

UNDER the COVID-19 Recovery (Fast-track Consenting) Act 2020

IN THE MATTER of a request to **AUCKLAND COUNCIL** for Plan Change 95 to the partly operative Auckland Unitary Plan by **AEDIFICE DEVELOPMENT NO. 1 LIMITED**

JOINT WITNESS STATEMENT (JWS) IN RELATION TO SUB-PRECINCT PLAN PROVISIONS

June 2024

Expert Conferencing Held on: **Tuesday, 11 June 2024 (and days following via email)**

Venue (if applicable): Online (Microsoft Teams)

1 ATTENDANCE

- 1.1 The list of participants is provided at the end of this statement.
- 1.2 All participants confirmed they had no conflicts of interest to declare.

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 and this JWS has been prepared in accordance with clause 9.5 of that document;
 - (c) This statement is to be provided to the Panel following signing, in accordance with the Environment Court Practice Note 2023.

3 MATTERS CONSIDERED AT CONFERENCING – AGENDA

- 3.1 Two topics were discussed at conferencing:
- 3.1.1** Auckland Transport’s request to delete the reference to “including provision for cycle facility on northern berm” in (T1) of the Transport Infrastructure Upgrade (Table I453.6.5.4.1) within the sub-precinct at page 17 of the draft plan provisions provided to the Panel on 24 May 2024.
 - 3.1.2** Other issues identified by Auckland Council with the Activity Table and related provisions in the draft plan provisions, namely:

1. *Activity A3 has non-compliance with Standard I453.6.5.4 – Transport as an RD Activity. The original precinct has non-compliance with the transport standard I453.6.4.2 is a discretionary activity. For consistency I453.6.5.4 should also be discretionary as it necessary for the transport infrastructure required to support the development to be implemented.*
2. *Activity A9 for vehicle access onto Golding Road in accordance with Precinct Plan 1 or 2 is a RD Activity. This is a new activity that has been added to the whole precinct as well as added in for the sub-precinct. This conflicts with the site access standard (I453.6.4.6) which is a discretionary activity (A4). Vehicle access onto Golding Road was deliberately made a Discretionary activity with the PC76, and this would change the activity status.*
3. *Activity A11 and A12 are in conflict with each other. They both refer to standards I453.6.5.1 to I453.6.5.5 with A11 being RD and A12 being D. As for Use and Development, non-compliance with Standard I453.6.5.4 Transport should be Discretionary, as is the case for the overall precinct.*
4. *The Assessment Criteria for the RD activities for sub-precinct A are limited to those only associated with vehicle access onto Golding Road (I453.7.2.1(3)) whereas the matters of discretion cover wider topics (I453.7.1.1(3)). The criteria required will be dependent on those items that will actually be RD.*
5. *The Special Information requirements I453.8.2(1) – Transport Design Report has a sentence added to address the AT submission “The Collector / Golding Road intersection must also provide for the design of access to the Neighbourhood Centre”. This could be mis-interpreted as being that an access to the town centre should be provided directly from the intersection, whereas we do not think this is what was meant - it is assumed the intended meaning is that the intersection would need to be designed to accommodate the traffic associated with the neighbourhood centre (both in terms of the volumes and the swept turning movements).*

4 MATTERS CONSIDERED AT CONFERENCING – OUTCOMES

Topic One:

- 4.1 The experts agreed that an appropriate amendment to the wording of (T1) would resolve the issues identified. The agreed wording change has been incorporated into the revised plan provisions attached as Appendix 1.

Topic Two:



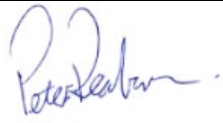

- 4.2 The experts agreed that the issues raised in Topic 2 could also be appropriately resolved by amendments to the wording of the plan change provisions. The agreed wording changes have been incorporated into the revised plan provisions attached as Appendix 1.

5 PARTICIPANTS TO JOINT WITNESS STATEMENT

- 5.1 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 relevant provisions of the Environment Court’s Practice Note 2023 and agree to comply with them; and
- (c) The matters addressed in this statement are within their area of expertise; and
- (d) They have confirmed their position in relation to this para 5.1 to the other experts and this is recorded in the schedule below by their signature.

