Alice Morris (Planning)	Heritage New Zealand Pouhere Taonga	Yes
Robin Byron (Heritage architect)	Heritage New Zealand Pouhere Taonga	Yes – Attended for items 1 – 3.1A
David Haines (Planning)	The Parc Bodies Corporate	Yes
Penny Anson (Planning)	Bledisloe Property Group Limited	Yes – Attended for items 1 – 3.1.
Clare Covington (Planning)	The General Trust Board of the Diocese of Auckland	Yes – Attended for items 1 – 3.2.1.
Nicki Williams (Planning)	Ryman Healthcare / Retirement Villages Association of New Zealand	Yes
Cam Wallace (Urban design)	Sky City Auckland / University of Auckland / Precinct Properties	Yes

Expert Conference attendance sheet

Topic : 016A – Business City Centre Zone

Date: 23/05/2023

Facilitator: Sarah Shaw

Location: Online

Submission number	Submitter name	Representative at mediation	Email	Notes
872	Heritage New Zealand Pouhere Taonga	Alice Morris (Planning)	amorris@heritage.org.nz	
872	Heritage New Zealand Pouhere Taonga	Robin Byron (Heritage Architect)	rbyron@heritage.org.nz	Left partway through session, see JWS for detail
873	Kāinga Ora	John McCall (planning)	John.McCall@beca.com	
895	Ngāti Whātua Ōrākei Group	Nick Roberts (Planning)	nickr@barker.co.nz	
939	Auckland Council	Elisabeth Laird (Planning)	Elisabeth.Laird@aucklandcouncil.govt.nz	
939	Auckland Council	Sheerin Samsudeen (Urban Design)	Sheerin.Samsudeen@aucklandcouncil.govt.nz	
939	Auckland Council	Severin Soder (Urban design / architecture)	severin.soder@architectus.co.nz	

Plan Change 78 Intensification

Submission number	Submitter name	Representative at mediation	Email	Notes
939	Auckland Council	Warren Nicholson (3D visualiser)	Warren.Nicholson@architectus.co.nz	
939	Auckland Council	Megan Walker (Heritage)	megan.walker@aucklandcouncil.govt.nz	Left partway through session, see JWS for detail
939	Auckland Council	Doug Fairgray (Economics)	doug@me.co.nz	
939	Auckland Council	Peter Kensington (Planning / landscape)	peter@kplc.co.nz	
939	Auckland Council	Ezra Barwell (Parks policy)	Ezra.Barwell@aucklandcouncil.govt.nz	
939	Auckland Council	Alex Glasgow (Agronomist)	aglasgow@nzsti.org.nz	Left partway through session, see JWS for detail
939	Auckland Council	Howell Davies (Urban forestry and arboriculture)	Howell.Davies@aucklandcouncil.govt.nz	
945	Ports of Auckland	Mark Arbuthnot (Planning)	marbuthnot@bentley.co.nz	
946	SkyCity Auckland	Karl Cook (Planning)	karlc@barker.co.nz	
946	SkyCity Auckland	Cam Wallace (Urban design)	camw@barker.co.nz	

Plan Change 78 Intensification

Submission number	Submitter name	Representative at mediation	Email	Notes
947	Retirement Villages Association of New Zealand	Hannah O'Kane (Planning)	hannah.okane@mitchelldaysh.co.nz	
947	Retirement Villages Association of New Zealand	Nicki Williams (Planning)	nicki.williams@mitchelldaysh.co.nz	
1064	M and L Investments	Mark Arbuthnot (Planning)	marbuthnot@bentley.co.nz	
1064	M and L Investments	Jeremy Whelan (Architect)	jeremyw@ignitearchitects.com	
1068	Precinct Properties	Karl Cook (Planning)	karlc@barker.co.nz	
1068	Precinct Properties	Cam Wallace (Urban design)	camw@barker.co.nz	
1088	Viaduct Harbour Holdings	Nick Roberts (Planning)	nickr@barker.co.nz	
1088	Viaduct Harbour Holdings	Rachel de Lambert (Landscape and Visual)	rachel.delambert@boffamiskell.co.nz	Left partway through session, see JWS for detail
1088	Viaduct Harbour Holdings	Graeme McIndoe (Urban design)	graeme@mcindoeurban.co.nz	
1089	The General Trust Board of the Diocese of Auckland	Clare Covington (Planning)	C.Covington@harrisongrierson.com	Left partway through session, see JWS for detail

