

**AUCKLAND COUNCIL:**

**PRIVATE PLAN CHANGE 48: DRURY CENTRE PRECINCT – KIWI PROPERTY HOLDINGS LTD**

**PRIVATE PLAN CHANGE 49: DRURY EAST PRECINCT – FULTON HOGAN LAND DEVELOPMENT LTD**

**PRIVATE PLAN CHANGE: 50 WAIHOEHOE PRECINCT – OYSTER CAPITAL.**

**JOINT WITNESS STATEMENT (JWS)**  
**STORMWATER & PLANNING (1) - 17 MAY 2021.**

**Expert Witness Conferencing Topic: Stormwater & Planning**

Held on: 17 May 2021, commencing at 9am

Venue: Board Room, Ground Floor, Auckland Town Hall

Independent Facilitator: Marlene Oliver.

**1. Attendance:**

The list of expert participants is at the end of this Statement. Their area of expertise (stormwater or planning) is identified with their names.

**2. Environment Court Practice Note 2014.**

- i. All participants agree that the Environment Court Practice Note 2014 provides relevant guidance and protocols for the expert conferencing session.
- ii. All participants agree to comply with the relevant provisions of the Environment Court Practice Note 2014.

In this regard Peter Dodd acknowledges that although he has expertise in stormwater matters, he is submitter and therefore is not an independent expert witness.

The Auckland Council (as regulator) participants attended as observers, given their role as s42A reporters.

- iii. All participants agree to make themselves available to appear at the hearing in person if required to do so by the Hearing Panel (as directed by the Hearing Panel's Directions).

**3. Relevant updates to the Stormwater Management Plan (SMP), including further information requirements.**

**Flood management and flood modelling (Plan Change 48 and Plan Change 49)**

**All stormwater experts agree:**

Flood management should not worsen flooding effects upstream or downstream of the plan change areas.

This may be achieved by passing flows forward, requiring Great South Road and railway culverts to be enlarged and upgraded. Prior to this, attenuation of flood flows may be temporarily required. The performance outcomes are met and the management strategy chosen will need to be confirmed by a flood modelling assessment.

Performance standards for flood management are included in the SMP (refer to page 64, section 8.6.2.1 general requirements for flood management and Table 13 requirements to not worsen upstream or downstream flood effects).

A shared model should be used and the model should be held by Auckland Council.

The above matters should be dealt with in the SMP.

Every time there is a resource consent for subdivision / development for part of a plan change area, a flood modelling assessment which reflects what has happened and what is anticipated will be required to demonstrate compliance with the performance standards.

There is a recommendation to the planning expert conferencing to draft an additional policy and assessment matters or standards to give effect to the above paragraphs.

The flood model for Plan Change 48 and Plan Change 49 will be provided by the applicant's experts.

**Flood management and flood modelling (Plan Change 50)**

Peter Dodd supports Plan Change 50, but expressed his concerns that flood management and modelling for the wider future urban zoned area is required so that efficient use can be made of areas identified in that zoning for urban development that is currently flooding and encourages Auckland Council to take the lead.

The experts for Oyster Capital noted that Plan Change 50 does not preclude those wider Slippery Creek floodplain improvements.

Nikhil Prakash raised concerns about managing the overland flow path identified on the Councils GIS system at the interface of Plan Change 50 land and his clients land to the east (160 Waihoehoe Road). He sought clarification about how the SMP dealt with this interface.

Tim Fisher said that continuation of overland flow paths are a requirement of the Waihoehoe SMP (refer to section 5.3(5)).

Nikhil Prakash sought clarification that fill does not displace the flood storage volume of the wider floodplain.

Tim Fisher responded by referring to the principle that “flood management should not worsen flooding effects upstream or downstream of the plan change areas” which will be demonstrated by flood modelling.

### **Stormwater management Tool box (Plan Change 48 and Plan Change 49)**

#### **All stormwater experts agree:**

The SMP(s) are the appropriate place to record details about stormwater management tools but this should not limit the range of tools that could be used.

The SMP should be clarified to identify the methods that can be used to achieve the various stormwater management outcomes while retaining flexibility over a range of methods.

