

**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:**

**PLANNING 3 – Site Specifics**

**15 September 2023**

Expert Conferencing Held on: 15 September at 12:00pm

Venue: Online by Teams

Independent Facilitator: The experts elected to meet directly and did not request the Facilitator to attend.

Admin Support: Darwin Chan

**1 Attendance:**

1.1 The list of participants is included in the table on Table 1 in para 3.1.

**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.

EXPERT'S CONFIRMATION REFER PARA 4.1	Expert	Party	Property Description	JWS Outcome
1. Yes for:  Michelle Seymour (Transport)  Bridget O'Leary  Hannah Edwards  Don McKenzie (Transport)	Hannah Edwards - Planning	Cabra Development Limited	90 Trig Road	<p><b>Hannah Edwards and Don McKenzie had concerns from the previous expert conferencing session 31.08.2023:</b></p> <ol style="list-style-type: none"> <li>1. Hannah Edwards and Don McKenzie agree with others' that the management conditions require improvement as discussed during themed discussions to ensure access and land use are integrated, and that management plans are prepared in consultation with affected landowners and occupiers.</li> <li>2. Requires clarification as to whether the median will be raised or flush, to be able to assess the effects now, not at detailed design.</li> <li>3. Considers the SCEMP should be certified, not only provided for information.</li> <li>4. Seeks a reduced lapse date of 10 years (W4 and Trig Road).</li> </ol> <p><b>SGA Expert responded to these concerns:</b></p> <ul style="list-style-type: none"> <li>• SGA experts have noted previously that they will undertake to consider submitter feedback, and review conditions if appropriate.</li> <li>• Integration opportunities exist via the NIMP, LIMP and the ULDMP.</li> <li>• SGA consider that the 10 years lapse date will not provide sufficient certainty for the future transport network.</li> </ul> <p><b>Reconvened on 15.09.2023</b> – note that rebuttal evidence has been lodged by SGA. Hannah Edwards and Don McKenzie have read the rebuttal. Michelle Seymour confirms there are no further changes to these matters on the vehicle crossings and the medians.</p> <p>Hannah Edwards and Don acknowledge the proposed changes to the Conditions 8a (SCEMP) and 9 (ULDMP). They believe the amendments to the conditions are helpful. Further, amendments may be suggested at the hearing.</p>

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2. Yes for:  Michelle Seymour (Transport)  Bridget O'Leary  Hannah Edwards  Don McKenzie (Transport)		Cabra Development Limited	125 Fred Taylor Drive	<p><b>Hannah Edwards and Don McKenzie had concerns from the previous expert conferencing session 31.08.2023:</b></p> <ol style="list-style-type: none"> <li>1. Existing access is significantly affected, and the site becomes 'landlocked' once works commence on Fred Taylor Drive. Hannah Edwards and Don McKenzie appreciate the comprehensive package of conditions but agree with others' that the management conditions require improvement as discussed during themed discussions to ensure access and land use are integrated, and are prepared in consultation with affected landowners and occupiers. However, the relocated temporary and permanent access is not obvious and require clarification from SGA Transport Engineer to confirm permanent access can be reinstated to Spedding Road Extension, and how temporary construction access will be provided in a scenario where Spedding Road and Fred Taylor Drive are under construction simultaneously. There is a particular concern that access during the construction phase has not been considered.</li> <li>2. Meeting with Property team has been requested – no response received.</li> <li>3. Considers the SCEMP should be certified, not only provided for information.</li> <li>4. Seeks a reduced lapse date of 10 years (W4).</li> </ol> <p><b>SGA Expert response:</b></p> <ul style="list-style-type: none"> <li>• SGA note the access point and the SGA Transport Experts will respond in rebuttal and also review access during construction.</li> <li>• John Daly will follow up with the property team.</li> <li>• Items 3 and 4 have been addressed in previous responses in the JWS.</li> </ul> <p><b>Reconvened on 15.09.2023</b> note that rebuttal evidence has been lodged by SGA. Hannah Edwards and Don McKenzie have read the rebuttal.</p>