Plan Change 78 Intensification

Submission number	Submitter name	Representative at mediation	Email	Notes
1980	The University of Auckland	Karl Cook (Planning)	karlc@barker.co.nz	
1980	The University of Auckland	Cam Wallace (Urban design)	camw@barker.co.nz	
2049	Waka Kotahi	Evan Keating (Planning)	Evan.Keating@nzta.govt.nz	
2065	Fabric Property Limited	Nick Roberts (Planning)	nickr@barker.co.nz	
2257	Ryman Healthcare Ltd	Nicki Williams (Planning)	nicki.williams@mitchelldaysh.co.nz	
2257	Ryman Healthcare Ltd	Hannah O’Kane (Planning)	hannah.okane@mitchelldaysh.co.nz	
2291	The Parc Bodies Corporate Et al	David Haines (Planning)	david.haines@hainesplanning.co.nz	
2334	John Abel-Pattinson	Mark Benjamin (Planning)	MarkB@mhg.co.nz	
FS09	Bledisloe Property Group Limited	Penny Anson (Planning)	penny@formeplanning.co.nz	Left partway through session, see JWS for detail

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 016A Business Zones – City Centre Zone

Expert conferencing held on	24/05/2023
Venue	Online
Independent facilitator	Sarah Shaw
Secretariat planner	Beth Maynard

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;
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3. Matters considered at conferencing – agenda and outcomes

3.1. H8.6.30 Special amenity yards

3.1.1. Is it appropriate to retain standard “H8.6.30 Special amenity yards” to avoid buildings locating in identified areas that would have a significant adverse effect on pedestrian and/or streetscape amenity?

- a) The following experts consider that it is appropriate to include standard “H8.6.30 Special amenity yards” as a qualifying matter as per s77O(f) or s77O(j), and s77R of the RMA: **Elisabeth Laird**.
- b) The following experts consider that Special amenity yards **could** be included as a qualifying matter as per s77O(f) if it qualifies as open space, and if not, if the criteria under s77O(j) are met, subject to meeting the requirements of Policy 4 and Policy 6(b) of the NPS-UD, and s77R of the RMA: **John McCall, Karl Cook, and Ezra Barwell**.
- c) The following experts are neutral on this matter: **Mark Benjamin, Alex Glasgow, Alice Morris, Peter Kensington, Sheerin Samsudeen, Severin Soder, Evan Keating, Doug Fairgray, Cam Wallace, Nick Roberts, Rachel de Lambert, Howell Davies, Warren Nicholson, Graeme McIndoe, and Mark Arbuthnot**.

3.1.2. Is it appropriate to retain the special amenity yards identified in Figures H8.6.30.1, H8.6.30.2 and H8.6.30.3?

Note: **Karl Cook, John McCall, Ezra Barwell** and **Elisabeth Laird** agree that further consideration of H8.6.30.3. is required under s77O(f) as to whether it qualifies as open space, and if not, whether the criteria under s77O(j) and s77R of the RMA are met.

3.2. **H8.6.31 Street Sightlines**

3.2.1. Is it appropriate to retain standard “H8.6.31 Street Sightlines” as notified?

- a) The following experts consider that it is appropriate to include standard “H8.6.31 Street Sightlines” as a qualifying matter as per s77O(j): **Elisabeth Laird** and **David Haines**.
- b) The following experts consider that Street sightlines **could** be included as a qualifying matter under s77O(j) if the criteria are met, subject to meeting the requirements of Policy 4 and Policy 6(b) of the NPS-UD, and s77R of the RMA: **John McCall**.
- c) The following experts are neutral on this matter: **Alice Morris, Cam Wallace, Peter Kensington, Warren Nicholson, Ezra Barwell, Severin Soder, Alex Glasgow, Rachel de Lambert, Evan Keating, Graeme**

McIndoe, Mark Arbuthnot, Karl Cook, Nick Roberts, Sheerin Samsudeen, Howell Davies, and Mark Benjamin.

3.3. Amenity and functionality of open spaces

3.3.1. Is it appropriate to retain standard “H8.6.3. Admission of sunlight to public places”?

- a) The following experts consider that it is appropriate to include standard “H8.6.3. Admission of sunlight to public places” as a qualifying matter as per s77O(j): **Elisabeth Laird, Peter Kensington, Sheerin Samsudeen, Ezra Barwell, Severin Soder, Howell Davies, Alex Glasgow, David Haines, and Doug Fairgray.**
- b) The following experts consider that Admission of sunlight to public places **could** be included as a qualifying matter under s77O(j) if the criteria are met, subject to meeting the requirements of Policy 4 and Policy 6(b) and (c) of the NPS-UD, and s77R of the RMA: **Nick Roberts, Karl Cook, John McCall, Graeme McIndoe, Cam Wallace, and Rachel de Lambert.**
- c) The following experts are neutral on this matter: **Mark Benjamin, Alice Morris, Mark Arbuthnot, Evan Keating, and Warren Nicholson.**

3.3.2. Is it appropriate to retain the additional public places and extent of sunlight admission (Figures 10-16) identified in “Appendix 11 Business – City Centre Zone sunlight admission into public places” as notified?

