
I hereby give notice that a hearing by commissioners will be held on:

Date: Monday, 13 to Thursday, 16 November 2023 &
Monday, 20 to Thursday, 23 November 2023
Time: 9:30am (except Tuesday, 21 November at 1:00pm)
Meeting Room: Warkworth Town Hall
Venue: 2 Alnwick Street, Warkworth

HEARING REPORT **VOLUME 2**

8 NOTICES OF REQUIREMENT FOR THE WARKWORTH PROJECT

TE TUPU NGĀTAHI SUPPORTING GROWTH (AUCKLAND TRANSPORT & WAKA KOTAHI NZ TRANSPORT AGENCY)

COMMISSIONERS

Chairperson Richard Blakey
Commissioners Mark Farnsworth
Vaughan Smith

Patrice Baillargeon
**KAITOHUTOHU MATAAMUA WHAKAWĀ/
SENIOR HEARINGS ADVISOR**

Telephone: 09 890 4692 or 027 338 5383
Email: patrice.baillargeon@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the requiring authority or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the requiring authority or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual procedure for a hearing is:

- **the chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The Requiring Authority** (the applicant) will be called upon to present their case. The Requiring Authority may be represented by legal counsel or consultants and may call witnesses in support of the application. After the Requiring Authority has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The **requiring authority** or their representative then has the right to summarise the application and reply to matters raised. Hearing panel members may ask further questions. The requiring authority's reply may be provided in writing after the hearing has adjourned.
- **The chairperson** will outline the next steps in the process and adjourn or close the hearing.
- The hearing panel will make a recommendation to the Requiring Authority. The Requiring Authority then has 30 working days to make a decision and inform council of that decision. You will be informed in writing of the Requiring Authority's decision, the reasons for it and what your appeal rights are.

EIGHT NOTIFIED NOTICES OF REQUIREMENT TO THE AUCKLAND COUNCIL UNITARY PLAN BY AUCKLAND TRANSPORT

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Vanessa Wilkinson, Planner

Reporting on eight Notices of Requirement (NoRs) for the Warkworth project.

REQUIRING AUTHORITY: AUCKLAND TRANSPORT

NOR 1 - NORTHERN PUBLIC TRANSPORT HUB AND WESTERN LINK NORTH

Notice of requirement lodged by Auckland Transport for a designation for a new public transport hub and park and ride at the corner of SH1 and a new Western Link North arterial corridor with active mode facilities between the intersection of SH1 and Te Honohono ki Tai to a proposed bridge crossing on Western Link North.

NOR 2 - WOODCOCKS ROAD – WEST UPGRADE

Notice of requirement lodged by Auckland Transport for a new designation to upgrade the existing Woodcocks Road – West corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial corridor with active mode facilities.

NOR 3 - STATE HIGHWAY 1 – SOUTH UPGRADE

Notice of requirement lodged by Auckland Transport for a new designation to upgrade of the existing SH1 - South corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial corridor with active mode facilities.

NOR 4 – MATAKANA ROAD UPGRADE

Notice of requirement lodged by Auckland Transport for a designation to upgrade the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial corridor with active mode facilities.

NOR 5 – SANDSPIT ROAD UPGRADE

Notice of requirement lodged by Auckland Transport for a designation to upgrade the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial corridor with active mode facilities.

NOR 6 – WESTERN LINK - SOUTH

Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities between Evelyn Street and the intersection of SH1 and McKinney Road.

NOR 7 – SANDSPIT LINK

Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road.

NOR 8 – WIDER WESTERN LINK - NORTH

Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities between Woodcocks Road and the Mahurangi River.

APPENDIX 4

ANNOTATED COPIES OF SUBMISSIONS

NOR 1 – ANNOTATED SUBMISSIONS

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:823] Notice of Requirement online submission - Andrew Bidlake
Date: Thursday, 22 June 2023 12:46:04 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Andrew Bidlake
Organisation name: Neighbourhood Holdings Ltd
Full name of your agent:
Email address: andrew.bidlake@nhl.nz
Contact phone number:
Postal address:

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
The infrastructure related to NOR 1 is a critical asset that will allow residents of Warkworth to live in affordable housing whilst mitigating climate change by efficient access to public transport to and from Auckland.

I or we seek the following recommendation or decision from Auckland Council:
The designation does not appear to include the crown land at the southern end of the Western Link North concept which is critical based on the current alignment. Please advise why this has not been included and the process to ensure that this can be used to extend the asset into the adjacent land down to Falls Road.

1.1

Submission date: 22 June 2023

Attend a hearing

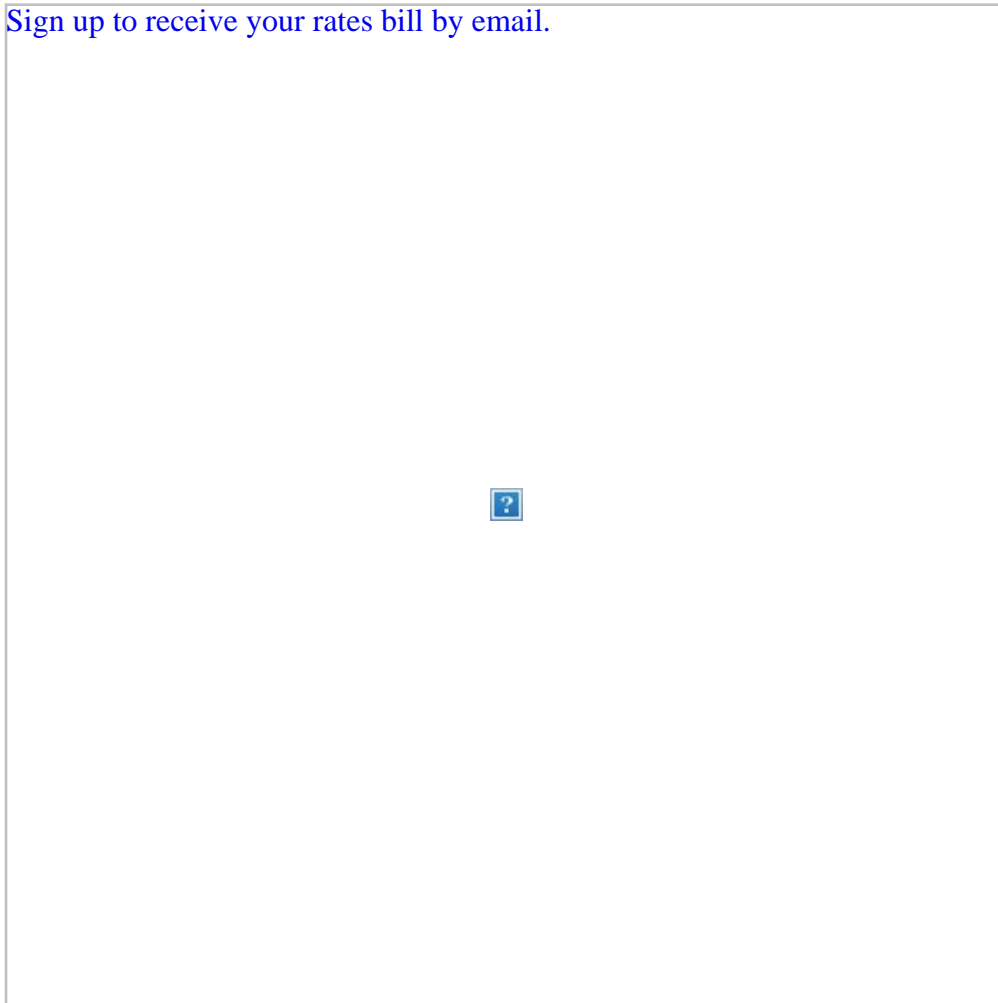
Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:827] Notice of Requirement online submission - Josephine Annabelle Grierson
Date: Monday, 3 July 2023 10:30:30 am

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Josephine Annabelle Grierson
Organisation name: On behalf of Middle Hill Ltd and the Tyne Trust
Full name of your agent:
Email address: annabelle2027@gmail.com
Contact phone number: 021675229
Postal address:

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:
I am making a submission on behalf of Middle Hill Ltd ("MH") and the Tyne Trust. They are the beneficial owners of 67 State Highway 1, Warkworth, a property that shares a boundary with the NOR1 designation for the northern public transport hub. MH is directly affected by NOR1 and has a strong interest in all the provisions relating to it and the wider Warkworth Package. Tyne Trust (through Araroa Ltd) is also a major shareholder in TNN2 Ltd which owns land on the southern and western boundaries of NOR1 and the proposed Western Link Road ("WLR").

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

MH strongly supports NOR1 and the Warkworth Package of NORs on the basis that they will: - improve connectivity in the transport network - give access to 4ha of land-locked land that MH is the beneficial owner of - the early implementation of public transport infrastructure will support emission reductions by enabling an efficient public transport network and transport mode shift - leverage from the land development programmes in Warkworth It is of particular interest to MH that NOR1 proceeds as it enables the construction of the public infrastructure hub and northern end of the WLR. MH and other land owners in the area have tried since as early as 2016 to negotiate access and/or the acquisition of land specified in NOR1 without any success and believes that designation is the only way to unlock this area of land, including, in particular, its 4ha land-locked block. The NOR is essential to enable infrastructure that is of importance to the future of Warkworth to be planned for, designed, funded and implemented. In addition, MH would like to contribute to the design and funding process. It understands that design is very preliminary at this stage and is engaging Chesters Engineering to review it as Chesters has already done a lot of work on the proposed WLR (paid for by MH and Turnstone Capital) that was contributed to the PPC 25 process. Chesters also have extensive knowledge and experience of the hydrological conditions in the northern Warkworth catchments.

2.1

2.2

I or we seek the following recommendation or decision from Auckland Council:

Middle Hill supports the proposals related to NOR1. It believes the NOR1 footprint will work for its intended purposes but would like to allow for minor flexibility on the WLR alignment, subject to

2.2

further engineering review. Specifically, MH accepts that the location of the WLR/GNR/MLR intersection is a fixed point but questions whether the alignment of the approach from the south to that intersection might be further optimised. It seeks a decision from Auckland Council to proceed with the designations at the earliest possible opportunity and to proceed with a budgeting, design and funding analysis. MH notes that, to the best of its knowledge at the current time, developers hope to build the WLR to the southern boundary with TNN2 Ltd land by mid 2026 and it would be efficient to be able to continue building it as far as the GNR. It also requests that AT/Auckland Council investigate with TNN1 and TNN2 and MH the opportunity to optimise earthworks over their combined sites as it believes that there would be considerable financial savings from doing so and also the opportunity to mitigate the effects of earthworks on the environment. MH also seeks a decision from Auckland Council to consult with MH and other affected parties on matters such as landscaping and design. For example, the opportunities the works provide to enhance local amenity values in a manner sensitive to the receiving environment and to provide cycling and walking paths.

2.3

2.4

Submission date: 3 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:828] Notice of Requirement online submission - Patricia Sullivan
Date: Tuesday, 4 July 2023 4:15:56 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Patricia Sullivan

Organisation name:

Full name of your agent:

Email address: paddyasullivan@gmail.com

Contact phone number: 021425820

Postal address:
66 Kaipara Flats Road
Warkworth
Auckland 0981

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:
NOR 1 Transport Hub 27 State Highway one Warkworth

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

The interim transport hub has sufficient adjacent council land to accomodate 100plus parks Has access by walk bridge plus existing road access. of the options given the only one 2a has family owned inhabited land .The rest is bare land. We have owned 27 State Highway one Warkworth since1974. Methodology does not take that into account. If these are the only options I support 4a as it provides better connectivity to all surrounding areas. As far as the report goes Nor 1 should be at the start not after NOR 8 3.1

I or we seek the following recommendation or decision from Auckland Council:

That the interim transport hub be increased That if there are only the options provided then 4a to be the preferred option That property owners that live on their property should be valued and respected and given priority information at the inception of planning not informed once the decision has been made. 3.1

Submission date: 4 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:835] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 6:00:30 pm
Attachments: [NOR 1 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi Business Association and Warkworth Area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number: 094259127
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North
The specific provisions that my submission relates to are:
All of Warkworth

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:
We recommend Option 4a

4.1

I or we seek the following recommendation or decision from Auckland Council:
Change requirement to Option 4a

4.1

Submission date: 6 July 2023

Supporting documents
NOR 1 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR 1 Submission 7-7-2023

General NOR Issues

This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

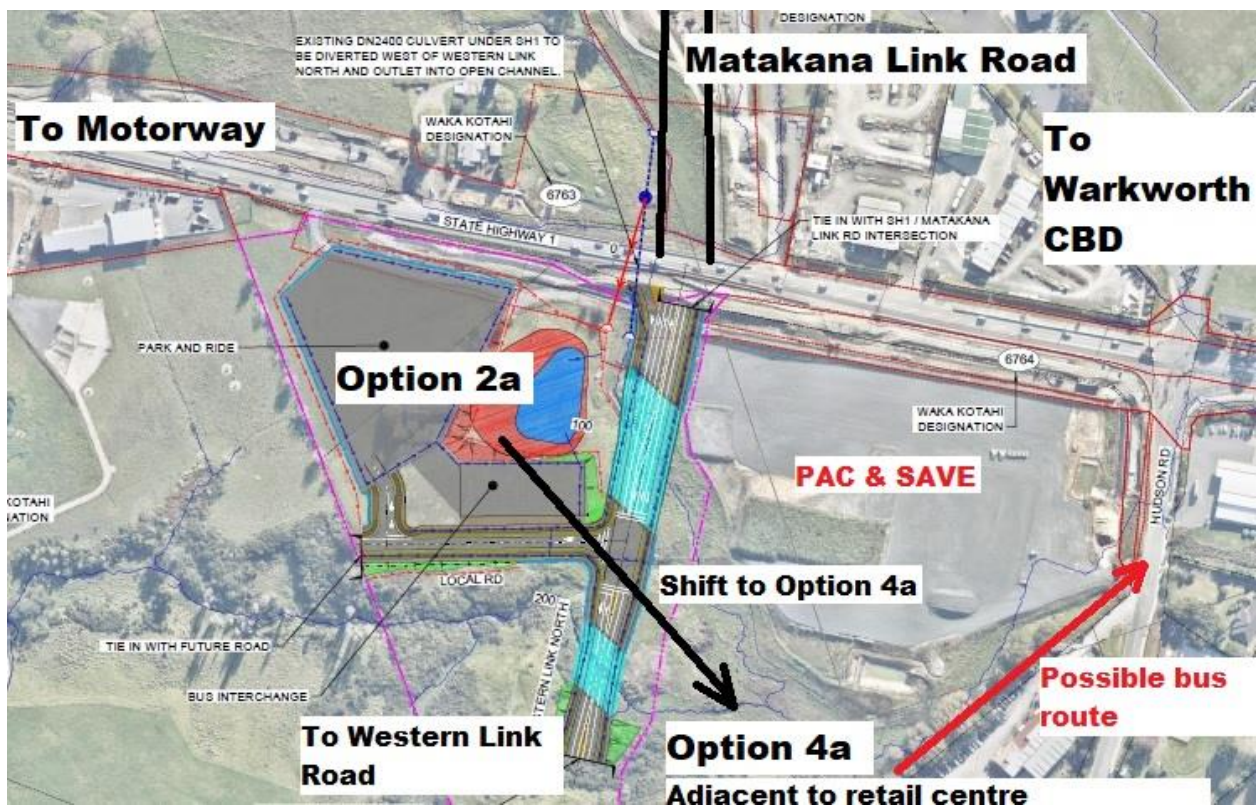
1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 4.6
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 4.7
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 4.8
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 4.9
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 4.10
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 4.11

Specific Issues NOR 1 - SH1 North at Matakana/Western Link Road connection

1. There is a very strong need for the Western Link Road Collector on the alignment shown. Construction of the WLR from the Motorway through to Mansell Ave and the Woodcocks Industrial Estate is urgent given that Hudson Road is a very poor alternative access in terms of its alignment and surface. We understand that only progressive development of the WLR is proposed. This is not acceptable. 4.2
2. It is assumed that the Interim Park and Ride Facility and Transport Interchange constructed by the Rodney Local Board will operate on its site half a km down SH1 until it is repurposed 4.3

as an art centre or similar. Current indications are that this interim facility may be needed to be operational for a decade or more.

- 3. The proposed site of the Final Transport Centre proposed (Option 2a) is poorly located relative to retail facilities. It would be better to locate these facilities (Option 4a) behind Pack and Save so it is adjacent to the retail facilities without crossing a major road. The Spatial Plan clearly shows a future retail centre immediately to the south of Option 4a. 4.1
- 4. A bus link road could be constructed to Hudson Road. This would achieve a much safer circulation with left turn movements only and no need for pedestrians to cross major roads. 4.4
- 5. Option 4a Assessment of Alternatives P125 seems to be clearly better than Option 2a and is consistent with Warkworth Spatial Plan. 4.1
- 6. Bus routes need to be considered, particularly for a Warkworth Internal shuttle bus. A frequent service using the Western Link Road, and SH1 to the CBD. Integration with retail facilities would seem obvious. 4.5



Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
 Auckland Council
 Level 24, 135 Albert Street
 Private Bag 92300
 Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Daniel Ramos

Organisation Name (if submission is made on behalf of Organisation)

P2W Services Limited

Address for service of Submitter

810 Great South Road, Penrose, Auckland

Telephone: +64 9 422 3050 Email: daniel.ramos@p2wnx2.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

| | |
|--|--|
| By: Name of Requiring Authority | Auckland Transport |
| For: A new designation or alteration to an existing designation | (NoR 1) Warkworth : Northern Public Transport Hub and Western Link North |

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

The aspects of the NoR that impact on the Puhoi to Warkworth Project, in particular the proposed new Park and Ride facility and the State Highway 1/Matakana Link Road Intersection.

My submission is:

- I or we support of the Notice of Requirement I or we oppose to the Notice of Requirement
 I or we are neutral to the Notice of Requirement

The reasons for my views are:

See attached.

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

See attached.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

07/07/2023

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Attachment for P2W Services Limited submission**The reasons for my views are:****Background**

P2W Services Limited ('P2W') is delivering the Asset Management and Maintenance Services ('AMM Services') for the Puhoi to Warkworth Project ('Project') for the next 25 years. The Project is the four-lane Northern Motorway (SH1) from the Johnstones Hill Tunnels to north of Warkworth. The Project also includes the Matakana Link Roundabout and the Matakana Link Road. P2W is engaged to provide the AMM Services under a subcontract with the Northern Express Group ('NX2') which forms part of the Private Public Partnership with Waka Kotahi New Zealand Transport Agency, for the Project. 5.1

Under the subcontract between P2W and NX2 for the AMM Services, P2W has a number of contractual obligations, including Key Performance Indicators in connection with the performance and operation of the Project. This includes the performance of the State Highway 1/Matakana Link Road intersection, based on traffic demand forecasts undertaken in 2016.

Submission

Based on the drawings as lodged by the Supporting Growth Alliance, the Northern Public Transport Hub and Western Link North Project (NoR 1) ('the NoR') traverses an area of Warkworth that impacts on (overlaps with) the Project alignment, particularly in relation to the proposed new Park and Ride facility and the State Highway 1/Matakana Link Road Intersection.

P2W is the Road Controlling Authority for the section of State Highway 1 affected by the NoR by virtue of the powers NX2 has sub-delegated under the AMM subcontract.

The Supporting Growth Alliance has not consulted with P2W throughout the NoR application process.

The traffic predictions at the State Highway 1/Matakana Link Road intersection projected in the NoR differ from those upon which the Project was designed and developed and upon which AMM's obligations, including the Key Performance Indicators (mentioned above) were based. The NoR will therefore have an impact on the future operation of the Project. P2W is concerned that the NoR as currently proposed would result in adverse traffic effects on the environment including worsened AMM Service levels. 5.1

Given the overlap between the NoR and the Project alignment, P2W is making this submission to ensure that the impact of the NoR on the Project alignment is addressed, mitigated as far as practicable and appropriately managed. Accordingly, P2W wishes to work collaboratively with the Supporting Growth Alliance (and with NX2) to better understand the impacts of the NoR on the Project and ensure the effects are appropriately mitigated and managed (including being involved in the condition drafting).

It is noted that P2W has reviewed, and endorses and supports the submission by NX2 on this NoR.

I seek the following recommendation or decision from the Council:

That:

1. the NoR in its current form be declined; or
2. in the alternative, that the NoR be altered to address the concerns outlined by P2W in this submission; and
3. any such further or consequential relief that resolve the concerns set out in this submission, including in relation to any of the notice of requirements (NORs 1 to 8) in respect of the Warkworth Assessment Package.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

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- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991

FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

Telephone: Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

My submission is:

- I or we support of the Notice of Requirement
- I or we are neutral to the Notice of Requirement
- I or we oppose to the Notice of Requirement

The reasons for my views are:

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification
Sections 168, 169, 181, 189A, 190, and 195 of the Resource Management Act 1991

To: Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

By email: unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Steve Burris, Technical Manager, Northern Express Group, NX2 LP **(the Submitter)**

- 1 This submission is on a notice of requirement by Auckland Transport for a designation in the Auckland Unitary Plan for a public work, being the construction, operation and maintenance of a public transport hub, park and ride facility, and a new urban arterial with cycle lanes and footpaths between the intersection of State Highway 1 and Te Hono ki Tai (Matakana Link Road) to the first bridge crossing on the proposed Western Link – North (**NoR 1**).
- 2 The Submitter could not gain an advantage in trade competition through this submission.
- 3 This submission relates to NoR 1 in its entirety and specifically in relation to the area between SH1, 60 metres south of Te Honohono ki Tai Road intersection to 140 metres north of the Kaipara Flats Road/Goatley Road intersection, and 63a SH1, Warkworth, Auckland 0984.

Background

- 4 NX2 LP is the legal owner of some of the land affected by NoR 1 through a lease from the New Zealand Transport Agency Waka Kotahi (**Waka Kotahi**) as part of a Public Private Partnership project for the Ara Tuhono - Puhoi to Warkworth Motorway (**Motorway**). NX2 LP also has Road Controlling Authority for the section of state highway affected by NoR 1.
- 5 The northern connection of the Motorway includes three key intersections (**Northern Connection**) that require performance criteria to be achieved, namely:
 - (a) Ara – Tuhono – Puhoi to Warkworth Intersection with State Highway 1;
 - (b) State Highway 1 / Matakana Link Road / Western Link Road Intersection; and
 - (c) State Highway 1 / Kaipara Flats Road / Goatley Road Intersection.
- 6 Under the Public Private Partnership, NX2 LP entered into a long-term contract with Waka Kotahi for the design, build, finance and maintenance of the Motorway. This contract includes a number of Key Performance Indicators in connection with the performance of the Northern Connection.

7 The key benefits of the Motorway include "improved safety and connectivity, more reliable journey times and better freight connection for the Northland region."¹

8 No consultation has occurred with the Submitter through this process.

Submission

9 Given the Submitter's obligations to maintain a level of service based on traffic demand forecasts and methodology for the Northern Connection undertaken in 2016, it instructed technical experts to review NoR 1 to better understand the predicted performance of the Matakana Link Road/SH1 Intersection by Supporting Growth and any associated environmental impacts.

10 The experts have found a number of discrepancies in the figures provided in Supporting Growth's assessment when compared to the figures that were used to calculate capacity for the Northern Connection. Whilst generally the total volume of traffic passing through the intersection is consistent with the NOR assessment and the SATURN Models made available to the Submitters experts for the Northern Connection assessment, concerns have been raised as to whether these volumes properly account for the park and ride station² and other recent consented development. 6.1

11 In particular, volumes for key movements that provide access to the park and ride facility appear to reduce in the NOR assessment, in comparison to the 2048 SATURN volumes, such as:

- (a) Matakana Link Road through movement – AM peak (vehicles entering the station from the eastern area); and
- (b) State Highway 1 West Right Turn – AM peak (vehicles entering the station from northern areas).

12 Further investigations of the model and demand figures identified some significant differences in predicted traffic volumes and raises concerns that some of the 2048 predicted traffic volumes might underestimate the trip generation of the surrounding developments. For example:

- (a) Submitters assessment 2038 total intersection traffic demands are approximately 25%-30% higher than the NoR 2048 total intersection traffic demand for the AM and PM peak periods;
- (b) The difference between the traffic volumes at the Western Link Road approach are between 10%-15% higher for the NOR assessment. An increase is expected but as the Northern Connection assessment did not account for the park and ride facility, a higher increase could be expected; and

¹ <https://nx2group.com/>

² Which is expected to provide some 220-250 parking spaces

(c) The difference in demands at the Matakana Link Road approach, has approximately double the demand compared to the NOR assessment.

13 Consequently, further clarification is required on the appropriateness of the Supporting Growth's traffic model about the Matakana Link Road / Western Link Road intersection, and whether the model reflects the traffic predictions included in recent development applications, such as land use development reports (PAK'n SAVE); private plan change assessments (PC25 and PC40); and the forecast SATURN traffic models available for Warkworth. It is unclear how the volumes predicted by Supporting Growth to assess NoR 1 (in 2048) are less than those predicted for the Northern Connection in 2038, in the context of the demand to be generated by the park and ride facility, including the attraction of patrons from a wider geographical area and recent traffic increases as a result of urban development.

14 The Submitter is concerned that NoR 1 as it is currently proposed could result in unacceptable traffic effects on the environment, including delays, poor performance, and worsened levels of service. If this occurs, NoR 1:

6.1

(a) will not be consistent with the relevant provisions of the Auckland Regional Policy Statement, Auckland Unitary Plan and the Regional Land Transport Plan as it would not provide accessible, high quality, effective, efficient and transport routes which will support the movement of people, goods and services for the future; and

(b) will not contribute to a well functioning urban environment as required by the National Policy Statement on Urban Development 2020; and

(c) will not meet the sustainable management purpose of the Resource Management Act 1991; and

(d) means the Submitter is unable to meet contractual obligations and will be materially affected.

15 In addition, adequate consideration has not been given to alternatives for undertaking the work, and whether the work and designation is reasonably necessary to achieves the objectives of Auckland Transport.

Decision sought

16 The Submitter seeks the following decision:

(a) That the NoR 1 be rejected in its entirety; or

(b) That NoR 1 be redesigned to address the concerns raised by the Submitter; and

(c) Any consequential relief to give effect to this submission including in relation to any of the other eight notices of requirement lodged by Auckland Transport in respect of the Warkworth Assessment Package, in particular NoR 8; and

(d) Such other alternative, consequential or necessary additional relief to give effect to the matters raised generally in this submission.

17 The Submitter wishes to be heard in support of this submission. The Submitter welcomes discussions with Auckland Transport and Waka Kotahi representatives of the Supporting Growth Alliance as to how to appropriately address the concerns raised in this submission.

18 If others make a submission, the Submitter will consider presenting a joint case with them at a hearing.

Dated this 7th day of July 2023



Steve Burris
on behalf of NX2 LP

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:861] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:15:33 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison
Organisation name: Grant Hewison & Associates Ltd
Full name of your agent: Grant Hewison
Email address: grant@granthewison.co.nz
Contact phone number:
Postal address:
PO Box 47188
Auckland
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North
The specific provisions that my submission relates to are:
The NoR

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

7.1

I or we seek the following recommendation or decision from Auckland Council:
To grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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Form 21

Submission on requirement for designation or heritage order or alteration of designation or heritage order that is subject to public notification or limited notification by a territorial authority

Sections 168A, 169, 181, 189A, 190, and 195A, Resource Management Act 1991

**To: Auckland Council
Private Bag 92300
Auckland 1142**

Name of submitter: Foodstuffs North Island Limited (“**Foodstuffs**”)
35 Landing Drive, Mangere, Auckland 2022

- 1.1 This is a submission on a notice of requirement from Auckland Transport Agency for a designation (the **notice of requirement**):
- Notice of Requirement for a designation for a new public transport hub and park and ride at the corner of SH1 and a new Western Link North arterial corridor with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the first proposed bridge crossing on the proposed Western Link – North (“**NoR 1**”).
- 1.2 Foodstuffs is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
- 1.3 Foodstuffs is directly affected by an effect of the subject matter of the submission that-
- (a) adversely affects the environment; and
 - (b) does not relate to trade competition or the effects of trade competition.
- 1.4 Foodstuffs’ submission relates to the notice of requirement in its entirety, and in particular, the new Western Link – North to enable access to the North Warkworth Precinct in the north Warkworth growth area, including the proposed local centre.
- Background**
- 1.5 Foodstuffs is the owner and operator of a “Pak’n Save” supermarket located at 12 Hudson Road and holds resource consent to establish large format retail, retail/food and beverage tenancies, and a drive-through restaurant. 7.1
- 1.6 Foodstuffs is taking a staged approach to the development of its landholding. The first development stage (the supermarket) is now complete, and the second stage (large format retail, retail/food and beverage, and drive-through restaurant) is scheduled to begin in the next six months.
- 1.7 Upon completion, the development of the site will comprise a 5,400m² GFA supermarket, 5,150m² of large format retail activity, 570m² of retail/food and beverage tenancies, and a drive-through restaurant.
- 1.8 With an area of 9.679ha, there remains significant unrealised development opportunity on the site, and for the North Warkworth Precinct generally.

Summary of position

- 1.9 Foodstuffs activities are key to ensuring that the Warkworth growth area has convenient and sustainable access to goods and services. Its activities are vehicle oriented and depend on customers being able to access the site in a safe and efficient manner. These activities are highly sensitive to changes to the performance of the surrounding transportation system.
- 1.10 The new Western Link – North is described by the application as being necessary to provide access to the North Warkworth Precinct and the proposed local centre, as well as to support a mode shift:¹
- The new Western Link – North will enable access to the North Warkworth Precinct in the north Warkworth growth area, including a proposed local centre. The corridor will support mode shift by enabling reliable bus access to northern Warkworth and by future proofing for bus lanes to support the corridors function as a key public transport link for Warkworth. The corridor will provide safe and connected active mode facilities to support active mode access. The corridor provides an alternative north-south route to SH1 that will reduce the pressure on the existing SH1 / Hill Street intersection, increasing resilience. It will also provide direct connectivity to Te Honohono ki Tai-Matakana Link Road to improve access to the Kōwhai Coast and surrounding rural areas.
- 1.11 Foodstuffs supports a modal shift towards public transport and walking and cycling, but notes that the nature of the goods and services provided on its property means that private vehicles are the preferred mode of transport for its customers. Foodstuffs therefore seeks to ensure that full vehicle access is available between its site and the Western Link – North and that the construction effects on the operation of its activities are minimised.

Submission

- 1.12 Foodstuffs supports the notice of requirement as notified subject to ensuring that:
- (a) full access (left and right turns) is provided between the Western Link – North road and its development at 12 Hudson Road;
 - (b) the existing site levels are retained as part of the design and construction of the Western Link – North road; and
 - (c) the effects from construction are appropriately managed to avoid insofar as that is practicable, adverse effects on its activities at 12 Hudson Road.
- 1.13 Specific to the transportation effects of the Project, Foodstuffs supports the aim to improve connectivity, contribute to mode shift by providing active mode and public transport facilities, in a manner that is safe for users and improves network resilience.
- 1.14 Notwithstanding the intention for the Western Link – North road to be a limited access road, the location of 12 Hudson Road proximate to the Northern Public Transport Hub and the proposed intersection with Great North Road is such that Foodstuffs considers full access (left and right turns) can be provided between the Western Link – North road and its development in a manner that will not affect the safety or performance of the road network. The provision of better access between sites will assist with reducing the number of trips on the wider network.

¹ Pg.43; Assessment of Effects on the Environment; Te Tupu Ngātahi Supporting Growth; May 2023.