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				<ul style="list-style-type: none"> <li>Michelle confirmed that site specific comments with regards to access has been provided in both her and Johan Pratomo's rebuttal evidence., which confirms that two properties on the northern side will be fully designated as part of the project providing flexibility for access to the site during construction of the roundabout.</li> <li>Updates from Rebuttal Evidence reduction of designation extent on the site (Bridget O' Leary)</li> </ul>
3. Yes for: Michelle Seymour (Transport) Bridget O'Leary Hannah Edwards Don McKenzie (Transport)	Hannah Edwards - Planning	F. Boric and Sons Limited	1368 - 1404 Coatesville-Riverhead Highway	<p><b>Hannah Edwards and Don McKenzie had concerns from the previous expert conferencing session 31.08.2023:</b></p> <ol style="list-style-type: none"> <li>Hannah Edwards and Don McKenzie agree with others' that the management conditions require improvement as discussed during themed discussions to ensure access and land use are integrated, and that management plans are prepared in consultation with affected landowners and occupiers.</li> <li>Seeks clarification on need for width.</li> <li>Considers the SCEMP should be certified, not only provided for information.</li> <li>Seeks a reduced lapse date of 10 years (R1).</li> </ol> <p><b>Reconvened on 15.09.2023</b> note that rebuttal evidence has been lodged by SGA. Hannah Edwards and Don McKenzie have read the rebuttal. Bridget O' Leary notes that the amendments have been to the ULDMP and SCEMP conditions as set out of the rebuttal evidence of Ms Atkins.</p> <ul style="list-style-type: none"> <li>Hannah Edwards and Don McKenzie consider heavy reliance is placed on the management plans (NIMP, ULDMP and SCEMP) to address the matter of integration with the roundabout or the existing network if the roundabout has not been constructed and to ensure that there is sufficient consultation</li> </ul>

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				with the immediate land owners, noting that the southern end of the designation terminates at the vehicle crossing to Boric Food Market.
4. Yes for: Joe Phillips (Transport) Regan Elley Hannah Edwards Don McKenzie (Transport)	Hannah Edwards Don McKenzie	F. Boric and Sons Limited	993 Waitakere Road	<p><b>Hannah Edwards and Don McKenzie had concerns from the previous expert conferencing session 31.08.2023:</b></p> <ol style="list-style-type: none"> <li>1. Rationale for proposed with of Access Road.</li> <li>2. Management plans and consultation will not mitigate the significant physical and operational effects on the owner and occupier.</li> <li>3. Seeks a reduced lapse date of 10 years (S4).</li> <li>4. Meeting with Property Team requested – no response received.</li> <li>5. Hannah Edwards and Don McKenzie seek further understanding as to how the RTC overbridge will interface with future grade separation works within the KiwiRail designation.</li> </ol> <p><b>Reconvened on 15.09.2023</b> note that rebuttal evidence has been lodged by SGA. Hannah Edwards and Don McKenzie have read the rebuttal.</p> <p>Joe Phillips discussed the Design Changes as set out in his rebuttal evidence and the work undertaken since the rebuttal evidence issued by the project team including the review of the designation boundary.</p> <ul style="list-style-type: none"> <li>• Levels of SH16 which has had impacts on construction of the site which has led to changes meaning that batter slopes are not required.</li> <li>• Removed south bound lane – taken 3m away from the cross-section.</li> <li>• No change to the extent of the S2 boundary due to the requirements of the construction phase.</li> </ul>

EXPERT'S CONFIRMATION REFER PARA 4.1	Expert	Party	Property Description	JWS Outcome
				<ul style="list-style-type: none"> <li>A change has been made to the extent of the S4 boundary to remove the extent of the designation across the western driveway and reduces the likelihood the driveway would need to be relocated.</li> </ul> <p>Hannah Edwards and Don McKenzie would like to see updated concept plans and further rationale on why the designation boundary cannot be shifted away from the building in order to retain or partially retain the at grade storage area and loading dock.</p> <p>Hannah Edwards and Don McKenzie is pleased to see the change in designation boundary and looks forward to seeing the amended interim concept design at the hearing which shows the proximity of the designation to the existing vehicle crossing.</p>
5. Yes for: Regan Elley Joe Phillips (Transport) Hannah Edwards Don McKenzie (Transport) – Did not attend 15.09.23 Discussion	Hannah Edwards – Planning  Don McKenzie	Kumeu Properties 2017 Limited	46 and 48 Main Road	<p><b>Hannah Edwards and Don McKenzie had concerns from the previous expert conferencing session 31.08.2023:</b></p> <ul style="list-style-type: none"> <li>Hannah Edwards and Don McKenzie are concerned that there is insufficient information and/or concept detail around the access provision between the submitters land, the Main Road frontage (access road) and SH16.</li> <li>Preliminary conversation between the submitter's experts and SGA experts has centred on the requirement or otherwise of a retaining wall across the site's access to SH16. The implications of there being a retaining wall across the full frontage of the site and preventing any access to the site is clearly untenable and in contravention of the existing access and/or Limited Access Road ("LAR") provisions that may or may not apply to the site frontage. Further clarification is sought from SGA as to the existence and application of the SH16 LAR provisions to this site.</li> <li>Hannah Edwards and Don McKenzie seek reassurance as maintenance of the connection between the site and the SH16 Main Road carriageway and</li> </ul>