Clarify in the SMP, with respect to water quality treatment, runoff from all high contaminant generating activities (as defined in Chapter E9 of the AUP) must be sized and designed in accordance with GD01.

Runoff from all other impervious areas will require a risk-based approach to water quality. For example, where you put rubbish bins you may consider a roof and a gross pollution trap, a footpath around the back of a house requires no treatment, JOAL's, driveways and uncovered carparks (<30) will require water quality treatment for lower contaminant loading and lower risk frequency such as a catchpit with a sump volume and submerged outlet.

Page 57 of the SMP – options should be relabelled to 'Option 1' and 'Option 2'.

There is a recommendation to the planning expert conferencing to refine policies and rules and draft new assessment matters to give effect to the above paragraph.

Revised SMP Table 13 and associated flow chart to be circulated prior to planning expert conferencing. This will be done for Plan Change 50 as well.

#### **NES-FW**

Applicants to review the SMP to recognise the NES Freshwater management requirements.

#### **4. Stream erosion and riparian setbacks.**

This remains an area of disagreement at this conference, and as it relates to a number of different factors (e.g stream erosion, stormwater and floodplains, amenity, ecology etc.) this issue will be referred to the planning expert conferencing.

The applicant's experts advised that further work is being done relating to stream erosion potential in the Plan Change 48 area. This will be discussed with Auckland Council (as submitter) when it is available and/or presented in evidence.

**5. East Street (Kainga Ora).**

Kainga Ora has an interest in land downstream of Plan Change 50. David Hughes sought clarification that consideration had been given to the downstream environment in regard to hydrological mitigation and flood risk. In terms of the detail provided in the Waihoehoe SMP, Kainga Ora is comfortable with the set of provisions providing confidence on the mitigation of downstream flood risk. Kainga Ora supports further coordination of the modelling across the catchment between developers, Kainga Ora and Auckland Council (i.e during the resource consent development (detailed design phase). Kainga Ora accepts the appropriate timing for this is during the resource consent phases, as opposed to prior to or during the plan change process.

Tim Fisher noted that Plan Change 50 application relied on Auckland Council modelling, but for resource consent applications more detailed modelling will be undertaken by the applicant's experts.

**6. Stormwater provisions in the precincts that have referred to planning expert conferencing.**









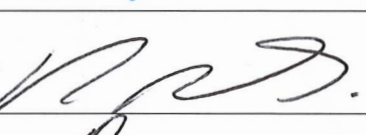


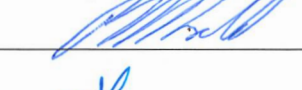

**SMP**

There is a recommendation to the planning expert conferencing to draft an additional policy and assessment matters or standards in relation to flood modelling and stormwater treatment as discussed in section 3 above.

**Riparian margins**

This remains an area of disagreement at this conference, and as it relates to a number of different factors (e.g stream erosion, stormwater and floodplains, amenity, ecology etc.) this issue will be referred to the planning expert conferencing.

**Signed on 17 May 2021:**

Expert Name	Parties (app/sub)	
David Mead (Plg)	Auckland Council (as regulator)	
Trent Sunich (S/W)	Auckland Council (as regulator)	
Craig Cairncross (Plg)	Auckland Council (as regulator)	
Christopher Turbott (Plg)	Auckland Council (as submitter)	
Danny Curtis (S/W)	Auckland Council (as submitter)	
Paula Vincent (Plg)	Auckland Council (as submitter)	
Greg Osborne (Plg)	Drury South Limited	
Pranil Wadan (S/W)	Fulton Hogan Land Development Ltd	
Tim Fisher (S/W)	Kiwi Property Holdings No2 Limited Oyster Capital	
Charlotte Peyroux (S/W)	Kiwi Property Holdings No2 Limited Oyster Capital	
Nick Roberts (Plg)	Fulton Hogan Land Development Ltd Kiwi Property Holdings No2 Limited Oyster Capital	
Rachel Morgan (Plg)	Fulton Hogan Land Development Ltd Kiwi Property Holdings No2 Limited Oyster Capital	
David Hughes (S/W)	Kainga Ora	
Mark Thode (Plg)	Kainga Ora	
Peter Dodd (S/W)	Self (Peter Dodd)	
Nikhil Prakash (S/W)	Dong Leng	