- 1.15 Limited information is provided in respect of the proposed ground levels for the Western Link – North road. To ensure that full access can be provided between the road and Foodstuffs’ property, it will be necessary to retain the existing site levels as part of its design and construction.
- 1.16 The construction effects of the Project have yet to be properly determined or assessed:²
- Given the construction timing and staging of the package has yet to be determined, there is a degree of uncertainty associated with any predicted construction methodology and associated traffic routes. This means:
- The routes that will be used by construction vehicles will depend on the location of quarries and disposal sites which are not yet certain
- The exact location and extent of compound sites / lay down areas has yet to be determined
- The timing of construction of other projects could impact on likely construction vehicle routes, for example, if the Wider Western Link is constructed prior to or after the upgrade of Woodcocks Road.
- 1.17 Given the uncertainty in respect of the nature and duration of the construction effects of the Project, including the measures that are to be implemented to manage the construction effects on 12 Hudson Road, Foodstuffs seeks that it is consulted as part of the preparation of the Construction Traffic Management Plan (CTMP). From Foodstuffs’ perspective, involvement in the preparation of the CTMP is a critical part of ensuring that the effects on its activities are minimised.

Decision Sought

- 1.18 Foodstuffs seeks the following decision from the local authority:
- (a) That the notice of requirement be approved with amendments to require:
- a. full access (left and right turns) to be provided between the Western Link – North road and its development at 12 Hudson Road;
 - b. the existing site levels to be retained as part of the design and construction of the Western Link – North road; and
 - c. the effects from construction to be appropriately managed to avoid insofar as that is practicable, adverse effects on its activities at 12 Hudson Road and future development areas, including a requirement for Foodstuffs to be consulted as part of the preparation of the Construction Traffic Management Plan.
- (b) Such further or other consequential relief as may be necessary to fully give effect to the relief sought in this submission.
- 1.19 Foodstuffs wishes to be heard in support of this submission.
- 1.20 If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

² Pg.100; Section 12.3, Volume 2 Assessment of Effects on the Environment; Te Tupu Ngātahi Supporting Growth; May 2023.

Dated 7 July 2023

Signature by its planning and resource management consultants and authorised agents Bentley & Co. Ltd.



Mark Arbuthnot

Address for Service: Foodstuffs North Island Limited
C/- Mark Arbuthnot
Bentley & Co. Ltd
PO Box 4492, Shortland Street
AUCKLAND

Mobile: 029 200 4896

Email: marbuthnot@bentley.co.nz

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

- 3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.
- 3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare’s plans (ie the carpark at the Warkworth Showgrounds).
- 3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing. 9.1
- 3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained. 9.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

9.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:853] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 6:45:33 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

10.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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NOR 1 – ANNOTATED SUBMISSIONS

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:823] Notice of Requirement online submission - Andrew Bidlake
Date: Thursday, 22 June 2023 12:46:04 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Andrew Bidlake

Organisation name: Neighbourhood Holdings Ltd

Full name of your agent:

Email address: andrew.bidlake@nhl.nz

Contact phone number:

Postal address:

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

The infrastructure related to NOR 1 is a critical asset that will allow residents of Warkworth to live in affordable housing whilst mitigating climate change by efficient access to public transport to and from Auckland.

I or we seek the following recommendation or decision from Auckland Council:

The designation does not appear to include the crown land at the southern end of the Western Link North concept which is critical based on the current alignment. Please advise why this has not been included and the process to ensure that this can be used to extend the asset into the adjacent land down to Falls Road.

1.1

Submission date: 22 June 2023

Attend a hearing

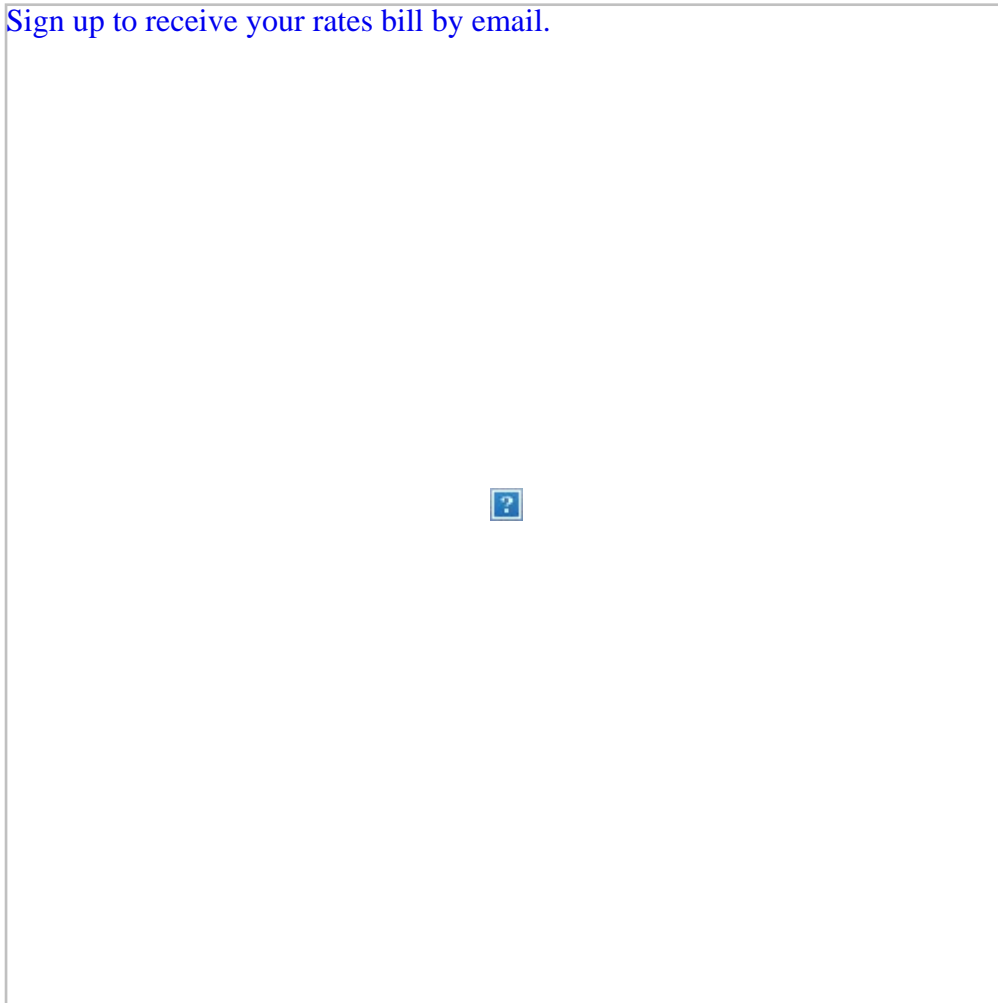
Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:827] Notice of Requirement online submission - Josephine Annabelle Grierson
Date: Monday, 3 July 2023 10:30:30 am

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Josephine Annabelle Grierson
Organisation name: On behalf of Middle Hill Ltd and the Tyne Trust
Full name of your agent:
Email address: annabelle2027@gmail.com
Contact phone number: 021675229
Postal address:

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:
I am making a submission on behalf of Middle Hill Ltd ("MH") and the Tyne Trust. They are the beneficial owners of 67 State Highway 1, Warkworth, a property that shares a boundary with the NOR1 designation for the northern public transport hub. MH is directly affected by NOR1 and has a strong interest in all the provisions relating to it and the wider Warkworth Package. Tyne Trust (through Araroa Ltd) is also a major shareholder in TNN2 Ltd which owns land on the southern and western boundaries of NOR1 and the proposed Western Link Road ("WLR").

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

MH strongly supports NOR1 and the Warkworth Package of NORs on the basis that they will: - improve connectivity in the transport network - give access to 4ha of land-locked land that MH is the beneficial owner of - the early implementation of public transport infrastructure will support emission reductions by enabling an efficient public transport network and transport mode shift - leverage from the land development programmes in Warkworth It is of particular interest to MH that NOR1 proceeds as it enables the construction of the public infrastructure hub and northern end of the WLR. MH and other land owners in the area have tried since as early as 2016 to negotiate access and/or the acquisition of land specified in NOR1 without any success and believes that designation is the only way to unlock this area of land, including, in particular, its 4ha land-locked block. The NOR is essential to enable infrastructure that is of importance to the future of Warkworth to be planned for, designed, funded and implemented. In addition, MH would like to contribute to the design and funding process. It understands that design is very preliminary at this stage and is engaging Chesters Engineering to review it as Chesters has already done a lot of work on the proposed WLR (paid for by MH and Turnstone Capital) that was contributed to the PPC 25 process. Chesters also have extensive knowledge and experience of the hydrological conditions in the northern Warkworth catchments.

2.1

2.2

I or we seek the following recommendation or decision from Auckland Council:

Middle Hill supports the proposals related to NOR1. It believes the NOR1 footprint will work for its intended purposes but would like to allow for minor flexibility on the WLR alignment, subject to

2.2

further engineering review. Specifically, MH accepts that the location of the WLR/GNR/MLR intersection is a fixed point but questions whether the alignment of the approach from the south to that intersection might be further optimised. It seeks a decision from Auckland Council to proceed with the designations at the earliest possible opportunity and to proceed with a budgeting, design and funding analysis. MH notes that, to the best of its knowledge at the current time, developers hope to build the WLR to the southern boundary with TNN2 Ltd land by mid 2026 and it would be efficient to be able to continue building it as far as the GNR. It also requests that AT/Auckland Council investigate with TNN1 and TNN2 and MH the opportunity to optimise earthworks over their combined sites as it believes that there would be considerable financial savings from doing so and also the opportunity to mitigate the effects of earthworks on the environment. MH also seeks a decision from Auckland Council to consult with MH and other affected parties on matters such as landscaping and design. For example, the opportunities the works provide to enhance local amenity values in a manner sensitive to the receiving environment and to provide cycling and walking paths.

2.3

2.4

Submission date: 3 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:828] Notice of Requirement online submission - Patricia Sullivan
Date: Tuesday, 4 July 2023 4:15:56 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Patricia Sullivan

Organisation name:

Full name of your agent:

Email address: paddyasullivan@gmail.com

Contact phone number: 021425820

Postal address:
66 Kaipara Flats Road
Warkworth
Auckland 0981

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:
NOR 1 Transport Hub 27 State Highway one Warkworth

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

The interim transport hub has sufficient adjacent council land to accomodate 100plus parks Has access by walk bridge plus existing road access. of the options given the only one 2a has family owned inhabited land .The rest is bare land. We have owned 27 State Highway one Warkworth since1974. Methodology does not take that into account. If these are the only options I support 4a as it provides better connectivity to all surrounding areas. As far as the report goes Nor 1 should be at the start not after NOR 8 3.1

I or we seek the following recommendation or decision from Auckland Council:

That the interim transport hub be increased That if there are only the options provided then 4a to be the preferred option That property owners that live on their property should be valued and respected and given priority information at the inception of planning not informed once the decision has been made. 3.1

Submission date: 4 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:835] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 6:00:30 pm
Attachments: [NOR 1 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi Business Association and Warkworth Area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number: 094259127
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North
The specific provisions that my submission relates to are:
All of Warkworth

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:
We recommend Option 4a

4.1

I or we seek the following recommendation or decision from Auckland Council:
Change requirement to Option 4a

4.1

Submission date: 6 July 2023

Supporting documents
NOR 1 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR 1 Submission 7-7-2023

General NOR Issues

This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

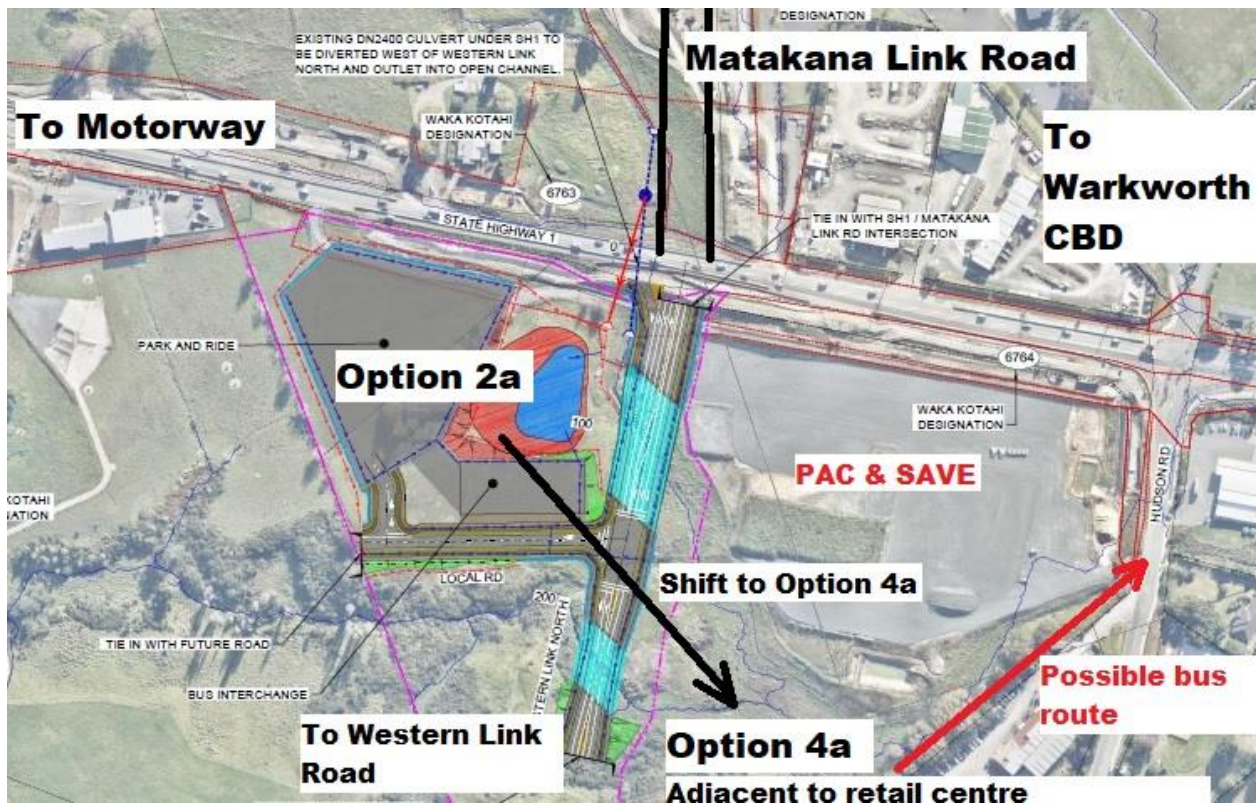
1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 4.6
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 4.7
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 4.8
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 4.9
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 4.10
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 4.11

Specific Issues NOR 1 - SH1 North at Matakana/Western Link Road connection

1. There is a very strong need for the Western Link Road Collector on the alignment shown. Construction of the WLR from the Motorway through to Mansell Ave and the Woodcocks Industrial Estate is urgent given that Hudson Road is a very poor alternative access in terms of its alignment and surface. We understand that only progressive development of the WLR is proposed. This is not acceptable. 4.2
2. It is assumed that the Interim Park and Ride Facility and Transport Interchange constructed by the Rodney Local Board will operate on its site half a km down SH1 until it is repurposed 4.3

as an art centre or similar. Current indications are that this interim facility may be needed to be operational for a decade or more.

3. The proposed site of the Final Transport Centre proposed (Option 2a) is poorly located relative to retail facilities. It would be better to locate these facilities (Option 4a) behind Pack and Save so it is adjacent to the retail facilities without crossing a major road. The Spatial Plan clearly shows a future retail centre immediately to the south of Option 4a. 4.1
4. A bus link road could be constructed to Hudson Road. This would achieve a much safer circulation with left turn movements only and no need for pedestrians to cross major roads. 4.4
5. Option 4a Assessment of Alternatives P125 seems to be clearly better than Option 2a and is consistent with Warkworth Spatial Plan. 4.1
6. Bus routes need to be considered, particularly for a Warkworth Internal shuttle bus. A frequent service using the Western Link Road, and SH1 to the CBD. Integration with retail facilities would seem obvious. 4.5



Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
 Auckland Council
 Level 24, 135 Albert Street
 Private Bag 92300
 Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Daniel Ramos

Organisation Name (if submission is made on behalf of Organisation)

P2W Services Limited

Address for service of Submitter

810 Great South Road, Penrose, Auckland

Telephone: +64 9 422 3050 Email: daniel.ramos@p2wnx2.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

| | |
|--|--|
| By: Name of Requiring Authority | Auckland Transport |
| For: A new designation or alteration to an existing designation | (NoR 1) Warkworth : Northern Public Transport Hub and Western Link North |

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

The aspects of the NoR that impact on the Puhoi to Warkworth Project, in particular the proposed new Park and Ride facility and the State Highway 1/Matakana Link Road Intersection.

My submission is:

- I or we support of the Notice of Requirement I or we oppose to the Notice of Requirement
 I or we are neutral to the Notice of Requirement

The reasons for my views are:

See attached.

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

See attached.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter
(or person authorised to sign on behalf of submitter)

07/07/2023

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Attachment for P2W Services Limited submission**The reasons for my views are:****Background**

P2W Services Limited ('P2W') is delivering the Asset Management and Maintenance Services ('AMM Services') for the Puhoi to Warkworth Project ('Project') for the next 25 years. The Project is the four-lane Northern Motorway (SH1) from the Johnstones Hill Tunnels to north of Warkworth. The Project also includes the Matakana Link Roundabout and the Matakana Link Road. P2W is engaged to provide the AMM Services under a subcontract with the Northern Express Group ('NX2') which forms part of the Private Public Partnership with Waka Kotahi New Zealand Transport Agency, for the Project. 5.1

Under the subcontract between P2W and NX2 for the AMM Services, P2W has a number of contractual obligations, including Key Performance Indicators in connection with the performance and operation of the Project. This includes the performance of the State Highway 1/Matakana Link Road intersection, based on traffic demand forecasts undertaken in 2016.

Submission

Based on the drawings as lodged by the Supporting Growth Alliance, the Northern Public Transport Hub and Western Link North Project (NoR 1) ('the NoR') traverses an area of Warkworth that impacts on (overlaps with) the Project alignment, particularly in relation to the proposed new Park and Ride facility and the State Highway 1/Matakana Link Road Intersection.

P2W is the Road Controlling Authority for the section of State Highway 1 affected by the NoR by virtue of the powers NX2 has sub-delegated under the AMM subcontract.

The Supporting Growth Alliance has not consulted with P2W throughout the NoR application process.

The traffic predictions at the State Highway 1/Matakana Link Road intersection projected in the NoR differ from those upon which the Project was designed and developed and upon which AMM's obligations, including the Key Performance Indicators (mentioned above) were based. The NoR will therefore have an impact on the future operation of the Project. P2W is concerned that the NoR as currently proposed would result in adverse traffic effects on the environment including worsened AMM Service levels. 5.1

Given the overlap between the NoR and the Project alignment, P2W is making this submission to ensure that the impact of the NoR on the Project alignment is addressed, mitigated as far as practicable and appropriately managed. Accordingly, P2W wishes to work collaboratively with the Supporting Growth Alliance (and with NX2) to better understand the impacts of the NoR on the Project and ensure the effects are appropriately mitigated and managed (including being involved in the condition drafting).

It is noted that P2W has reviewed, and endorses and supports the submission by NX2 on this NoR.

I seek the following recommendation or decision from the Council:

That:

1. the NoR in its current form be declined; or
2. in the alternative, that the NoR be altered to address the concerns outlined by P2W in this submission; and
3. any such further or consequential relief that resolve the concerns set out in this submission, including in relation to any of the notice of requirements (NORs 1 to 8) in respect of the Warkworth Assessment Package.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

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- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

Telephone: Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

My submission is:

- I or we support of the Notice of Requirement
- I or we are neutral to the Notice of Requirement
- I or we oppose to the Notice of Requirement

The reasons for my views are:

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

SN Burris

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

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Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification
Sections 168, 169, 181, 189A, 190, and 195 of the Resource Management Act 1991

To: Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

By email: unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Steve Burris, Technical Manager, Northern Express Group, NX2 LP **(the Submitter)**

- 1 This submission is on a notice of requirement by Auckland Transport for a designation in the Auckland Unitary Plan for a public work, being the construction, operation and maintenance of a public transport hub, park and ride facility, and a new urban arterial with cycle lanes and footpaths between the intersection of State Highway 1 and Te Hono ki Tai (Matakana Link Road) to the first bridge crossing on the proposed Western Link – North (**NoR 1**).
- 2 The Submitter could not gain an advantage in trade competition through this submission.
- 3 This submission relates to NoR 1 in its entirety and specifically in relation to the area between SH1, 60 metres south of Te Honohono ki Tai Road intersection to 140 metres north of the Kaipara Flats Road/Goatley Road intersection, and 63a SH1, Warkworth, Auckland 0984.

Background

- 4 NX2 LP is the legal owner of some of the land affected by NoR 1 through a lease from the New Zealand Transport Agency Waka Kotahi (**Waka Kotahi**) as part of a Public Private Partnership project for the Ara Tuhono - Puhoi to Warkworth Motorway (**Motorway**). NX2 LP also has Road Controlling Authority for the section of state highway affected by NoR 1.
- 5 The northern connection of the Motorway includes three key intersections (**Northern Connection**) that require performance criteria to be achieved, namely:
 - (a) Ara – Tuhono – Puhoi to Warkworth Intersection with State Highway 1;
 - (b) State Highway 1 / Matakana Link Road / Western Link Road Intersection; and
 - (c) State Highway 1 / Kaipara Flats Road / Goatley Road Intersection.
- 6 Under the Public Private Partnership, NX2 LP entered into a long-term contract with Waka Kotahi for the design, build, finance and maintenance of the Motorway. This contract includes a number of Key Performance Indicators in connection with the performance of the Northern Connection.

7 The key benefits of the Motorway include "improved safety and connectivity, more reliable journey times and better freight connection for the Northland region."¹

8 No consultation has occurred with the Submitter through this process.

Submission

9 Given the Submitter's obligations to maintain a level of service based on traffic demand forecasts and methodology for the Northern Connection undertaken in 2016, it instructed technical experts to review NoR 1 to better understand the predicted performance of the Matakana Link Road/SH1 Intersection by Supporting Growth and any associated environmental impacts.

10 The experts have found a number of discrepancies in the figures provided in Supporting Growth's assessment when compared to the figures that were used to calculate capacity for the Northern Connection. Whilst generally the total volume of traffic passing through the intersection is consistent with the NOR assessment and the SATURN Models made available to the Submitters experts for the Northern Connection assessment, concerns have been raised as to whether these volumes properly account for the park and ride station² and other recent consented development. 6.1

11 In particular, volumes for key movements that provide access to the park and ride facility appear to reduce in the NOR assessment, in comparison to the 2048 SATURN volumes, such as:

- (a) Matakana Link Road through movement – AM peak (vehicles entering the station from the eastern area); and
- (b) State Highway 1 West Right Turn – AM peak (vehicles entering the station from northern areas).

12 Further investigations of the model and demand figures identified some significant differences in predicted traffic volumes and raises concerns that some of the 2048 predicted traffic volumes might underestimate the trip generation of the surrounding developments. For example:

- (a) Submitters assessment 2038 total intersection traffic demands are approximately 25%-30% higher than the NoR 2048 total intersection traffic demand for the AM and PM peak periods;
- (b) The difference between the traffic volumes at the Western Link Road approach are between 10%-15% higher for the NOR assessment. An increase is expected but as the Northern Connection assessment did not account for the park and ride facility, a higher increase could be expected; and

¹ <https://nx2group.com/>

² Which is expected to provide some 220-250 parking spaces

(c) The difference in demands at the Matakana Link Road approach, has approximately double the demand compared to the NOR assessment.

13 Consequently, further clarification is required on the appropriateness of the Supporting Growth's traffic model about the Matakana Link Road / Western Link Road intersection, and whether the model reflects the traffic predictions included in recent development applications, such as land use development reports (PAK'n SAVE); private plan change assessments (PC25 and PC40); and the forecast SATURN traffic models available for Warkworth. It is unclear how the volumes predicted by Supporting Growth to assess NoR 1 (in 2048) are less than those predicted for the Northern Connection in 2038, in the context of the demand to be generated by the park and ride facility, including the attraction of patrons from a wider geographical area and recent traffic increases as a result of urban development.

14 The Submitter is concerned that NoR 1 as it is currently proposed could result in unacceptable traffic effects on the environment, including delays, poor performance, and worsened levels of service. If this occurs, NoR 1:

6.1

(a) will not be consistent with the relevant provisions of the Auckland Regional Policy Statement, Auckland Unitary Plan and the Regional Land Transport Plan as it would not provide accessible, high quality, effective, efficient and transport routes which will support the movement of people, goods and services for the future; and

(b) will not contribute to a well functioning urban environment as required by the National Policy Statement on Urban Development 2020; and

(c) will not meet the sustainable management purpose of the Resource Management Act 1991; and

(d) means the Submitter is unable to meet contractual obligations and will be materially affected.

15 In addition, adequate consideration has not been given to alternatives for undertaking the work, and whether the work and designation is reasonably necessary to achieves the objectives of Auckland Transport.

Decision sought

16 The Submitter seeks the following decision:

(a) That the NoR 1 be rejected in its entirety; or

(b) That NoR 1 be redesigned to address the concerns raised by the Submitter; and

(c) Any consequential relief to give effect to this submission including in relation to any of the other eight notices of requirement lodged by Auckland Transport in respect of the Warkworth Assessment Package, in particular NoR 8; and

(d) Such other alternative, consequential or necessary additional relief to give effect to the matters raised generally in this submission.

17 The Submitter wishes to be heard in support of this submission. The Submitter welcomes discussions with Auckland Transport and Waka Kotahi representatives of the Supporting Growth Alliance as to how to appropriately address the concerns raised in this submission.

18 If others make a submission, the Submitter will consider presenting a joint case with them at a hearing.

Dated this 7th day of July 2023



Steve Burris
on behalf of NX2 LP

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:861] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:15:33 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison
Organisation name: Grant Hewison & Associates Ltd
Full name of your agent: Grant Hewison
Email address: grant@granthewison.co.nz
Contact phone number:
Postal address:
PO Box 47188
Auckland
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North
The specific provisions that my submission relates to are:
The NoR

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

7.1

I or we seek the following recommendation or decision from Auckland Council:
To grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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Form 21

Submission on requirement for designation or heritage order or alteration of designation or heritage order that is subject to public notification or limited notification by a territorial authority

Sections 168A, 169, 181, 189A, 190, and 195A, Resource Management Act 1991

**To: Auckland Council
Private Bag 92300
Auckland 1142**

Name of submitter: Foodstuffs North Island Limited (“**Foodstuffs**”)
35 Landing Drive, Mangere, Auckland 2022

- 1.1 This is a submission on a notice of requirement from Auckland Transport Agency for a designation (the **notice of requirement**):
- Notice of Requirement for a designation for a new public transport hub and park and ride at the corner of SH1 and a new Western Link North arterial corridor with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the first proposed bridge crossing on the proposed Western Link – North (“**NoR 1**”).
- 1.2 Foodstuffs is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
- 1.3 Foodstuffs is directly affected by an effect of the subject matter of the submission that-
- (a) adversely affects the environment; and
 - (b) does not relate to trade competition or the effects of trade competition.
- 1.4 Foodstuffs’ submission relates to the notice of requirement in its entirety, and in particular, the new Western Link – North to enable access to the North Warkworth Precinct in the north Warkworth growth area, including the proposed local centre.
- Background**
- 1.5 Foodstuffs is the owner and operator of a “Pak’n Save” supermarket located at 12 Hudson Road and holds resource consent to establish large format retail, retail/food and beverage tenancies, and a drive-through restaurant. 7.1
- 1.6 Foodstuffs is taking a staged approach to the development of its landholding. The first development stage (the supermarket) is now complete, and the second stage (large format retail, retail/food and beverage, and drive-through restaurant) is scheduled to begin in the next six months.
- 1.7 Upon completion, the development of the site will comprise a 5,400m² GFA supermarket, 5,150m² of large format retail activity, 570m² of retail/food and beverage tenancies, and a drive-through restaurant.
- 1.8 With an area of 9.679ha, there remains significant unrealised development opportunity on the site, and for the North Warkworth Precinct generally.

Summary of position

- 1.9 Foodstuffs activities are key to ensuring that the Warkworth growth area has convenient and sustainable access to goods and services. Its activities are vehicle oriented and depend on customers being able to access the site in a safe and efficient manner. These activities are highly sensitive to changes to the performance of the surrounding transportation system.
- 1.10 The new Western Link – North is described by the application as being necessary to provide access to the North Warkworth Precinct and the proposed local centre, as well as to support a mode shift:¹
- The new Western Link – North will enable access to the North Warkworth Precinct in the north Warkworth growth area, including a proposed local centre. The corridor will support mode shift by enabling reliable bus access to northern Warkworth and by future proofing for bus lanes to support the corridors function as a key public transport link for Warkworth. The corridor will provide safe and connected active mode facilities to support active mode access. The corridor provides an alternative north-south route to SH1 that will reduce the pressure on the existing SH1 / Hill Street intersection, increasing resilience. It will also provide direct connectivity to Te Honohono ki Tai-Matakana Link Road to improve access to the Kōwhai Coast and surrounding rural areas.
- 1.11 Foodstuffs supports a modal shift towards public transport and walking and cycling, but notes that the nature of the goods and services provided on its property means that private vehicles are the preferred mode of transport for its customers. Foodstuffs therefore seeks to ensure that full vehicle access is available between its site and the Western Link – North and that the construction effects on the operation of its activities are minimised.

Submission

- 1.12 Foodstuffs supports the notice of requirement as notified subject to ensuring that:
- (a) full access (left and right turns) is provided between the Western Link – North road and its development at 12 Hudson Road;
 - (b) the existing site levels are retained as part of the design and construction of the Western Link – North road; and
 - (c) the effects from construction are appropriately managed to avoid insofar as that is practicable, adverse effects on its activities at 12 Hudson Road.
- 1.13 Specific to the transportation effects of the Project, Foodstuffs supports the aim to improve connectivity, contribute to mode shift by providing active mode and public transport facilities, in a manner that is safe for users and improves network resilience.
- 1.14 Notwithstanding the intention for the Western Link – North road to be a limited access road, the location of 12 Hudson Road proximate to the Northern Public Transport Hub and the proposed intersection with Great North Road is such that Foodstuffs considers full access (left and right turns) can be provided between the Western Link – North road and its development in a manner that will not affect the safety or performance of the road network. The provision of better access between sites will assist with reducing the number of trips on the wider network.

¹ Pg.43; Assessment of Effects on the Environment; Te Tupu Ngātahi Supporting Growth; May 2023.

- 1.15 Limited information is provided in respect of the proposed ground levels for the Western Link – North road. To ensure that full access can be provided between the road and Foodstuffs’ property, it will be necessary to retain the existing site levels as part of its design and construction.
- 1.16 The construction effects of the Project have yet to be properly determined or assessed:²
- Given the construction timing and staging of the package has yet to be determined, there is a degree of uncertainty associated with any predicted construction methodology and associated traffic routes. This means:
- The routes that will be used by construction vehicles will depend on the location of quarries and disposal sites which are not yet certain
- The exact location and extent of compound sites / lay down areas has yet to be determined
- The timing of construction of other projects could impact on likely construction vehicle routes, for example, if the Wider Western Link is constructed prior to or after the upgrade of Woodcocks Road.
- 1.17 Given the uncertainty in respect of the nature and duration of the construction effects of the Project, including the measures that are to be implemented to manage the construction effects on 12 Hudson Road, Foodstuffs seeks that it is consulted as part of the preparation of the Construction Traffic Management Plan (CTMP). From Foodstuffs’ perspective, involvement in the preparation of the CTMP is a critical part of ensuring that the effects on its activities are minimised.

