

**BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS
PANEL**

IN THE MATTER OF The Resource Management Act 1991 and
the Local Government (Auckland
Transitional Provisions) Act 2010

AND

IN THE MATTER OF Topic 081b Rezoning and Precincts
(Geographical Areas)

**JOINT REBUTTAL STATEMENT OF
CHRISTINA BETTANY AND FIONA MCLAUGHLIN
ON BEHALF OF
THE OKURA ENVIRONMENTAL GROUP
AND
THE LONG BAY-OKURA GREAT PARK SOCIETY**

Weiti Precinct

12 March 2016

Summary of Evidence

1. The purpose of this report is to address the evidence for Topic 081 Rezoning and Precincts (Geographical Areas) by Weiti Developments LP (WDLP) regarding the proposed Weiti Precinct development on behalf of the Long Bay – Okura Great Park Society and the Okura Environmental Group (the submitters).
2. The submitters have reviewed the primary evidence received from WDLP and the evidence of Auckland Council on this precinct topic.
3. The submitters have considered the evidence from their own experts in response to WDLP's evidence and in response conclude that development in the Weiti Precinct should be limited to the 150 dwellings in sub-precinct A. No development in sub-precinct B and sub-precinct C (such as WDLP's proposed Sub precinct A2) should be permitted.

Introduction

4. This is a joint statement by Christina Bettany and Fiona McLaughlin on behalf of the Okura Environmental Group [OEG] and the Long Bay-Okura Great Park Society (the Society). The OEG is comprised of Keep Okura Green, the Okura Residents and Ratepayers, the Long Bay-Okura Great Park Society and the East Coast Bays Coastal Protection Group.
5. We are authorised to act on behalf of OEG and the Society. We provide an introduction to ourselves below:

Christina Bettany

6. My name is Christina Bettany and I have been a member of the Long Bay-Okura Great Park Society executive committee for fifteen years. I have been the Convenor of the Society for the past four years.
7. I have a Diploma in Education with Distinction. For the past thirty years I have worked in the area of social services for Government. I was instrumental in developing a number of community based social services in the North Shore prior to becoming a community funding agent for the Department of Child Youth and Family for ten years. I have taken a lead

role preparing a number of consumer health publications for the Ministry of Health. My position for the past fifteen years has been assessing the family circumstances of young people estranged from their parents for the Department of Social Services.

Fiona McLaughlin

8. My name is Fiona Diane McLaughlin. My relevant working experience lies in the property management and development fields. I was a property officer for the Lands and Survey Department, later Land Corporation Ltd. There I was responsible for managing land holdings on the Kapiti Coast and the Wairarapa, and disposing of surplus land in these areas.
9. I then worked as a full-time property consultant for Wellington City Council. There I was responsible for inner-city ground leases, assessing the Council's total land holdings and recommending surplus land for sale, planning and purchasing land for the Wellington sewage treatment project and Newlands Landfill land purchase, marketing and sales of Council's subdivisions, project management for the Civic Centre development including financing projections, and advising the Mayor, Councillors and Legal Executives on property matters.
10. After leaving Council, I worked for a property development company in Wellington. My role there included investigation and purchase of development sites in central Wellington, and their subsequent development and sale. These projects included town house developments, suburban infill housing, and subdivisions.
11. I was the full-time Convenor of the Long Bay – Okura Great Park Society during the Long Bay Structure Plan hearing at the Environment Court. During this time, I was intensively involved in the mediation and caucusing discussions on the Structure Plan text.

Summary of Expert Evidence

12. The submitters have provided the following statements of evidence in response to the evidence submitted by WDLP:

- Andrés Roa Stormwater
- Bernard Michaux Ornithology
- Dylan van Winkel Terrestrial Ecology
- Peter Townend Context & History
- Treffery Barnett Freshwater and Marine Ecology

We have provided a summary of this evidence below:

Stormwater

13. The submitters did not engage Mr Roa to carry out primary stormwater evidence. Due to concerns that Mr Priestley's evidence provided insufficient detail regarding sediment management in the Weiti Precinct, the submitters engaged Mr Roa to review WDLP's engineering evidence.
14. Mr Roa's rebuttal evidence considered the stormwater, planning, and ecological evidence provided by Messrs Priestley, Grace, Slaven and Ms De Luca.
15. Mr Roa has reviewed the evidence of Mr Priestley and has come to the opinion that there is insufficient supporting information or evidence that the proposed development will provide measures to protect the quality of the coastal environment, or mitigate stormwater or sediment-related effects to levels that are no more than minor.
16. He considers that proposed development areas in sub-precinct B and sub-precinct A2 will present significant challenges to avoid comprehensive earthworks and associated changes to hydrological regime and to adequately implement WSD principles.
17. He says that the evidence provided does not ascertain that any level of treatment will be sufficient to ensure that significant effects can be avoided.
18. Mr Roa concludes that he cannot support development in sub-precinct B, sub-precinct A2 and the Weiti Village areas in sub-precinct B (as approved under the Operative Plan).

