

UNDER THE 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:

TRANSPORT and PLANNING

29 August 2023

Expert Conferencing Held on: 29 August 2023 9:30am to 5pm

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.

1.2 Andrew Temperley (transport – Auckland Council) has sent his apologies.

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 Interdependency of corridors and network integration

All transport and planning experts agree that the entire network of projects is part of an integrated plan, and all parts of the programme are required in order to give effect to the objectives of supporting growth.

The Te Tupu Ngātahi (SGA) experts have proposed (through evidence) a new condition ‘Condition 8’ – Network Integration Management Plan.

Anatole Sergejew notes that the SGA Condition 8 refers to ‘staging, design, and sequencing’ but does not provide for reviewing the network as a whole should one or more of the NoRs be withdrawn or not proceed for some reason in the future. He considers that further details are required in the conditions to provide for such a review.

The Te Tupu Ngātahi (SGA) experts do not consider any additional provisions in the conditions of these NoRs are required.

Don McKenzie and Kay Panther Knight have some concern with respect to the interrelationship between Trig Road and Hobsonville Road NoRs and considers that there needs to be some recognition of the particular impact of one or other of these NoRs being withdrawn/cancelled on achieving an integrated network and providing for the potential development access to either of these frontage roads. They consider that SGAs new condition 8 is the appropriate place to address this integration issue but consider further revision of the condition wording is required.

Note from the facilitator: There is insufficient time available in this expert conferencing session for experts to be proposing additional condition wording. The experts can prepare amended conditions and address this by requesting a further expert conferencing or in presentations to the hearing panel.

3.2 North Auckland Line (NAL)/RTC Crossing

Anatole Sergejew, consistent with concerns raised above about interdependency and integration at a general level, is concerned specifically that the NoRs do not provide room for new structures to provide an adequate level of accessibility across the rail and RTC corridors.

Joe Phillips considers that the NoRs S2 and S3 meet their stated project objectives and provide appropriately for pedestrian and cycle connections.

Don McKenzie and Hannah Edwards are concerned at a more localized level that the SGA approach to setting aside the responsibility of the designation to Kiwi Rail will not appropriately deliver on the transport integration outcomes for the programme.

The Te Tupu Ngātahi (SGA) experts outlined a number of proposed conditions which they consider appropriately provide for the range of integration. From the version of the conditions attachment B to the evidence of Ms Atkins dated 2 August 2023 this includes the project information website (condition 2) land use integration management plan (condition 7A) stakeholder communication and engagement management plan (condition 13), network integration management plan (condition 8), network utility management plan (condition 23), urban and landscape design management plan (condition 9), outline plan (condition 5) and management plans (condition 6).

Kay Panther Knight, Rebecca Sanders, Anthony Blomfield, Don McKenzie, Sarah Westoby, John Parlane, Hannah Edwards, Anatole Sergejew and Mark Arbuthnot considers that while the suite of conditions around management plans and specifically in respect to stakeholder engagement is robust and comprehensive the wording of the conditions need to be amended to provide certainty around the RA's role in engagement. By this we mean the conditions need to specifically address how the requiring authority will invite, consider, and respond to feedback from stakeholders at design stage and onwards including in respect of reporting on that engagement to the local authority. Provision should be made for affected parties (for example, landowners and occupiers) to participate in the development of the ULDMP. This issue is more pronounced in the strategic package where there is no LIMP.

3.3 Construction Traffic (Network Performance)

Anatole Sergejew, John Parlane and Don McKenzie consider that the CTMP Condition (Condition 16) needs to contain more specificity to identify and quantify relevant network performance parameters (Condition 16 sub para. 10 and 11) in relation to all of the NoRs, recognizing that the parameters may be different between state highway and arterial roads. In addition, it would be appropriate to include a requirement for baseline monitoring at the time of preparing the CTMP. Noting that conditions of a similar nature and scale have been adopted/proposed on other major transport projects in the Auckland area e.g. Eastern Busway and CRL.

Don McKenzie considers Condition 16 sub para 11 should be broaden out to response measures beyond Travel Demand Management.

Joe Phillips and Michelle Seymour consider that some further specificity could be included in both sub paras 10 and 11. They will undertake suggested drafting. They note there are long term implementation time frames, and that flexibility is needed.

3.4 Other CTMP Matters

All transport experts agree on Anataole Sergejew proposed CTMP Condition 16 Sub Para 5 be amended to include reference to public transport services.