Decision Sought

- 1.18 Foodstuffs seeks the following decision from the local authority:
- (a) That the notice of requirement be approved with amendments to require:
- a. full access (left and right turns) to be provided between the Western Link – North road and its development at 12 Hudson Road;
 - b. the existing site levels to be retained as part of the design and construction of the Western Link – North road; and
 - c. the effects from construction to be appropriately managed to avoid insofar as that is practicable, adverse effects on its activities at 12 Hudson Road and future development areas, including a requirement for Foodstuffs to be consulted as part of the preparation of the Construction Traffic Management Plan.
- (b) Such further or other consequential relief as may be necessary to fully give effect to the relief sought in this submission.
- 1.19 Foodstuffs wishes to be heard in support of this submission.
- 1.20 If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

² Pg.100; Section 12.3, Volume 2 Assessment of Effects on the Environment; Te Tupu Ngātahi Supporting Growth; May 2023.

Dated 7 July 2023

Signature by its planning and resource management consultants and authorised agents Bentley & Co. Ltd.



Mark Arbuthnot

Address for Service: Foodstuffs North Island Limited
C/- Mark Arbuthnot
Bentley & Co. Ltd
PO Box 4492, Shortland Street
AUCKLAND

Mobile: 029 200 4896

Email: marbuthnot@bentley.co.nz

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.

3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare's plans (ie the carpark at the Warkworth Showgrounds).

3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing. 9.1

3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained. 9.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

9.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:853] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 6:45:33 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NOR 1) Warkworth : Northern Public Transport Hub and Western Link North

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

10.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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NOR 2 – ANNOTATED SUBMISSIONS

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:824] Notice of Requirement online submission - Steve Haycock
Date: Friday, 30 June 2023 3:15:27 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Steve Haycock
Organisation name: Falls Rd Body Corporate Ltd
Full name of your agent:
Email address: steve@haycocks.nz
Contact phone number:
Postal address:
270 Falls Rd
RD4
Warkworth
Auckland 0984

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade
The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:
We will be holding our AGM towards the end of July and we want to discuss the NoR at the AGM and form a late submission to send to you then.

1.1

I or we seek the following recommendation or decision from Auckland Council:
We will explain our position and any suggestions once the Falls Rd Body Corporate AGM has been held and our members have directed us.

Submission date: 30 June 2023

Attend a hearing

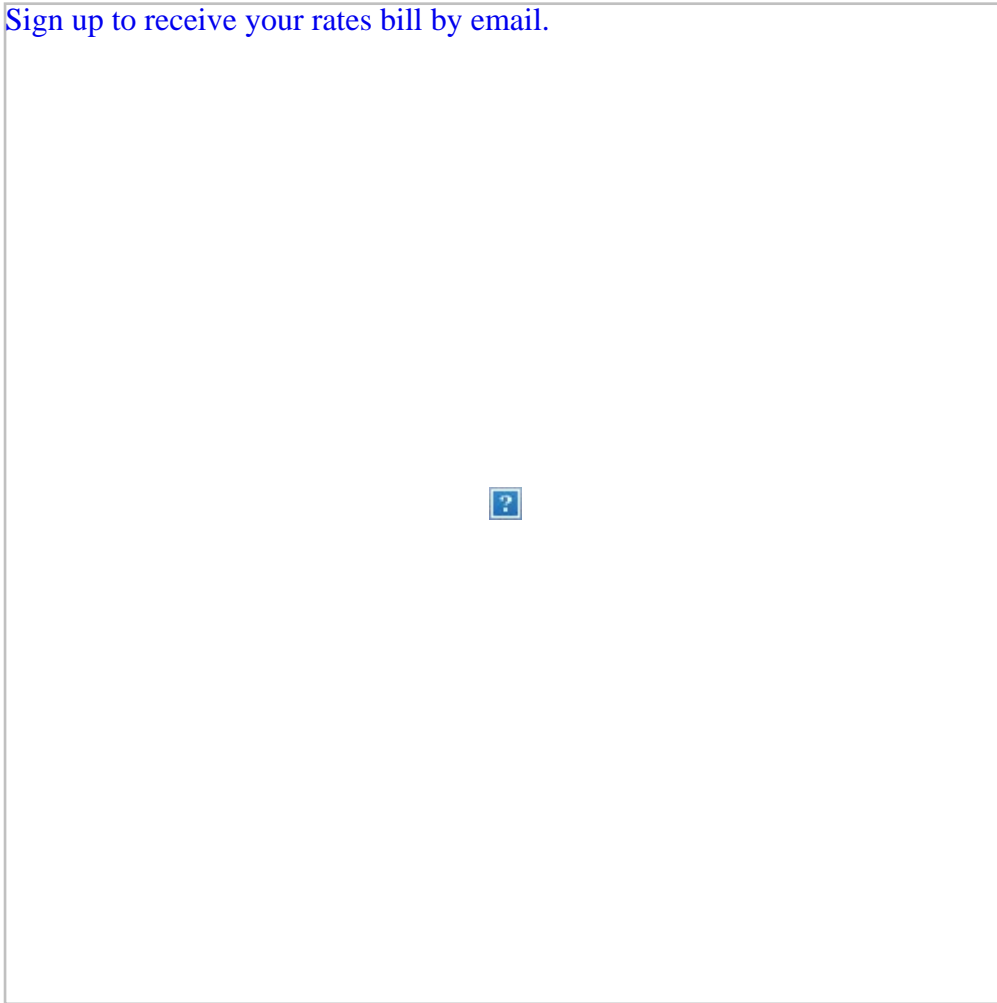
Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:826] Notice of Requirement online submission - anne ronaldson
Date: Saturday, 1 July 2023 6:00:43 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: anne ronaldson

Organisation name:

Full name of your agent:

Email address: glendanne9@gmail.com

Contact phone number: 0275277005

Postal address:

9 lysnar rd
RD5 warkworth
auckland 0985

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

I believe that a better route between Woodcocks rd and the new motorway would be via a direct road to the future southern interchange . That would obviate the need to replace the single lane with a double lane bridge, Would be more direct route to the light residential area and Warkworth township.

2.1

I or we seek the following recommendation or decision from Auckland Council:

Please consider the other option which would prevent traffic disruption while bridge construction is underway. It would also help prevent large traffic flow along Falls road ford, which is dangerous to both traffic and pedestrians and cyclists. The proposed walk/cycleway at the beginning of Falls Rd could be extended to incorporate the remainder of Falls Rd along to the reserve and future park . The council is currently supporting Forest and Bird and the local residents to improve and upgrade the Reserve to meet the future needs of Warkworth growth.

2.1

Submission date: 1 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Mr Shawn Thomson

Organisation Name (if submission is made on behalf of Organisation)

SUMMERSET VILLAGES (WARKWORTH) LIMITED

Address for service of Submitter

PO Box 5187, Wellington 6140

Telephone: Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

| | |
|--|--|
| By:: Name of Requiring Authority | Auckland Transport |
| For: A new designation or alteration to an existing designation | (NoR 2) Warkworth: Woodcocks Road – West Upgrade |

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

Summerset Villages (Warkworth) Limited owns land on the corner of Woodcocks Road and Mansel Drive at 84 Woodcocks Road and 31 Mansel Drive, Warkworth.

The NoR 2 aspects that impact on the Woodcocks Road section immediately adjacent to the above property are the parts to which this submission relates.

In particular, it is the absence of any designation being proposed over Summerset Villages (Warkworth) Limited land that is supported.

3.1

Summerset Villages (Warkworth) Limited looks forward to engaging in further dialogue on the specific design as it relates to integrating this NoR 2 with the existing road and pedestrian network.

My submission is:

I or we support of the Notice of Requirement I or we oppose to the Notice of Requirement
I or we are neutral to the Notice of Requirement

The reasons for my views are:

Summerset Villages (Warkworth) Limited is supportive of the NoR 2's designation not being placed over the Summerset Villages (Warkworth) Limited land.

We support that the designation's design and layout can be accommodated within the existing carriageway and land south of the existing Woodcocks Road layout.

3.1

It is understood that the eventual design and implementation will reflect a design (landscape, security, acoustic, lighting and layout) sensitive to adjoining owners.

Summerset Villages (Warkworth) Limited wishes to be heard and invites further discussion on specific design.

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

That the NoR 2 designation is not over Summerset Villages (Warkworth) Limited land.

That the design will allow for suitable landscaping, security, lighting and acoustic measures to be implemented so as to preserve (or enhance) adjoining owner amenity.

That the design of the NoR 2 designation at the intersection of Mansel Drive and Woodcocks Road allows for suitable pedestrian movement across Woodcocks Road in all directions (north-south, east west and vice versa).

3.1

A condition is imposed requiring the Requiring Authority to engage and consult with adjoining landowners in relation to the detailed design of the works.

3.2

Appropriate conditions of consent are imposed to ensure that construction effects are appropriately avoided, remedied and mitigated, so that impacts on Summerset are minimised.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Aaron Smail

42F9D3F168F68ECB0BFD16C329D2E5CD contractworks.

03/07/2023

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Aaron Smail

General Manager, Development

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

KERRY & GLEMS CLAYDON

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

12 WYLLIE RD RD1 WARKWORTH 0981

Telephone:

0211763725 / 0272902997

Email:

k.g.claydon@astra.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 2) Warkworth: Woodcocks Road – West Upgrade

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

12 WYLLIE RD WARKWORTH

My submission is:

I or we support of the Notice of Requirement I or we are neutral to the Notice of Requirement

I or we oppose to the Notice of Requirement

The reasons for my views are:

WE WANT MORE DETAILS ON THE TIME FRAME OF THIS PROPOSAL
WHAT FORM ANY LEASE OF OUR PROPERTY WOULD ENTAIL +
WE WANT TO ENSURE THAT NO NOTICE OF REQUIREMENT BE
APPENDED TO OUR TITLE (AS PER OUR NOTES OF DISCUSSION)
16/3/2023

4.1

PLEASE NOTE THERE IS LIKELY TO BE LIVE AMMUNITION IN THE GROUND AS THIS SITE WAS USED AS A CAMP BY THE AMERICANS IN WW2 (AS MENTIONED IN THE SUMMARY OF DISCUSSIONS)

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).


WE REQUIRE 1) A DEFINITE TIME FRAME
2) LEASE DETAILS
3) THAT NOTHING BE APPENDED TO OUR TITLE

4.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing


Signature of Submitter
(or person authorised to sign on behalf of submitter)

05-07-2023
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.



THE PLANNING COLLECTIVE

Form 21

Submission on requirement for designation NOR2 Woodcocks Road – West Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Grange Ridge Limited (“GRL”)

1. Grange Ridge Limited makes this submission on Woodcocks Road – West Upgrade (“NOR2”) lodged by Auckland Transport (“AT”) the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. GRL could not gain advantage in trade competition through this submission.
3. GRL wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, GRL will consider presenting a joint case with them at the hearing.

OVERVIEW OF GRL Land

5. The GRL land is described as follows:
 - a. 59 Woodcocks Road (Lot 4 DP 467037) with an area of 1.3477ha
 - b. 24 Morrison Drive (Lot 2 DP 454568) with an area of 2.0091ha
 - c. 20-22 Morrison Drive (Lot 16 DP 185146) with an area of 2388m²
 - d. Lot 1 DP 556765 with an area of 2688m²



Figure 1 – Land Parcels – Grange Ridge Limited, (source: GRIP, 4 July 2023)

6. The land is currently utilised for a range of industrial activities consistent with its Business – Light Industry zoning. A portion of the Auckland Unitary Plan – Operative in Part planning maps is shown below:

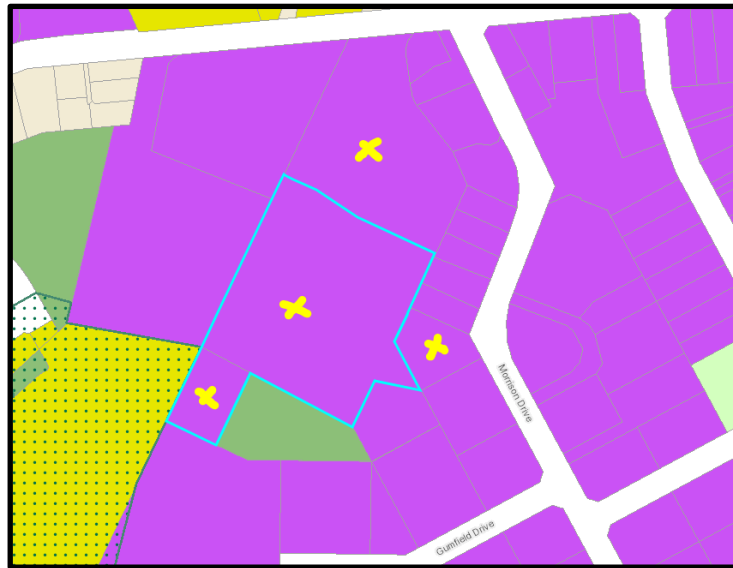


Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 4 July 2023)

SCOPE OF SUBMISSION

7. This submission relates to NOR 2 as a whole.
8. Grange Ridge Limited has an interest in the NOR2 that is greater than the interest of the general public because they own the subject land which is in close proximity to NOR2 and could be affected by construction and operation of NOR2 or any changes made to the Notice of Requirement. Refer to Figure 3 below:



Figure 3: Source General Arrangement Plan – NOR2 (Woodcocks Road – West Upgrade)

9. GRL opposes NOR2 in that insufficient information has been provided to demonstrate how Woodcocks Road extension is to be tied back into the existing transport network, namely the eastern portion of Woodcocks Road (Mansell Drive to SH1) and resulting effects including those on the wider urban environment. 5.1

EFFECTS ASSESSMENT

10. NOR2 seeks to upgrade the Western Section of Woodcocks Road with the new corridor to include the widening of the rural portion of Woodcocks Road to a 24m two-lane cross section, including separated cycle lanes and footpaths on both sides of the corridor. This will likely increase the use of the road by both pedestrians and cyclists who will likely continue down the eastern portion of Woodcocks Road where Mahurangi College and the main town centre are located. The upgrade does not extend along the full extent of Woodcocks Road to the east; how will the increase in pedestrians and cyclists impact the operation of this portion of the road which is used by large vehicles¹ given the industrial activity on the southern side of the road and how will safety effects be managed noting that while this section of the road currently has footpaths on both sides of the road it does not have a separated cycle lanes. 5.1
11. It is understood that this section of the road (the urban section of Woodcocks Road between SH1 and Mansell Drive) has not been included within the upgrade because any upgrade of this section can be accommodated within the existing road reserve. However, a condition of consent or similar is required to ensure that when the western Woodcocks Road upgrade is undertaken that the upgrade of the eastern portion of Woodcocks Road is also required in order to ensure the management of adverse effects. 5.1
12. The Notice of Requirement application notes² that the upgrade to Woodcocks Road (western section) has been designed to integrate with other key projects within the Warkworth transport network and that the assessment of operational effects assumes that these projects are in place – these projects include the Wider Western Link and the Western Link (North and South). There is no mention of any upgrade to the eastern existing urban section of Woodcocks Road between SH1 and Mansell Drive; this is considered a gap and something that needs to be addressed.
13. The Assessment of Transport Effects report states that *at the time of implementation, the project should demonstrate how it will integrate with the prevailing urban form and surrounding road network. For Woodcocks Road, this will include consideration of the existing land use activities which will likely include light industrial activities, residential and educational activities. The Urban Design and Landscape Plan condition requires that these matters be confirmed prior to implementation.* This condition does not go far enough to address the concerns raised above.
14. There is no assessment on the effects from the resulting increase in traffic on the intersection of Morrison Drive and Woodcocks Road which is a main intersection for freight transport supporting the industrial land use activities. This is needed to demonstrate the effects of the project on the wider transport network; if such effects are unacceptable an upgrade of this intersection may be required, and this should be required as part of the project. 5.2

¹ The urban section of Woodcocks Road (between SH1 and Mansell Drive) is currently a Level 1B freight route within Auckland Transport's Strategic Freight Network Map.

<https://mahere.at.govt.nz/portal/apps/webappviewer/index.html?id=53d7df8746c049a1a4f7872312190001>

² Assessment of Transport Effects – Section 7 NOR2 – Woodcocks Road Upgrade (Western Section)

15. The project objectives for NOR2 are contained with the Assessment of Environmental Effects and are as follows:

Woodcocks Road - West Upgrade
Provide for an upgrade to Woodcocks Road between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) that:

- a) Improves connectivity.
- b) Improves safety.
- c) Is efficient, resilient, and reliable.
- d) Integrates with and supports planned urban growth.
- e) Integrates with and supports the existing and future transport network.
- f) Improves travel choice and contributes to mode shift.

16. Without consideration of the matters raised above in the submission it is unclear how project objective (e) is met.

RELIEF SOUGHT

7. GRL seek the following recommendation or decision from Auckland Council on NOR6 Western Link South:
- a. Further information is provided to demonstrate the effects of the Notice of Requirement on the eastern section of Woodcocks Road (Mansell Drive to SH1) including its intersections with local road. 5.1
 - b. GRL opposes the proposed conditions to the extent that they require amendment and review to address matters raised in the submission. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the Designation conditions to ensure that optimal urban outcomes are achieved. 5.1
 - c. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Grange Ridge Limited)

Date: 6 July 2023

Address for Service:

Grange Ridge Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:844] Notice of Requirement online submission - Cameron McLay
Date: Thursday, 6 July 2023 9:45:26 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Cameron McLay

Organisation name:

Full name of your agent:

Email address: cam_mclay@yahoo.com

Contact phone number:

Postal address:
99 Woodcocks Road
Warkworth
Auckland 0910

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade

The specific provisions that my submission relates to are:
Home at 99 Woodcocks Road

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

Thankful feedback listened to. Adjustment made to no longer designation entire property, minimizing need to remove my home. Supporting overall plan. Upgrades long overdue to support the towns growth and are generally well reasoned development plans.

6.1

I or we seek the following recommendation or decision from Auckland Council:

Provide certainty on timing of the work. Earlier the completion, the better. In addition, the "Future Development Strategy" proposal to shift out this type of infrastructure work 30 years is not welcome.

6.1

Submission date: 6 July 2023

Attend a hearing

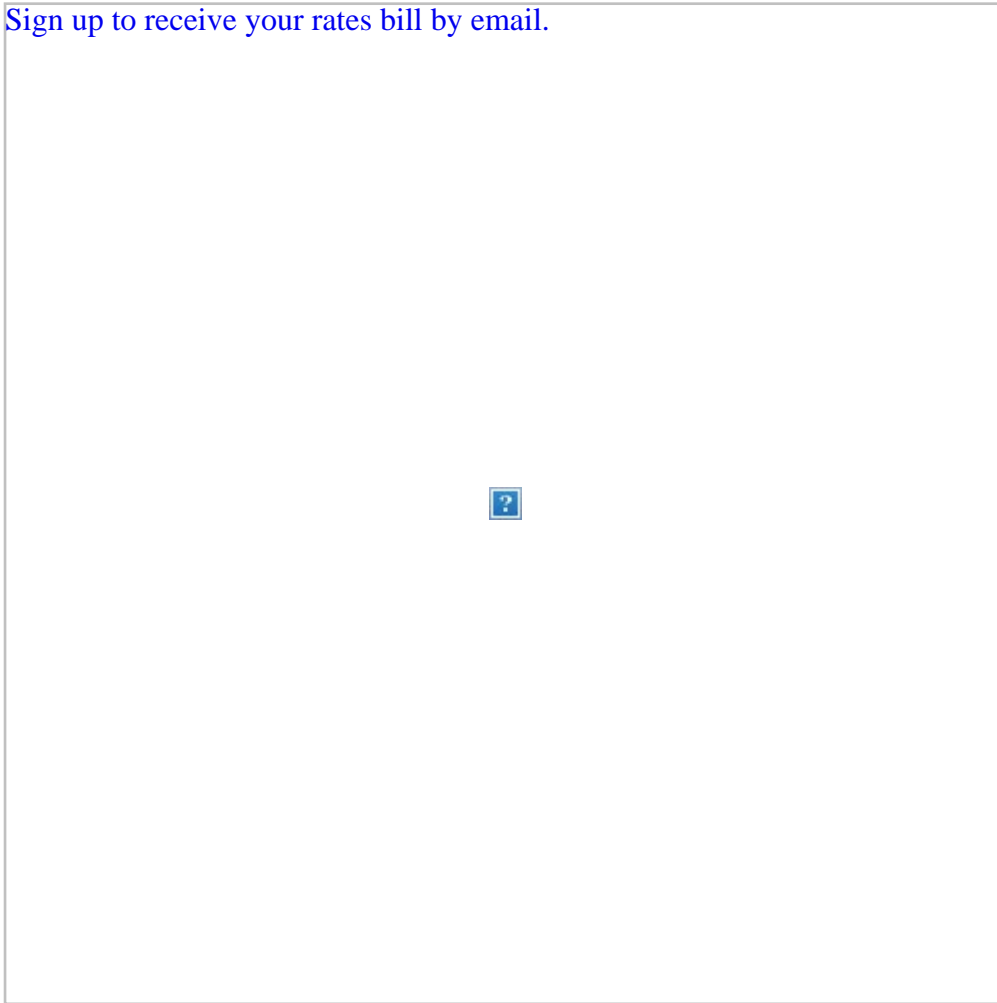
Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:836] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 6:00:31 pm
Attachments: [NOR 2 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi Business Association and Warkworth area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number: 094259127
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade
The specific provisions that my submission relates to are:
Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.
The reason for my or our views are: 7.1
We consider an Alternative Route would be better
I or we seek the following recommendation or decision from Auckland Council: 7.1
Accept Alternative Route

Submission date: 6 July 2023

Supporting documents
NOR 2 Submission.pdf

Attend a hearing

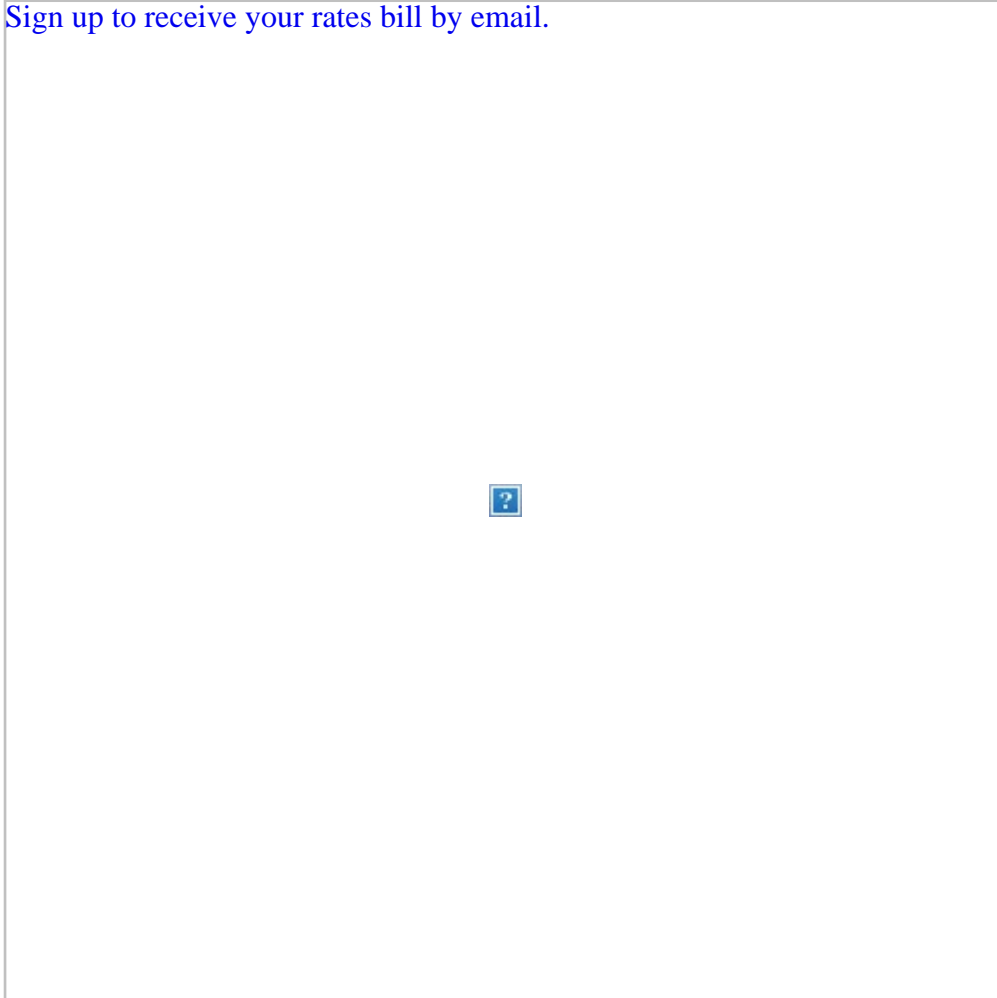
Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR 2- Woodcocks Road Upgrade

General NOR Issues

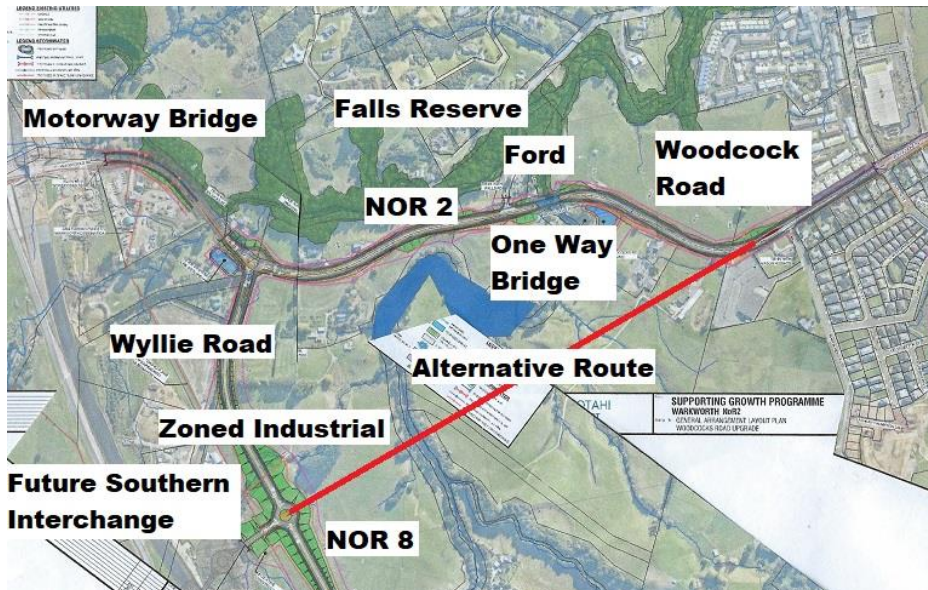
This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 7.5
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 7.6
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 7.7
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 7.8
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 7.9
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 7.10

Nor 2 Specific Issues

1. The NOR option shows the single lane bridge being replaced on the same alignment. This will be very difficult to construct in that the only alternative route is via Old Kaipara Flats Road and Carran Road or via the one way ford, which has a bend in it. The **alternative we suggest below** can be built entirely separate from the existing route. 7.1
2. The existing one way bridge does not have to be demolished as it can be used for a walkway cycleway to access the Falls Reserve and future park. 7.2
3. The walks can be loop tracks via Falls and Woodcock Road and can include Summerset Retirement Village. 7.2

4. The park could be one of the most attractive parks in Warkworth and would enhance the whole of the proposed new development areas to the west and the south. Forest and Bird Warkworth Area fully support 7.2



5. Falls Road Ford is not suitable for motorised traffic. It floods regularly and the ford has a bend in its alignment. There have been several accidents due to vehicles being carried away by flood waters. 2 accidents in the past 2 decades have been fatalities. 2 truck and trailer units got stuck here in the past week alone. 7.3
6. The use of the ford by motorised vehicles is a real hazard to pedestrians. Families also come to the ford in summer to enjoy the water and the ambience. 7.4
7. Falls Road should be closed to all motorised vehicles. This view is supported by the local community and the Body Corporate of the Viv Davy- Martin Subdivision who find the Falls Road and the ford a rat run. A problem that will only become worse as Warkworth West develops. 7.3 and 7.4
8. Forest and Bird, Warkworth Area, fully support the proposal for developing the Falls Reserve as a Park for Warkworth West. They are already clearing weeds and planting as a F&B centennial project. 7.2
9. We strongly recommend that the Alternative Route shown be adopted



From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:845] Notice of Requirement online submission - Denise and Ian Civil
Date: Friday, 7 July 2023 9:15:33 am

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Denise and Ian Civil

Organisation name:

Full name of your agent: Denise and Ian Civil

Email address: icivil@xtra.co.nz

Contact phone number: +64274963759

Postal address:
48 Prospect Terrace,
Mt Eden
Auckland 1024

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade

The specific provisions that my submission relates to are:

The removal of mature native trees on the northern side of Woodcocks Road particularly in the vicinity of 141 Carran Road.

8.1

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

There is an undeniable need to upgrade Woodcocks Road to address the pitted and potholed road surface, its twisty contour and the one lane bridge with the west bound give-way that has poor approach visibility and is frequently not abided by. The NoR 2 project includes the removal of vegetation along the road corridor. The Assessment of Arboricultural Effects Section 8.2.2 is vague on whether the 8 Totara within the designation are impacted by the proposed work. These trees are included in the riparian margin of the Mahurangi River which also includes mature Kahikatea and Kauri and are acknowledges as a part of the SEA. As the owners of the adjacent land, we are surprised that the AEE only identifies 8 mature trees in the designation. Whilst the AEE (Terrestrial Ecology Table 14.2.1) suggests that the trees are to be retained “(where practicable)”, where practicable is not sufficient to ensure that these trees will be save. The trees should only be removed if it is unavoidable to retain them. Where practicable is too low a standard. The trees are within the narrow section of land that exists between the river and the existing road carriage way and beyond them on the other side of the river there is also a narrow strip of similar mature trees. Should the trees be removed, there would be a significant gap in the wildlife corridor that the SEA creates and it would create a visual disruption to the natural landscape. The removal of these trees would not be negligible from an ecological perspective as considered by the authors of the AEE. This issue should have been addressed comprehensively in the AEE. The NoR 2 SEA vegetation has not been considered as it is deemed a matter for a Regional Consent application. However, it should have been considered for the effects on the wildlife corridors and the visual effects. The proposed mitigation is inadequate and non-specific. The suggestion that removed trees be replaced on a ratio of 1:2 of equivalent species is pathetic. The subject trees are mature. They were mature trees when the Civil family started farming the adjacent land in 1884. The mitigation suggested does not adequately address the life replacement of the existing vegetation.

8.1

I or we seek the following recommendation or decision from Auckland Council:
Improve the conditions to the NoR 2 to protect the existing mature trees by requiring that they are to be retained and protected during the construction works and operation of the project. If it is unavoidable and the trees are removed then the replacement planting should be on an age equivalent basis; i.e. at an at least a 1: 25 ratio.

8.1

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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THE PLANNING
COLLECTIVE

Form 21
Submission on requirement for designation NOR2 Woodcocks Road – West Upgrade that is subject to notification
Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Justin & Trudi Molloy

1. Justin & Trudi Molloy make this submission on NOR2 Woodcocks Road – West Upgrade (“NOR2”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Justin & Trudi Molloy could not gain advantage in trade competition through this submission.
3. Justin & Trudi Molloy **wish to be heard** in support of their submission.
4. If any other submitters make a similar submission, Justin & Trudi Malloy will consider presenting a joint case with them at the hearing.

OVERVIEW OF SUBMITTER LAND

5. Justin Molloy owns the land at 93 & 95 Woodcocks Road and 4 Evelyn Street in Warkworth. A brief description of these properties is provided below:
 - a. 93 Woodcocks Road is legally described as Lot 2 DP 537192 and has a site area of 602m². The site is currently vacant and has frontage to both Woodcocks Road and Evelyn Street.
 - b. 95 Woodcocks Road is legally described as Lot 1 DP 537192 and has a site area of 765m². The site contains an existing two-storied dwelling. Access to the site is via a formed vehicle crossing from Woodcocks Road.
 - c. 4 Evelyn Street is legally described as Lot 3 DP 537193 and has a site area of 642m². The site is currently vacant and has frontage to Evelyn Street to the west.
6. An aerial image of the properties is provided in Figure 1 overleaf.



