

**AUCKLAND COUNCIL:**

**PRIVATE PLAN CHANGE 48: DRURY CENTRE PRECINCT – KIWI PROPERTY HOLDINGS LTD**

**PRIVATE PLAN CHANGE 49: DRURY EAST PRECINCT – FULTON HOGAN LAND DEVELOPMENT LTD**

**PRIVATE PLAN CHANGE: 50 WAIHOEHOE PRECINCT – OYSTER CAPITAL.**

**JOINT WITNESS STATEMENT (JWS)  
TRANSPORT & PLANNING (1) - 24 MAY 2021.**

**Expert Witness Conferencing Topic: Transport & Planning**

Held on: 24 May 2021, commencing at 9am.

Venue: Board Room, Ground Floor, Auckland Town Hall.

Independent Facilitator: Marlene Oliver.

Admin Support: Cosette Saville.

**1. Attendance:**

The list of expert participants is at the end of this Statement. Their area of expertise (transport or planning) is identified with their names.

**2. Environment Court Practice Note 2014.**

- i. All participants agree that the Environment Court Practice Note 2014 provides relevant guidance and protocols for the expert conferencing session.
- ii. All participants agree to comply with the relevant provisions of the Environment Court Practice Note 2014.  
The Auckland Council (as regulator) participants attended as observers, given their role as s42A reporters.
- iii. All participants agree to 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).

### **3. Transport modelling assumptions.**

Daryl Hughes for the applicants outlined the updates to SGA's Drury traffic model, including adopting the land use and infrastructure and timing assumptions from the SGA model which is different to the plan change documents as notified.

Daryl noted that the revised trigger table was an appropriate framework to assess infrastructure requirements for the plan changes, regardless of the Government's decisions on the timing and scope of Mill Road.

The Applicants will prepare and circulate an addendum to the modelling report to describe these updates and their implications for the plan changes. The addendum report to be circulated on 31 May 2021 with a further expert conferencing session (transport and planning experts) scheduled on 8 June 2021 commencing at 9am at Stantec offices, 111 Carlton Gore Road, Newmarket. Experts to confirm attendance, by email to Julie McKee by 4pm Friday 4 June. Request to Julie McKee to notify all parties.

The Applicants to provide the relevant transport provisions that have been amended following the planning expert conference on 31 May, and before 8 June.

### **4. Transport upgrade provisions in the precinct (including triggers) (to also be discussed in the planning conference).**

All agree that the upgrades along Fitzgerald Road and Waihoehoe Road bordering the plan changes are considered to be 'within the plan change areas and will be subject to walking and cycling upgrades' consistent with the precinct provisions.

The planning expert conference (after the 8 June session) should look at the implementation/workability of the provisions in practice, including robustness of the assessment framework, and information requirements. It is suggested that the applicants provide a flowchart to illustrate the operation of the provisions.

### **5. Precinct plans/Access A.**

Andrew Mein from Waka Kotahi clarified that Tables '*Staging of development with transport upgrades and 'trip generation limit''*' e.g Table 6.2.2 and Table 6.3.2 in PPC48, referring to Access A can be removed from the plan changes, but Access A is to be shown as a potential connection on Precinct Plan 2. All agree with this statement as from a traffic capacity perspective, it is not relevant to the triggers.

Applicants requested to clarify the status of proposed roading connections that go beyond the precincts. To be discussed at 31 May planning expert conference.

### **6. Road cross-section details.**

Applicants to circulate updated cross-sections to all parties through Julie McKee. These will be discussed again at the expert conferencing session on the 8<sup>th</sup> of June.

## **7. Precinct provisions relating to the train station.**

Andrew Cave for KiwiRail requested that the location of the proposed Drury Central train station to be shown in the plan provisions as indicative, but likely to be positioned immediately south of the existing Waihoehoe Road NIMT overbridge (i.e between Flanagan Road and Great South Road), with associated public transport interchange and necessary infrastructure.

The experts (transport and planning) for the following parties agree to this indicative location noting there is a considerable amount of engineering design work to be done, and that separate consent procedures will be required and parties accordingly reserve their rights to participate in those processes, refer to revised Precinct Plan 2 attached. Auckland Transport, Auckland Council (as submitter), Waka Kotahi and the Applicants.

Note that the Applicant is suggesting the notified area Sub-precinct D in Precinct Plan 2, is proposed to be merged into the original Sub-precinct A area. For clarification the original precinct plan is also attached.

The Applicant advised that master planning details such as the station plaza are being revised to reflect the amended location of the train station. These will be available for discussion at the planning expert conference after 8 June.

## **8. Other transport related amendments to the provisions.**

An amended set of provisions relating to transport will be circulated after the 8 June transport conferencing session for discussion at a subsequent planning conference, date to be confirmed (planners bring their diaries on 31 May so that subsequent date can be confirmed).

The Applicants to clarify PPC49 Precinct Plan 1 reference to proposed Mill Road corridor.

## **9. Submitters outside of the plan change areas seeking to be included, including Kainga Ora's proposal to re-zone 1-1A East St.**

The SGA model relates to Auckland Council's adopted Drury-Opaheke Structure Plan area and follows the Structure Plan timing, not just the areas included in PPC48, 49 and 50.