Terrestrial Ecology

19. Mr Van Winkel provided primary evidence on the Weiti Precinct. In his rebuttal evidence he has reviewed the evidence of Mr Slaven, the Assessment of Ecological Effects and associated Management Plans.
20. Mr Van Winkel states that the assessments of ecological effects of WDLP's proposed development were prepared nearly 10 years ago for a proposal for 150 lots at Karepiro Bay (as stated at para.1.5 on Page 7, Assessment of Ecological Effects Report), and therefore no true assessment has been made of the environmental impact of any development exceeding these figures.
21. His evidence states that the proposed development will have significant negative impact on avian fauna, particularly on a number of threatened species. He considers that this impact cannot be mitigated at the proposed level of development.
22. He states the surveys have significantly underestimated lizard populations in the Weiti Precinct. Six "At Risk" species are known to occur in the area. The proposed mitigation is unsatisfactory and will lead to a net loss outcome.
23. Following the review of WDLP's evidence Mr Van Winkel has concluded that the proposed PAUP development of 1200 dwellings and the WDLP proposal of 1750 dwellings will have significant environmental impacts that cannot be mitigated. Further, he states that a reduction in the number of lots permitted for development preferably to 150 lots, in conjunction with a more comprehensive environmental/landscape management plan, and appropriate mitigation and monitoring, would be required to reduce the significant environmental effects to an acceptable level.
24. Mr Michaux has reviewed the evidence of Mr Slaven. In his evidence he describes that the effects of increased development on birds of all types

and on the Long Bay Okura Marine Reserve will be significant. He concludes that important roosting and breeding grounds for wading and shore birds will be lost and advises that he concurs with the conclusion of Mr Van Winkel.

Freshwater and Marine Ecology

25. Ms Barnett did not provide primary evidence on the Weiti Precinct. The submitters engaged Ms Barnett following concerns that Mr Priestley and Ms De Luca's evidence did not provide assurance of the protection of the values of the Long Bay – Okura Marine Reserve and did not seem to consider freshwater ecology.
26. Ms Barnett's rebuttal evidence considers the evidence of Ms De Luca, the Assessment of Ecological Effects and associated Management Plans.
27. Ms Barnett states that the adverse ecological effects of the additional development will be more than negligible, particularly in the context of the effects of the development on freshwater habitats, on which no specific consideration has been given by WDLP, the loss of intermittent streams, and the adverse effects of the development on threatened species of native freshwater fish and the sensitive saline wetland.
28. In her opinion the contaminants and sediment from the development of 1750 dwellings and associated infrastructure will have more than negligible effects on the ecology in the Long Bay Okura Marine Reserve. She explains that even the most efficient systems release contaminants and significant pollutants in storm events. Any contaminants in the Okura Estuary or Karepiro Bay will have a greater than minor effect on the soft shore marine ecosystems and the effect will be cumulative over time.
29. Ms Barnett states that she cannot support development above 150 dwellings as no assessment of ecological effects has been done for any higher level of development, and she concludes that she considers that there is a likelihood of significant and cumulative ecological effects.

Context & History

30. Mr Townend has reviewed the WDLP evidence and responds to the evidence of Mr Williams.
31. Mr Townend outlines that there has been no adequate public consultation on the development of the Weiti Precinct since the resource consent for 150 dwellings in Sub precinct A. He further states that WDLP have promised enhanced environmental outcomes, but have delivered environmental degradation. He concludes that no further development be allowed and that WDLP be required to remedy the environmental damage already done.

Appropriate Level of Development

32. The submitters' experts have considered the evidence from WDLP and its supporting information, the Assessment of Ecological Effects and Management Plans.
33. After their assessment of WDLPs' evidence Messrs Roa, Van Winkel, Michaux and Ms Barnett have all expressed concerns regarding the level of development appropriate to the Weiti Precinct. They have concluded that they cannot support the levels of development originally supported in the submitters' evidence in chief and that they can only accept the development of 150 dwellings in sub-precinct A.
34. As evaluated by the submitter's experts, the WDLP's evidence gives the submitters no confidence that the effects of development at levels above 150 dwellings will be anything other than significant.
35. Given the importance of the precinct as a greenbelt and the ecological importance of the surrounding environment of the Long Bay Okura Marine Reserve and the Okura Bush Scenic Reserve, and the number of threatened species found in this area, significant adverse effects are to be avoided.

36. For this reason, the submitters have revised the conclusion of their original evidence, and request that only the 150-dwelling development in sub-precinct A be permitted under the Unitary Plan. No development in sub-precinct B and sub-precinct C (such as WDLP's proposed Sub precinct A2) should be permitted. This request is in line with the relief requested in submitters' submission.