

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

AND

IN THE MATTER Nineteen Notices of Requirement (NoRs) and one Resource Consent application for the North-West project by Te Tupu Ngatahi Supporting Growth Alliance (SGA).

JOINT WITNESS STATEMENT (JWS) IN RELATION TO:

FLOODING and PLANNING

25 August 2023

Expert Conferencing Held on: 25 August 2023 9:00am

Venue: Online via Microsoft Teams

Independent Facilitator: Marlene Oliver

Admin Support: Darwin Chan

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 Panel;
- (d) This statement is to be filed with the Panel and posted on the Council's website.

3 Matters considered at Conferencing – Agenda and Outcomes

3.1 Flood Modelling – Area of Disagreement between the Stormwater/Flooding Experts

Vaughan Martin considers that further modelling is required now to provide confidence that the proposed conditions (Condition 10 – flood hazard) are realistic and can be complied with.

Danny Curtis is concerned that the proposed condition (condition 10) may not be achievable. He acknowledges that further modelling based on the current concept design may not provide any further confirmation that condition 10 is achievable. On this basis he requires condition 10 to be a definite compliance condition. There will need to be further post development modelling including proposed mitigation as part of the Outline Development Plan.

Mike Summerhays considers that sufficient modelling has been carried out at this stage such that he is confident that the conditions are realistic and can be complied with, noting that the conditions (condition 10) requires further modelling at the detailed design stage as part of the Outline Development Plan.

3.2 Proposed Conditions

The section 42A experts have a number of amendments to the SGA evidence version of the conditions. There was insufficient time in this expert conferencing session to discuss these details. The experts (for s42A, SGA and Future Kumeu Incorporation) are to arrange their own meetings and if further expert conferencing is required they can request such conferencing initially by contacting the facilitator. John Daly will coordinate setting up these meeting(s).

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 in relation to this para 4.1 to the Independent Facilitator and the other experts and this is recorded in the schedule below.

Confirmed online: 25 August 2023

EXPERT’S NAME & EXPERTISE	PARTY	EXPERT’S CONFIRMATION REFER PARA 4.1
John Daly – Planning	Te Tupu Ngātahi	Yes
Regan Elley – Planning	Te Tupu Ngātahi	Yes
Mike Summerhays – Stormwater	Te Tupu Ngātahi	Yes
Robert Scott – Planning	Auckland Council (s42A)	Yes

Alex Turner – Planning	Auckland Council (s42A)	Yes
Danny Curtis – Stormwater	Auckland Council (s42A)	Yes
Lee Te – Planning	Auckland Council (s42A)	Yes
Vaughan Martin – Stormwater	Future-Kumeū Incorporated	Yes