## **10. Written questions submitted by Nikhil Prakash on behalf of Dong Leng on PPC50**

Proposed Plan Change 50:

- 1) My first question relates to the future crossing/bridge for the proposed collector road over the Waihoehoe Stream. Who will be responsible for providing this bridge? What will the funding mechanism be? PPC50 conveniently proposes not having a crossing on its own stream boundary. The burden of cost associated with this stream crossing is a potential development constraint for my client.
- 2) The locations of the proposed collector roads shown in the PPC50 application are not in accordance with the draft Drury-Opaheke Structure Plan and therefore need to be relocated. Their locations will also conflict with the streams to the north and east and will also not properly service the land beyond. Our client therefore seeks an amendment to the locations of the proposed collector roads.
- 3) Waihoehoe Road will be upgraded to arterial road status. The Fitzgerald Road/Waihoehoe Road will become a major intersection in the future and is very close to our clients site (160 Waihoehoe Road). The ITA recommends limited access along the road. Our client wants confirmation that his site will have direct access to Waihoehoe Road.

There was insufficient time to discuss these at this conference, therefore they will be put on the agenda for the 8 June transport expert conferencing session.

## **11. General discussion topic / Case Management and plan processing**

John Duguid for Auckland Council (as submitter) expressed a concern about the status of the applicant's amended provisions and the timing of when all parties would see those provisions.

He also noted the RMA requirement for section 42A reports on private plan changes to address the notified version of the private plan change, and outlined the advice Auckland Council has received that amended provisions put forward by applicants can only be addressed after being formally introduced to all parties in evidence from the applicant. This constraint combined with a fundamental concern about ensuring natural justice, fairness and transparency, has recently led Auckland Council to suggest an approach along the following lines to its Independent Hearing Commissioners:

- Section 42A report is circulated to all parties based on the notified version of the private plan change
- Applicant's evidence is circulated to all parties
- Mediation/expert caucusing
- Submitters' evidence is circulated to all parties
- Addendum to section 42A report is circulated to all parties (if required)
- Applicant's rebuttal evidence is circulated to all parties (if required)
- Hearing.

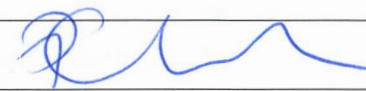

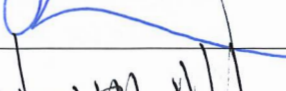

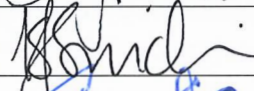






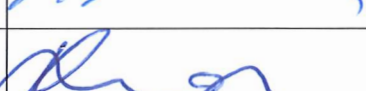

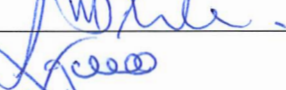
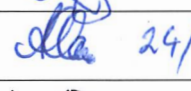
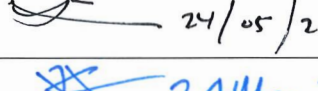
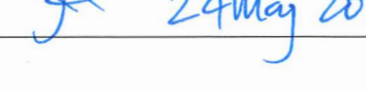

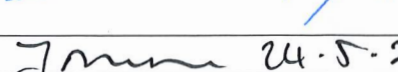

There was general support from the Councils Independent Hearing Commissioners for an approach along those lines, coupled with the early appointment of a chair to independently direct any pre-hearing processes and set the hearing timetable.

John noted that the current Drury private plan change pre-hearing process differs from the above, however he acknowledged that it involves all relevant parties to the private plan changes. The outcome of this process will be carefully considered and inform a follow-up discussion with the council's Independent Hearing Commissioners, who ultimately determine the nature and timing of any pre-hearing processes.

This topic is to be put on the agenda for the planning expert conferencing session on 31 May for further discussion.

12. All parties agreed to file this report with the Hearing Panel.

**Signed on 24 May 2021:**

| <b>Expert Name</b>         | <b>Parties (app/sub)</b>                                                                  |                                                                                                   |
|----------------------------|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Terry Church (T)           | Auckland Council (as regulator)                                                           |                |
| David Mead (Plg)           | Auckland Council (as regulator)                                                           |                |
| Craig Cairncross (Plg)     | Auckland Council (as regulator)                                                           |                |
| John Duguid (Plg)          | Auckland Council (as submitter)                                                           |                |
| Andrew Prosser (T)         | Auckland Transport                                                                        |                |
| Karyn Sinclair (Plg)       | Auckland Transport                                                                        |                |
| Greg Osborne (Plg)         | Drury South Limited                                                                       |                |
| Joe Phillips (T)           | Drury South Limited                                                                       |               |
| John Parlane (T)           | Fulton Hogan Land Development Ltd<br>Kiwi Property Holdings No2 Limited<br>Oyster Capital |              |
| Daryl Hughes (T)           | Fulton Hogan Land Development Ltd<br>Kiwi Property Holdings No2 Limited<br>Oyster Capital |              |
| Hilary Papps (T)           | Fulton Hogan Land Development Ltd<br>Kiwi Property Holdings No2 Limited<br>Oyster Capital |              |
| Nick Roberts (Plg)         | Fulton Hogan Land Development Ltd<br>Kiwi Property Holdings No2 Limited<br>Oyster Capital |              |
| Rachel Morgan (Plg)        | Fulton Hogan Land Development Ltd<br>Kiwi Property Holdings No2 Limited<br>Oyster Capital |               |
| Mark Thode (Plg)           | Kainga Ora                                                                                |              |
| Todd Langwell (T)          | Kainga Ora                                                                                |              |
| Andrew Cave (T)            | KiwiRail                                                                                  |  24/05/2021  |
| Leo Hills (T)              | Lomai Properties Limited                                                                  |  24/05/2021  |
| Vijay Lala (Plg)           | Lomai Properties Limited                                                                  |  24 May 2021 |
| <del>Skip Fourie (T)</del> | <del>Ministry of Education</del>                                                          |                                                                                                   |
| Andrew Mein (T)            | Waka Kotahi                                                                               |  24/5/21     |
| Nikhil Prakash (T)         | Dong Leng                                                                                 |                                                                                                   |
| Jo Michalakakis (Plg)      | Counties Power                                                                            |  24.5.21     |

