

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

AND

IN THE MATTER of an application to **AUCKLAND
COUNCIL** for private plan change 51 to
the partly operative Auckland Unitary
Plan by **KARAKA AND DRURY
LIMITED**

JOINT WITNESS STATEMENT OF EXPERTS IN RELATION TO PLANNING

26 AUGUST 2021

Expert Witness Conferencing Topic: Planning

Planning Conference

Venue: 8.30am online via Teams during COVID-19 Level 4 Lockdown

Independent Facilitator: Marlene Oliver

Admin Support: Rebekah Hill

1. ATTENDANCE

1.1 The list of expert attendees is in the schedule to this Statement. All expert attendees are qualified planners.

2. BASIS OF ATTENDANCE AND ENVIRONMENT COURT PRACTICE NOTE 2014

2.1 All participants agree as follows:

- (a) The Environment Court Practice Note 2014 provides relevant guidance and protocols for the expert conferencing session.
- (b) They will comply with the relevant provisions of the Environment Court Practice Note 2014.
- (c) They will 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).
- (d) This report is to be filed with the Hearing Panel.

3. AGENDA – ISSUES CONSIDERED AT CONFERENCING

3.1 The issues identified as forming the agenda for conferencing were:

- 1) Should Drury West have a town centre or just local centres;
- 2) Location, size and zoning of the Drury West commercial / business centre;
- 3) Triggers – transport;
- 4) Stormwater provisions (Auckland Council);
- 5) Matters of disagreement between the S42A and the Applicant, including mana whenua, ecological, archaeological and geotechnical;
- 6) Acoustic Attenuation and Vibration Effects (Waka Kotahi);
- 7) Indicative reserves and civic open space PC51;
- 8) Provisions relating to appendix 1 (required design elements);
- 9) Additional Height Overlay on THAB zone;
- 10) Amendments to Precinct Plan; and
 - Local road (with active transport) – coloured blue.
- 11) First Gas pipeline.

3.2 The following sections of this Joint Witness Statement address each of these issues or questions, noting where agreement has been reached and, in the event of disagreement, the nature of the disagreement and the reasons for that disagreement.

4. **ISSUE ONE: SHOULD DRURY WEST HAVE A TOWN CENTRE OR JUST LOCAL CENTRES**

4.1 **All agree** that the wider Drury West FUZ plus Drury 1 Precinct requires a Town Centre.
(Jessica Esquilant did not participate in this item)

5. **ISSUE TWO: AREAS OF DISAGREEMENT (REASONS AS GIVEN IN EVIDENCE)**

5.1 Location, size and zoning of the Drury West commercial / business centre.

5.2 Triggers – transport.

5.3 Stormwater provisions – version 3 of the planning provisions is to be discussed further between Mark Tollemache, Paula Vincent, Emily Buckingham and Trent Sumich.

5.4 Matters of disagreement between the S42A and the Applicant, including mana whenua, ecological, archaeological and geotechnical.
Parties involved are Mark Tollemache (Applicant) and Emily Buckingham (S42A). These matters remain unresolved.

5.5 Acoustic Attenuation and Vibration Effects.

5.6 Indicative reserves and civic open space PC51.

Parties involved are Mark Tollemache (Applicant), Ezra Barwell, Christopher Turbott, Emily Buckingham and Robin Rawson (S42A). These experts will schedule a separate discussion after the filing of rebuttal evidence.

5.7 Provisions relating to appendix 1 (required design elements)

Karyn Sinclair and Lydia Smith (AT) have proposed amendments in their evidence. Mark Tollemache's initial response is that he can agree with the standard and the policy but not the objective. It was agreed that this matter would be discussed further after the filing of rebuttal evidence.

5.8 Additional Height Overlay on THAB zone, Amendments to Precinct Plan and Local road (with active transport) – coloured blue.

These two items were discussed further (see below) but remain unresolved.

ISSUE THREE: ADDITIONAL HEIGHT OVERLAY ON THAB ZONE.

5.9 Michael Campbell seeks the addition of the overlay on the THAB zone. Mark Tollemache and Emily Buckingham support this amendment.

5.10 Christopher Turbott (AC Submitter) considers that the overlay should not apply east of Burberry Road.

5.11 Karyn Sinclair and Lydia Smith (AT) and Sukhi Singh (WK) do not have concerns about the extent of the mapping per se, but are concerned to ensure that traffic generation effects are appropriately assessed as per their evidence.

5.12 As this matter has not been resolved, it remains an area of disagreement.

6. **ISSUE FOUR: AMENDMENTS TO PRECINCT PLAN**

Local road (with active transport) – coloured blue.

6.1 Jessica Esquilant (for Mr Wang) raised concerns about the location of the local road running north-south (coloured blue) on the Precinct Plan. In her evidence she seeks a note to provide for 50m flexibility in the location. Jessica considers that a discretionary activity classification to vary the location of the road is too onerous.

6.2 Mark Tollemache and Christopher Turbott do not agree with Jessica's concerns and support the provisions as worded in version 3.

7. **ISSUE FIVE: FIRST GAS PIPELINE;**

Areas of agreement

7.1 Easement as shown on the Precinct Plan is agreed.

7.2 It was agreed to amend Policy IX.3(5)(d) (version 3) by adding the words “gas transmission”, to read:

“Be managed so that it does not adversely affect the safe and efficient operation or capacity of the existing and planned transport, water or wastewater networks; gas transmission; and [Watercare 32.1].”

8. PARTIES TO JOINT WITNESS STATEMENT

8.1 The signatories to this Joint Witness Statement confirm that:

- (a) They agree with the outcome of the expert conference as recorded in this statement. As this session was held online and there is an existing evidence exchange timetable, in the interests of efficiency, it was agreed that each expert would verbally confirm their position to the facilitator. This is recorded in the schedule below;
- (b) They have read Appendix 3 of the Environment Court’s Practice Note 2014 and agree to comply with it; and
- (c) The matters addressed in this statement are within their area of expertise.

CONFIRMED ON 26 AUGUST 2021

EXPERT NAME	PARTY	EXPERTS CONFIRMATION REFER PARA 8.1(a)
Mark Tollemache (P)	Karaka and Drury Limited	Yes
Christopher Turbott (P)	Auckland Council (as submitter)	Yes
Craig Cairncross (P)	Auckland Council (as regulator)	Yes
Emily Buckingham (P)	Auckland Council (as regulator)	Yes
Karyn Sinclair (P)	Auckland Transport	Yes
Lydia Smith (P)	Auckland Transport	Yes
Graeme Roberts (P)	FirstGas	Yes – Issue 5
Michael Campbell (P)	Kainga Ora and HUD	Yes
Jessica Esquilant (P)	Mr Yu Wang	Yes – Issue 4
Sukhi Singh (P)	Waka Kotahi	Yes