Dave Smith considers that the CTMP Condition 16 Sub Para 6 should include reference to site specific access and operational requirements. Michelle Seymour and Joe Phillips have agreed to review the drafting of the CTMP/SCEMP to consider access, parking, loading and manoeuvring.

Anthony Blomfield is concerned that the current drafting of the CTMP condition does not clearly require consultation with affected stakeholders (e.g. landowners and occupiers) as part of the development of the CTMP. The CTMP is required as part of an outline plans where as the SCEMP is not. He seeks certainty that consultation with affected stakeholders is required as part of the development of the CTMP.

John Daly and Regan Elley accept that there may need to be clarification of the relationship between the development of the CTMP and SCEMP specifically in relation to access to properties maybe impacted by construction. If appropriate revised condition drafting will be provided.

Mark Arbuthnot, Rebecca Sanders, Kay Panther Knight, Hannah Edwards, Anatole Sergejew, Dave Smith, Don McKenzie and John Parlane sought clarification that the CTMP will be prepared in consultation with affected landowners and occupiers where access is directly

affected. They consider that the CTMP condition should contain an expressed requirement to consult with affected landowners and occupiers. The SGA experts agree that discussions with affected landowners and occupiers should be undertaken as part of the preparation of the CTMP where access is directly affected and will look to address this matter as part of the action in the paragraph above.

Anatole Sergejew considers that the terminology used in the conditions needs to clearly indicate the nature of the communication between the RA and affected parties. He considers that the appropriate term is 'consultation' and he understands that this term has a legal interpretation and relevant case law.

3.5 Limited access road classification

Michelle Seymour and Kay Panther Knight agree that limited access road classification under Section 346C of the Local Government Act will not be sought as part of this application for the Trig Road NoR. Further, Michelle Seymour, Kay Panther Knight and Don McKenzie agree that the vehicle access restrictions and associated consenting framework under chapter E27 of the AUP will appropriately address consideration of effects arising from proposed future access to this arterial road. Michelle Seymour also confirms that new limited access road classification are currently not being sought for any arterial corridors in the North West package.

Note that limited access of SH16 will be covered at later expert conferencing/hearing.

3.6 Other agenda items not addressed at this expert conferencing session are:

- Carparking – particularly the loss of off-street carparking
- The extent of designation of Access Road (width between Station Road and State Highway 16)
- Greenhouse gas emissions
- Site specific transport effects – this is included in the agenda of the expert conference on the 31st of August 2023

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: 29 August 2023

AK Council – SGA – NW NoRs/RC – JWS Transport & Planning 29 August 2023

EXPERT'S NAME & EXPERTISE	PARTY	EXPERT'S CONFIRMATION REFER PARA 4.1
Anatole Sergejew – Transport	Auckland Council (s42A)	Yes
Andrew Temperley	Auckland Council (s42A)	Yes – attended for 3.4-3.6
Jess Romhany – Planning	Auckland Council (s42A)	Yes
Jo Hart – Planning	Auckland Council (s42A)	Yes
Robert Scott – Planning	Auckland Council (s42A)	Yes- attended for agenda items 3.1-3.4
Anthony Blomfield - Planning	Barney Holdings Limited	Yes
Chris Scrafton - Planning	Te Tupu Ngatahi	Yes
John Daly - Planning	Te Tupu Ngatahi	Yes
Regan Elley - Planning	Te Tupu Ngatahi	Yes
Joe Phillips - Transport	Te Tupu Ngatahi	Yes
Michelle Seymour - Transport	Te Tupu Ngatahi	Yes
Don McKenzie - Transport	Cabra Development Limited, CDL Land New Zealand Limited, F. Boric and Sons Limited, Future-Kumeu Incorporated, General Distributors Limited, Kumeu Properties 2017 Limited, The Beachaven Trust	Yes
Hannah Edwards - Planning	Cabra Development Limited, F. Boric and Sons Limited, Kumeu Properties Limited, The Beachaven Trust	Yes
John Parlane - Transport	Bunnings Ltd, The National Trading Company of New Zealand Limited	Yes
Kay Panther Knight - Planning	CDL Land New Zealand Limited	Yes
Mark Arbuthnot - Planning	Restaurant Brands Limited	Yes- attended for agenda items 3.1-3.4
Rebecca Sanders - Planning	Bunnings Ltd, The National Trading Company of New Zealand Limited	Yes
Sarah Westoby - Planning	Z Energy	Yes
Dave Smith - Transport	Z Energy	Yes- attended for agenda item 3.4 only
Eric Hebner	Northland Waste Limited	Yes- attended for agenda item 3.5 only