Figure 1 – Aerial Image of 93 & 95 Woodcocks Road and 4 Evelyn Street, Warkworth (source: Grip Maps, July 2023)

7. All properties are zoned Residential - Single House Zone under the Auckland Unitary Plan - Operative in Part (“AUP-OP”) as shown in Figure 2 below. The land immediately north is zoned Residential - Mixed Housing Suburban and contains the Summerset Retirement Village. The land to the north-east is zoned Business - Light Industry and contains a Mitre 10 Mega store.

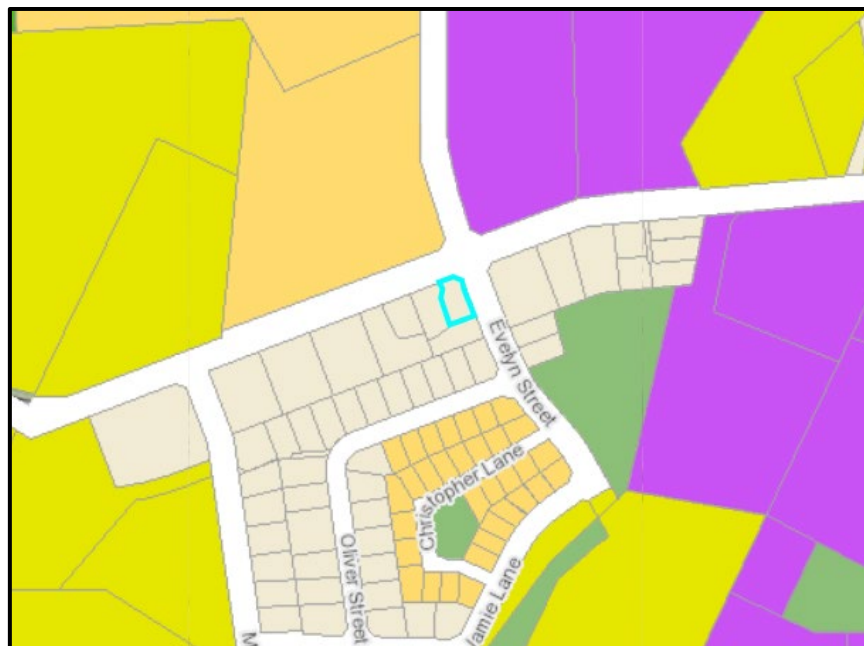


Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 29 June 2023)

8. All the submitter properties and surrounding residential zoned sites are proposed to be rezoned to Residential - Mixed Housing Urban through Auckland Council’s Intensification Plan Change 78 (“PC78”). There are no qualifying matters applying to 93 or 95 Woodcocks Road or 4 Evelyn Street. PC78 enables up to three dwellings to be established on each of these sites as a permitted activity subject to complying with the medium density residential standards and any other relevant rules or standards in the AUP-OP.

9. Justin & Trudi Molloy engaged The Planning Collective in September 2021 to prepare a resource consent application to construct a dwelling on 93 Woodcocks Road, Warkworth. In light of PC78, the submitter did not proceed with lodging the resource consent application as the construction of the dwelling could have been undertaken as a permitted activity and the submitter sought to pursue opportunities to further intensify the development of the site (i.e. enabling up to three dwellings on the site).

SCOPE OF SUBMISSION

10. This submission relates to NOR2 as a whole.
11. Justin & Trudi Molloy have an interest in NOR2 that is greater than the interest of the general public as their land will be directly impacted by the proposed designation works. The designation layout is shown in Figure 3 below.



Figure 3 - NOR2 General Arrangement Plan

Extent of Designation and Consideration of Alternatives

12. Justin & Trudi Molloy oppose the designated works proposed over 93 and 95 Woodcocks Road, specifically the construction of a stormwater wetland over both of these sites. A cross corridor active mode connection is also shown adjacent to these properties. The proposed designation will be a blight on the land and will inhibit the ability to develop these properties. 9.1
13. Justin & Trudi Molloy oppose the proposed designation boundary as it applies to 4 Evelyn Street. It is unclear whether the proposed designation boundary will result in a front yard setback applying to the northern site boundary. If applicable, this would reduce the overall area of the site available for residential development and have the potential to impact on the privacy and amenity of this site. 9.2
14. Justin & Trudi Molloy seek that the Requiring Authority demonstrate that all available alternative locations for the stormwater wetland have been considered and provide a robust assessment demonstrating that the proposal represents the best outcome in terms of urban development and efficient use of land. The assessment of alternatives should consider whether 9.1

it would be more appropriate to locate the stormwater wetland within the surrounding Future Urban zoned land, utilise the stormwater wetland proposed as part of the Western Link Road Project or increase the capacity of the existing stormwater wetland along Evelyn Street. Within the Assessment of Alternatives report submitted with the Notice of Requirement application it states that:

Where there were opportunities to upgrade or share existing public stormwater assets these were preferred and have been selected in various places along the corridors. Co-locating or upgrading existing assets has the benefit of reducing project land requirements, more effectively managing ongoing maintenance requirements through larger and few stormwater facilities, rather than multiple smaller devices. If practicable, across the Warkworth Package, new wetlands were also designed to service multiple routes, to achieve co-location efficiencies.

There is no evidence provided with the Notice of Requirement application to determine that the above process has been undertaken with respect to the stormwater wetland in question.

Project Interdependencies

15. Section 3.4 of the Assessment of Effects on the Environment (“AEE”) outlines that the project objectives for the Woodcocks Road - West Upgrade are to:

Provide for an upgrade to Woodcocks Road between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) that:

- a) Improves connectivity.*
- b) Improves safety.*
- c) Is efficient, resilient, and reliable.*
- d) Integrates with and supports planned urban growth.*
- e) Integrates with and supports the existing and future transport network.*
- f) Improves travel choice and contributes to mode shift.*

Section 9.4.1 of the AEE outlines that *the remainder of the Woodcocks Road corridor from the intersection with Mansel Drive through to SH1 (the urban section) is not being designated as the existing road space can be reallocated to upgrade the road corridor to provide for dedicated walking and cycling facilities.* The Notice of Requirement does not adequately demonstrate how these upgrades will integrate to form a cohesive transport network.

9.3

Lapse Period Sought

16. Justin & Trudi Molloy oppose the proposed 15-year lapse period sought for this designation. The timeframe sought will be a blight on the land and stagnate any development of these properties.

9.4

Designation Conditions

17. The proposed designation conditions - Appendix C of the Notice of Requirement requires an Urban and Landscape Design Management Plan (“ULDMP”) to be prepared and submitted to Auckland Council (refer to Condition 9). Sub-section (d) of the condition requires:

9.5

- d) *To achieve the objective, the ULDMP(s) shall provide details of how the project:*
 - (i) *Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;*
 - (ii) *Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;*
 - (iii) *Promotes inclusive access (where appropriate); and*
 - (iv) *Promotes a sense of personal safety by aligning with best practice guidelines, such as:*
 - a. *Crime Prevention Through Environmental Design (CPTED) principles;*
 - b. *Safety in Design (SID) requirements; and*
 - c. *Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.*

18. It is recommended that condition 9 be amended to require that evidence of consultation with adjacent landowners, developers, and other stakeholders be required to be provided with the ULDMP. The condition should require the consultation to demonstrate that the ULDMP achieves the outcomes specified in the condition with respect to the adjacent land.

9.5

19. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the designation conditions to ensure that optimal urban outcomes are achieved through the designated works.

9.5

Policy Assessment:

20. The proposed designation in its current form is contrary to the relevant objectives and policies of the National Policy Statement for Urban Development 2020, Auckland Regional Policy Statement, AUP-OP. The designation layout does not propose to integrate the transport network and supporting infrastructure into the existing urban environment in a manner that achieves good urban design outcomes and an efficient use of land. The land at 93 and 95 Woodcocks Road is located within a prime location to deliver additional housing supply enabled through PC78.

RELIEF SOUGHT

21. Justin & Trudi Molloy seek the following recommendation or decision from Auckland Council on NOR2 Woodcocks Road Upgrade:

- a. That the Requiring Authority undertake further analysis as to the most appropriate location for the proposed stormwater wetland including whether alternative stormwater treatment devices can be utilised thus removing the designation from the submitters land so that it can be developed for residential purposes.
- b. If in light of the above, the land is required to be acquired, the submitter seeks written confirmation from the Requiring Authority that there will be early acquisition of their

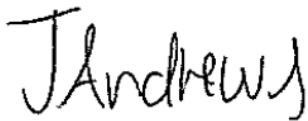
9.1

9.1 and
9.2

land in recognition of the blight the designation poses for their land and impacts on the planned development of the land.

- c. The lapse date be reduced from the 15-year lapse period sought. 9.4
- d. That the conditions be amended to achieve optimal urban outcomes and require appropriate engagement with landowners on matters impacting their land. 9.5
- e. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of Justin & Trudi Molloy)

Date: 07 July 2023

Address for Service:

Justin & Trudi Molloy
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-367
Email: jessica@thepc.co.nz / Burnette@thepc.co.nz



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR2 Woodcocks Road West Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: John Wynyard

1. The submitter makes this submission on NOR2 Woodcocks Road West Upgrade (“NOR2”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (“RMA”) as follows.
2. The submitter could not gain advantage in trade competition through this submission.
3. The submitter **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

OVERVIEW OF WYNYARD LAND

5. This submission relates to the land along Woodcocks Road, Warkworth, legally described as Lot 4 DP 473567, Lot 2 DP 473567 and Lot 1 DP 437211 (“Wynyard Land”). The submitter has an interest in the Wynyard Land that is greater than the public generally as John Wynyard owns and farms the land.
6. The Wynyard Land comprises of three contiguous land parcels which equates to approximately 32.2 ha of land. The Wynyard Land is located within the eastern outskirts of Warkworth and is presently utilised for rural activities. An aerial image of the land is provided in Figure 1 overleaf.



Figure 1 - Aerial image of Wynyard Land (source: Google Maps, June 2023)

7. A brief description of each land parcel is provided below:

- a) Lot 4 DP 473567: This site comprises of approximately 26.9 hectares and is bound by Woodcocks Road to the north, Wylie Road to the west and the Mahurangi River to the east. The Northern Motorway runs through the south-western corner of the site as shown in Figure 1 above. The site is currently used for farming and rural purposes.
- b) Lot 2 DP 473567: This site comprises of approximately 2.7 hectares and contains a dwelling and ancillary buildings. Access to the site is via a formed vehicle crossing from Woodcocks Road which runs along the northern site frontage.
- c) Lot 1 DP 437211: This site comprises of approximately 2.6 hectares and is accessed via a formed crossing to Woodcocks Road which runs along the northern site frontage.

10.1

8. The Wynyard Land is split-zoned Future Urban and Rural Production under the Auckland Unitary Plan (Operative in Part) (“AUP-OP”) as shown in Figure 2 below. The recently-opened Tūhono-Pūhoi to Warkworth Northern Motorway is located to the west of the subject site.

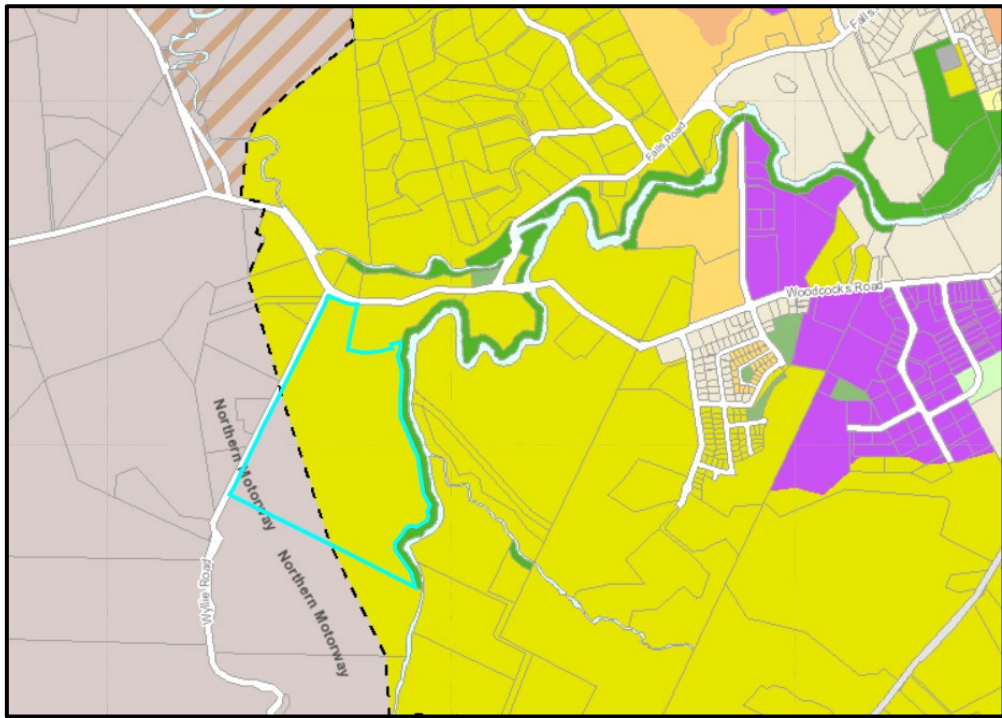


Figure 2 - AUP-OP Planning Maps (source: June 2023)

9. The Warkworth Structure Plan June 2019 (“WSP”) identifies the future zoning of Lots 2 and 4 DP 473567 as Business - Heavy Industry as shown in Figure 3.

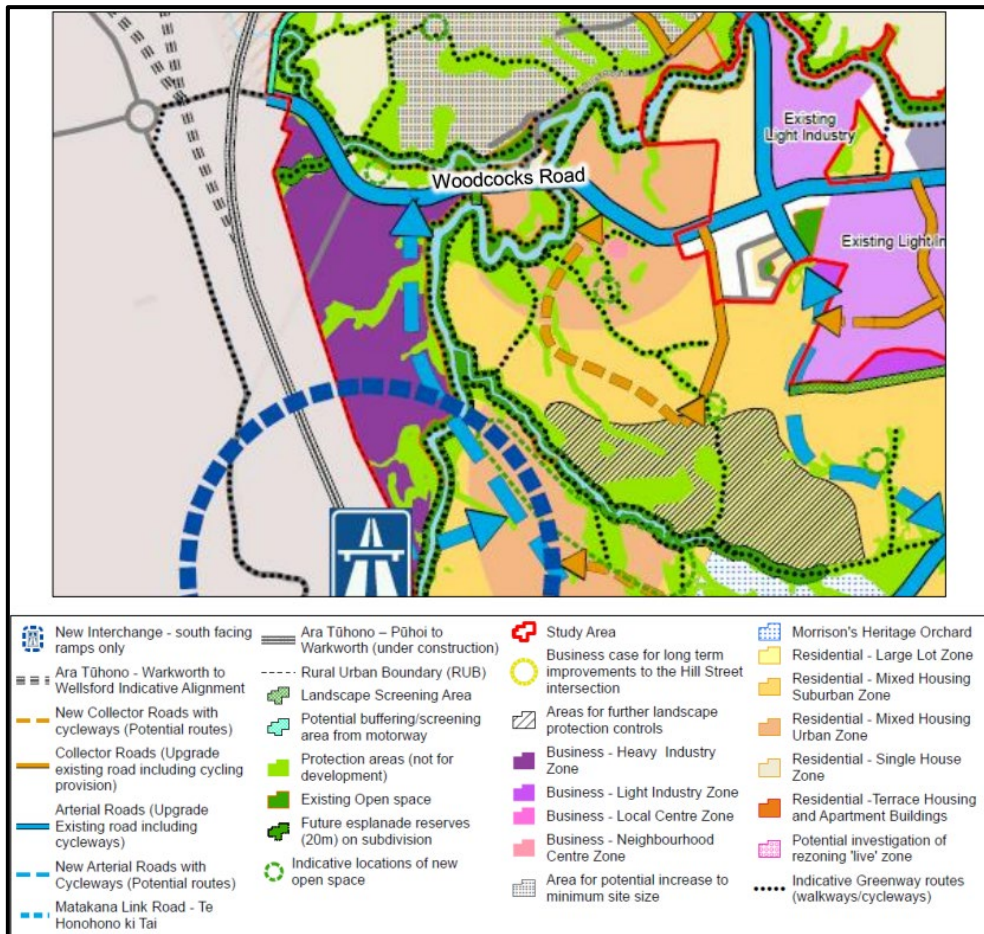


Figure 3 - Additional industrial land identified in south west of Warkworth

10. The WSP cites that future Heavy Industry zoning has been applied to these land parcels due to the proximity of the land to the potential Ara Tūhono-Pūhoi to Warkworth southern interchange (south facing ramps only), excellent access to the regional/national network and avoids the need for industrial traffic heading through residential areas. The flat nature of the land also tends itself to enabling larger building platforms for heavy industry zoning and land use.
11. The WSP identifies the future zoning of Lot 1 DP 437211 as Residential - Mixed Housing Urban as shown in Figure 3 below. The WSP outlines that the future residential zoning has been applied to this land due to its proximity to a future neighbourhood centre along Woodcocks Road.
12. The Wynyard Land is identified within the Auckland Council Future Urban Land Supply Strategy 2017 (“FULSS”) as being scheduled to be ‘development ready’ between 2028 - 2032.¹
13. Auckland Council publicly notified their Consultation Draft Auckland Future Development Strategy 2023-2053 (“FDS”) on 6 June 2023. The FDS delays the development of this future urban land to 2040+. In any event, the Wynyard Land is earmarked for urban development at some time in the future and the land is the only area of land in or around Warkworth identified for Business - Heavy Industry land use activities. The FDS recommends that the remaining future urban land within Warkworth South be subject to further investigation.

SCOPE OF SUBMISSION

14. This submission relates to NOR2 as a whole.
15. The submitter has an interest in NOR2 that is greater than the interest of the general public as the Wynyard Land will be directly affected by the proposed designation. Figure 4 below shows the location of the Wynyard Land in relation to the extent of designation and works proposed.

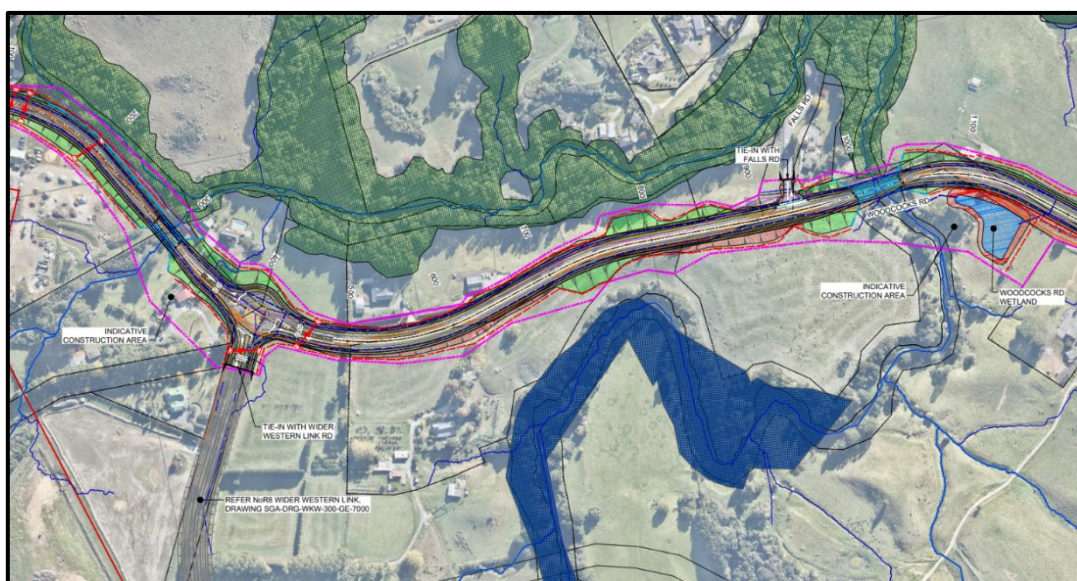


Figure 4 - NOR2 General arrangement layout plan

¹ Refer to Table 1 of Auckland Council Future Urban Land Supply Strategy 2017. The site is contained within the Warkworth South Future Urban area.

16. John Wynyard generally supports the overarching the intent of NOR2 which seeks to improve the safety and efficiency of Woodcocks Road to support the significant growth anticipated within the future urban areas of Warkworth. Woodcocks Road also serves an alternative route during Dome Valley road closures and the current condition of the road (including a single lane bridge) poses traffic safety and efficiency concerns.

Lapse Period Sought:

17. John Wynyard opposes the 15-year lapse period sought. The lapse period sought provides uncertainty as to timeframes for when the Woodcocks Road upgrade will be implemented. This creates long-term uncertainty in terms of the ongoing use of the affected land and the future planning and urbanisation of this land.

10.1

18. Any future use or development of the Wynyard Land will be constrained as prior written approval will be required from the requiring authority.²

10.1

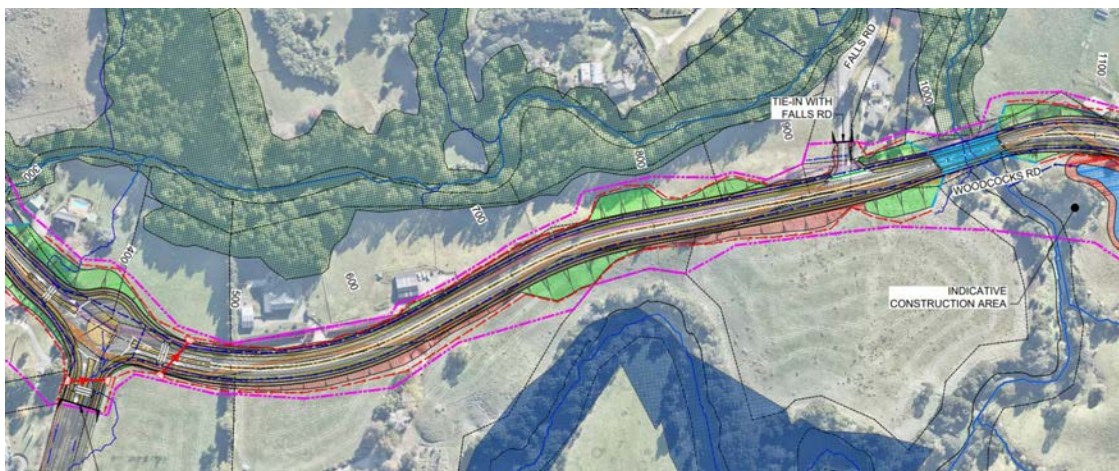
19. To the extent that longer term route protection is required, other methods of doing so should have been considered, including the inclusion of reference to this project in Council’s long-term plans or strategies.

10.1

Extent of Designation Boundary:

20. John Wynyard opposes the extent of his Land that is proposed to be designated. The general arrangement layout plan identifies large areas of cut and fill battering proposed along the southern aspect of Woodcocks Road. The designation boundary substantially extends into the Wynyard Land to accommodate the battering and associated surface flow conveyance as shown in the below image:

10.2



The application documentation does not adequately justify whether the earthworks batters are entirely necessary to facilitate the roading upgrades, given the flat nature of the land directly adjoining Woodcocks Road. Alternative measures (such as retaining) or changes to the design have not been adequately considered in order to minimise the amount of private land required to be designated. Although conditions seek to resolve these issues in the future, the designation is a blight on the land and provides a legal ability for activities to be undertaken on the land in

10.4

² Section 176 of the RMA applies in which prior written approval from the requiring authority is required for use or development of a site that has the ability to impact the delivery of the designated works.

the future. A minimisation of the designation footprint would better align with the objectives of the Notice of Requirement and the relevant planning provisions.

21. Woodcocks Road is currently identified as an arterial road under the AUP-OP Planning Maps, meaning that the site frontage is subject to a Vehicle Access Restriction. The NOR application documentation outlines that both Woodcocks Road and the Wider Western Link Road will be limited access roads. The Wynyard Land will front both limited access roads and there are no options to access the land via a collector road. Suitable, safe and efficient access needs to be maintained for all anticipated uses of the Wynyard Land as part of the designated works. Without adequate alternative access being provided parts of the land will become unusable for farming.
22. Section 7.2.3 of the Assessment of Transport Effects Report outlines that *“Over-dimension and overweight routes are expected to be further reviewed by Waka Kotahi and relevant stakeholder groups in alignment with the implementation of individual corridor upgrades and further land use certainty in the future.”* The road upgrades should factor in the increased heavy vehicle movements associated with future Business - Heavy Industry land use activities to ensure safety and efficiency of the transport network.

10.3

Designation Conditions:

23. Condition 9 of the proposed designation conditions requires an Urban and Landscape Design Management Plan (“UDLMP”) to be prepared and submitted to Auckland Council. Sub-section (d) of the condition requires the UDLMP to detail how the project is designed to:
- i. *Integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;*
 - ii. *Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;*
 - iii. *Promotes inclusive access (where appropriate); and*
 - iv. *Promotes a sense of personal safety by aligning with best practice guidelines, such as:*
 - a) *Crime Prevention Through Environmental Design (CPTED) principles;*
 - b) *Safety in Design (SID) requirements; and*
 - c) *Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.*

24. It is recommended that condition 9 be amended to require evidence of consultation with adjoining land owners, developers and other stakeholders to be provided within the UDLMP. It is likely that other changes will also be required to be designation conditions to ensure that optimal urban outcomes are achieved. This submission includes scope to enable a full review and input to the designation conditions, including matters relating to earthworks and stormwater.

10.4

Policy Assessment:

- 25. The FDS identifies that the infrastructure to service the urban development of the Wynyard Land is likely to occur by 2040+.
- 26. The designation in its current form does not achieve the objectives and policies of the National Policy Statement - Urban Development 2020, the Regional Policy Statement or the Auckland Unitary Plan, specifically those provisions which seek that the planning, funding and delivery of transportation infrastructure is undertaken in a manner that integrates with urban growth and facilitates good urban outcomes. 10.5

RELIEF SOUGHT

27. John Wynyard seeks:

- a) That a lesser lapse period be applied to NOR2 to ensure that transport upgrades will be delivered prior to the development of the Future Urban zoned land to ensure that the roading network is fit for purpose to cater for increased demand from urbanisation of future urban land. 10.1
- b) That the extent of the proposed designation be considered in further detail and potentially reduced; including consideration of alternatives to the cut and fill batters proposed. 10.2
- c) Conditions appropriate engagement with landowners regarding earthworks and stormwater management. 10.4
- d) That the Requiring Authority provide detail to prove how a functional and appropriate vehicle access to the Wynyard Land will be retained and that the access will be designed, located and of an appropriate standard to facilitate the future anticipated land use of the Wynyard Land. 10.3
- e) If the notice of requirement is confirmed, that the conditions achieve optimal urban outcomes which includes ensuring the works relate to the adjacent land and the timing of urban development. 10.5
- f) Any other relief required to achieve the outcomes sought in this submission.

28. John Wynyard opposes NOR2 and seeks that Auckland Council recommend to AT that NOR2 be declined.

Yours sincerely

A handwritten signature in black ink that reads "J Andrews". The signature is written in a cursive, slightly slanted style.

Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of John Wynyard)

Date: 07 July 2023

Address for Service:

John Wynyard
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-713
Email: Jessica@thepec.co.nz / Burnette@thepec.co.nz



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR2 Woodcocks Road West Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Wynyard Family (C/- Simon Wynyard)

1. The submitter makes this submission on NOR2 Woodcocks Road West Upgrade (“NOR2”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (“RMA”) as follows.
2. The submitter could not gain advantage in trade competition through this submission.
3. The submitter **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

OVERVIEW OF WYNYARD FAMILY LAND

5. This submission relates to the land along Woodcocks Road, Warkworth, legally described as Lot 4 DP 473567, Lot 2 DP 473567 and Lot 1 DP 437211 (“Wynyard Family Land”). This land is owned by John Wynyard. The Wynyard Family represents the wider Wynyard family members including Simon Wynyard, Susan Wynyard and Matthew Wynyard, all of who have a vested interest in this land. 11.1
6. The Wynyard Family Land comprises three contiguous land parcels which equates to approximately 32.2 ha of land. The Wynyard Family Land is located within the eastern outskirts of Warkworth and is presently utilised for rural activities. An aerial image of the land is provided in Figure 1 overleaf.



Figure 1 - Aerial image of Wynyard Family Land (source: Google Maps, June 2023)

7. A brief description of each land parcel is provided below:
 - a) Lot 4 DP 473567: This site comprises of approximately 26.9 hectares and is bound by Woodcocks Road to the north, Wylie Road to the west and the Mahurangi River to the east. The Northern Motorway runs through the south-western corner of the site. The site is currently used for farming and rural purposes.
 - b) Lot 2 DP 473567: This site comprises of approximately 2.7 hectares and contains a dwelling and ancillary buildings. Access to the site is via a formed vehicle crossing from Woodcocks Road which runs along the northern site frontage.
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8. The Wynyard Family Land is split-zoned Future Urban and Rural Production under the Auckland Unitary Plan (Operative in Part) (“AUP-OP”) as shown in Figure 2 below. The recently-opened Tūhono-Pūhoi to Warkworth Northern Motorway is located to the west of the subject site.

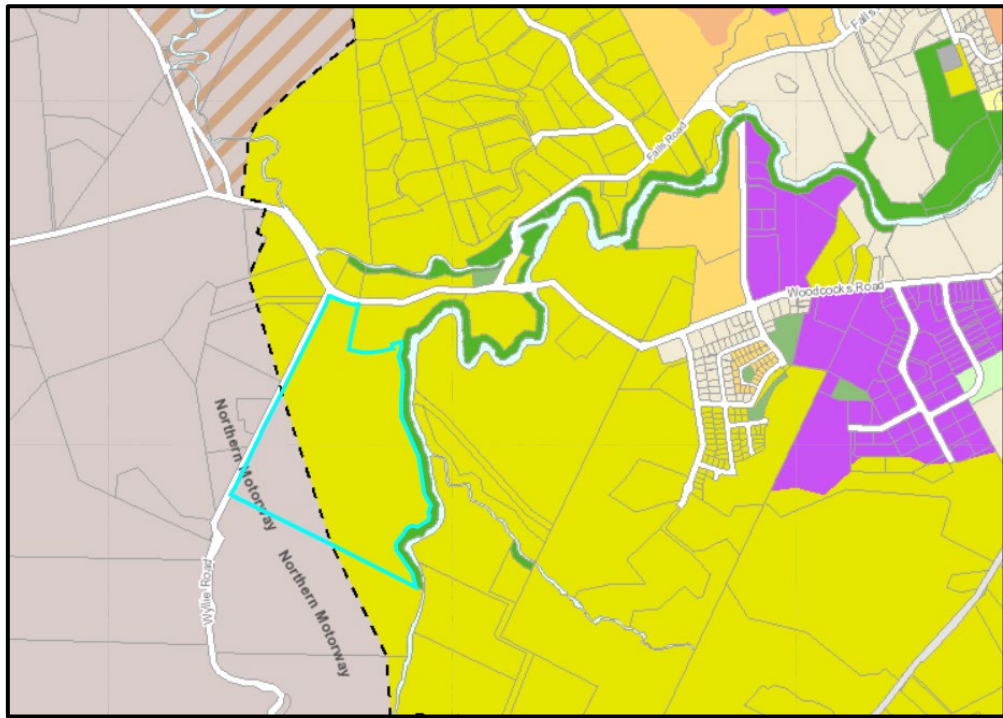


Figure 2 - AUP-OP Planning Maps (source: June 2023)

9. The Warkworth Structure Plan June 2019 (“WSP”) identifies the future zoning of Lots 2 and 4 DP 473567 as Business - Heavy Industry as shown in Figure 3.