Confirmed [25 June 2024]

EXPERT’S NAME	PARTY	SIGNATURE – REFER PARA 5.1
Todd Langwell (Transport)	Applicant	
Duncan Ross (Planning)	Applicant	
Balaji Karnan (Civil Engineer)	Applicant	Balaji Karnan
Peter Reaburn	Auckland Council	
Martin Peake	Auckland Council	
Robbie Lee	Auckland Transport	Robbie Lee

APPENDIX 1

Agreed Wording for Amendments

Topic 1

Table I453.6.5.4.1 Transport Infrastructure Triggers within Sub-precinct A

<u>Transport Infrastructure Upgrade</u>		<u>Trigger</u>
(T1)	<u>New east-west Collector Road from Golding Road along entire northern frontage of Neighbourhood Centre Zone, including provision for a bi-directional cycle facility on the northern side or a uni-directional cycleway on both sides.</u>	<u>Land use consent for buildings within the sub-precinct or 224(c) for any subdivision of the sub-precinct into serviced super-lots or development lots, but not including a subdivision of the sub-precinct into a stand-alone lot or any adjustment to the boundary with Golding Road.</u>

Topic 2

Table I453.4.1 Activity table – Pukekohe East-Central Precinct (including Sub-precinct A)

- Activities A3 and A4

Activity	Activity status	
	<u>Sub-Precinct A</u>	<u>Precinct excluding Sub-Precinct A</u>
(A3) Any activity: i not complying with the standards under I453.6.1, I453.6.2, I453.6.3, I453.6.4.2A, I453.6.4.3 or I453.6.4.8, <u>or</u> ii <u>not complying with Sub-precinct A standards under I453.6.5.1, I453.6.5.2, I453.6.5.3 or I453.6.5.5.</u>	<u>RD</u>	RD
(A4) Any activity: i not in accordance with the Precinct Plan or ii not complying with the standards under I453.6.4 (excluding I453.6.4.2A, I453.6.4.3 and I453.6.4.8), <u>or</u> iii <u>not complying with the Sub-precinct A standard under I453.6.5.4.</u>	<u>D</u>	D

2. Activity A9 - vehicle access onto Golding Road in accordance with Precinct Plan 1 or 2

Activity		Activity status	
		Sub-Precinct A	Precinct excluding Sub-Precinct A
(A9)	<u>Vehicular access onto Golding Road</u>	D	

3. Activities A11 and A12 (Subdivision)

Activity		Activity status	
		Sub-Precinct A	Precinct excluding Sub-Precinct A
(A811)	Subdivision: i not in accordance with the Precinct Plan <u>1 or 2</u> or ii not complying with the standards under I453.6.4 (excluding I453.6.4.2A, I453.6.4.3 and I453.6.4.8) <u>or</u> iii <u>not complying with the Sub-precinct A standard under I453.6.5.4.</u>	D	D
(A12)	<u>Any subdivision not complying with the standard under I453.6.5.6</u>	NC	NC

4. The Assessment Criteria for the RD activities for Sub-precinct A

Agreed none further required for Sub-precinct A (departure from relevant (transport) standards is a discretionary activity)

5. Insert the underlined wording in Special Information requirements I453.8.2(1) Transport Design Report.

- (1) Any proposed new key road intersection or upgrading of existing key road intersections illustrated on the Precinct Plan must be supported by a Transport Design Report and Concept Plans (including forecast transport modelling and land use assumptions), prepared by a suitably qualified transport engineer confirming the location and design of any road and its intersection(s) supports the safe and efficient function of the existing and future (ultimate) transport network and can be accommodated within the proposed or available road reserves. The design of the Collector / Golding Road intersection must also take into consideration where and how access is to be provided to the Neighbourhood Centre. This may be included within a transport assessment supporting land use or subdivision consents.

In addition, where an interim upgrade is proposed, information must be provided, detailing how the design allows for the ultimate upgrade to be efficiently delivered.