# Interim upgrades – amendments to the precinct provisions

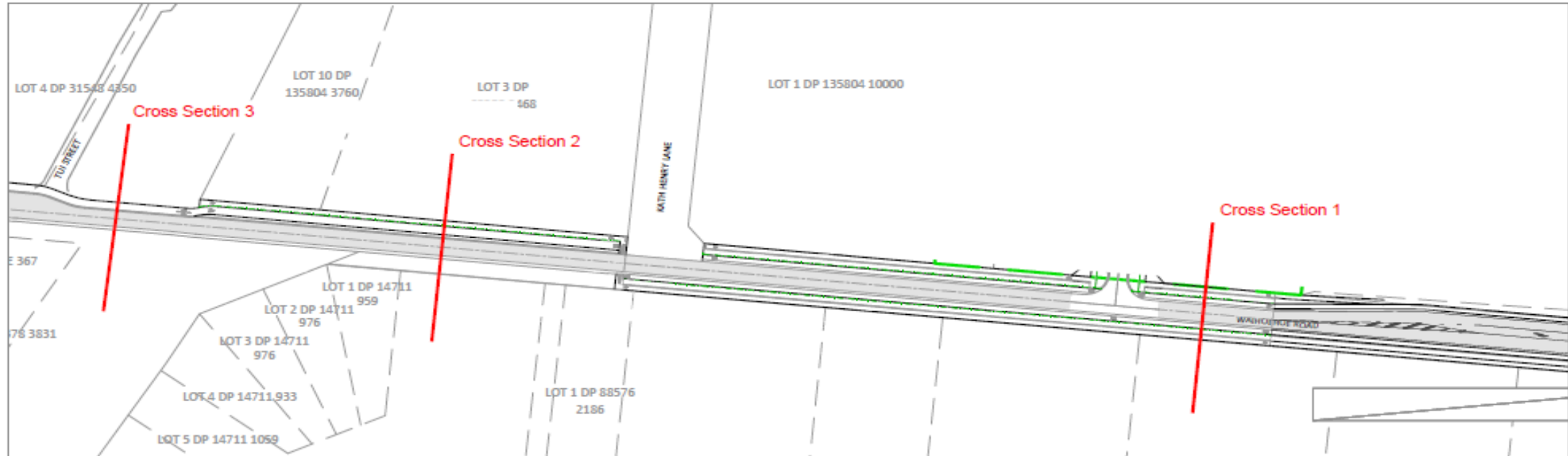
- Interim upgrades that are required prior to any development are addressed in the rules / transport triggers:
  - Waihoehoe/Fitzgerald/Opaheke intersection
  - Interim upgrade of Waihoehoe/GSR/Norrie intersection
  - Waihoehoe Road west upgrade
- Interim upgrades to other local roads will be progressive as development occurs so will be assessed as part of subdivision / development

## Upgrades to the Existing Road Network

- (a) Whether *Fitzgerald Road/Brookfield Road* are progressively upgraded to ensure that safe connections are provided from the site to the Waihoehoe Road/Fitzgerald Road intersection. The section of upgraded road should extend from the site being developed to the Waihoehoe Road/Fitzgerald Road intersection.
- (b) Whether the design of the upgraded road/s accords with the road design cross sections included in Appendix 1 and 1a:
- Where the applicant owns land on both sides of the section of road being upgraded, the design details in Appendix 1 will apply. *(i.e. the ultimate design)*
  - Where the applicant does not own the land adjoining the section of road being upgraded, either on one or both sides, the interim design details in Appendix 1a apply.

# Revised provisions for interim upgrades

- Interim upgrade of Waihoehoe Road between Fitzgerald and Waihoehoe/GSR/Norrie Road intersection