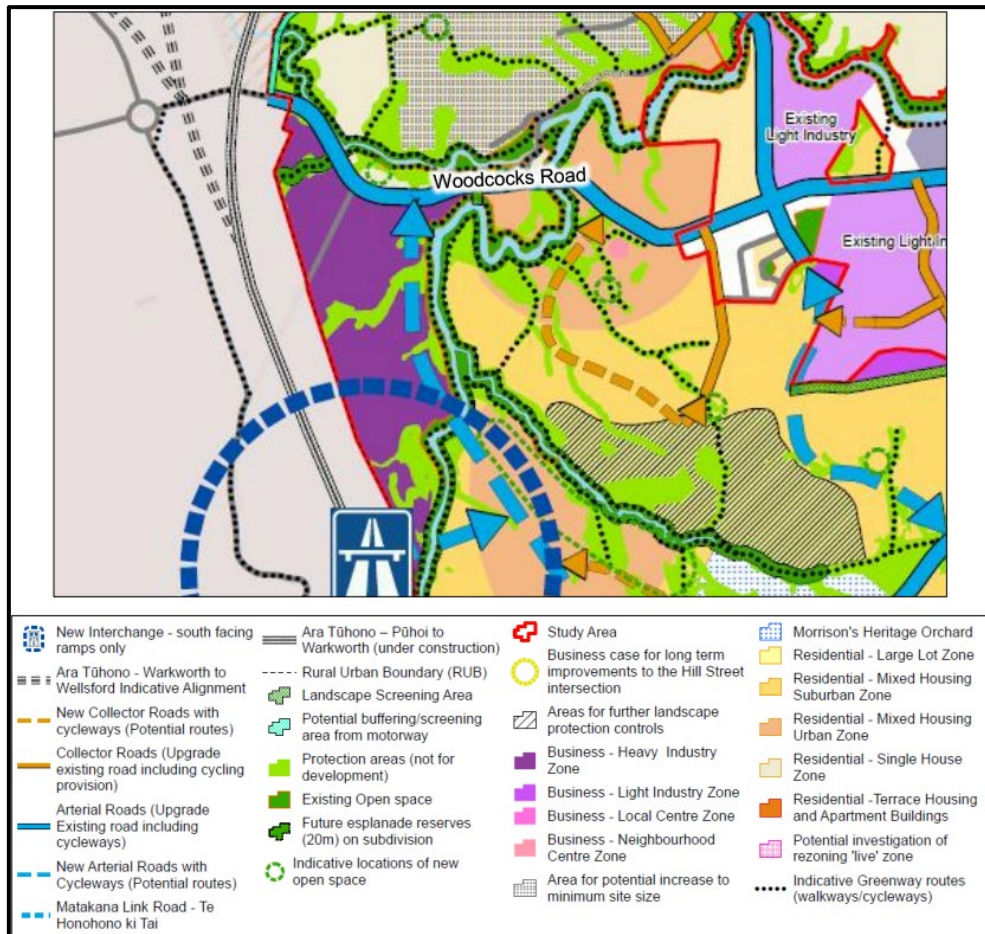


Figure 3 - Additional industrial land identified in south west of Warkworth

10. The WSP cites that future Heavy Industry zoning has been applied to these land parcels due to the proximity of the land to the potential Ara Tūhono-Pūhoi to Warkworth southern interchange (south facing ramps only), excellent access to the regional/national network and avoids the need for industrial traffic heading through residential areas. The flat nature of the land also tends itself to enabling larger building platforms for heavy industry zoning and land use.
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12. The Wynyard Family Land is identified within the Auckland Council Future Urban Land Supply Strategy 2017 (“FULSS”) as being scheduled to be ‘development ready’ between 2028 - 2032.¹
13. Auckland Council publicly notified their Consultation Draft Auckland Future Development Strategy 2023-2053 (“FDS”) on 6 June 2023. The FDS delays the development of this future urban land to 2040+. In any event, the Wynyard Family Land is earmarked for urban development at some time in the future and the land is the only area of land in or around Warkworth identified for Business - Heavy Industry land use activities. The FDS recommends that the remaining future urban land within Warkworth South be subject to further investigation.

SCOPE OF SUBMISSION

14. This submission relates to NOR2 as a whole.
15. The submitter has an interest in NOR2 that is greater than the interest of the general public as the Wynyard Family Land will be directly affected by the proposed designation. Figure 4 below shows the location of the Wynyard Family Land in relation to the extent of designation and works proposed.

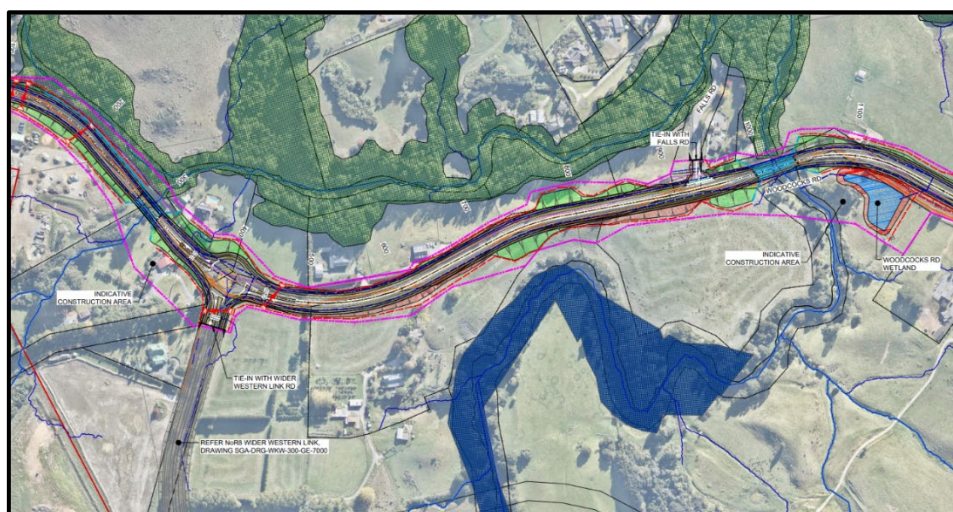


Figure 4 - NOR2 General arrangement layout plan

¹ Refer to Table 1 of Auckland Council Future Urban Land Supply Strategy 2017. The site is contained within the Warkworth South Future Urban area.

16. The Wynyard Family generally supports the overarching the intent of NOR2 which seeks to improve the safety and efficiency of Woodcocks Road to support the significant growth anticipated within the future urban areas of Warkworth. Woodcocks Road also serves an alternative route during Dome Valley road closures and the current condition of the road (including a single land bridge) poses traffic safety and efficiency concerns.

Lapse Period Sought:

17. The Wynyard Family oppose the 15-year lapse period sought. The lapse period sought provides uncertainty as to timeframes for when the Woodcocks Road upgrade will be implemented. This creates long-term uncertainty in terms of the ongoing use of the affected land and the future planning and urbanisation of this land.

11.1

18. Any future use or development of the Wynyard Land will be constrained as prior written approval will be required from the requiring authority.²

11.1

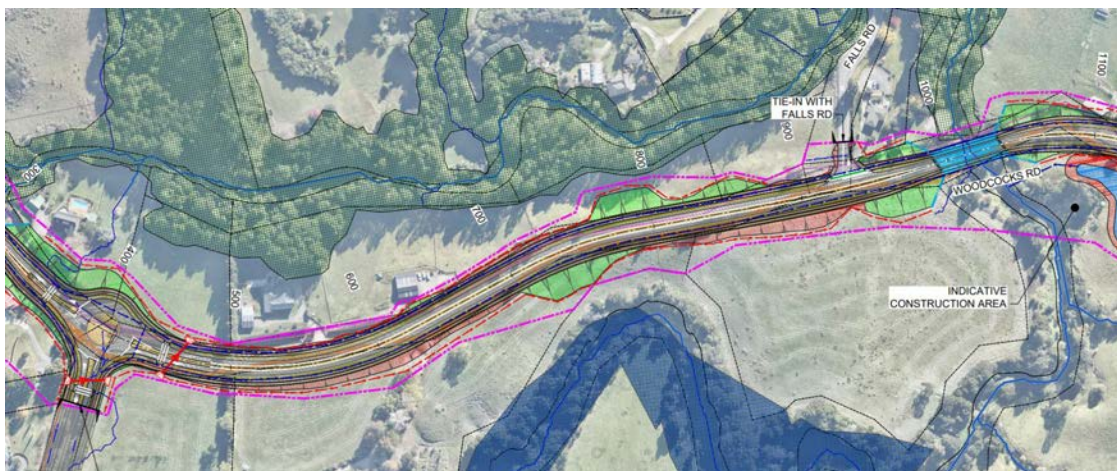
19. To the extent that longer term route protection is required, other methods of doing so should have been considered, including the inclusion of reference to this project in Council’s long-term plans or strategies.

11.1

Extent of Designation Boundary:

20. The Wynyard Family opposes the amount of Wynyard Land that is proposed to be designated. The general arrangement layout plan identifies large areas of cut and fill battering proposed along the southern aspect of Woodcocks Road. The designation boundary substantially extends into the Wynyard Land to accommodate the battering and associated surface flow conveyance as shown in the below image:

11.2



The application documentation does not adequately justify whether the earthworks batters are entirely necessary to facilitate the roading upgrades, given the flat nature of the land directly adjoining Woodcocks Road. Alternative measures (such as retaining) or changes to the design have not been adequately considered in order to minimise the amount of private land required to be designated. A minimisation of the designation footprint would better align with the objectives of the Notice of Requirement and the relevant planning provisions.

11.4

² Section 176 of the RMA applies in which prior written approval from the requiring authority is required for use or development of a site that has the ability to impact the delivery of the designated works.

21. The conveyance of stormwater and its impacts on Wynyard land have also not been appropriately addressed.

11.6

22. Woodcocks Road is currently identified as an arterial road under the AUP-OP Planning Maps, meaning that the site frontage is subject to a Vehicle Access Restriction. The NOR application documentation outlines that both Woodcocks Road and the Wider Western Link Road will be limited access roads. The Wynyard Land will front both limited access roads and there are no options to access the land via a collector road. Suitable, safe and efficient access needs to be maintained for all anticipated uses of the Wynyard Land as part of the designated works.

11.3

23. Section 7.2.3 of the Assessment of Transport Effects Report outlines that *“Over-dimension and overweight routes are expected to be further reviewed by Waka Kotahi and relevant stakeholder groups in alignment with the implementation of individual corridor upgrades and further land use certainty in the future.”* The road upgrades should factor in the increased heavy vehicle movements associated with future Business - Heavy Industry land use activities to ensure safety and efficiency of the transport network.

Designation Conditions:

24. Condition 9 of the proposed designation conditions requires an Urban and Landscape Design Management Plan (“UDLMP”) to be prepared and submitted to Auckland Council. Sub-section (d) of the condition requires the UDLMP to detail how the project is designed to:

- i. *Integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;*
- ii. *Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;*
- iii. *Promotes inclusive access (where appropriate); and*
- iv. *Promotes a sense of personal safety by aligning with best practice guidelines, such as:*
 - a) *Crime Prevention Through Environmental Design (CPTED) principles;*
 - b) *Safety in Design (SID) requirements; and*
 - c) *Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.*

25. It is recommended that condition 9 be amended to require evidence of consultation with adjoining land owners, developers and other stakeholders to be provided within the UDLMP. It is likely that other changes will also be required to be designation conditions to ensure that optimal urban outcomes are achieved. This submission includes scope to enable a full review and input to the designation conditions.

11.4

26. Conditions relating to earthworks and stormwater also need to provide evidence of engagement with affected landowners.

Policy Assessment:

27. The FDS identifies that the infrastructure to service the urban development of the Wynyard Land is likely to occur by 2040+.
28. The designation in its current form does not achieve the objectives and policies of the National Policy Statement - Urban Development 2020, the Regional Policy Statement or the Auckland Unitary Plan, specifically those provisions which seek that the planning, funding and delivery of transportation infrastructure is undertaken in a manner that integrates with urban growth and facilitates good urban outcomes. 11.5

RELIEF SOUGHT

29. The Wynyard Family seeks:

- a) That a lesser lapse period be applied to NOR2 to ensure that transport upgrades will be delivered prior to the development of the Future Urban zoned land to ensure that the roading network is fit for purpose to cater for increased demand resulting from urbanisation of future urban land. 11.1
- b) That the extent of the proposed designation be considered in further detail and potentially reduced; including consideration of alternatives to the cut and fill batters proposed. 11.2
- c) Changes to conditions to require consultation and engagement in relation to earthworks and stormwater to ensure appropriate outcomes. 11.4
- d) Further detail is provided to demonstrate the proposed earthworks and stormwater flow conveyance will not adversely impact the subject land or adjacent stream banks and associated riparian areas. 11.6
- e) That the Requiring Authority provide detail to prove how a functional and appropriate vehicle access to the Wynyard Family Land will be retained and that the crossing will be designed, located and of an appropriate standard to facilitate the future anticipated land use of the Wynyard Family Land. 11.3
- f) If the notice of requirement is confirmed, that the conditions achieve optimal urban outcomes which includes ensuring the works relate to the adjacent land and the timing of urban development. 11.5
- g) Any other relief required to achieve the outcomes sought in this submission.

30. The Wynyard Family opposes NOR2 and seeks that Auckland Council recommend to AT that NOR2 be declined.

Yours sincerely

A handwritten signature in black ink that reads "J Andrews". The signature is written in a cursive, slightly slanted style.

Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of Wynyard Family)

Date: 07 July 2023

Address for Service:

Wynyard Family C/- Simon Wynyard
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-713
Email: Jessica@thepc.co.nz / Burnette@thepc.co.nz

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.

3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare's plans (ie the carpark at the Warkworth Showgrounds).

3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing.

12.1

3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained.

12.2

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited

12.3



7 July 2023

File ref: AUP Warkworth NoR 2

Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

**SUBMISSION ON THE NOTICE OF REQUIREMENT FOR THE WARKWORTH NETWORK - NOR 2 –
WOODCOCKS ROAD, WEST UPGRADE, BY THE REQUIRING AUTHORITY: AUCKLAND TRANSPORT**

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The focus for HNZPT is for the identification, protection, preservation, and conservation of historic heritage (HNZPTA) and advocate that historic heritage is fully considered in accordance with section 6(f) of the Resource Management Act 1991 (RMA).
4. HNZPT supports the purpose of planning for a well-functioning urban environment through the protection of integrated transport networks to support the expected future growth needs.
5. HNZPT has reviewed the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' prepared for the eight NoRs that form the suite of NoRs for the Warkworth Network.
6. Section 22 Engagement, in the Assessment of Environmental Effects (AEE), sets out the engagement undertaken for the Warkworth NoR Network. While extensive, HNZPT was not included. If there had been engagement, HNZPT would have had the opportunity to provide feedback and guidance relating to the historic heritage of the place.
7. Nevertheless, since notification, the Te Tupu Ngatahi Supporting Growth have engaged with HNZPT. This engagement has enabled the parties to further understand the intent of the draft conditions being proposed through the full suite of NoRs notified or presently being prepared.
8. There is also now greater understanding with the intended mechanisms to ensure the protection of historic heritage, and mitigation to manage any adverse effects resulting from the physical construction of the Network through the Outline Plan of Works process in the future.



The specific parts of the Notice of Requirement that Heritage New Zealand's submission relates to are:

9. The following proposed conditions:
 - Condition 6 Outline Plan
 - Condition 7 Management Plans
 - Condition 8 Cultural Advisory Report
 - Condition 9 Urban and Landscape Design Management Plan (ULDMP)
 - Condition 14 Cultural Monitoring Plan
 - Condition 20 Historic Heritage Management Plan (HHMP)
10. HNZPT is a submitter to the NoRs for the Airport to Botany Network and the North-West Network. Part of both sets of NoRs, HNZPT have raised concerns over the wording and the potential conflation of the roles under the RMA and the HNZPTA in the protection of archaeology. HNZPT has had post submission discussions with Te Tupu Ngatahi Supporting Growth and reviewed the s.42a report and Te Tupa Ngatahi's evidence for the Airport to Botany NoRs. As a result, HNZPT considers clarity has now been expressed on the intent and application of the HHMP condition, along with the acknowledgement of the historic heritage requirements under both acts and how those will be managed.
11. HNZPT can now support of the general intent and application of the HHMP.
12. HNZPT also considers Te Tupa Ngatahi's suggestion of replacing the term 'accidental' with 'unexpected' within the text of the HHMP (in their Airport to Botany evidence) assists in removing the conflation potential between the requirements under the HNZPTA and what can be managed via the Accidental Discovery Protocol Rule (E11.6.1) under the Auckland Unitary Plan (AUP).
13. The requirement for an Archaeological Authority to be obtained in accordance with the HNZPTA does not mitigate the effects of the NoR identified under the RMA. It is a separate statutory obligation before any physical works undertaken to construct the proposed Warkworth Network commence. While obtaining an Archaeological Authority does not mitigate the effects on the heritage values by the NoRs, it does ensure the archaeological of the area is fully assessed, formally documented, and monitored. Through the HHMP, the provision of historic heritage interpretation, public awareness and similar remedies mitigate the effects of the construction of the Network.
14. HNZPT is supportive of the recommendations outlined in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' being implemented.

Heritage New Zealand Pouhere Taonga supports the Notice of Requirement (NoR 2).

The reasons for Heritage New Zealand's position are as follows:

15. The consideration, management, and mitigation of effects from the purpose of the designation on the historic heritage values of the place are required to ensure effects are appropriately mitigated.
16. There should be no duplication of the archaeological authority processes under the HNZPTA 2014.



17. The recommendations set out in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' are appropriate.

18. HNZPT is supportive of the proposed amendments to the wording of the HHMP through the evidence recently circulated for the Airport to Botany Network NoR hearing in removing the conflation potential between the requirements under the HNZPTA and the RMA.

13.1

Heritage New Zealand seeks the following decision from Council:

19. The approval of NoR 2, with the amendment of the wording of the Historic Heritage Management Plan (HHMP) condition to read (amendments shown by underlining and ~~struckthrough~~):

Historic Heritage Management Plan (HHMP)

13.1

- a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:
 - i. any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
 - ii. methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;
 - iii. known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
 - iv. any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded (such as in the NZAA SRS (ArchSite) and/or the Auckland Council's CHI index);
 - v. roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
 - vi. specific areas to be investigated, monitored, and recorded to the extent these are directly affected by the Project;
 - vii. the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings and standing structures) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;
 - viii. methods to acknowledge cultural values identified through the Mana Whenua Partnership Forum [Condition ##] and Urban and Landscape Design Management Plan [Condition ##] where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;



- ix. methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to:
 - a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access.
 - x. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and
 - xi. training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to **accidental unexpected** discoveries and the AUP Accidental Discovery Rule (E11.6.1). The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under [Condition ##]).
- c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation, **building and standing structure recording**, and monitoring), shall be submitted to the Manager within 12 months of completion.

Accidental Discoveries Advice Note:

The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP.

20. **Heritage New Zealand wishes to be heard in support of their submission.**

21. **If others make a similar submission, HNZPT will consider presenting a joint case with them at a hearing.**

Yours sincerely

BHParslow

Acting Director Northern Region

Address for service: Alice Morris
amorris@heritage.org.nz
PO Box 105 291
Auckland City 1143

Cc: Auckland Transport
submissions@supportinggrowth.nz

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:850] Notice of Requirement online submission - Tammy Milani
Date: Friday, 7 July 2023 12:30:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Tammy Milani

Organisation name: McDonalds Warkworth - All Businesses in the Grange complex

Full name of your agent:

Email address: tammymilani1@gmail.com

Contact phone number: 02102856542

Postal address:
40 Rosepark Crescent
St Johns
Auckland
Auckland 1050

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade

The specific provisions that my submission relates to are:
Business interruption at the grange complex resulting in further sales drops.

14.1

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:
We need more information on how this will effect traffic flow around the Grange and our business - we have already lost 30% in sales due to the new motorway and we cant affords any further disruption. We also need a timeframe.

14.1

I or we seek the following recommendation or decision from Auckland Council:
Information on the works and confirmation that it will not impact on the business in teh Grange complex.

14.1

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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FORM 21

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification under Section 168A, 169, 181, 189A, 190 and 195A of the Resource Management Act 1991.

To: Te Tupu Ngātahi – Supporting Growth Alliance (‘Te Tupu Ngātahi’)

Name of submitter: **Te Tāhuhu o te Mātauranga | Ministry of Education (‘the Ministry’)**

Address for service: Eden 5, Level 3/12-18
Normanby Road
Mount Eden
Auckland 1011

Attention: Gemma Hayes

Phone: +649 638 0294

Email: gemma.hayes@education.govt.nz

This is a submission on four of Te Tupu Ngātahi’s Notice of Requirement in Warkworth, Woodcocks Road – West Upgrade (NoR 2), State Highway 1- South Upgrade (NoR 3), Wider Western Link – North (NoR 8) and Western Link - South (NoR 6) Auckland Transport

Background

The Ministry is the Government’s lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government’s goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact existing and future educational facilities and assets the Auckland region.

The Ministry of Education’s submission is:

Under the Resource Management Act 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

Through its delivery partner, Te Tupu Ngātaihi, Auckland Transport has lodged eight Notices of Requirement (NoR) to designate land for future strategic transport corridors in Warkworth (the Project). These designations enable the future construction, operation and maintenance of transport infrastructure to support anticipated growth in Warkworth over the next 40 years. The location of each NoR in relation to and the Ministry’s assets is shown in Figure 1.

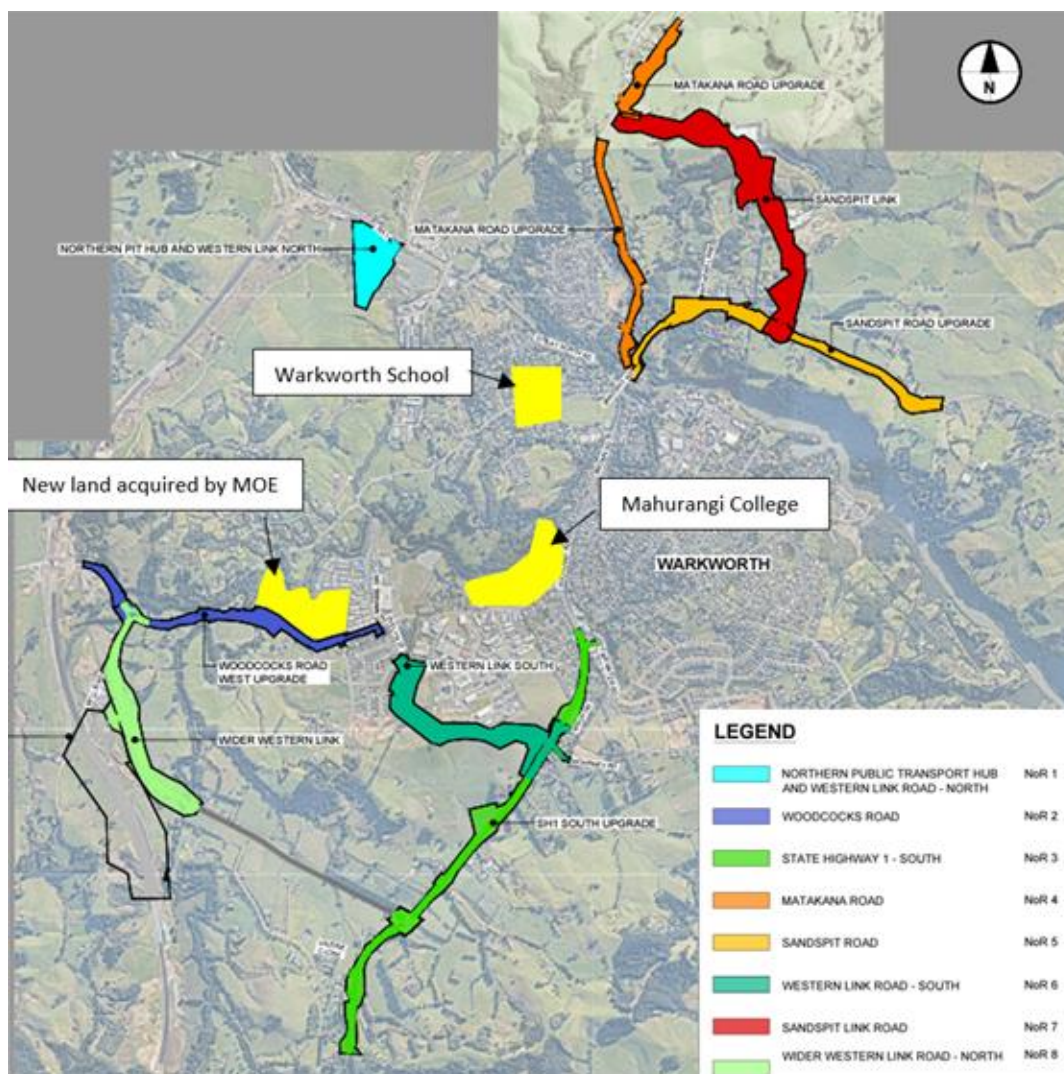


Figure 1: Project Overview - Location of Eight NoRs in relation to the Ministry of Education's School Network

The Ministry broadly supports the Project’s aim to enable better active modes of transportation and support a resilient and integrated transport network. With regard to the Ministry’s property portfolio, Mahurangi College and a site at 100 -138 Woodcocks Road, which the Ministry have acquired for a future primary and secondary school (the Ministry’s site), are within the Project area. Both Mahurangi College and the Ministry’s site have the potential to be affected by the Project.

15.1

The Ministry seeks to appropriately address and manage construction-related effects and the on-going potential effects the projects may have on the operation and management of the schools, particularly for NoR 2, NoR 6, and NoR 8. Additionally, there is a designation overlap of NoR 2 with the Ministry’s site (see Figure 2) that the Ministry wish to address. The Ministry is also investigating a possible school site South of Warkworth, and therefore are also submitting on NoR 3, and the potential effects this NoR may have on the provision of safe access to any future school site in this area. The Ministry’s specific concerns are outlined below.

15.1

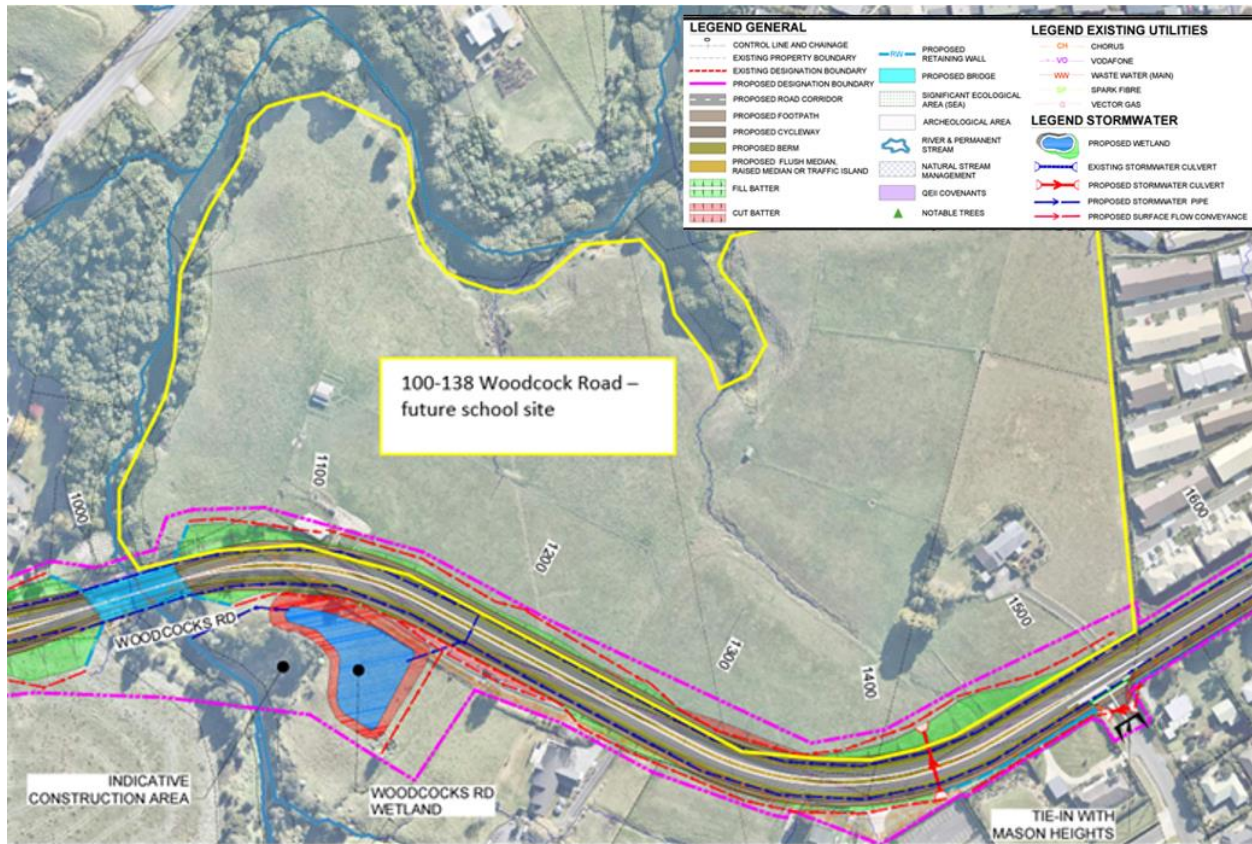


Figure 2: Proposed works in proximity to the Ministry’s site at 100-138 Woodcocks Road (Future school site is outlined in yellow)

Walking and cycling provisions

The Ministry strongly supports the provision of separated walking and cycle facilities that will provide safe access to the current and future wider school network. Encouraging mode shift will provide significant health benefits for students and staff, reducing traffic generation at pick-up and drop-off times. Schools should be well serviced by safe and accessible pedestrian and cycling links as well as public transportation facilities, and it is considered that the proposed upgrades will provide adequate cycling and walking infrastructure to the schools in Warkworth.

Regarding NoR 2, the Ministry requests the inclusion of a pedestrian crossing outside the Ministry's site once the schools have been established. This will ensure students can safely cross Woodcocks Road. We understand Auckland Transport do not have detailed design plans, but the Ministry seeks reassurance that it will be provided for in the subsequent Project implementation.

15.2

Notice of Requirement 2 (NoR 2)

The key features of NoR 2 include road widening (two-lanes and a flush median) and a bi-directional cycleway and pedestrian pathway. An indicative cross section for works on Woodcocks Road is shown in Figure 3.



Figure 3: Woodcocks Road Indicative Cross-Section

The proposed NoR 2 designation boundary overlaps with the Ministry's site (see Figure 2) by up to 20 metres in depth. Overall, Auckland Transport propose to acquire 6,350m² of the Ministry's land. This will mainly consist of the walking and cycling facilities and surface water flow conveyance channels. The Ministry's concerns with NoR 2 are outlined below.

15.3

Safe site access on Woodcocks Road

The Ministry considers that further thought should be given to the layout of the NoR 2 prior to project implementation. The current proposed arrangement requires the acquisition of a significant portion of the Ministry's site.

The current proposed road alignment moves north into the Ministry site in order to provide for clear sightlines to the existing and proposed bridge. Further consideration should be given to an alternative arrangement that shifts the alignment of the bridge. A suggested consideration is provided below (Figure 4). This would improve sightlines for the anticipated access points to the school site, and potentially reduce the need to acquire land within the school site. In discussions with Auckland Transport/SGA they indicated the location of the SW pond has not yet been determined and could possibly be located elsewhere in the vicinity.