Note: Figures 10-16 in Appendix 11 were notified as new content in PC78.

- a) The following experts consider that figures 10-16 in Appendix 11 should be subject to further modelling and assessment, (such as time, dates and spatial extent for sunlight admission protection), including assessment against s77O(j) and s77R to determine if they are appropriate to be retained and / or modified: **Karl Cook, Nick Roberts, Rachel de Lambert, John McCall, Cam Wallace, Graeme McIndoe, Doug Fairgray, David Haines, Elisabeth Laird, Peter Kensington, Sheerin Samsudeen, Severin Soder, Ezra Barwell, and Howell Davies.**
- b) The following experts are neutral on this matter: **Warren Nicholson, Alex Glasgow, Mark Benjamin, Alice Morris, and Mark Arbuthnot.**

3.4. **Removal of floor area ratio (FAR) provisions including bonus provisions.**

3.4.1. Is it appropriate to reinstate and amend the Floor Area Ratio (FAR) and Bonus FAR provisions (H8.6.10-H8.6.21) to provide for public benefits in the city centre including the protection of historic heritage and special character buildings?

- a) The following experts consider that it is appropriate to provide for public benefits in the city centre including by incentivising the protection, retention and conservation of historic heritage and special character buildings: **Clare Covington, Robin Byron, Megan Walker, and Alice Morris**
- b) The following experts consider that it is unclear what statutory basis there is for incentivisation in the City Centre Zone provisions, considering that section 6(f) and Chapter D17 are the primary basis for protecting historic heritage: **Nick Roberts, Karl Cook, John McCall, and Mark Arbutnot.**
- c) The following experts are neutral on this matter: **Graeme McIndoe, Evan Keating, Cam Wallace, Mark Benjamin, Rachel de Lambert, Penny Anson, Howell Davies, Elisabeth Laird, Warren Nicholson, Ezra Barwell, Sheerin Samsudeen, and Severin Soder.**

Note: **Alice Morris, Karl Cook, Nick Roberts, Clare Covington, Robin Byron, Elisabeth Laird, Megan Walker, Sheerin Samsudeen, and John McCall** consider that further work is required to assess whether there is a planning method that could incentivise public benefits in the city centre (including historic heritage and special character) and also be in accordance with the NPS-UD.

3.4.2. Is it appropriate to retain standard H8.6.34 Through-site links?

- a) The following experts consider that the quality and design of any through-site link should be accommodated as assessment criteria: **Graeme McIndoe, Karl Cook, and Cam Wallace.**
- b) The following experts are neutral on this matter: **Alice Morris, Clare Covington, Robin Byron, Evan Keating, John McCall, Mark Benjamin, Nick Roberts, Warren Nicholson, Megan Walker, Ezra Barwell, Howell Davies, Elisabeth Laird, Sheerin Samsudeen, and Severin Soder.**

3.5. **Heritage and special character**

3.5.1. Should City Centre Character Buildings be a s77O(j) qualifying matter?

- a) The following experts consider that City Centre Character Buildings **should** be a qualifying matter in the City Centre and is an appropriate planning response to the NPS-UD: **Elisabeth Laird, Megan Walker and Robin Byron.**
- b) The following experts consider that City Centre Character Buildings **could** be included as a qualifying matter under s77O(j) if the criteria are met, subject to meeting the requirements of Policy 4 and Policy 6(b) and (c) of the NPS-UD, and s77R of the RMA: **Karl Cook, Alice Morris and Nick Roberts.**
- c) The following experts consider that City Centre Character Buildings **could** be included as a qualifying matter under s77O(j) if the criteria are met, subject to meeting the requirements of Policy 4 and Policy 6(b) and (c) of the NPS-UD, and s77R of the RMA, but these would be more appropriately managed in Chapter D18 Special Character Areas – Business Overlay: **John McCall.**
- d) The following experts are neutral on this matter: **Cam Wallace, Mark Arbuthnot, Mark Benjamin, Clare Covington, and Evan Keating.**

3.5.2. Should height restrictions (in identified areas) to protect heritage and special character outcomes be retained as notified?