## Waihoehoe Road Upgrade Plan

Scale 1:6000 @ A3

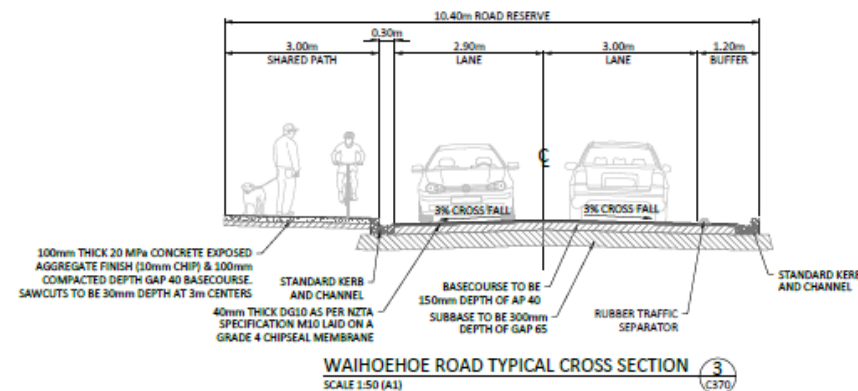
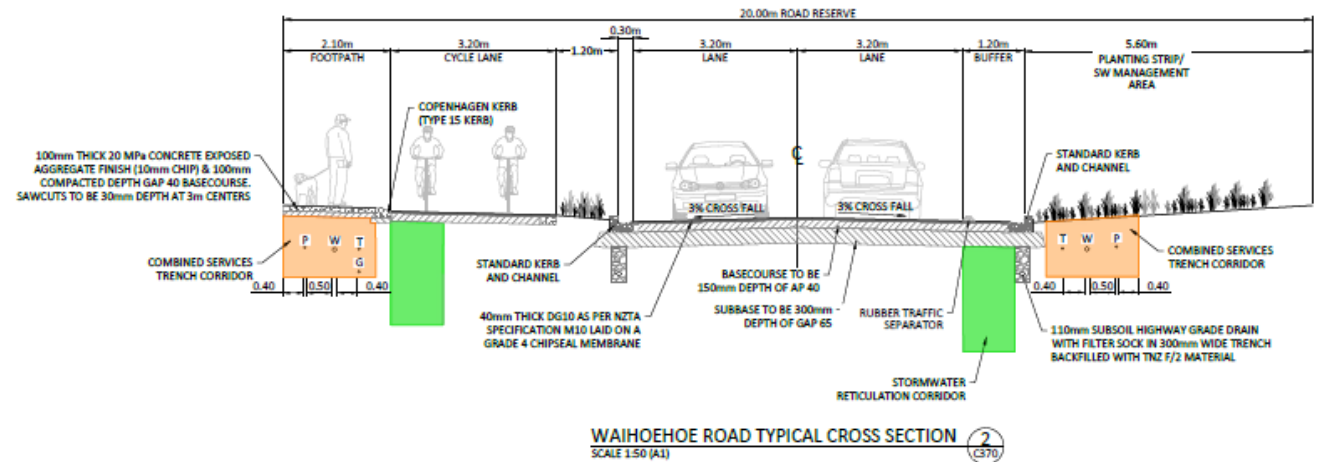
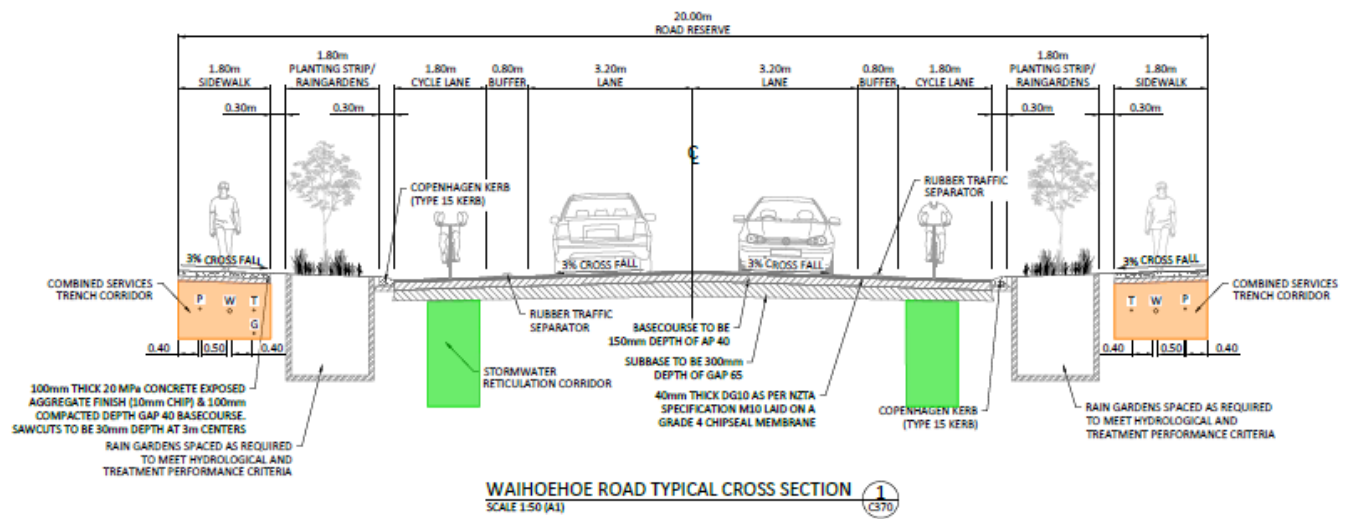
Prepared by: Crang Civil





# Revised provisions for interim upgrades

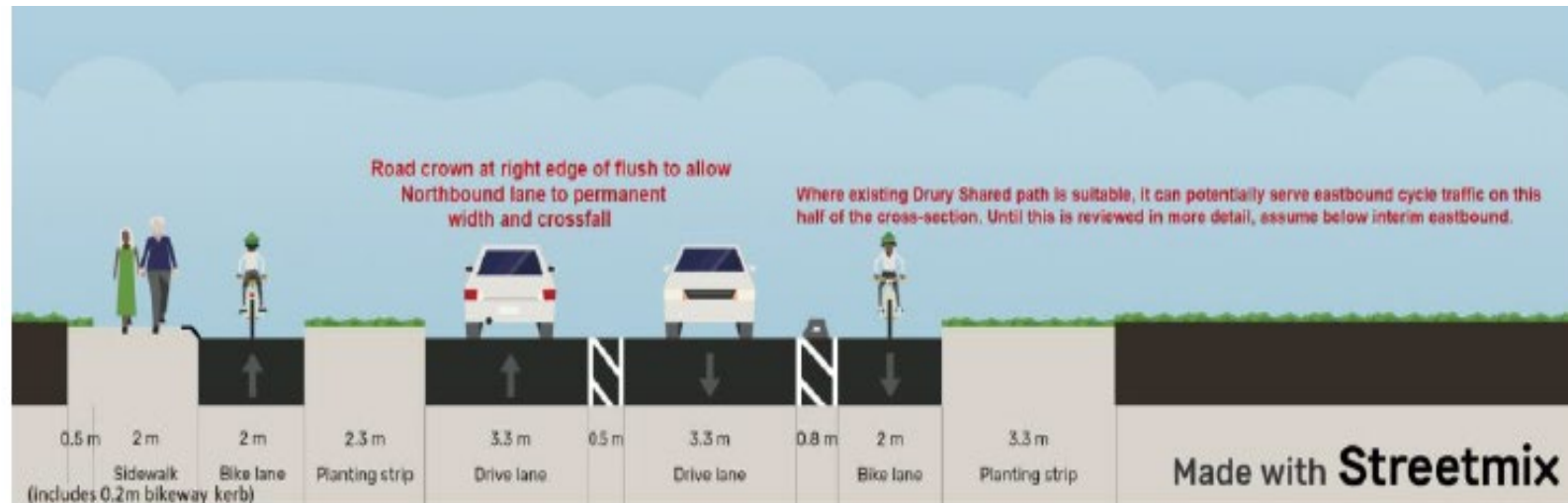
- Interim upgrade of Waihoehoe Road between Fitzgerald and Waihoehoe/GSR/Norrie Road intersection
- Cross sections showing standard interim layout; transition section; and interim rail bridge section – as per previous slide