15.3

The Ministry would like to work with Auckland Transport to consider an alternative road layout that would remove this curve and straighten the road. This would improve the overall safety of the road by enhancing sightlines and providing a safer road environment for all road users.

15.3



Figure 4: Suggested alternative road layout

Speed Limit

The NoR 2 proposes a 50km/h speed limit from Falls Road in the west to Mansel Drive in the east. As a school will be established in this location, the Ministry considers that the speed should be reconsidered to align with safer speed implementation that is currently being undertaken by Auckland Transport. The Ministry considers that a 30km/h speed should be implemented either with a variable speed limit or a permanent speed limit. Given that Mahurangi College is also located along Woodcocks Road, the variable speed limit should apply from the Falls Road intersection to the intersection of Woodcocks Road and Auckland Road adjacent to Mahurangi College.

15.4

Construction noise and vibration

If the future schools are operative before the construction of the proposed works, the schools may be affected by construction noise and vibration. Under proposed condition 16, Auckland Transport is required to develop a Construction Noise and Vibration Management Plan (CNVMP) before construction commences. The Ministry requests that the Ministry and the future schools are engaged with regarding any potential construction noise and vibration impacts. In addition, the Ministry requests that any construction activities that will significantly exceed the permitted noise and/or vibration levels are undertaken outside of exam periods to minimise disruptions to students' learning.

15.5

Access to the future schools the Ministry's site

The Project has allowed space for a flush median down the centre of Woodcocks Road as part of the proposed works (see Figure 3). The Ministry supports the inclusion of a standard, flat flush median outside the Ministry's site to enable appropriate queuing space for cars entering the school grounds. For the avoidance of doubt, the Ministry does not support any solid median that prevents flexibility in manoeuvring to and from the Ministry's site.

15.6

Overall, the Ministry wishes to work with Auckland Transport on the detailed design to suitably integrate works with school access. The Ministry notes visibility constraints due to horizontal bends and vertical gradients on Woodcocks Road (particularly at the eastern end of the school), which create complications in designing a safe access point to the future schools. The bridge appears to be a fixed point which determines the future road layout and the Ministry requests that Auckland Transport collaborate with the Ministry during the various design phases of the road to ensure the bridge and approach road to the west of the Ministry site incorporates existing or proposed entrances, and ensures safe and adequate access to our site.

15.6

Designation boundary overlap

The Ministry supports the proposed condition 3, which requires the Requiring Authority to review the physical extent of the designation and pull it back after construction.

When the Ministry develops the site, it will undertake earthworks to prepare the site for development. The development of the school site may result in earthworks by Auckland Transport not being required. The earthworks undertaken by the Ministry will change the gradient and interface on the school site with the road, and the existing levels that inform the extent of the NoR and the estimated earthworks may no longer apply. The Ministry requests recognition in the condition that earthworks on the school site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks, then the NoR boundaries can be revised.

15.7

The Ministry requests that if the Ministry finish the earthworks required by Auckland Transport, Auckland Transport roll back the designation earlier. The relief sought is outlined below.

NoR3

In NoR 3, a roundabout is proposed along the urban arterial. The Ministry is investigating a possible school site to serve this future urban area. The school may be located on either side of the urban arterial, but the likely catchment will be all of this new urban area, with students required to cross this arterial to access the school sites by active modes. The school site may be some distance from the arterial so may not be able to support safe crossing by kea or other supervision.

The Ministry supports signalised intersections over roundabouts to connect these urban areas across the arterial, as this provides a safer environment for students to access the school. Signalised intersections can better manage the safe movement (active modes) of people and vehicles. These deliver on and align with government policy to support well-functioning urban environments as well as thriving communities.

All NoRs

Construction traffic effects

Mahurangi College is located at the corner of Woodcocks Road and Auckland Road. The College will potentially be affected by an increased volume of heavy vehicles using Woodcocks Road to access the construction area of NoR2, NoR3, NoR6 and NoR8. This is a traffic safety concern for students walking and cycling to school at peak pick-up and drop-off times.

Proposed condition 15 requires the preparation of a Construction Traffic Management Plan (CTMP) prior to the start of construction. The Ministry supports the inclusion of this condition but requests minor alterations to the condition to include details on how all heavy construction vehicles will avoid schools (and any new schools established before construction commences) during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school. The Ministry also request that truck drivers are briefed on maintaining safe speeds around schools.

15.8

Stakeholder engagement

The Ministry supports the establishment of a Stakeholder Communication and Engagement Management Plan (SCEMP) as a proposed condition. The Ministry considers that the Ministry, Mahurangi College, and future schools are all key stakeholders in this Project and specific engagement with all parties is required to manage construction effects on the schools.

Decision sought

The Ministry is neutral on NoR 2, NoR 3, NoR 6 and NoR 8, however if the consent authority is minded to confirm the Notice of Requirement, the Ministry requests the following relief and any consequential amendments required to give effect to the matters raised in this submission.

The Ministry requests further engagement with Auckland Transport over the alignment of the road, to work together to determine if another layout may better provide for the use of the Ministry site, while still achieving the intended outcomes of the Project.

15.1
and

Conditions

The Ministry seeks the following relief for the condition below on NoR 2, NoR 3, NoR 6 and NoR 8 additions are underlined:

1. The Ministry seeks the following relief for the proposed SCEMP condition (condition 12):

15.1-15.8

- (a) A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:
- i. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);
 - ii. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;
 - iii. methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;
 - iv. methods for engaging with the Ministry of Education (MoE), Mahurangi College and the future schools located at 100-138 Woodcocks Road . The MoE and Schools must be contacted ten working days prior to the start of any construction within 100 metres of the school boundary. Contact details of the construction manager must be shared with MoE Mahurangi College and and the future schools located at 100-138 Woodcocks Road (should the school have any safety concerns during construction).
 - v. a list of stakeholders, organisations (such as community facilities) and businesses and persons who will be engaged and communicated with;
 - vi. Identification of the properties whose owners will be engaged with;
 - vii. methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and surrounding businesses and residential communities;
- (b) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.
- (c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.

2. The Ministry seeks the following relief for the proposed CTMP condition (condition 15):

(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work

(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:...

15.1-15.8

- i. methods to manage the effects of temporary traffic management activities on traffic;
- ii. measures to ensure the safety of all transport users;
- iii. the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;
- iv. How heavy vehicles will avoid travelling past the schools listed in the table below during peak before-school and after-school travel times during term time. Engagement should be undertaken with the schools prior to construction to confirm the restricted times still reflect the school's peak before-school and after-school travel times. It is noted that new schools could establish around the project area before construction commences. Any new school on an identified construction route must be engaged with and added to the table below. Heavy vehicle movements must avoid these new schools at their peak before-school and after-school travel times.

| <u>School</u> | <u>Address</u> | <u>Roads vehicles are restricted from</u> | <u>Timeframe restrictions</u> |
|---|------------------------------------|---|--|
| <u>Mahurangi College</u> | <u>2 Woodcocks Road, Warkworth</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>8.15am – 9am and 3pm – 3.30pm.</u> |
| <u>Future Schools located at 100-138 Woodcocks Road</u> | <u>100-138 Woodcocks Road</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>If the School is operational Auckland Transport must undertake engagement with the School to determine an appropriate time restriction.</u> |



- v. Details of how truck drivers will be briefed on the importance of slowing down and adhering to established speed limits when driving past both schools, and to look out for school children and reversing vehicles at all times.
- vi. Details of consultation (including outcomes agreed) with the applicant, Mahurangi College and the future School located at 100-138 Woodcocks Road with regard to maintaining the safety of school students during construction. Details of all safety measures and interventions will be documented in the Construction Traffic Management Plan.

...

The Ministry request the following changes to NoR 2 only:

- 3. The Outline Plan shall include a pedestrian crossing outside the Ministry’s future school site at 100 - 138 Woodcocks Road as part of the Project implementation if the designation of this site has been given effect to.

15.2

- 4. The Ministry seeks the following relief for the proposed CNVMP condition:

15.1-15.8

- (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) A CNVMP shall be implemented during the Stage of Work to which it relates.
- (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 16 and 17 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 ‘Acoustics – Construction Noise’ (NZS6803:1999) and shall as a minimum, address the following:

- i. Description of the works and anticipated equipment/processes;

...

- xiv. If noise is to significantly exceed the permitted noise levels outside the school(s) located on 100-138 Woodcocks Road, engagement must be undertaken with them to determine appropriate mitigation message and ensure all noise activities are undertaken outside of exam and important class schedules.

- 5. The Ministry seeks the following relief for the proposed designation review condition (condition 3):

15.1-15.8

- (a) The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable following Completion of Construction the Requiring Authority shall:



- i. review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project (including where physical works of approved roading infrastructure have been undertaken by other parties); and
- ii. give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above .

Should you wish to discuss any aspect of this feedback, please do not hesitate to contact the undersigned.

The Ministry wishes to be heard in support of its feedback.

Gemma Hayes

Ministry of Education

Date: 7 July 2023

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:854] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 6:45:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

16.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:862] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:30:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison

Organisation name:

Full name of your agent: Grant Hewison

Email address: grant@granthewison.co.nz

Contact phone number:

Postal address:

PO Box 47188

Auckland

Auckland 1011

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 2) Warkworth: Woodcocks Road – West Upgrade

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

17.1

I or we seek the following recommendation or decision from Auckland Council:

Grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR2 Woodcocks Road – West Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Mason Heights Gospel Church (“MHGC”)

1. Mason Heights Gospel Church makes this submission on NOR2 Woodcocks Road – West Upgrade lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. MHGC could not gain advantage in trade competition through this submission.
3. MHGC wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, MHGC will consider presenting a joint case with them at the hearing.

OVERVIEW OF Mason Heights Gospel Church land

5. The land owned by Mason Heights Gospel Church is 10 Mason Heights, Warkworth / Lot 1 DP 483779 which comprises an area of 1.1ha. The land is zoned as Future Urban and is currently utilised as a Church with accessory carparking. 18.1
6. The Church was established via R55961 granted on 21 July 2010. This consent enables 200 persons to be accommodated on the site at any one time with the exception of one day per calendar year when an event with up to 644 persons in attendance may occur. The Planning Collective lodged a Section 127 application on 17 May 2023 to change R55961 consent conditions. It is proposed to increase the persons accommodated on site to 400, with the exception of three days per calendar year when an event with up to 950 persons in attendance may occur. Note that the site occupancy is proposed to be restricted to 200 persons during weekday commuter peak hours. This s127 application is currently processing with Auckland Council. An aerial image and portion of the AUP-OP planning maps is shown below. 18.1



Figure 1: Aerial image of subject site (Source: Auckland Council GeoMaps)

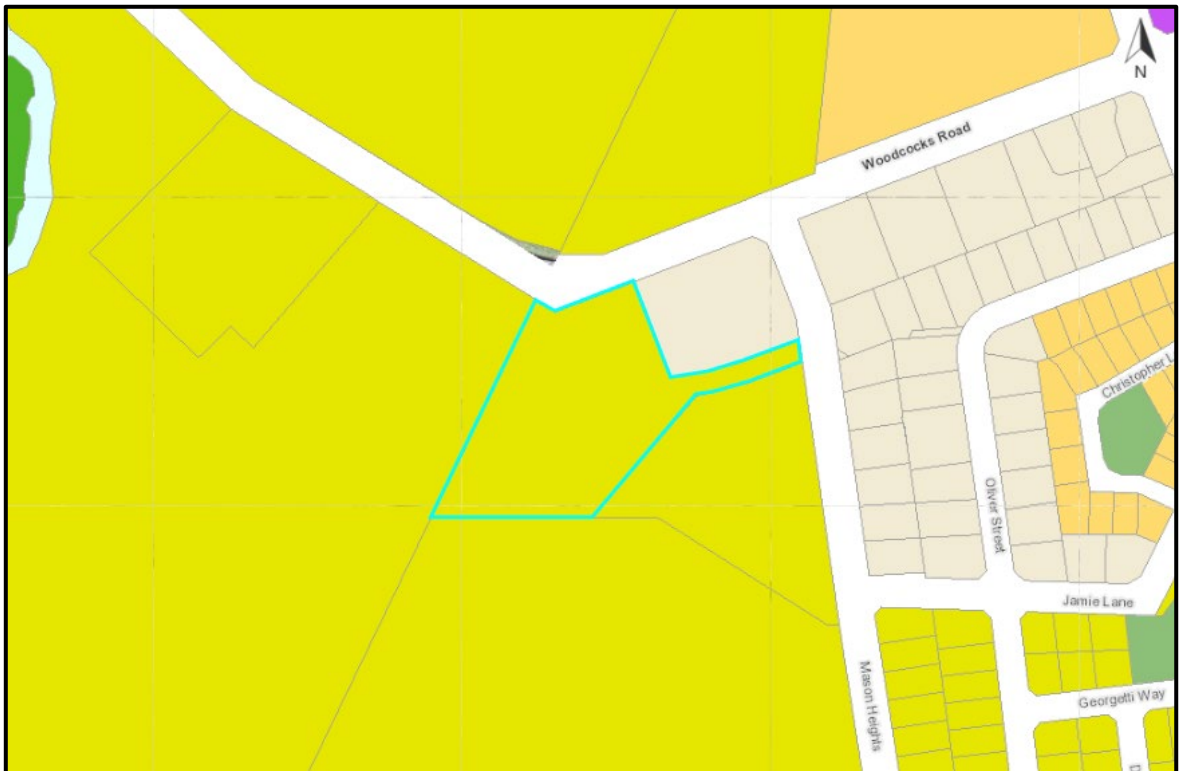
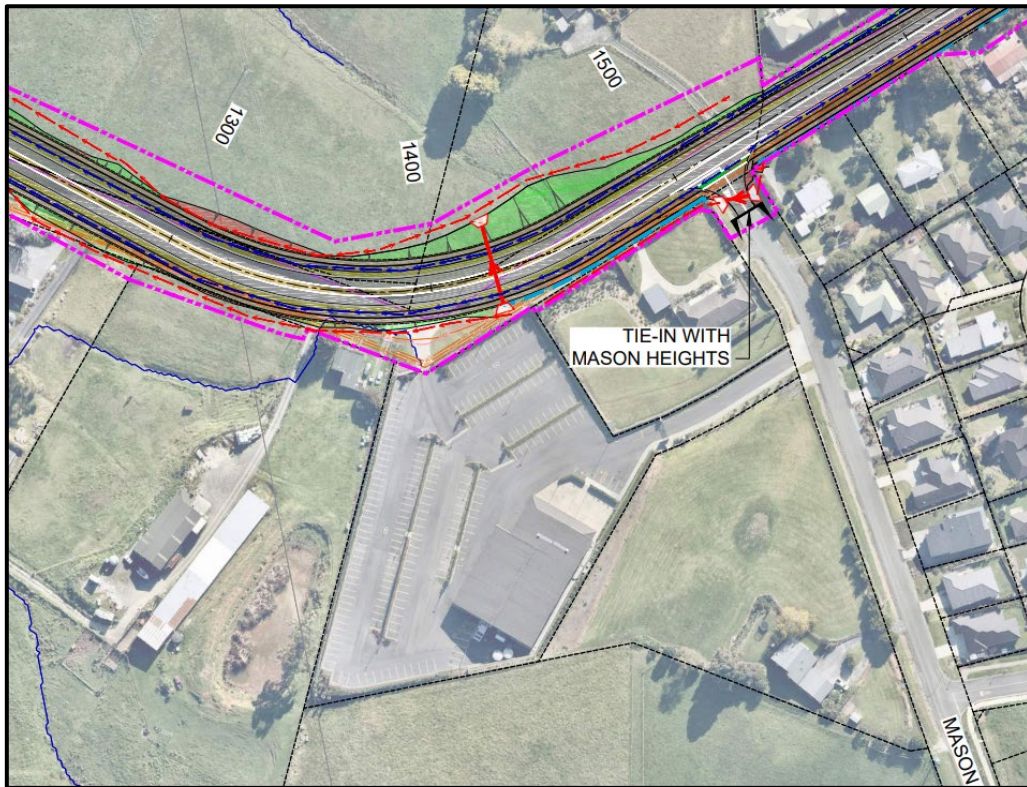


Figure 2: Zoning of subject site (Source: AUP-OP Maps)



| LEGEND GENERAL | | LEGEND EXISTING UTILITIES | |
|----------------|--|---------------------------|----------------------------------|
| | CONTROL LINE AND CHAINAGE | | CHORUS |
| | EXISTING PROPERTY BOUNDARY | | VODAFONE |
| | EXISTING DESIGNATION BOUNDARY | | WASTE WATER (MAIN) |
| | PROPOSED DESIGNATION BOUNDARY | | SPARK FIBRE |
| | PROPOSED ROAD CORRIDOR | | VECTOR GAS |
| | PROPOSED FOOTPATH | LEGEND STORMWATER | |
| | PROPOSED CYCLEWAY | | PROPOSED WETLAND |
| | PROPOSED BERM | | EXISTING STORMWATER CULVERT |
| | PROPOSED FLUSH MEDIAN, RAISED MEDIAN OR TRAFFIC ISLAND | | PROPOSED STORMWATER CULVERT |
| | FILL BATTER | | PROPOSED STORMWATER PIPE |
| | CUT BATTER | | PROPOSED SURFACE FLOW CONVEYANCE |
| | PROPOSED RETAINING WALL | | |
| | PROPOSED BRIDGE | | |
| | SIGNIFICANT ECOLOGICAL AREA (SEA) | | |
| | ARCHEOLOGICAL AREA | | |
| | RIVER & PERMANENT STREAM | | |
| | NATURAL STREAM MANAGEMENT | | |
| | OEII COVENANTS | | |
| | NOTABLE TREES | | |

Figure 3: General Arrangement Plan



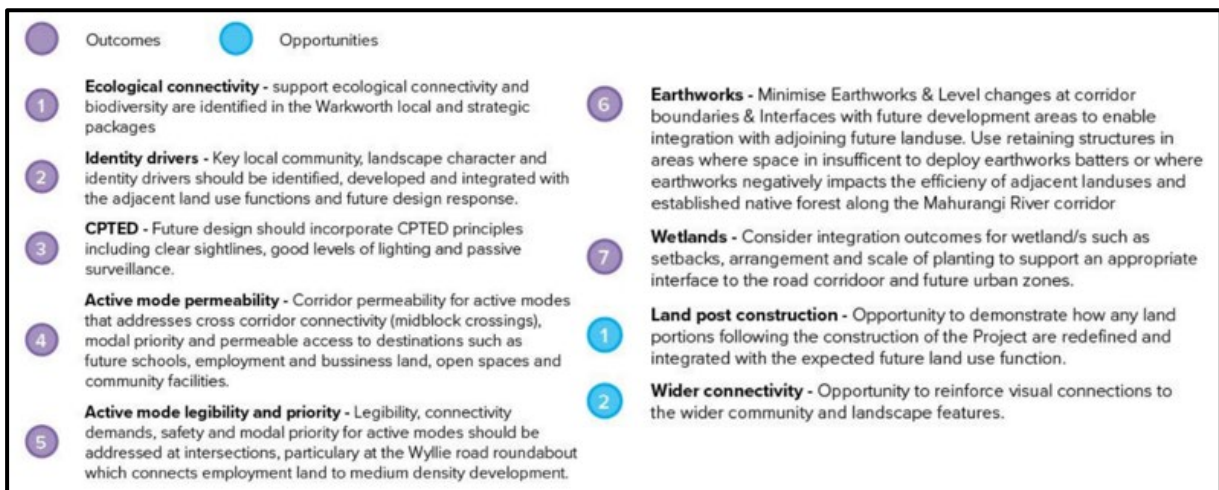


Figure 4: Opportunities and outcomes for urban design (Source: Te Tupu Ngātahi Supporting Growth)

SCOPE OF SUBMISSION

7. This submission relates to NOR2 as a whole.
8. MHGC opposes NOR2 in that insufficient information has been provided to understand how locating the proposed cycleway and walkway within the road reserve of Woodcocks Road will affect access, gradient, safety and integration for the land at 10 Mason Heights, Warkworth and its current, and future, use as a church. 18.1
9. MHGC seeks that the Requiring Authority discloses how the proposed road upgrade and pedestrian footpaths and cycleways will impact the existing driveway access to 10 Mason Heights, Warkworth in order to determine whether any adverse environmental effects will arise as a result of the proposal. 18.1

REASON FOR SUBMISSION

10. We note that Figure 4 drawn from the NOR2 Warkworth Urban Design Evaluation identifies the subject site area as an *opportunity to demonstrate how any land portions following construction are redefined and integrated with the expected land use function*. The proposal documents therefore identify this need but fail to provide a course of action or outcome. Further, the *expected* land use function of 10 Mason Heights is instead *established and existing* as a Church in the Future Urban Zone which should be accounted for when assessing integration.
11. In terms of traffic effects, Traffic Engineering and Management Ltd (TEAM Traffic) has reviewed the NOR2 proposal documents and provided a number of comments which are summarised below:
 - The proposal will require regrading of vehicle crossings to achieve integration with the proposed road widening. This will likely require the steepening of accesses which may be outside the designation. 18.2
 - The proposed regrading should enable safe entry exit platforms in line with E27.6.4.4.4 where feasible. This looks to be unlikely given the existing grade separation to the site access on Woodcocks Road.

- Has the proposed design given consideration of the potential safety issues that could arise at a high-volume access such as the Church site (10 Mason Heights, Warkworth). There is no specific mention of this activity.
- The proposed 24m wide road reserve would place the edge of the new road quite close to the existing site boundary. Clarity is sought regarding the exact width of the road upgrade.
- Pedestrian/cycling and vehicle intervisibility will be critical for safety and should be considered.
- Auckland Transport has indicated in NOR2 that Woodcocks Road is intended to be a limited access route for protection of its arterial function. The church should be recognised as an activity that currently has, and will need to continue to have, access from Woodcocks Road.
- The proposal documents mention that a new school site is being proposed within the NOR2 area and would increase the pedestrian and cycle volumes along this route. The pedestrian footpaths and cycleways help separate these volumes from road traffic to some extent but how this integrates with the existing Church access at 10 Mason Heights is currently unknown.

18.2

12. The Assessment of Transport Effects states, *In terms of existing properties, the overarching design philosophy for the project has been to maintain driveway access where practicable and minimise impacting land for access purposes other than where necessary to re-instate driveways. There are no specific properties that have been included within the designation for this purpose and all existing driveways are expected to be able to be reinstated.* The assessment acknowledges that driveways and access may be impacted but site-specific information is eluded. Detailed and precise information of driveway modification for 10 Mason Heights is requested.

13. The entire road reserve adjacent to 10 Mason Heights is identified as being within the proposed designation boundary, implying that works can be undertaken right up to the subject site boundary. According to the General Arrangement Plan (Figure 3) a fill batter slope is proposed to enable the widening of the corridor, and the proposed pedestrian footpath, cycleway and berm are located where the site's existing vehicle crossing meets the existing Woodcocks Road formation. The gradient of the driveway post-construction and associated safety values such as sight distances need be disclosed.

18.3

14. The introduction of pedestrian footpaths and cycleways are supported, and the positive effects of the upgraded network are acknowledged.

RELIEF SOUGHT

15. MHGC seek the following recommendation or decision from Auckland Council on NOR2 Woodcocks Road – West Upgrade:
- a. Evidence to address the matters raised above and to demonstrate that the proposed NOR will not adversely affect the existing and/or future use of the site at 10 Mason Heights, Warkworth as a church facility which is an important community asset.
 - b. Conditions updated to address the outcomes sought.
 - c. Any other relief required to achieve the outcomes sought in this submission.

18.1-18.3

Yours sincerely



Diana Bell
Manager | Planner
The Planning Collective Limited
(On behalf of Mason Heights Gospel Church)

Date: 20.07.2023

Address for Service:

Mason Heights Gospel Church
C/- The Planning Collective Limited
Attn: Diana Bell
PO Box 591
Warkworth
0941
Ph: 021-382-000
Email: diana@thepec.co.nz

Attachments

Attachment 1: R55961 Decision

Attachment 1:

R55961 Decision

RESOURCE CONSENT DECISION NO: R55961**Resource Management Act 1991****DECISION BY: RODNEY DISTRICT COUNCIL****DATE: 21 July 2010****APPLICANT**

Name: Mason Heights Property Trust

APPLICATION LOCATION

Street Address: 119 – 127 Woodcocks Road, Warkworth

Legal Description: Lot 1 DP 147500 and Part Allot 62 Parish of Mahurangi SO891E

Area of Site: Lot 1 – 2.4 hectares

PT Allot 62 – 1.128 hectares.

Pursuant to Section 105 of the Resource Management Act 1991**Decision 1**

That, pursuant to Sections 104, 104B and 104D of the Resource Management Act 1991 the notified application for resource consent by Mason Heights Property Trust for boundary relocation and the subdivision of the sites into two lots, including one for the meeting hall being Lot 1 DP 147500 and Part Allotment 62 Parish of Mahurangi 119 – 127 Woodcocks Road, Warkworth be granted.

Decision 2

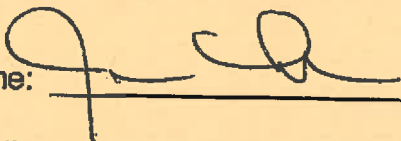
That, pursuant to Sections 104, 104B, and 104D of the Resource Management Act 1991 the notified application for resource consent by Mason Heights Property Trust for a subsequent subdivision of Lot 1 DP 147500 and Part Allotment 62 Parish of Mahurangi 119 – 127 Woodcocks Road following the boundary relocation to create 5 new rural residential lots (Lots 2,3,4,5 and 7) be refused.

Decision 3

That pursuant to Sections 104 and 104B of the Resource Management Act 1991 the notified resource consent by Mason Heights Property Trust to construct and establish a church meeting hall with associated carparking at 119 – 127 Woodcocks Road Warkworth (Lot 1 DP 147500 Part Allotment 62 Parish of Mahurangi) be granted.

The reasons for the decisions are detailed on the attached pages.

Signed for and on behalf of the Council:

Name: 

Date: 21/07/2010

Position: John Childs - Chair of the Resource Consent Hearing Panel

PANEL John Childs – Chairman
 Grahame Power – Commissioner
 June Turner - Commissioner

HEARING DATE Monday ,28 June 2010

THE DECISIONS:

Pursuant to Section 113 of the Resource Management Act 1991, the reasons for this decision are as follows:

Decision 1 (Boundary relocation/Subdivision to create two lots)

- (a) Subject to conditions the actual and potential environmental effects of the subdivision on rural character, landscape, ecological and amenity values will be no more than minor.
- (b) The boundary relocation and subdivision of Lot 6, subject to conditions, will not increase the number of residential units on the land subject to the application.
- (c) The subdivision is generally consistent with Policy 7.4.2 of the District Plan 2000 which seeks to achieve rural subdivision consistent with the existing rural character of the relevant part of the District and the foreseeable future and character of those areas. In this case the immediate area has a variety of lot sizes with an emphasis, particularly to the east, on smaller lots.

Decision 2 (Larger subdivision)

- (a) The actual and potential environmental effects of the subdivision activity will be more than minor in terms of character, landscape, ecological and amenity values of the surrounding mixed rural environment as it will allow a level of residential development which is out of character with the surrounding largely rural area.
- (b) The proposed development is not in accordance with the relevant objectives and policies of the Operative District Plan as amended by Plan Change 55 or the Rodney District Plan – Operative in Part. In particular the proposal is contrary to the objectives and policies in relation to maintaining and enhancing rural character.
- (c) The subdivision offers no environmental compensation or has no special characteristics anticipated by Subdivision Rules in the Operative and Proposed District Plans.

- (d) The proposal does not satisfy the gateway tests for a non complying activity; the adverse effects of the activity on the environment will be more than minor and the subdivision will be contrary to the objectives and policies of the relevant planning documents.
- (e) The proposal is inconsistent with strategic objectives for rural areas in the Auckland Regional Policy Statement.
- (f) The proposal is inconsistent with Outcome 3 and 5 of Vision Rodney as the proposal seeks to weaken the current character of the rural area through premature residential development.
- (g) The subdivision is inconsistent with the staged approach proposed by the Warkworth Structure Plan which endeavours to increase the residential capacity of the Warkworth area in an appropriately timed manner in the future.
- (h) The proposal is considered to be inconsistent with Part II of the Resource Management Act 1991, with particular regard to s.5, and s.7 of the Act. Overall it is considered that the proposed subdivision and development of the site does not promote the efficient use of resources.

Decision 3 (Meeting Hall/Place of Assembly)

- (a) Subject to conditions the actual and potential effects of the meeting hall and carparking will be no more than minor in terms of rural character, landscape, ecological and amenity values of the surrounding mixed rural environment. This is because of the low building coverage, only one additional building will result and because of its location on the site in relation to other buildings.
- (b) The proposed development is generally in accordance with the relevant objectives and policies of the Operative District Plan as amended by Plan Change 55. In particular Objective 5.11 which enables activities to be located in rural areas because their generated effects are

"best sited in areas of low population density and larger sites to become established ... provided their adverse effects are avoided, remedied or mitigated".

In this case adverse effect can be mitigated.

- (c) The proposal is generally in accordance with Rural Zone policies relating to non residential activities (7.8.1.2.6, 7.8.1.2.7) in that subject to conditions the proposal will not result in any significant effect on amenity values and adverse effects can be mitigated and they are no more than minor.

- (d) The District Plan anticipates places of assembly in rural zones albeit as a discretionary activity.
- (e) The activities are generally in accord with Auckland Regional Council Policy 2.6.4 Rural Areas in that with conditions, significant adverse effects on rural character can be avoided.
- (f) Given the low building coverage, the limited hours of use and generally low attendances the proposal generally satisfies the relevant assessment criteria in the District Plan 2000.
- (g) The site is located in the Warkworth Structure Plan Area I which indicates a staging of 2024+ for residential development with a capacity of 8800. The Panel considers the meeting hall / a non residential activity is better located on the periphery of Warkworth as the proposal has land and physical requirements that are better met in a semi rural location. Given the type of activity and its characteristics (a non residential activity) the proposal is not inconsistent with this document.
- (h) The proposal is not inconsistent with Part II. As a stand alone activity with large areas of open space it represents the efficient use of a land resource in this location.

**THE RELEVANT STATUTORY PROVISIONS THAT WERE CONSIDERED:
(Section 113(1) (AA))**

Decision 1 - This application was considered to be a **non-complying** activity and was considered in terms of sections 104, 104B, 104D and Part 2 of the Act.

Decision 2 - This application was considered to be a **non-complying** activity and was considered in terms of sections 104, 104B, 104D and Part 2 of the Act.

Decision 3 - This application was considered to be a **discretionary** activity and was considered in terms of sections 104, 104B and Part 2 of the Act.

**OTHER RELEVANT PROVISIONS THAT WERE CONSIDERED:
(Section 113(1) (ab))**

The provisions of the following documents were considered by the Hearings Panel in reaching this decision.

Auckland Regional Policy Statement Provisions

Policy 2.6.4 Policy Rural Areas.

Plan Provisions.

Operative District Plan as amended by Plan Change Number 55 Rural Provisions

Issue 4.1 - Objective (a)

Policy 1 }
Policy 2 }

Issue 4.3
Objective (a)
Policy 1

Issue 4.4
Objective (a)
Policy 2
Objectives 5.1, 5.3, 5.5, 5.7, 5.11, 5.13
Policies 5.2, 5.4, 5.6, 5.8, 5.12, 5.14

Part III
Objective 3.1

Rodney District Plan 2000

Policies 5.4.2, 5.4.3
Objectives 7.3.1, 7.3.3, 7.3.4, 7.3.6
Policy 7.4.1, 7.4.2, 7.4.4, 7.4.10, 7.4.11
Objectives
7.8.1.1.1
7.8.1.1.2
7.8.1.1.3
7.8.1.2.1,
7.8.1.2.2.7
7.8.1.2.2.11

Policies
7.8.1.2.3
7.8.1.2.4
7.8.1.2.6

Chapter 21
Objectives 21.3 to 4
Policy 21.4 to 3
Policy 21.4.7-9

Other Documents

- Vision Rodney
- Planning Rodney
- Warkworth Structure Plan
- Resource Consent R55537 9 Mason Heights 26 February 2010.