- a) The following experts consider that that height restrictions in the City Centre Zone (i.e. heights other than 72.5m or Special Height Area, as identified on Map H8.11.3 General Height Controls) to protect heritage and special character outcomes should be retained as qualifying matters under s77O(a) and s77O(j): **Elisabeth Laird, Megan Walker, Robin Byron, and Alice Morris.**
- b) The following experts consider that height restrictions in the City Centre Zone to protect heritage and special character outcomes **could** be included as qualifying matters under s77O(a) and s77O(j) if the criteria are met, subject to meeting the requirements of Policy 4 and Policy 6(b) and (c) of the NPS-UD, and s77R of the RMA: **Karl Cook and Nick Roberts.**

- c) The following experts consider that height restrictions in the City Centre Zone to protect heritage and special character outcomes **could** be included as qualifying matters under s77O(a) and s77O(j) if the criteria are met, subject to meeting the requirements of Policy 4 and Policy 6(b) and (c) of the NPS-UD, and s77R of the RMA, but these would be more appropriately managed in Chapters D17 and D18: **John McCall**.
- d) The following experts are neutral on this matter: **Clare Covington, Mark Benjamin, Mark Arbuthnot, Cam Wallace, and Evan Keating**.

3.5.3. Is it appropriate to retain the special information requirement “H8.10.1. Alterations and additions to buildings identified as historic heritage and special character” as notified?

- a) The following experts consider that it is appropriate that the special information requirement “H8.10.1. Alterations and additions to buildings identified as historic heritage and special character” (conservation plans and character plans) be retained: **Elisabeth Laird, Megan Walker, and Robin Byron**.
- b) The following experts consider that it is **not** appropriate that the special information requirement “H8.10.1. Alterations and additions to buildings identified as historic heritage and special character” (conservation plans and character plans) be included in PC78: **John McCall, Clare Covington, and Karl Cook**.
- c) The following experts are neutral on this matter: **Alice Morris, Cam Wallace, Mark Benjamin, and Evan Keating**.

3.6. **Additional matters**

Note: The experts have identified that there is a difference in interpretation as to whether building heights and density of urban form can be modified ‘to maximise benefits of intensification’ in NPS-UD Policy 3(a) separately from the application of Policy 4 qualifying matters.

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 24/05/2023

Expert’s name and expertise	Party	Expert’s confirmation (refer para 4.1)
Nick Roberts (Planning)	Ngāti Whātua Ōrakei Group / Fabric Property Limited / Viaduct Harbour Holdings	Yes, Karl Cook on behalf
Karl Cook (Planning)	Sky City Auckland / University of Auckland / Precinct Properties	Yes
Mark Arbuthnot (Planning)	Ports of Auckland / M and L Investments	Yes
John McCall (Planning)	Kāinga Ora	Yes
Rachel De Lambert (Landscape Architecture)	Viaduct Harbour Holdings	Yes, attended for items 1 – 3.4.2.
Graeme McIndoe (Urban Design)	Viaduct Harbour Holdings	Yes
Evan Keating (Planning)	Waka Kotahi	Yes
Mark Benjamin (Planning)	John Abel-Pattinson	Yes
Elisabeth Laird (Planning)	Auckland Council	Yes
Sheerin Samsudeen (Urban Design)	Auckland Council	Yes, attended for items 1 – 3.4.2.
Severin Soder (Architecture)	Auckland Council	Yes
Warren Nicholson (3D visualiser)	Auckland Council	Yes, attended for items 1 – 3.4.2.
Megan Walker (Heritage)	Auckland Council	Yes, attended from item 3.4.1.
Doug Fairgray (Economics)	Auckland Council	Yes
Peter Kensington (Planning / landscape)	Auckland Council	Yes, attended for items 1 – 3.3.2.
Ezra Barwell (Parks policy)	Auckland Council	Yes, Elisabeth Laird on behalf
Howell Davies (Urban forestry and arboriculture)	Auckland Council	Yes, attended for items 1 – 3.4.2.
Alex Glasgow (Agronomist)	Auckland Council	Yes, attended for items 1 – 3.3.2.