# Revised provisions for interim upgrades

## Waihoehoe Road east of Fitzgerald

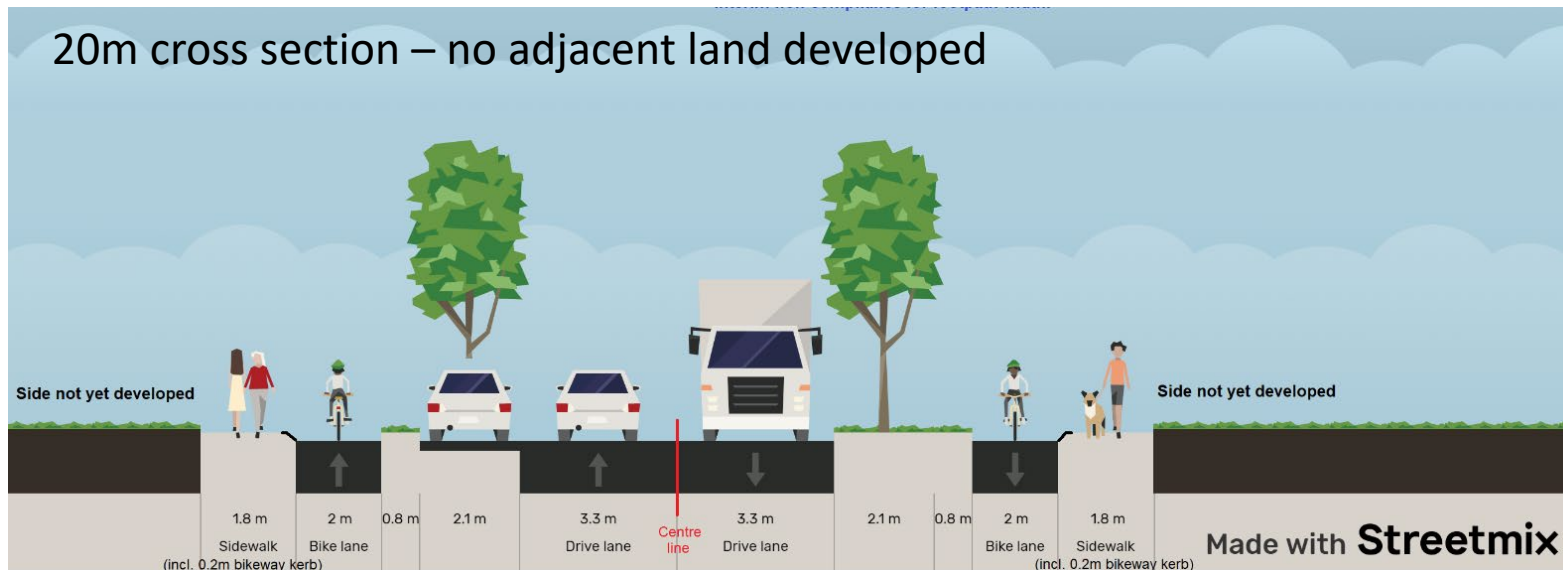
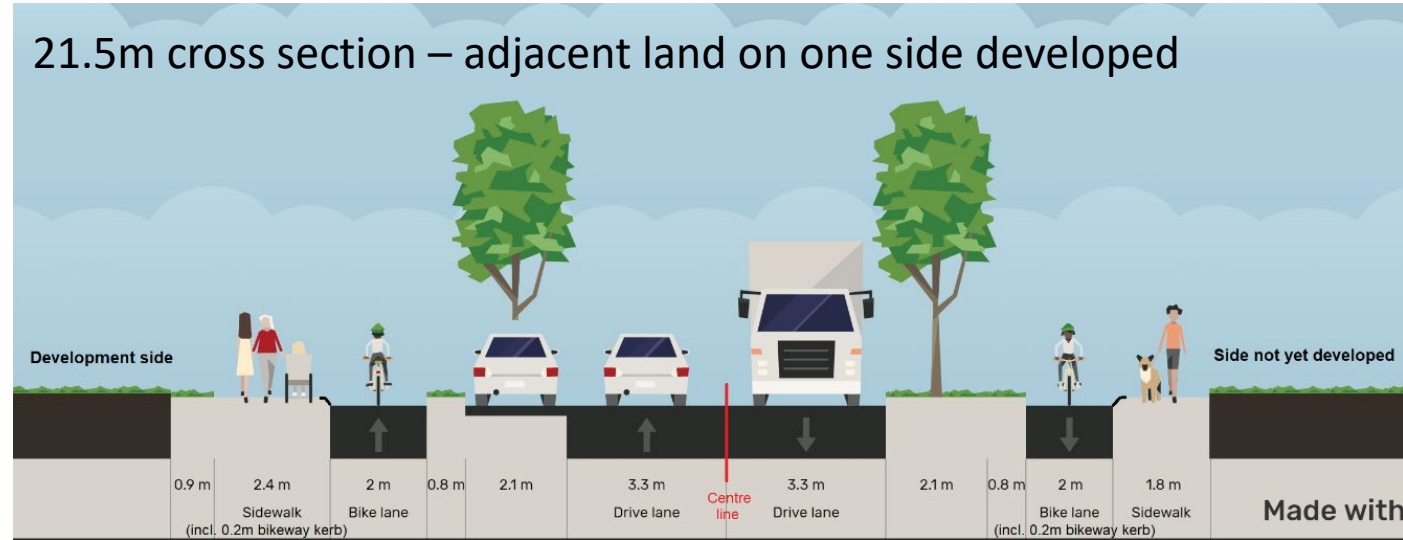
- Interim design for two lane arterial prior to NOR final position / design
- Design for the long term on southern side, as NOR proposes widening to the north
- Otherwise work within the existing 20m road corridor