PREAMBLE

This application has several parts.

1. The first stage involves a boundary relocation to incorporate the neighbouring stormwater pond and small dwelling into the subject site. The boundary relocation will result in Part Allotment 62, Parish of Mahurangi being incorporated into Lot 1 DP 147500. This section of Part Allotment 62, Parish of Mahurangi comprises approximately 6,000m² of land area.
2. The second stage is the subdivision of the two dwellings from the balance of the site. That is the dwelling located on Part Allotment 62, Parish of Mahurangi and the dwelling located at the southern most corner of Lot 1 DP 147500.
3. The third stage of the development is the construction of meeting hall and associated earthworks and installation of services and carparking.
4. The fourth stage is subdivision of the balance lot to create four new residential lots and a lot for the meeting hall. The meeting hall involves a gross floor area of 1,200m² with a canopy of 400m². It also involves earthworks of 15,000m³ (cut 9,000m³ fill 6,000m³) and parking for 216 vehicles.

THE PRINCIPAL ISSUES THAT WERE IN CONTENTION: (Section 113(1) (ac))

1. The appropriateness of the subdivision in a rural zone.
2. The appropriateness of a place of assembly and carpark of the size proposed.
3. Increased traffic movements and particularly the impacts on the intersection of Mason Heights and Woodcocks Road.
4. Impacts of the traffic movements on the intersection of Woodcocks Road and State Highway 1.

5. Impacts on neighbourhood character and rural amenity.
6. Operational effects such as noise, car lights and fumes.
7. Inconsistency with the District Plan provisions.
8. Inconsistency with the Warkworth Structure Plan.

**SUMMARY OF THE EVIDENCE HEARD:
(Section 113(1) (ad))**

EVIDENCE ON BEHALF OF THE APPLICANT WAS GIVEN BY:

| | | |
|--------------------|---|-----------------------------------|
| Mr Shane Hartley | - | Town Planning Consultant |
| Mr Shane Wearmouth | - | on behalf of the Church (written) |
| Mr Rob Frizzel | - | Verbal |
| Mr Peter Bishop | - | Verbal |
| Mr Lee Pike | - | Traffic Engineer Verbal |
| Mr Steven James | - | Engineer Verbal |

Mr Hartley

Mr Hartley introduced the application and described it, indicating that the only part of the application that was non complying was the six lot subdivision.

Mr Shane Wearmouth On behalf of the Church

Mr Wearmouth explained the background to the church. He advised the 644 seats were likely to be used for conventions *"no more than once a year"*. The building would be of a high international standard. He then discussed their land requirements. They wished to see that the proposal be non obtrusive and not have detrimental effects on the environment.

Mr Hartley

Mr Hartley described the proposal, the character of the area, District Plan provisions and the Structure Plan. He saw the Stockyard Falls retail node as creating a significant demand for housing in this area.

The land had been identified in the Structure Plan for future urban growth in the adopted Structure Plan. This plan was a relevant document in looking at this application

"While the land is in the General Rural Zone its intended future pursuant to the Structure Plan is clearly not rural". P2

and many rural activities on the site would be inappropriate and would compromise future residential development.

The church as a place of assembly was a discretionary activity.

The site was within the urban periphery of West Warkworth. The church and subdivision would provide an urban edge and have a gateway effect.

The subdivision involved large lots which would be re-subdivided at a later date.

He then examined actual and potential effects of the proposal including traffic, landscape amenity and reverse sensitivity and ecological issues.

No site constraints had been identified.

In relation to the District Plan the proposal was not repugnant to the objectives and policies of the Plan when looked at in a holistic manner.

Adverse effects, in particular those in relation to traffic and infrastructure would be minor.

It was consistent with Part II and the adopted Structure Plan.

Mr Frizzell and Mr Bishop indicated that the meeting hall would provide for their community and the building would blend in as far as possible with its surroundings.

Mr Lee Pike – Traffic Engineer

Mr Pike considered occupancy of 200 people would not have a noticeable effect on the Woodcocks Road / State Highway 1 intersection. The western collector road would also assist in reducing traffic impacts. The peak number of 664 patrons could also be absorbed into the roading network without any significant effect. He considered a parking ratio of one space per five as being appropriate.

Mr Steven James

Mr James discussed the engineering aspects of the proposal. The disposal of wastewater was tied to Auckland Regional Council consent for the Warkworth Wastewater Treatment Plant. Once this was done the site could be connected to the Council system, and apart from waste water other services were available.

EVIDENCE ON BEHALF OF THE SUBMITTERS WAS GIVEN BY:

| | | |
|---------------------------------------|---|-----------------|
| Mrs Rita Windmill | } | Local residents |
| Mr Peter Millar | | |
| Mr Barry Blennerhasset | | |
| Mr Warren King – Traffic Engineer | | |
| Mr Bruce Manson – Planning Consultant | | |

Mr & Mrs Windmill

Mr and Mrs Windmill reside at 117 Woodcocks Road on the south west corner of Woodcocks Road and Mason Heights. They advised that they came to New Zealand and bought their property on the basis that they would be living in the country but reasonably close to Warkworth. Their main concern was the prospect of having urban or non rural activity of a considerable size and scale on their two boundaries replacing the open rural area that currently exists.

Other concerns included the number of carparks and the traffic passing their boundary. They felt that the traffic impacts particularly when exiting Mason Heights onto Woodcocks Road would be adverse.

The proposal was in their view totally urban in character and scale with no rural connection or purpose. It would adversely impact on the enjoyment of their property.

Mr Peter Millar

Mr Millar resides at 3 Mason Heights which is directly opposite the main driveway to the proposed meeting hall. He indicated that the traffic effects would be more than minor. These arose from inadequate sight distances. He was also concerned with the impact of the proposal and the safety of Woodcocks Road at both access points and the intersection with Mason Heights. Potential accident problems and overall adverse traffic issues were also an issue. The potential problems from the lack of footpaths, pedestrian access and no street lighting in either Woodcocks Road or Mason Heights were of concern, as well as the queuing of vehicles along Mason Heights.

"Overall we are most concerned with the impact of this whole development on our continued enjoyment of our property and its impact on the road network."

He opposed the subdivision. He was also concerned about the size of the proposed hall with a capacity of 644 people. He had issues regarding the overall effect on rural amenity. However, his main concern was one of traffic safety.

Mr Barry Blennerhasset

Mr Blennerhasset appeared in support of Mr and Mrs Millar and Mr & Mrs Windmill. His concerns included:

1. The traffic, particularly the risk of accidents at the intersection of Mason Heights and Woodcocks Road.
2. The proposal would be contrary to the provisions of the Warkworth Structure Plan which indicated that the land would remain rural at least until 2024.

3. The building was non rural in character with its large hall and over 200 carparks.
4. The traffic impacts that would arise.
5. The hall was better located in a residential zone not a rural zone.

Mr Warren King – he presented Traffic Evidence

Mr King looked at the transportation standards required by the Council. He then described the traffic environment of Woodcocks Road and then looked at the traffic safety issues of the proposal. He had concerns about the sight distances from the various access points and at Woodcocks Road / Mason Heights intersection and the visibility of the proposed meeting hall access point on Woodcocks Road being limited by the vertical curve to the east.

He had major concerns about traffic safety. Approval of the subdivision and meeting hall would diminish the integrity of Woodcocks Road as a viable arterial route.

He concluded

"That overall it is my opinion if granted consent this proposal will have more than minor adverse effect on the safe and efficient operation of the roading network."

Mr Bruce Manson a Management and Resource Management Consultant

Mr Manson presented evidence on behalf of Mr and Mrs Windmill and Mr and Mrs Millar. He described the application then looked at the District Plan provisions. The purposes of the objectives and policies were in his opinion

"to maintain the overall character, amenity and heritage values of the rural areas as they currently exist".

He quoted relevant objective and policies including Police 5.2 which is activities should not adversely effect the established rural character of the area. He indicated

"In my opinion it is clear that the purpose of the above objectives and policies is the retention of the established rural activities and amenities generally free from non rural activities. The means of achieving this is through compliance with policies that are designed to limit other than rural activities by controls over the intensity of development, the size, scale and scope of buildings limiting buildings to those of a rural character and use, limiting subdivision to that which has a rural basis. When measured against these objectives and policies I consider that the proposed development to be contrary to them." Para 3.8

He then looked at the Proposed District Plan 2000 in terms of the rural provisions and discussed in detail the relative objectives and policies and other relevant statements. The

strong theme in the document was in his opinion to discourage those activities that have the potential to have adverse effects on rural character and amenity. He addressed the transportation and access objectives and policies in Chapter 21 through the avoidance of adverse effects from land use activities on the roading network.

He then looked at the Warkworth Structure Plan and saw this as an important technique in relation to identifying the future development in the district. He considered that the type of development proposed would have the potential to adversely effect the eventual development of this area as future urban. The proposal was well in advance of the intended rezoning.

He then also looked at the Regional Policy Statement and believed the proposal was contrary to the objectives and policies of the Region Policy Statement.

He saw the proposal as

1. Contrary to relevant objectives and policies of both the Operative and the Proposed District Plans.
2. That it was contrary to the objectives and policies and strategic outcomes of the Regional Policy Statement and would not meet the purposes of the Act.

In summary he supported the Council Planner's recommendation to decline the application.

New Zealand Transport Agency (NZTA)

A letter was received from the New Zealand Transport Agency in relation to the proposal. This indicated:

1. NZTA supported the recommendation of the reporting planner.
2. It addressed the considerable investment it was making in relation to a series of State Highway improvements along this part of State Highway 1, and the Woodcocks Road intersection was one of the key components.
3. NZTA accepted that the effects of the proposed development would be no more than minor on the State Highway although there would be a slight increase in queue lengths on the surrounding road network. It was not expected to result in adverse effects on the operation of the State Highway. This was based on the hours and days of operation of the activity and the total number of vehicles attracted to the site.
4. They indicated that if consent was granted appropriate conditions should be imposed to ensure that the traffic effects were no greater than that was proposed.
5. They requested a review condition to deal with future development.

New Zealand Fire Service

A letter from them indicated that if consent was granted consent notices should be imposed relating to fire fighting water supply.

EVIDENCE ON BEHALF OF THE COUNCIL WAS GIVEN BY

| | | |
|-------------------|---|---------------------------------------|
| Ms Sarah Gardner | - | The Reporting Planner with input from |
| Mr David Mitchell | - | Traffic Engineer |
| Mr Cameron Ure | - | Council Engineers. |

Ms Gardner's report described the proposal, the District Plan objectives and policies, the grounds for submission, she assessed the proposal in terms of Section 105, in terms of the effects on the environment, District Plan issues of both the Operative and Proposed District Plan, the Regional Policy Statement, Vision Rodney, Planning Rodney and the Warkworth Structure Plan and Part II of the Act.

Her conclusions were:

1. That the actual and potential environmental effects on the environment particularly in relation to character, landscaping, landscape and ecological amenity values were more than minor.
2. The proposal is not in accordance with the relevant objectives of the Operative Plan as amended by Plan Change 55 or the Rodney District Plan 2000 Operative in Part.
3. Neither test for a non complying activity was satisfied.
4. The proposal was inconsistent with the strategic objectives of the Auckland Regional Policy Statement.
5. It was inconsistent with two of the outcomes of Vision Rodney and inconsistent with the staged proposed by the Warkworth Structure Plan and finally it was inconsistent with Part II of the Act.

After hearing all the evidence she indicated that the application should be declined.

Her report included a memo from Ryan Bradley, from Council's policy department; it raised the issue that the major policy issue was development being well ahead of time potentially prejudicing areas of growth. The Council and the community have planned and invested in infrastructure already in terms of the residential subdivision.

A report from Cameron Ure looked at the engineering aspects of the proposal including earthworks and infrastructure. He suggested a series of conditions to cover these matters should consent be granted.

A report from David Mitchell and Mairi Joyce was received which dealt with the traffic issues. This indicated that subject to conditions there were no transportation reasons why consent should not be granted.

RIGHT OF REPLY

Mr Hartley

Mr Hartley indicated that the immediate area was changing with the large format retailing proposed close by. This was a suitable site and subject to conditions it should be consented to.

THE MAIN FINDINGS OF FACT: (Section 113(1) (ae))

The main findings of fact determined by the Hearings Panel that have led to the above decision and the reasons for that decision are as follows. They have been reached after considering the application, visiting the site, the evidence and submissions heard at the hearing, the report prepared by the reporting planner, all the relevant statutory and planning provisions, as well as the principal issues that were in contention.

Summary

1. The residential subdivision is premature as the land is not zoned for residential development and it is not indicated as suitable for development until after 2024 in terms of the Warkworth Structure Plan.
2. The boundary adjustment is appropriate with the subdivision limited to one additional lot providing one lot for each of the two existing residential buildings.
3. The meeting hall is appropriate to the site and locality given its physical and locational requirements.
4. Subject to conditions, the traffic effects both at the intersection of Mason Heights and Woodcocks Road and State Highway 1 and Woodcocks Road will be minor.
5. Other environmental effects can be mitigated by conditions.

This application has several components

1. A boundary adjustment / relocation.
2. A subdivision to create seven lots.

3. A proposal to build on the largest lot a meeting hall/church with associated parking.

The land concerned has a combined area of 3.5 hectares. It contains two houses and fronts Woodcocks Road and Mason Heights. It is located on the western edge of Warkworth. The surrounding area may be described as semi-rural with some residential development to the east at the bottom of Mason Heights and rural sites including a former piggery on the other side.

The Panel also notes that a recent consent was granted (R55537) to subdivide 9 Mason Heights into 66 lots (26 February 2010). This land is opposite the main entrance to the land.

The site is zoned General Rural in both District Plans. It is also subject to the Warkworth Structure Plan. The subdivision is a non complying activity.

The boundary adjustment and creation of one additional lot is a non complying activity.

The meeting hall as a place of assembly is a discretionary activity.

The Panel accept the advice of the reporting planner that greater weight should be given to the Rodney District Plan Operative In Part.

Actual and Potential effects on the Environment.

In looking at this proposal and its effects the Panel must have regard to:

1. The existing environment comprising two lots each contains a house. The rest of the land may be described as rural.
2. The permitted baseline i.e. what is permitted to be developed on the land without resource consent. This includes minor earthworks (200m³), a small childcare centre for up to ten children and staff, and a greenhouse covering less than 10% of the site with no height limit, horse riding schools, one household unit per lot and outdoor recreation not involving buildings.

In terms of buildings with two lots

1. One of 2.4 hectares a greenhouse building covering 9.9% of the site, a building 2326m² could be built on the site with no height limit, similar to a farm building.
2. A second of 1.128 hectares a building about 1116m² could be created on the site as a permitted activity with associated parking and traffic movements.

Looking at the other permitted activities a childcare centre associated with one of the houses with ten children and staff could generate depending on the type of care i.e.

sessional or all day care could generate about 24 to 48 traffic movements per day in addition to about 10 movements for the resident of the house on the site.

The effects of what is requested must be looked at in the context of this baseline/environment.

Neighbourhood Character

The site is located abutting both rural and residential development the latter to the east. It is very much a transitional site between the rural area, particularly to the south and west, and low density urban to the east. The subdivision approved at number 9 Mason Heights will increase this urban character on the eastern side of the site.

This proposal seeks a more intensive use of the land by seven sites varying in size from 1480m² to 1.53 hectares a meeting hall of 1600 m² (includes the canopy) and parking for 216 cars, together with associated earthworks.

This would allow six residential buildings and out buildings i.e. one per site plus the church building and carparking. Combined, these changes will have an adverse effect on the rural character of the area which on this land is currently limited to two residential buildings and pasture.

When looking at the permitted baseline a meeting hall which is 7.5 metres high and looks similar to a large barn and covering less than 5% of the combined site is significantly below the 10% permitted coverage. As a result it cannot be seen as being inconsistent with the physical character of the area.

The carpark and traffic movements will affect neighbourhood character but based on the maximum attendance of 200 people three to four times a week for two hours at a time, at non peak times these effects are considered to be minor. The carpark will be open and in part gravelled and will in appearance be similar to a large stockyard.

Conditions such as appropriate planting colour and fencing can ensure that the church building is appropriate to the semi rural environment.

The Panel considers that one additional building the meeting hall with the two houses at each end of the land will not have an adverse effect on the character of the area. The low building coverage with only three buildings dispersed over the site will retain the open character of the area.

In contrast, the residential component anticipated by the five additional lots will have urban characteristics and will have an adverse effect on rural character with potentially more buildings scattered over the land.

Traffic

Three traffic experts presented to the Panel. In addition a letter from NZTA was received. Two of the experts, including the Council's Engineer, indicated that the traffic effects would be minor, albeit the Council's expert considered that conditions should be imposed on any consent.

NZTA were more concerned with the intersection with State Highway 1 and considered that the effects of the proposal, particularly the meeting hall, would be based on the times and capacities requested; they indicated the application would be acceptable.

Traffic was one of the main concerns of the submitters who use the roads daily and know the roading pattern well.

However the Panel considers that the traffic effects, subject to conditions, will be minor particularly recognising that the meeting hall will operate at non peak times.

Earthworks

These are significant but are not uncommon in rural areas. They will be short term and any adverse effects can be mitigated by conditions.

Operational Effects

These include hours of operation, noise, car lights and signage.

In this case the church will operate up to 16 hours per week or up to 10% of the week. For the remaining 90% of the time the site will be empty. The building will not be rented out. There will be no signage.

Given the hours of use there will be car lights visible from the site. While the panel would like to relocate the Mason Height entrance to the meeting hall to mitigate this effect it gives rise to sight line problems. On balance given the limited hours of use, these effects will be less than minor.

Noise can be dealt with by way of conditions.

Reverse Sensitivity Issues

The subdivision / meeting hall could have reverse sensitivity issues. These can be mitigated by conditions, in particular in relation to noise and hours of use limitation.

Ecological Values

The Panel considers that although up to nine exotic trees will be removed their removal can be mitigated by conditions i.e. there will be a detailed landscape plan.

Cultural Heritage

No issues have been identified.

Site Suitability (Erosion / instability / flooding)

The Panel accepts the advice of Council's Development Engineer that, subject to conditions, the land is suitable for development.

Infrastructure

The advice of Council's Engineer is that, subject to conditions including bringing the land into the Urban Drainage Area, the development is acceptable. The Panel accepts this advice.

Summary

The five lot residential subdivision and consequential residential development will have adverse physical effects on rural character by introducing a more urban type of development.

A two lot subdivision recognises the existing two houses which on one lot will include the meeting hall and open parking will in the panels view maintain the rural character of the area.

The meeting hall being one building with low site coverage will be not dissimilar to a large farm building which is anticipated by the permitted baseline. There will be effects from traffic and the occupation of the site. However the limited hours of use, the traffic effects being minor and the fact that the hours the facility will operate are of limited duration, satisfy the Panel that, subject to conditions, these effects will be minor.

These conditions need to include:

1. Limits on the hours of use and number attending the meeting hall.
2. No more than one large function a year.
3. No signage.
4. Landscaping and fencing including limiting the height of fences to those in the rural neighbourhood.
5. No non church activities.
6. Carpark formation.

In this way the open character of the area which is valued by the submitters will be largely retained.

District Plan Issues

The site has General Rural Zoning in both District Plan.

Relevant provisions include:

Objective 7.3.1

To maintain and enhance the rural character of the District.

Objective 7.3.3

To maintain and protect the amenity values present in the rural parts of the District.

Objective 7.3.4

To avoid or minimise conflict between different land uses which can result in adverse effects upon amenity values.

Policy 7.4.2 Rural Character

Rural subdivision and activities should be of a nature, scale, intensity and location consistent with the existing rural character of the relevant part of the District and the foreseeable future and character of those areas.

Specific General Rural Zone Objectives include

Objective 7.8.1.3

To avoid, remedy, or mitigate adverse effects arising from conflict between residential and non-residential land use activities.

Policy 7.8.1.2.1

Further subdivision and rural residential lifestyle opportunities should be limited in this zone.

Policy 7.8.1.2.2

Rural residential development should not establish within the zone unless undertaken as part of protecting significant natural areas, enhancement planting or land rehabilitation

meeting Policies 7.4.10 and 7.4.11, or the vesting of additional areas of reserve land as appropriate.

Policy 7.8.1.2.4

The adverse cumulative effects of activities and subdivision upon the character and amenity values in the rural area should be avoided.

Policy 7.8.1.2.6

New non-residential activities should not result in any significant adverse effects upon existing amenity values.

Policy 7.8.1.2.7

Non-residential activities should seek to locate where the adverse effects of the proposed activity can be internalised on the site or any off site effects can be avoided, remedied or mitigated such that they are no more than minor.

Policy 7.8.1.2.11

Activities should not occur when, cumulative adverse effects will occur in relation to the rural character, amenity values, significant natural features, significant landscapes, road traffic and safety of an area.

In this case the larger subdivision involving five new residential lots is clearly inconsistent with these objectives and policies because:

1. The division of the land and consequent buildings will not maintain the rural character and amenity values. The result will be more akin to an urban rather than rural area.
2. The level of development is not consistent with adjacent rural character.
3. No significant natural features or other environmental compensation accrue from the subdivision.
4. The level / intensity of development are not anticipated by the District Plan.
5. There will be adverse cumulative effects.

For the meeting hall:

1. The low level of development involving one building will maintain rural character by over 90% of the site remaining as open space.

2. Conditions can assist in maintaining amenity values and avoid conflict with other land uses.
3. Conditions including limits on the use of building, location of the access points can mitigate adverse effects from residential and non residential activities.
4. Conditions can ensure that effects be largely internalised by adequate parking and limits on the use. Any off site effects can be mitigated by conditions.

The larger subdivision is clearly inconsistent with the District Plan as it involves a non rural development not anticipated in the General Rural Zone. The boundary adjustment will allow an area for a stormwater pool and no more than two existing houses and is acceptable given that no new residential development is involved. For the hall, it is generally consistent with the relevant District Plan provisions.

The Meeting Hall

The meeting hall is an activity provided for as a discretionary activity in this General Rural Zone.

One of the main assessment criteria relates to rural character.

- (a) *Whether the activity can be established and operated without changing or contributing to a cumulative change in the character of the area from rural to some other character because the predominance of natural features (sometimes modified by human processes) over manmade features is removed or reduced ...*

In this case the meeting hall, while large compared to the permitted baseline, is not dissimilar in size to a large greenhouse or other farm building. The overall site coverage will be low so a high ratio of open space will be retained. Apart from the carparking, some of which can be formed and paved in a permanent dust free but not metal surface, and the driveways, the urban infrastructure will be minor. The building looks like a large barn so it has a rural rather than an urban character.

In relation to intensity, for the bulk of any week the site will be vacant and attendances will range from 30 to 200. It will also serve the local community. The scale of the proposal might be larger than a usual non residential rural building. However the requirements of the church, including room for parking and the building, make it more appropriate in a rural zone which abuts an urban area. This avoids upsetting the traditional pattern of development in a residential area.

In terms of the other criteria they are considered to be satisfied recognising that in the future the land will have an urban/residential zoning. In the interim it will allow some use of the land while not compromising the open space character of the area.

A meeting hall/church of this type should be located on a main road with good accessibility, with an appropriate topography, with no obvious geotechnical or infrastructural issues. This land, subject to connection to the urban waste water system, meets these criteria.

Special or Unusual Circumstances

In looking at non complying activities, in this case the seven lot subdivision, it is important to see whether there is anything unusual or special about the proposal to justify consent being granted. In the Panel's view there are no such circumstances that are relevant. The applicant indicated that the land would be developed for housing for church members. This is not a justification for it. There are sites available for development in Warkworth which could achieve this purpose.

A two lot subdivision is acceptable as does not change the number of residential building on the land subject to the application. It is also consistent with the approach of the District Plan in this zone of limiting residential units per site. A smaller subdivision is within the jurisdiction of the panel as it involves the same piece of land and a fewer number of lots.

Warkworth Structure Plan

This anticipates an urban zoning some time after 2024. It emphasises residential and not non residential activities. The Panel are satisfied that an earlier release of the land for residential purposes is inappropriate given that there is adequate supply of suitably zoned land for residential use in Warkworth. They consider that it must hold the line in terms of not allowing, in terms of the subdivision, premature residential development in this area.

Integrity and consistent administration of the District Plan.

In relation to these particular applications two are non complying (Boundary adjustment in combination with the larger 7 lot subdivision and the two lot subdivision) and the other is a discretionary activity (Meeting Hall).

In terms of the larger subdivision, this has already been addressed. There were no distinguishing features that justify consent being granted. To grant consent to it would undermine the integrity and consistent administration of the scheme. The smaller two lot subdivision does not change the number of houses on the land.

For the church the activity is anticipated as a discretionary activity in a Rural Zone as it is in an Urban Zone, subject amongst other things to certain assessment criteria amongst being satisfied. As discussed these assessment criteria for this part of the application are considered to be satisfied.

PART II MATTERS

Part II of the Act is concerned to promote sustainable development of natural and physical resources. In relation to the subdivision the proposal does not represent sustainable development of natural and physical resources. The adverse environmental effects that will arise will be more than minor.

In terms of the church the effects can be mitigated and the proposal will in a small way meet some of the community's religious needs.

There are no matters of national importance.

STATUTORY MATTERS

As a non complying activity (the subdivision) the Panel must be satisfied that either the proposal is not contrary to the provisions, objectives and policies of the District Plan or that the adverse effects on the environment will be no more than minor.

In the Panel's view the subdivision of proposed Lots 2,3,4,5 and 7 is clearly contrary to the District Plan as it involves intensity and of residential development not anticipated in the District Plans General Rural Zones. Rural subdivision of this type is only justified where there is some environmental compensation or benefit, such as the protection of wetlands or significant areas of bush or some other environmental benefit. In this case there are no such benefits accruing.

In terms of effects, the larger subdivision will clearly have adverse effects on rural character and amenity.

In relation to the meeting hall/church the Panel notes that this is a discretionary activity in the Rural Zone. Halls and churches of various sizes are common in rural areas. The Panel is satisfied that subject to conditions the adverse effects of the meeting hall / church will be minor and that the criteria for a place of assembly in the District Plan are generally satisfied.

This decision is very much an on balance one. However the Panel recognises that the church requires a large front site on a main road, which in this case is better met on a site on the fringes of the Warkworth Area rather than in a residential area.

Consent is granted subject to conditions to the boundary adjustment/two lot subdivision and the meeting hall.

Implications of the Decision

These are:

1. The subdivision of proposed Lots 2, 3, 4, 5 and 7 is declined.

2. The boundary adjustments are consented to with one additional lot allowed as Lot 6 and the remainder in one lot including the existing house.
3. The meeting hall may proceed.

LAPSING OF CONSENT

Pursuant to Section 125 of the Resource Management Act 1991, this resource consent will expire 5 years after the date of commencement of consent unless, before the consent lapses:

- (a) the consent is given effect to; or
- (b) an application is made to the Council to extend the period of consent, and the Council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1) (b) of the Resource Management Act 1991.

CONDITIONS OF CONSENT:

Pursuant to Section 108 of the Resource Management Act 1991, this consent is subject to the following conditions for the boundary relocation, two lot subdivision and the meeting hall

1. **(general)** Except as amended by conditions the development shall proceed in general accordance with part of the application submitted, limited to the following:
 - a. The plans drawn by The New Zealand Church and Gospel Halls Assistance Fund, dated 05/09/06 amended for NZ Use 9/07, numbered MS1-02 and MS1-05.
 - b. The subdivision of Lot 6 only as drawn on the scheme plan by R55961 drawn by Buckton Consultants Ltd dated Dec 2009 and referenced number SPO3 drawing 6782.
 - c. The boundary relocation encompassing the pond and existing dwelling as identified on part of the Scheme Plan R55961 drawn by Buckton Consultants Ltd dated Dec 2009 and referenced number SPO3 drawing 6782.
 - d. The report and earthworks plan by Riley Consultants Limited, dated 21 December 2009, referenced 09164-B (Revision 2) where this report refers to Lot 1 and Lot 6.
 - e. Engineering assessment by Riley Consultants Limited, dated 21 December 2009, and referenced 09164-E (Revision 2) where this report refers to Lot 1 and Lot 6.

- f. Stormwater Management Report by Riley Consultants Limited, dated 21 December 2009, referenced 09164-C (Revision 2) where this report refers to Lot 1 and Lot 6.
2. (general) A scheme plan showing the subdivision of Lot 6 and boundary relocation only shall be prepared and lodged with Council and approved by the Team Leader: Resource Consents prior to development commencing.

Note: (building consent) The granting of this resource consent does not preclude the consent holder from the need to obtain a building consent prior to construction commencing.

3. (notification of commencement) At least 7 days prior to the work commencing the resource consent holder shall notify the Council's RMA Compliance Administrator by telephone (0800 426 5169) the expected date of work commencing.
4. (resource consent and monitoring charges) The resource consent holder shall pay to the Council within one month of the issue of this consent or prior to the activity commencing (whichever is earlier) the cost, including specialist services, staff time and administration for the processing of this application together with initial charges for the following inspections:

Environmental protection 4 x site visit(s).

Monitoring deposits will be invoiced by the Council together with the consent processing charges.

Should further monitoring be required to ensure compliance, the Council will recover the actual and reasonable costs that are incurred for this monitoring as set out in the Council's Schedule of Fees and Charges.

Intensity and Hours of Operation

5. (operating hours) The church services and ancillary activities shall be restricted to operating between the hours of:

| Regular meetings during the week | Meeting start time | Meeting finish time |
|----------------------------------|--------------------|---------------------|
| Monday | 6.30pm | 8.30pm |
| Tuesday | 7.30pm | 9.30pm |
| Every alternative Wednesday | 5.30pm | 7.30pm |
| Every alternative Thursday | 7.30pm | 9.30pm |
| Friday | 6.30pm | 8.30pm |
| Every alternative Saturday | 9am | 11.00am |

| | | |
|-----------------------------------|--------|-----------|
| Sunday | 6am | 8.00am |
| | 10am | 12.00noon |
| Sunday at either 2.30pm or 4.30pm | 2.30pm | 4.30pm |
| | 4.30pm | 6.30pm |

6. (intensity) The consent holder shall ensure that no more than 200 persons shall be accommodated on the site or within the church building at any one time with the exception of one day per calendar year when 644 persons maybe be accommodated on the site or within the church building.

Noise/Vibration/Lighting

7. (private exterior lighting) All exterior private lighting shall comply with the following requirements:
- A person shall not use on any site between the hours of 7am to 10pm any artificial lighting in such a manner that the use of such lighting causes an added luminance in excess of 100 lux, measured horizontally or vertically on or directly above the boundary of any adjacent site at that point which is closest to any window of an adjacent household unit; and
 - A person shall not use on any site between the hours of 10pm on one day to 7am on the next day any artificial lighting in such a manner that the use of such lighting causes an added luminance in excess of 10 lux measured horizontally or vertically on or directly above the boundary of any adjacent site at that point which is closest to any window of an adjacent household unit

8. (noise) The consent holder shall ensure that all activities on the site to which this consent applies are designed and conducted so that the following noise limits are not exceeded at any point within the boundary of any dwelling, child care and education facility, hospital and rest home, during any 15 minute period of assessment within the following timeframes:

Monday to Saturday 7.00 am to 7.00 pm 50 dBA Leq

Monday to Saturday 7.00 pm to 10.00 am and
Sundays and Public Holidays 7.00 am to 10.00 pm 45 dBA Leq

Daily 10.00 pm to 7.00am the following day 40 dBA Leq

Daily 10.00 pm to 7.00am the following day 70 dBA Lmax

9. (construction noise) Noise from the construction and earthworks shall not exceed the limits recommended in and shall be measured and assessed in accordance with, the New Zealand Standard NZS 6803:1999, Acoustics - Construction Noise.