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				<p>suggest Condition 11 should also be applied (if not to all of NoR S2, then as a site-specific condition is requested).</p> <p><b>Reconvened on 15.09.2023</b> note that rebuttal evidence has been lodged by SGA. Hannah Edwards and Don McKenzie have read the rebuttal.</p> <p>Regan Elley and Joe Phillips note these changes in Rebuttal Evidence:</p> <ul style="list-style-type: none"> <li>• Removal of the retaining wall due to level changes to the concept design on SH16</li> <li>• Vehicle crossings are assumed to remain as well as the access to the service lane</li> <li>• Inclusion of access condition (condition 11) on S2 to provide for eventuality of the change of status of the corridor.</li> <li>• Under the current state highway status, Waka Kotahi status requires the retention of access</li> </ul> <p>Hannah Edwards is pleased to see the additional work undertaken on the levels resulting in the removal of the retaining wall and in the absence of a site specific condition confirming the access will be retained, would like to see an updated concept plan to confirm this.</p>
6. Yes for: Joe Phillips (Transport) Regan Elley	Hannah Edwards - Planning	The Beachaven Trust	33 Grivelle Street	<p><b>Hannah Edwards and Don McKenzie had concerns from the previous expert conferencing session 31.08.2023:</b></p> <ol style="list-style-type: none"> <li>1. No apparent need for extent of NoR as no works are illustrated within site.</li> <li>2. Seeks clarification as to the need for proposed Access Road width.</li> </ol>

EXPERT'S CONFIRMATION REFER PARA 4.1	Expert	Party	Property Description	JWS Outcome
Hannah Edwards Don McKenzie (Transport) – Did not attend 15.09.23 Discussion				<p>3. Hannah Edwards and Don McKenzie agree with others' that the management conditions require improvement as discussed during themed discussions to ensure access and land use are integrated, and that management plans are prepared in consultation with affected landowners and occupiers.</p> <p>4. Considers the SCEMP should be certified, not only provided for information.</p> <p><b>Reconvened on 15.09.2023</b> note that rebuttal evidence has been lodged by SGA. Hannah Edwards and Don McKenzie have read the rebuttal.</p> <ul style="list-style-type: none"> <li>Regan Elley shared an update to the revised design to Access Road outlining the change in levels in the concept design. The retaining wall within the lodged concept design at the frontage of the site is no longer required due to the change in levels. This has subsequent changes to the extent of designation to 33 Grivelle Street removing the footprint entirely.</li> <li>Extent of upgrade to Grivelle Street to tie in with Access Road upgrade has been reduced and will now terminate before the eastern vehicle crossing to 33 Grivelle Street.</li> <li>Hannah Edwards supports the changes presented by Regan Elley and looks forward to receiving an updated designation plan reflecting these changes.</li> </ul>

**Confirmed online: 15 September 2023**



### **3 PARTICIPANTS TO JOINT WITNESS STATEMENT**

3.1 The participants to this Joint Witness Statement, as listed in para 3.1 , confirm that:

- (a) They agree that the outcome(s) of the expert conferencing are as recorded in this statement; and
- (b) They agree to the introduction of the attached information – Refer to para 2 above; and
- (c) They have read the Environment Court’s Practice Note 2023 and agree to comply with it; and
- (d) The matters addressed in this statement are within their area of expertise; and
- (e) 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 table above.