# Revised provisions for interim upgrades

## Fitzgerald Road

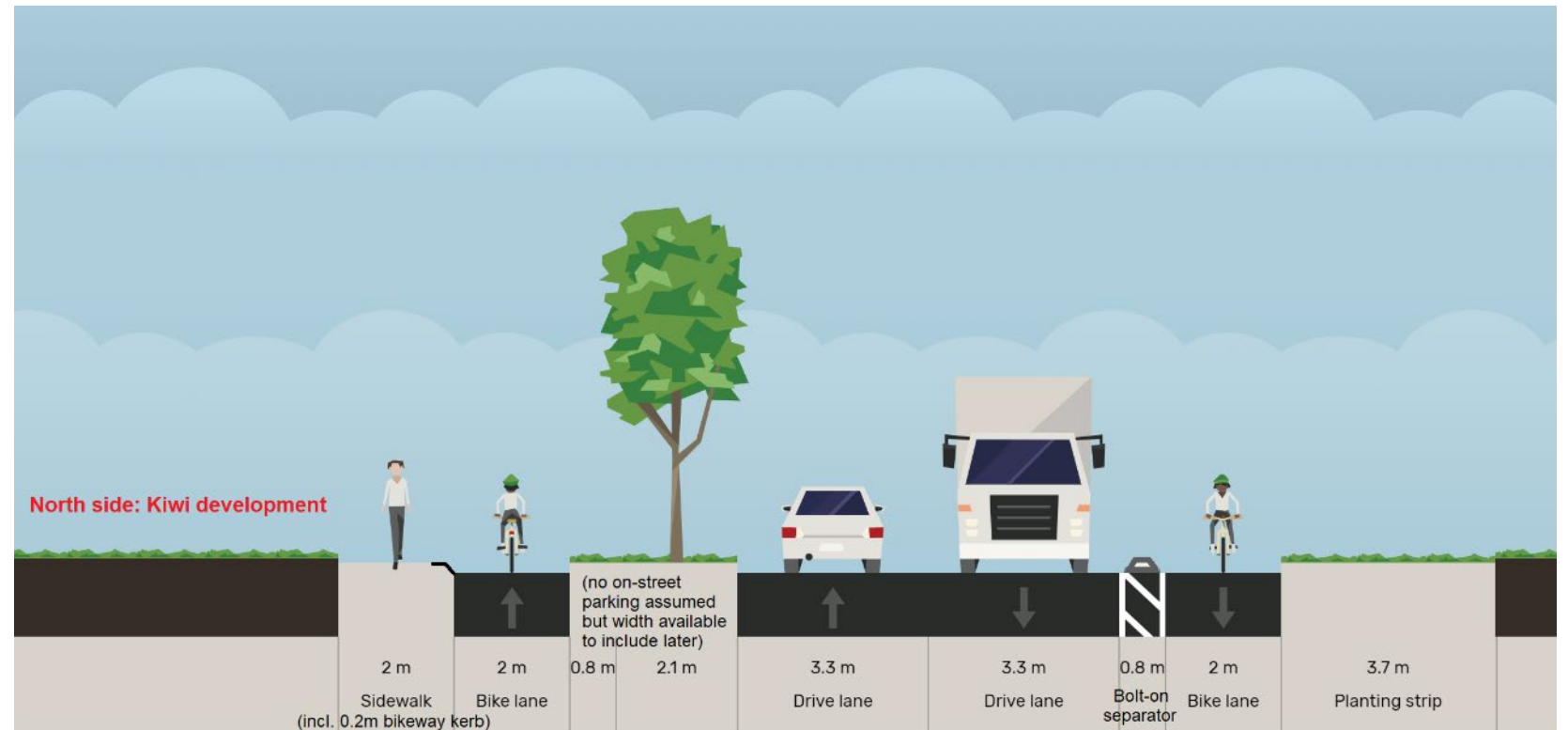
- Interim design for two lane collector
- Design for the long term where the land ownership allows
- Otherwise work within the existing road corridor
- Minor sub standard interim footpath to avoid rework when upgrading interim to long term.