Alice Morris (Planning)	Heritage New Zealand Pouhere Taonga	Yes
Robin Byron (Heritage architect)	Heritage New Zealand Pouhere Taonga	Yes, attended from item 3.4.1.
David Haines (Planning)	The Parc Bodies Corporate	Yes
Penny Anson (Planning)	Bledisloe Property Group Limited	Yes, attended from item 3.4.1.
Clare Covington (Planning)	The General Trust Board of the Diocese of Auckland	Yes, attended from item 3.4.1.
Cam Wallace (Urban design)	Sky City Auckland / University of Auckland / Precinct Properties	Yes

Attachment 1: Agreed changes

Expert Conference attendance sheet

Topic 016A: Business – City Centre Zone subtopics

Date: 24/05/2023

Facilitator: Sarah Shaw

Location: Online

Submission number	Submitter name	Representative at mediation	Email	Notes
872	Heritage New Zealand Pouhere Taonga	Alice Morris (Planning)	amorris@heritage.org.nz	
872	Heritage New Zealand Pouhere Taonga	Robin Byron (Heritage Architect)	rbyron@heritage.org.nz	Attended from partway through session, see JWS for detail
873	Kāinga Ora	John McCall (planning)	John.McCall@beca.com	
895	Ngāti Whātua Ōrākei Group	Nick Roberts (Planning)	nickr@barker.co.nz	
939	Auckland Council	Elisabeth Laird (Planning)	Elisabeth.Laird@aucklandcouncil.govt.nz	
939	Auckland Council	Sheerin Samsudeen (Urban Design)	Sheerin.Samsudeen@aucklandcouncil.govt.nz	Left partway through session, see JWS for detail
939	Auckland Council	Severin Soder (Urban design / architecture)	severin.soder@architectus.co.nz	

Plan Change 78 Intensification

Submission number	Submitter name	Representative at mediation	Email	Notes
939	Auckland Council	Warren Nicholson (3D visualiser)	Warren.Nicholson@architectus.co.nz	Left partway through session, see JWS for detail
939	Auckland Council	Megan Walker (Heritage)	megan.walker@aucklandcouncil.govt.nz	Attended from and then left partway through session, see JWS for detail
939	Auckland Council	Doug Fairgray (Economics)	doug@me.co.nz	
939	Auckland Council	Peter Kensington (Planning / landscape)	peter@kplc.co.nz	Left partway through session, see JWS for detail
939	Auckland Council	Ezra Barwell (Parks policy)	Ezra.Barwell@aucklandcouncil.govt.nz	Left partway through session, see JWS for detail
939	Auckland Council	Alex Glasgow (Agronomist)	aglasgow@nzsti.org.nz	Left partway through session, see JWS for detail
939	Auckland Council	Howell Davies (Urban forestry and arboriculture)	Howell.Davies@aucklandcouncil.govt.nz	Left partway through session, see JWS for detail
945	Ports of Auckland	Mark Arbuthnot (Planning)	marbuthnot@bentley.co.nz	
946	SkyCity Auckland	Karl Cook (Planning)	karlc@barker.co.nz	

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946	SkyCity Auckland	Cam Wallace (Urban design)	camw@barker.co.nz	
1064	M and L Investments	Mark Arbuthnot (Planning)	marbuthnot@bentley.co.nz	
1068	Precinct Properties	Karl Cook (Planning)	karlc@barker.co.nz	
1068	Precinct Properties	Cam Wallace (Urban design)	camw@barker.co.nz	
1088	Viaduct Harbour Holdings	Nick Roberts (Planning)	nickr@barker.co.nz	
1088	Viaduct Harbour Holdings	Rachel de Lambert (Landscape and Visual)	rachel.delambert@boffamiskell.co.nz	Left partway through session, see JWS for detail
1088	Viaduct Harbour Holdings	Graeme McIndoe (Urban design)	graeme@mcindoeurban.co.nz	
1089	The General Trust Board of the Diocese of Auckland	Clare Covington (Planning)	C.Covington@harrisingrierson.com	Attended from partway through session, see JWS for detail
1980	The University of Auckland	Karl Cook (Planning)	karlc@barker.co.nz	
1980	The University of Auckland	Cam Wallace (Urban design)	camw@barker.co.nz	
2049	Waka Kotahi	Evan Keating (Planning)	Evan.Keating@nzta.govt.nz	

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2065	Fabric Property Limited	Nick Roberts (Planning)	nickr@barker.co.nz	
2291	The Parc Bodies Corporate Et al	David Haines (Planning)	david.haines@hainesplanning.co.nz	
2334	John Abel-Pattinson	Mark Benjamin (Planning)	MarkB@mhg.co.nz	
FS09	Bledisloe Property Group Limited	Penny Anson (Planning)	penny@formeplanning.co.nz	Attended from partway through session, see JWS for detail