

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:

LANDSCAPE AND PLANNING

8 September 2023

Expert Conferencing Held on: 8 September 2023 at 2:30pm to 3:30pm

Venue: Online by 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 Agenda and Outcomes

3.1 Areas of Agreement

Note: The following assessments were made in relation to the proposed conditions attached to Ms Atkins evidence in chief dated 28 August 2023.

Peter Kensington and Tom Lines agree that the proposed ULDMP condition (alongside the proposed Tree Management Plan, Construction and Environmental Management Plan and the proposed Ecological Management Plan conditions) for the following NoRs is appropriate and will ensure the successful mitigation of adverse landscape effects as the designs develop:

Whenuapai Local Arterials NoRs

AT NoR W1 – Trig Road North upgrade (Whenuapai)

AT NoR W2 – Māmari Road FTN upgrade (Whenuapai)

AT NoR W4 – Spedding Road, East and West (Whenuapai)

AT NoR W5 (alteration to Designation 1437) – Hobsonville Road (Hobsonville)

- One of the scheduled trees adjacent to Hobsonville School is proposed to be removed to provide for the walking and cycling facilities
- Tom Lines, Peter Kensington, John Daly and Regan Elley consider that the tree management plan provides an appropriate process for dealing with this matter at the detailed design stage.

Redhills and Riverhead Local Arterials NoRs

AT NoR RE1 – Don Buck Road (Massey) FTN upgrade

AT NoR RE2 (alteration to Designation 1433) – Fred Taylor Drive (Massey / Whenuapai)

AT NoR R1 – Coatesville - Riverhead Highway upgrade

Noting that the specific issues regarding reinstatement of signage / planting that are raised through the submission by Hallertau Brewery can be

successfully addressed as the design develops and as provided for through the proposed conditions.

Redhills Arterial Transport Networks HIF Projects

AT NoR 1 – Red Hills North-South Arterial Transport Corridor

AT NoR 2a – Red Hills East-West Arterial Transport Corridor, Dunlop Road

AT NoR 2b – Red Hills East-West Arterial Transport Corridor, Baker Lane

AT NoR 2c – Redhills East-West Arterial Transport Corridor, Nixon Road Connection

Trigg Road HIF Project

AT TRHIF – Trig Road Corridor upgrade (West Harbour)

Whenuapai, Kumeū, Huapai and Red Hills Strategic NoRs

NZTA NoR S2 – State Highway 16 (SH16) Main Road Upgrade (Huapai)

Noting that a side agreement is being negotiated with Auckland Council Community Facilities (Parks) regarding the interface with and impacts of the NoR on the amenity values (including landscape effects) and operational aspects of Huapai Domain.

NZTA NoR S3 – Rapid Transit Corridor (Kumeū), with Regional Active Mode Corridor

NZTA NoR KS – Kumeū Rapid Transit Station

NZTA NoR HS – Huapai Rapid Transit Station

AT NoR S4 – Access Road Upgrade (Kumeū)

Tom Lines and Peter Kensington sought clarification of the reference to 15m high retaining walls in the text of the assessment report. Tom Lines and John Daly sought clarification from Ms Beltran (Project Engineer for SGA) and she confirmed that the concept design does not show 15m retaining walls and this is an error in the text. Ms Beltran will be available to clarify this further at the hearing if required.

On the basis of this clarification both Tom Lines and Peter Kensington do not have any unresolved concerns relating to NoR S4.

3.2 Areas of Disagreement

Whenuapai Local Arterials NoRs:

AT NoR W3 – Brigham Creek Road upgrade (Whenuapai)

- Peter Kensington remains of the opinion that the following existing trees should be retained and that the proposed ULDMP and Tree Management Plan conditions will not successfully mitigate the adverse landscape effects from removal of these significant trees – i.e. these trees should be retained because they provide an important contribution to the amenity values of each area:
- mature trees at the south east of the Whenuapai Settlement Open Space Zone. Under this zoning the removal of these trees and works within the root zone would be a Restricted Discretionary Activity (E26.4.5.2 and E26.4.7.2. are the relevant Assessment Criteria).
- John Daly advised there is a functional and operational requirement for the upgrade of the intersection and this requires work within the root protection zone of the trees fronting Totara Road and Brigham Creek Road within Whenuapai Settlement Park. Refer to Para 5.3, Page 4 of Matthew Paul Arboriculture Evidence in chief.
- In the rebuttal version of the proposed conditions (8.09.23) the tree management condition (Condition 22).
- Tom Lines and Peter Kensington consider that it would be appropriate to add to clause (c) (i) the words (or similar): ‘... Auckland Unitary Plan, *including the mature trees fronting Totara Road and Brigham Creek Road within Whenuapai Settlement Park*’.
- John Daly and Regan Elley consider the proposed Tree Management Plan as currently worded provides for avoiding, remedying, and mitigating effects on protected and notable trees in the AUP and the confirmation of trees that would be affected by the project work. They do not consider amendments to the condition are required.

Whenuapai, Kumeū, Huapai and Red Hills Strategic NoRs

NZTA NoR S1 – Alternative State Highway, including Brigham Creek Interchange

- *Noting that a side agreement is being negotiated with Auckland Council Community Facilities (Parks) regarding the interface with and impacts of the NoR on the amenity values (including landscape effects) and operational aspects of Fred Taylor Park.*
- All experts (except John Daly and Regan Elley) consider that the ULDMP for NoR S1 should better recognize that much of the alignment is through a rural environment. This could be achieved by separating ‘the objective’ as a separate sub-clause, possibly sub-clause (b) and amending the text as shown below:

The objective of the ULDMP(s) is to:

- (i) Enable integration of the Project's permanent works into the surrounding landscape including the rural or urban context; and
 - (ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality ~~urban~~ environment.
- Peter Kensington reserves his position on the proposed wording of the ULDMP condition until he has an opportunity to review it further recognizing his concern that the condition needs to give appropriate recognition to the rural environment that the majority of NoR S1 passes through.
 - Tom Lines and Peter Kensington undertake to review the rest of the wording of the ULDMP condition (noting that the rebuttal version dated 8.09.2023 has been filed today) to identify whether any other sub-clauses should be amended to better align with the suggested amendments to the objective shown above. They will provide their comments to the experts attending this expert conferencing session by C.O.B Tuesday 12th of September.
 - John Daly and Regan Elley will reflect on the above suggestions and provide an update at the hearing as appropriate.

3.3 General Note in relation to submissions

Peter Kensington and Tom Lines consider the above matters of agreement and disagreement are made on the information available at the time of conferencing – pending any further information and relevant issues that arise during the course of the hearing on the NoRs (through the presentation of submissions and evidence). In particular, the submissions and evidence of Te Kawerau ā Maki.

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: 8 September 2023.

EXPERT’S NAME & EXPERTISE	PARTY	EXPERT’S CONFIRMATION REFER PARA 4.1
Tom Lines – Landscape and Visual	Te Tupu Ngātahi	Yes
John Daly – Planning	Te Tupu Ngātahi	Yes
Regan Elley – Planning	Te Tupu Ngātahi	Yes
Peter Kensington – Landscape and Visual	Auckland Council (s42a)	Yes
Robert Scott - Planning	Auckland Council (s42A)	Yes
Jo Hart - Planning	Auckland Council (s42A)	Yes