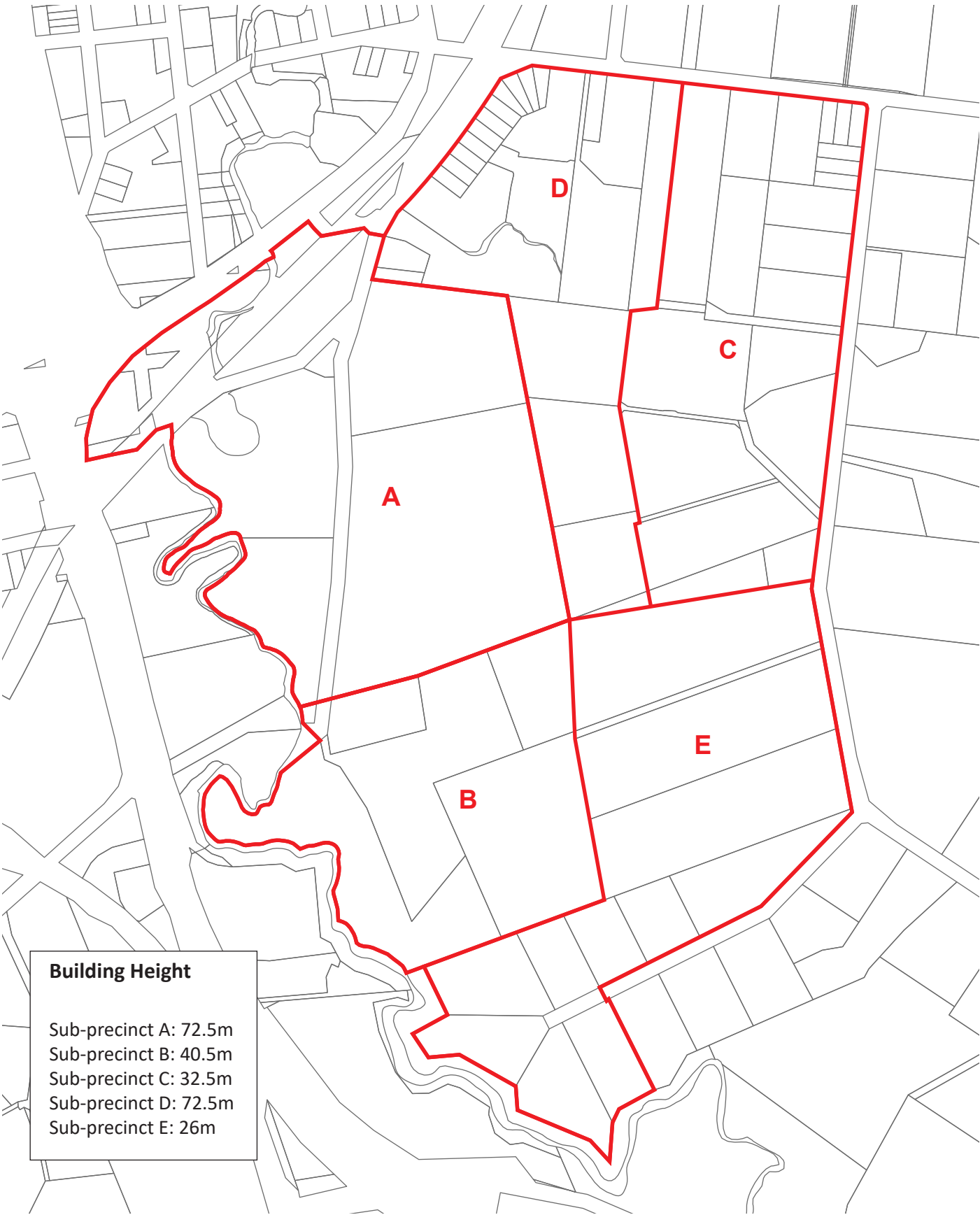
# Revised provisions for interim upgrades

## Brookfield Road

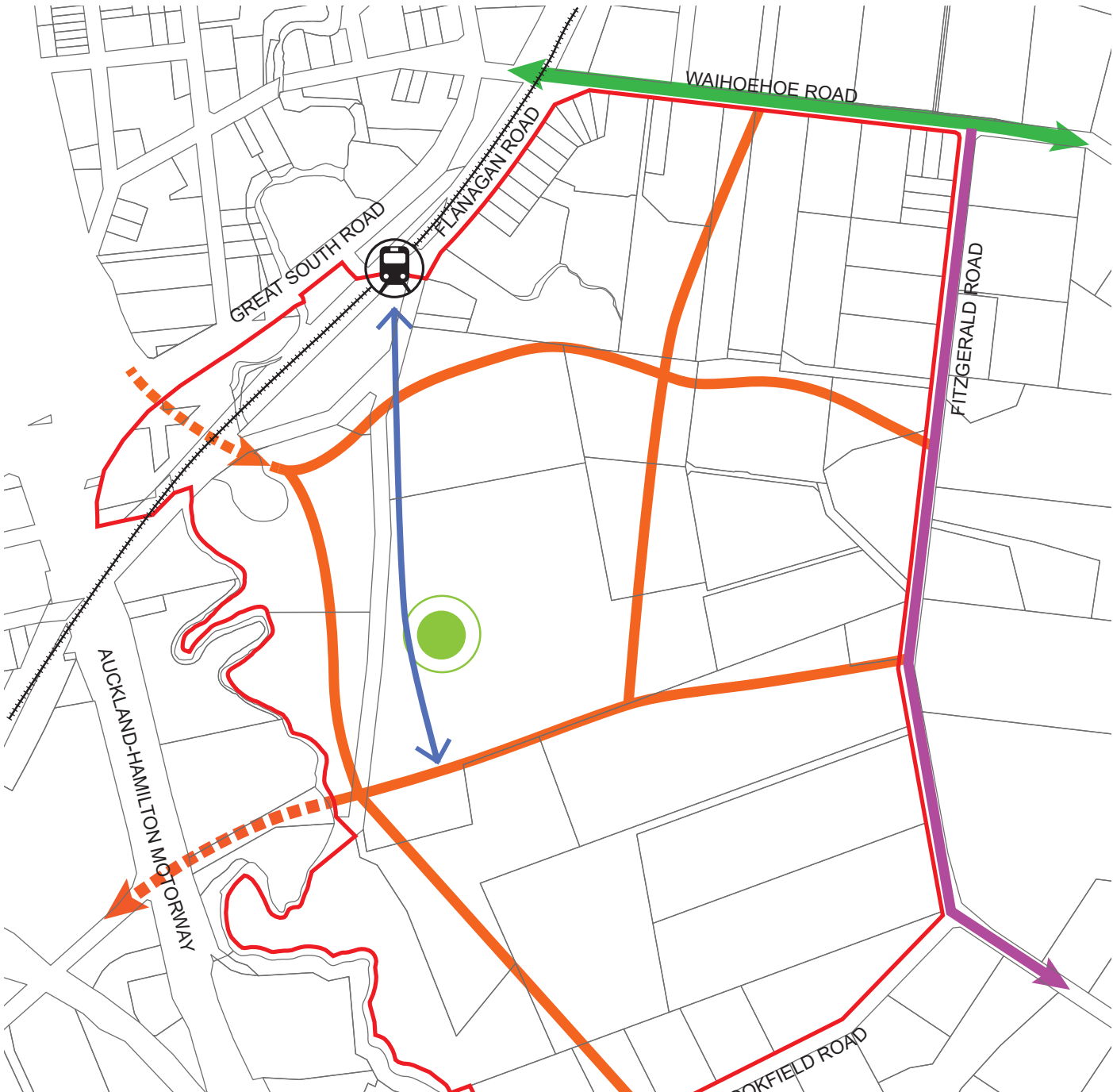
- Design for two lane road with active mode provisions
- Work within the existing 20m road corridor



Drury Centre Precinct Plan 1 - Building Height



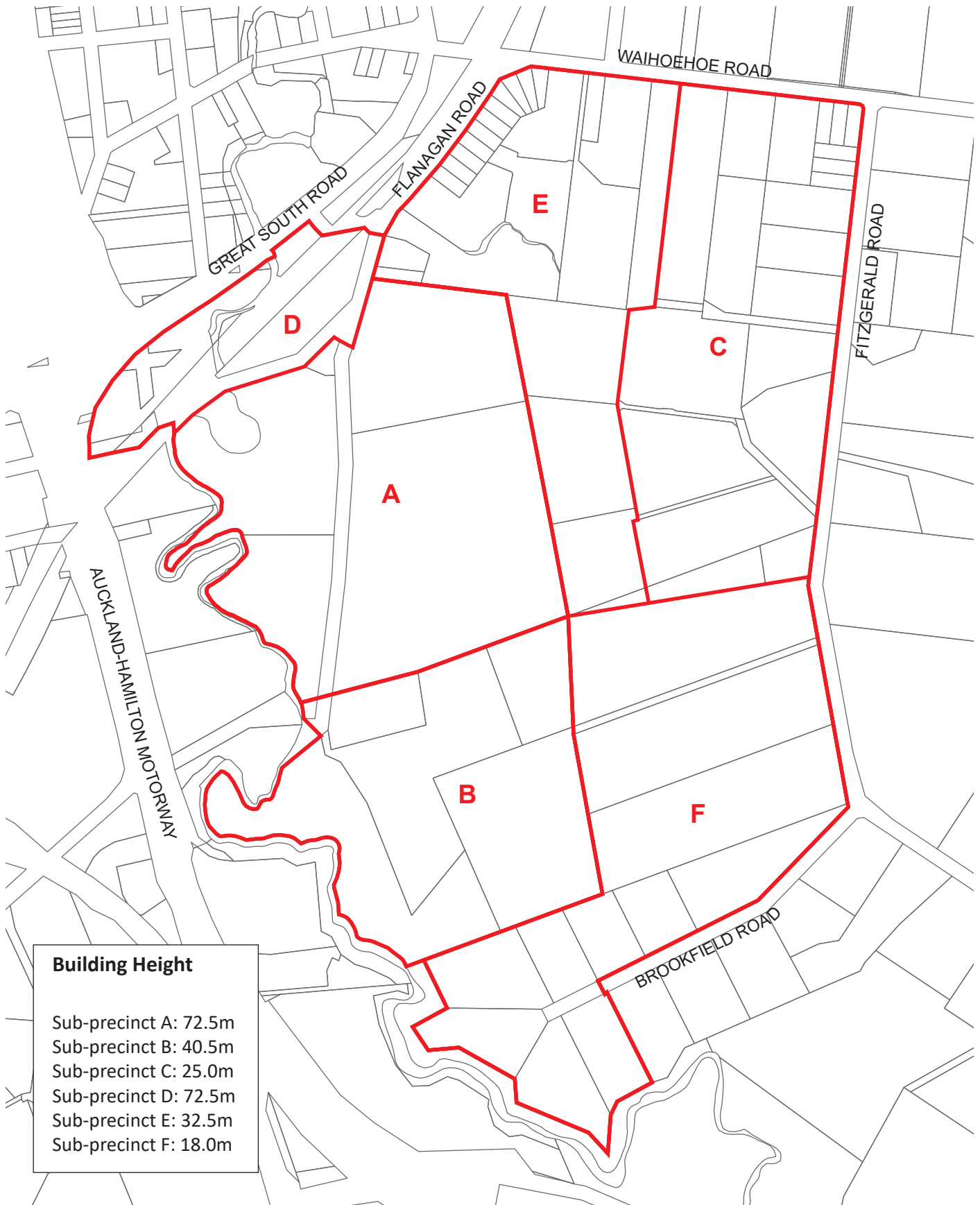
Drury Centre Precinct Plan 2 - Spatial features



**Legend**

- Future train station
- Key retail street
- Station Plaza
- Homestead Park
- Existing Roads Upgraded to Collectors-
- Existing Future arterial road
- Indicative collector road
- Potential Connections to Drury West

Drury Centre Precinct Plan 1 - Building Height



Drury Centre Precinct Plan 2 - Spatial features