Signage, Landscaping and Design

10. **(no signage)** Except where provided for below no signage shall be allowed on the road property, on the site or in the vicinity of the proposal.
11. **(fencing)** All fencing on the site and at the boundaries shall be timber post and rail fencing to a maximum height of 1.2 metres.
12. **(warning signage)** A permanent PW11.1 'Intersection side road junction uncontrolled on left' sign with a supplementary 'concealed' plate road sign shall be erected and finished to a standard which meets the satisfaction of Council's Traffic Engineer.
13. **(colour for exterior walls and roofs)** The exterior cladding of the building shall have a natural timber finish or be maintained in natural colours. The colour for exterior walls and roofs shall gain approval from the Team Leader: Resource Consents, prior to construction of the building commencing.
14. **(landscape plan)** A detailed landscape plan, from a suitably qualified and professional landscape architect, including an implementation and maintenance programme for a minimum of three years, shall be submitted to and approved by the Team Leader: Resource Management or equivalent position prior to any works commencing on the site.
 - (i) The plan shall include details of the plant sizes (Pb Grade) at the time of planting and intended species (predominantly native and reflecting the local native biodiversity). Such a plan is to include appropriate measures for the screening of, but not limited to, the dwelling and/or ancillary structures; and
 - (ii) In particular the plan shall also include the specific landscape treatment of new retaining walls that have been erected as part of the development and the treatment of the boundaries of the site. This shall include appropriate measures to mitigate the visual effects of the structures and parking areas by effectively integrating them into the environment; and
 - (iii) The landscaping shall be implemented and maintained in accordance with the approved landscaping plan within the first planting season following the completion of the works on the site. Once established the landscaping is to be maintained thereafter.

Landscape planting shall be undertaken in accordance with the approved landscaping plan, to the satisfaction of Council's Environmental Protection Officer. The landscaping should be implemented and maintained in accordance with the approved landscaping plan within the first planting season following the completion of the works on the site. Once established the landscaping is to be maintained thereafter.

Engineering conditions

15. (developer's representative) Prior to the commencement of engineering design, the Consent Holder shall nominate, in writing, its Developer's Representative in terms of Council's "Standards for Engineering Design and Construction" to be the first point of contact for all engineering matters. Any subsequent change to the nominated Developer's Representative shall be immediately notified in writing to the Consents Engineer.
16. (insurance and warranties for engineering works) Prior to the commencement of engineering design for the works required by these conditions, the Consent Holder and the Developer's Representative shall provide to the Council proof of Professional Indemnity Insurance and Warranties in full satisfaction of section 102 of the "Standards for Engineering Design and Construction".
17. (engineering plans) The engineering works required by this consent shall comply with the Council's "Standards for Engineering Design and Construction" as may be amended from time to time. Engineering Plans, as specified in the "Standards", shall be submitted to the Consents Engineer, and approval thereto received in writing, prior to the commencement of any works on the site.

Any variation or changes to the approved engineering plans shall be submitted for approval as an Amendment and approval received thereto prior to construction of the varied works.

The term 'engineering works' includes, but is not limited to:

- Earthworks,
- The formation of roads, the laying of pipes and other ancillary equipment to be vested in the Council for water supply, drainage or sewage disposal;
- Street lights, landscaping or structures on land vested, or to be vested, in the Council;
- The installation of gas, electrical or telecommunication reticulation including ancillary equipment;
- Any other works required by conditions of this consent.

Note: Structures such as retaining walls, in-ground walls and bridges will require a separate Building Consent.

Note: The plans required under this condition are separate to, and do not form part of, any Building Consent that may be required on the subject site.

18. (pre-construction meeting) The Developer's Representative shall give the Consents Field Supervisor named in the engineering plan approval at least 5 working days notice of the on-site pre-construction site meeting (refer section 103.15 of the "Standards for Engineering Design and Construction"). Construction work shall not commence on the site until such meeting has been held and all necessary

documentation presented.

Note: Attention is drawn to the requirements of section 103.15.3 "Standards for Engineering Design and Construction" for the following documentation to be presented at the preconstruction meeting:

- Approved engineering plans and copy of approval letter;
- Health and Safety Plan;
- Traffic Management Plan;
- The Signed Road Opening Notice;
- The relevant Resource or Subdivision Consent (and all conditions attached thereto);
- Copies of any Auckland Regional Council Consents necessary for the works;
- Signed copies of all Consents to Enter for Construction for works on land (including Council land) not owned by the consent holder.

19. (as built record plans) As Built Record Plans to the requirements of s.103.5.6 of the "Standards" shall be submitted together with the relevant completed As Built Plans shall be a prerequisite of s.224(c) RMA or Consent-Works Completion Certificate as appropriate.
20. (inspection and testing) All engineering works required by this consent shall be subject to inspection and testing pursuant to s.103.19 of the "Standards for Engineering Design and Construction". The Developer's Representative shall make applications for the inspection and testing in writing in the form of Appendix "E" of the "Standards".
21. (road opening notice) The Consent Holder or his Contractor shall obtain a Road Opening Notice from the relevant Network Service Provider prior to the commencement of any works within the legal road.
22. (health & safety plan) A detailed Health & Safety plan to the requirements of the Health & Safety in Employment Act 1992, specifically addressing control of the works on and adjacent to public land, and the protection of the public, shall be submitted to the Consents Engineer prior to the commencement of any works on the site (refer s.103.11 of the "Standards for Engineering Design and Construction"). A copy of the Health & Safety Plan shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the Plan shall be maintained and complied with until such times as the works are completed.
23. (traffic management plan) A detailed Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer. Verification that it meets the Council's requirements shall have been received in writing, prior to the commencement of any works on the site (refer s103.12 of the "Standard for

Engineering Design & Construction".) A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed.

24. (earthworks design) All earthworks shall be specifically designed to the "Standards for Engineering Design and Construction" and NZS 4431 by a Chartered Professional Engineer experienced in soil mechanics. The work shall be designed and executed in compliance with the recommendations contained in the Geotechnical Report, prepared by Riley Consultants, reference No 09164-D rev 2, dated 21/12/2009.

25. (earthworks certification) On completion of earthworks, an Earthworks Completion Report and a Certificate in the form of Appendix J of the "Standards for Engineering Design and Construction" signed by the Chartered Professional Engineer who designed and supervised the works, shall be provided to the Consents Engineer.

26. (dust control) All necessary actions shall be taken to prevent a dust nuisance to neighbouring properties and public roads; including but not limited to:

- The staging of areas of the works;
- The retention of any existing shelter belts & vegetation;
- The installation & maintenance of wind fences and vegetation strips;
- Watering of all haul roads and manoeuvring areas during dry periods;
- Spraying of load dumping operations;
- Suspension of all operations if necessitated by the prevailing conditions.

The site, or parts thereof as appropriate, shall be re-grassed or otherwise protected from wind & water erosion immediately upon completion of bulk earthworks whether or not other works are completed.

27. (silt retention) Before commencement of any works, adequate silt retention structures as detailed in the Auckland Regional Council Technical Publication No. 90 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region" shall be installed. These structures shall be maintained and cleaned out as necessary until such time as complete grass cover, or other non-erodible surfacing, has been re-established over the site.

The location and detail of the sediment control shall be included in the Engineering Plans for approval prior to commencement of construction.

28. (parking) Parking for 159 vehicles on the western side of the Meeting Hall shall be provided as detailed in the application plans drawn by Traffic Design Group, dated 23/7/09, and numbered 10262A1D 2, and to the minimum dimensions required by the Council's "Standards for Engineering Design and Construction", which shall take precedence should conflict arise. This parking shall be formed and paved in a

permanent dust free (not metal) surface to the Council's "Standards for Engineering Design and Construction".

29. (parking) Parking for 57 vehicles on the northern side of the Meeting Hall shall be provided as detailed in the application plans drawn by Traffic Design Group, dated 23/7/09, and numbered 10262A1D 2, and to the minimum dimensions required by the Council's "Standards for Engineering Design and Construction", which shall take precedence should conflict arise. This parking shall be formed and paved in a permeable paving or metalled standard surface to the Council's "Standards for Engineering Design and Construction".

30. (GST requirement) Meet the cost of this Council approval (plus GST) reduced by the value of land and works to vest by providing the Council with a GST invoice for the value of all land and works to vest.

Note: These values equate for GST registered developers and require a barter book entry

To be completed before issue of the s. 223 certificate

31. (conditions to be shown on survey title plan) Before the Council will approve the survey plan pursuant to s.223 of the Act, the owner shall:

a. (easements required) A stormwater drainage Easement over the pond discharge pipeline within Part Allot 62 SO891E in favour of Lot 1 shall be endorsed on the survey plan under a Schedule of memorandum of Easements.

To be completed before the issue of s.224(c) certificate

32. (conditions to be carried out by the developer) Before the Council will issue a certificate pursuant to section 224(c) of the Act, the consent holder shall satisfy the following conditions at his/hers/its full cost:

a. (water supply reticulation) The existing public water supply system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standard for Engineering Design and Construction" to serve the development to become part of the public services of the District.

b. (wastewater reticulation) The existing public pressure wastewater collection (PWC) system which lies within or is contiguous to the land in the development shall be extended to the requirements of the Council's "Standard for Engineering Design and Construction" to serve the development to become part of the public services of the District.

c. (wastewater connection) The Lot 1 and Lot 6 shall be connected to the Warkworth Wastewater Treatment Plant.

Note: Connection cannot be made to the existing pressure wastewater reticulation in Woodcocks Road until such time as:

1. The Auckland Regional Council has approved a variation to the Warkworth Wastewater Treatment Plant permit number 35660 to include Lot 1 DP 147500 in the area of benefit.
2. The peak flow treatment system required by condition 3 of Consent 35660 has been successfully commissioned and the associated requirements of Conditions 17 and 18 of Consent 35660 being successfully completed.

This condition cannot be satisfied by way of a bond to enable the issue of the completion certificate under Section 224(c) of the Act.

- d. (stormwater reticulation & treatment) A private stormwater collection & treatment system shall be constructed to the requirements of the Council's "Standard for Engineering Design and Construction" to serve the development.
- e. (construction of crossing) The vehicle crossing serving the established dwelling to the boundary of Lots 1 and Lot 6 shall be reconstructed to the rural sealed standard of the "Standards for Engineering Design and Construction".
- f. (construction of crossing) The two vehicle crossings to the boundary of Lot 1 shall be constructed to the commercial sealed standards of the "Standards for Engineering Design and Construction".
- g. (remove crossings) The surplus vehicle crossing to Lot 1 and Lot 6 shall be removed and the fences, road side channel, and berm made good to the "Standards for Engineering Design and Construction".

Ongoing Conditions/Consent Notices

33. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notices pursuant to s.221 of the Act:

- a. (low pressure wastewater system) The owners of Lot 1 within ["Specific PWC Area] and other Pressure Wastewater Collection (PWC-) Areas of Service (as in Rodney District Council Wastewater Drainage Bylaw), are advised that the wastewater collection service provided to these properties is a public Pressure Wastewater Collection (PWC) System.

To ensure an effective service from the collection system, the property owner shall own, maintain and operate a compatible on-site PWC system (ie pump unit

and tank, control box and alarm and a private pressure main). The on-site PWC system (private system) shall conform to the following requirements:

- The wastewater drainage system shall comply with the Rodney District Council's General Bylaw (Wastewater Drainage Bylaw), with specific reference to the PWC system. (Also refer to applicable schedules).
 - Only approved PWC Products (as listed with RDC) will be allowed to be connected to the public wastewater collection system.
 - Only approved PWC Installers (as listed with RDC) will be allowed to install and connect the on-site PWC system to the public wastewater collection system.
 - The PWC system shall be connected to the Council's pressure collection system at the property boundary via the boundary kit in accordance with the RDC's Standards for Engineering Design and Construction.
 - The property owner shall enter into an ongoing maintenance agreement with the Approved PWC Installer, complying with the Rodney District Council's Wastewater Drainage Bylaw and Application Checklist for Pressure Wastewater Collection (PWC) System: Building Consent Application.
 - All costs associated with the provision and operation / maintenance of the on-site PWC System on each property shall be the responsibility of the property owner.
 - The property owner shall be liable for any damage to the Rodney District Council's wastewater collection system arising from an improperly installed or operated on-site PWC system and connected to the Rodney District Council's collection system.
- b. (building restrictions) Any buildings erected on Lot 1 shall be subject to the requirements of the report prepared by Riley Consultants Limited, reference 09164-D (rev 2), dated 21/12/09, and any subsequent reports. Copies of the said plan & report(s) will be held at the offices of the Council, Centreway Road, Orewa.
- c. (building restrictions - stormwater control) All stormwater from buildings and paved areas on Lot 1 shall be collected and disposed of in accordance with the Stormwater Management Report prepared by Riley Consultants limited, reference 09164-C, dated 21/12/09. The collection and disposal system shall be installed prior to the erection of any buildings and shall thereafter be maintained to the specified capacity and standard in perpetuity.

ADVICE NOTES

A resource consent lapses on the expiry of five years after the date of commencement of the consent, or after the expiry of such shorter or longer period as is expressly provided for in the consent.

If you disagree with the decision or any condition imposed on the consent, you may either:

- *lodge an objection with the Council to review the decision/condition(s). Your objection must be in writing and lodged with the Council within 15 working days of receiving this letter. You should include with the objection reasons as to why you are seeking the review. The Council will consider the objection by way of a hearing, at which you and/or your representative may present evidence.*

or

- *lodge an appeal with the Environment Court. The appeal must be lodged with the Court and Council within 15 days of receiving this letter and be in the proper format. It is suggested that if you do intend to lodge an appeal, you obtain legal advice to ensure that the appeal is valid.*
- *Development Contributions advice note*

Please note that pursuant to section 198 (1) (a) of the Local Government Act 2002 Development Contributions are applicable to this proposal.

The consent holder is advised that the contribution has been calculated on the basis of one additional (residential/business) lots created by the subdivision. The contribution assessment is attached to this consent. Under section 208(1) of the Local Government Act 2002 the Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 and/or prevent commencement of the resource consent until the development contribution is paid. The Council may also register the development contribution under the Statutory Land Charges Registration Act 1928 as a charge on the title of the land.

It should be noted that the Development Contributions are re-assessed in accordance with the Long Term Council Community Plan and the Local Government Act and are subject to change. Any new application will be assessed under the then current policy.

- *You may not start any work on the proposal/consent if you intend to lodge an objection with the Council.*

Note: Reports and limitations on the land regarding any features or characteristics of the land or works on the land, whether the subject of specific encumbrances on the land or not shall be discoverable as part of the Council's records.

Note: The Consent Holder is advised that additional Consents, Permits or authorisations for the works may be required under the Transitional or

Proposed Regional Plans and that these should be obtained from the Auckland Regional Council prior to the commencement of any works on the site.

Schedule of Development Contributions

RMA 55961 | Seq. No. 002

Officer: Cameron Ure

Date: 22/07/2010

Subdivision and Landuse consents are sought for:

1. A boundary relocation between Lot 1 DP 147500 and Part Allotment 62 Parish of Mahurangi, increasing the area of Lot 1 DP 147500 by 6000m² for the purpose of incorporating the neighbouring farm pond into the development site to use as a stormwater pond.
2. A Meeting Hall and associated access driveways and parking for 216 vehicles.
3. The subdivision of the balance land to create six residential lots, two of which comprise existing dwellings
4. Earthworks measuring a total of 15,000m², undertaken over an area of 2.5ha.

| Activity | Area of Funding | Units of Demand | Amount | Reductions |
|---|---------------------|-----------------|--------------------|------------|
| Transport (RTRRAT) | Rural and Townships | 3.4 | \$11,807.78 | |
| Water Supply (RWSWAR) | Warkworth | 3.9 | \$26,071.92 | |
| Wastewater (RWWWAR) | Warkworth | 3.9 | \$23,139.27 | |
| Stormwater (RSWNOR) | Northern Rural | 4.3 | \$1,087.79 | |
| Libraries (RLIDIS) | District Wide | 1.0 | \$643.50 | |
| Parks and Coastal (RPADIS) | District Wide | 1.0 | \$2,878.88 | |
| Offices and Service Centres (ROFDIS) | District Wide | 1.0 | \$69.75 | |
| Subtotal | | | \$65,698.88 | |
| Total | | | \$65,698.88 | |

NOTES:

1. All values are inclusive of GST unless otherwise indicated.
2. The development contribution amounts in this schedule are those payable for the consented or authorised activity.
3. The development contribution amounts in this schedule are based on the information appended to this consent or authorisation.
4. The local reserves development contribution, if any, is based on the current market land value shown in the information appended to this consent or authorisation.
5. Refer to the consent for the time of payment.
6. Any outstanding portion of a local reserves development contribution not paid within 90 days of the date of this consent or authorisation, may be subject to a re-assessment based on a new market land valuation.
7. For further information please refer to the Council website (www.rodney.govt.nz).

Schedule of Development Contributions

RMA 55961 | Seq. No. 002

Officer: Cameron Ure

Date: 22/07/2010

Subdivision and Landuse consents are sought for: 1. A boundary relocation between Lot 1 DP 147500 and Part Allotment 62 Parish of Mahurangi, increasing the area of Lot 1 DP 147500 by 6000m² for the purpose of incorporating the neighbouring farm pond into the development site to use as a stormwater pond.
 2. A Meeting Hall and associated access driveways and parking for 216 vehicles.
 3. The subdivision of the balance land to create six residential lots, two of which comprise existing dwellings 4. Earthworks measuring a total of 15,000m², undertaken over an area of 2.5ha.

Calculation of Unit of Demand (UOD) for each Activity, Before and After Consent

| Activity | Area of Funding | UOD Before | UOD After | Increase in UOD | Rate per UOD (excl. GST) |
|-----------------------------|---------------------|------------|-----------|-----------------|--------------------------|
| Transport | Rural and Townships | 2.0 | 5.4 | 3.4 | \$3,087.00 |
| Water Supply | Warkworth | 0.0 | 3.9 | 3.9 | \$5,912.00 |
| Wastewater | Warkworth | 0.0 | 3.9 | 3.9 | \$5,247.00 |
| Stormwater | Northern Rural | 2.0 | 6.3 | 4.3 | \$223.00 |
| Libraries | District Wide | 2.0 | 3.0 | 1.0 | \$572.00 |
| Parks and Coastal | District Wide | 2.0 | 3.0 | 1.0 | \$2,559.00 |
| Halls and Community Centres | Northern Area | 2.0 | 3.0 | 1.0 | \$0.00 |
| Offices and Service Centres | District Wide | 2.0 | 3.0 | 1.0 | \$62.00 |

Lot Details

Existing Lots Before Consent

| Description | Water Cxn | WW Cxn | Zoning | Dwellings < 66m2 | Dwellings 66-168 | Dwellings Other | Retiremnt Units | People in Rm > 3 | Serviced Sites | Com/Ind Actvty | GBA | Other Actvty | GFA |
|--------------------------------------|-----------|--------|--------|------------------|------------------|-----------------|-----------------|------------------|----------------|----------------|-----|--------------|-----|
| Lot 1 DP 147500 | N | N | RUR | | | 1 | | | | N | | N | |
| Pt Allot 62 Psh Of Mahurangi SO 891E | N | N | RUR | | | | | | | N | | N | |

Intended Lots After Consent

| Description | Water Cxn | WW Cxn | Zoning | Dwellings < 66m2 | Dwellings 66-168 | Dwellings Other | Retiremnt Units | People in Rm > 3 | Serviced Sites | Com/Ind Actvty | GBA | Other Actvty | GFA |
|------------------|-----------|--------|--------|------------------|------------------|-----------------|-----------------|------------------|----------------|----------------|------|--------------|-----|
| Intended Lot 001 | Y | Y | RUR | | | 1 | | | | Y | 1200 | N | |
| Intended Lot 002 | Y | Y | RUR | | | 1 | | | | N | | N | |
| Intended Lot 003 | N | N | RUR | | | | | | | N | | N | |

End of Submission

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THE PLANNING
COLLECTIVE



NOR 3 – ANNOTATED SUBMISSIONS

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

NICHOLAS PAUL GRAINGER

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

PO BOX 331531, TAKAPUNA, AUCKLAND 0740

Telephone:

0224109771

Fax/Email:

nicholasgrainger@hotmail.com

Contact Person: (Name and designation if applicable)

NICHOLAS GRAINGER, OWNER

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 3) Warkworth: State Highway 1 – South Upgrade

The specific parts of the above notice of requirement that my submission relates to are: (give details):

THE ACQUISITION OF PART OF MY PROPERTY AT 1673 STATE HIGHWAY ONE, WARKWORTH, FOR ROADING UPGRADE (SOUTH UPGRADE) BY AUCKLAND TRANSPORT.

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

THE PROPERTY WAS PURCHASED WITH THE INTENTION OF FUTURE DEVELOPMENT. THE PROPERTY IS ZONED 'FUTURE URBAN' IN THE AUCKLAND UNITARY PLAN, IF PART OF THE LAND IS ACQUIRED FOR AUCKLAND TRANSPORT REQUIREMENTS, IT WILL HINDER FUTURE DEVELOPMENT) SUBDIVISION OF THE PROPERTY.

1.1

(continue on a separate sheet if necessary)

1.1

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

I DO NOT BELIEVE THAT THE DESIGNATION NEEDS TO EXTEND AS FAR SOUTH AS MY PROPERTY ON THE BASIS THAT SH1 IN WARKWORTH IS NOW CONSIDERED A SECONDARY STATE HIGHWAY WITH THE OPENING OF THE RUHDI-WARKWORTH EXTENSION.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

[Handwritten Signature]

Signature of Submitter
(or person authorised to sign on behalf of submitter)

22/06/2023

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR3 State Highway 1 – South Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Karen and Stefan Richardson

1. Karen and Stefan Richardson make this submission on NOR3 State Highway 1 – South Upgrade (“NOR3”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The submitter’s could not gain advantage in trade competition through this submission.
3. The submitter’s wish to be heard in support of their submission.
4. If any other submitters make a similar submission, Karen and Stefan Richardson will consider presenting a joint case with them at the hearing.

OVERVIEW OF 1768 State Highway 1, Warkworth

5. Karen and Stefan Richardson own the land at 1768 State Highway 1, Warkworth. The property is held in one fee simple title with the legal description Lot 1 DP 578389 and has an area of approximately 13.2558 hectares. The land is zoned Future Urban and Rural – Rural Production in the Operative in Part Auckland Unitary Plan as shown in Figure 1 on the following page. 2.1
6. The land is currently used for small scale farming activities. Access to the land, which contains a dwelling and associated accessory buildings for both the residential and rural land uses, is obtained over a metalled pan handle access from State Highway 1. The pan handle is the only frontage the property has a to legal road. 2.1
7. The submitter’s have an interest in the NOR3 that is greater than the interest of the general public because the driveway for the property extends from State Highway 1

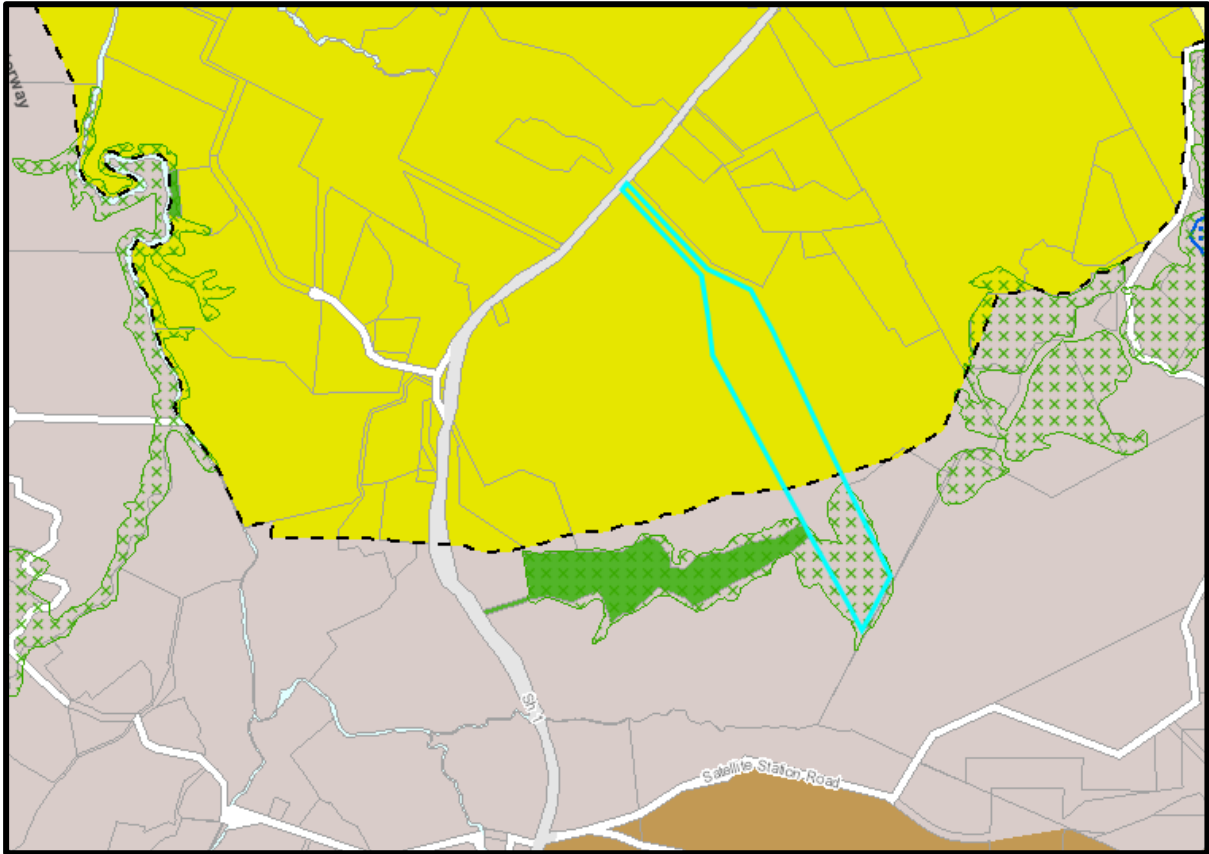


Figure 1 – Auckland Unitary Plan - Operative in Part, 1768 State Highway 1, Warkworth (source: Auckland Unitary Plan maps, 03 July 2023)



Figure 2 – Aerial Image of 1768 State Highway 1, Warkworth (source: Auckland Council GeoMaps, 03 July 2023)

SCOPE OF SUBMISSION

8. This submission relates to Notice of Requirement # 3 Warkworth State Highway 1 – South Upgrade as a whole, but specifically to the works on and immediately adjacent to the subject land which include, but are not limited to, a proposed stormwater culvert, earthworks fill batter and proposed surface flow conveyance (water) shown on the General Arrangement Plan – snip below:

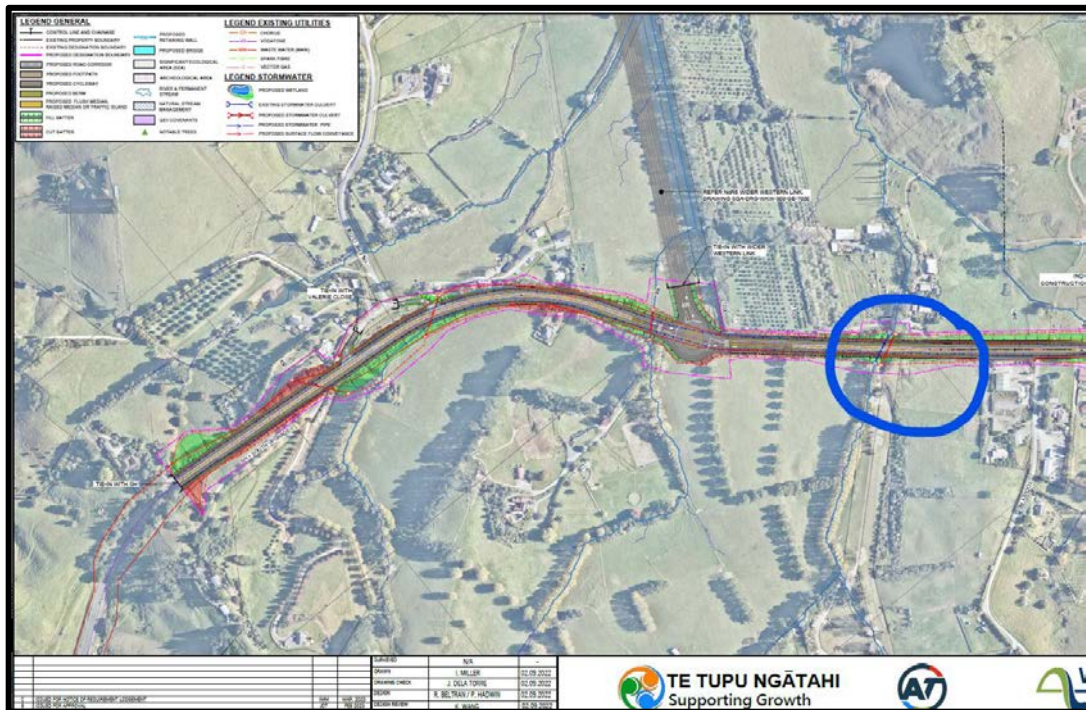


Figure 3 – NOR 3 General Arrangement Plan

9. The Submitter’s generally support the Notice of Requirement, but wish to ensure the Requiring Authority addresses the following matters with sufficient detail as to provide the Submitter’s an appropriate degree of certainty:

- That reasonable and appropriate access will be retained to the State Highway. 2.1
- That access for Future Urban development to the State Highway will not be precluded by position of the proposed culvert and the earth fill batter, or the conveyancing of stormwater.
- That the culvert will have capacity for all future urban development of the land and will not require upgrading or expansion when the wider Future Urban zone of Warkworth South is developed.
- That the identified overland flow will be appropriately directed to the culvert and there will be no flooding or stormwater effect on the subject land as a result of the proposed fill and stormwater conveyance.
- That the assessments have been robustly based on the likely future development scenario taking account of the National Policy Statement Urban Development (“NPS UD”). The Warkworth Structure Plan was prepared prior to the NPS UD and therefore there could be different development outcomes with respect to density than anticipated by the Adopted Warkworth Structure Plan June 2019.

- The need for the projects needs to be considered in relation to the outcomes of the draft Future Development Strategy, the relevant legislation, Structure Plan, and National Policy Statements and Environmental Standards.
- Any Notice of Requirement confirmed needs to be in keeping with the objectives, policies and requirements of the abovementioned planning documents.

10. The proposed conditions of the designation need to be amended to address the following matters. The scope of the submission pertains to all conditions of the NOR:

- The Urban and Landscape Design Management Plan (ULDMP) should include a requirement for evidence of consultation with any affected landowners and if there are aspects of the ULDMP that impact on the use or otherwise affects land then the landowner should be consulted, and written approval obtained. Otherwise, the ULDMP should be amended so that there are no effects, or so that the landowner provides written approval. This is required because, amongst other matters the Urban Design assessment provided with the Notice of Requirement seeks to minimise land disturbance. Condition 12 relating to Stakeholder and Communication and Engagement Management Plan could be amended to address this requirement or could be cross referenced. 2.2
- The proposed Cross corridor active mode, bridge structure, and other features on the plans for NOR 3 (Southern Section) – Outcomes and Opportunities Plan – Sheet 2/2 – **Attachment A**, need to be designed in communication with, and in conjunction with any planned development of the Submitter’s land to ensure the submission matters above are addressed. 2.3

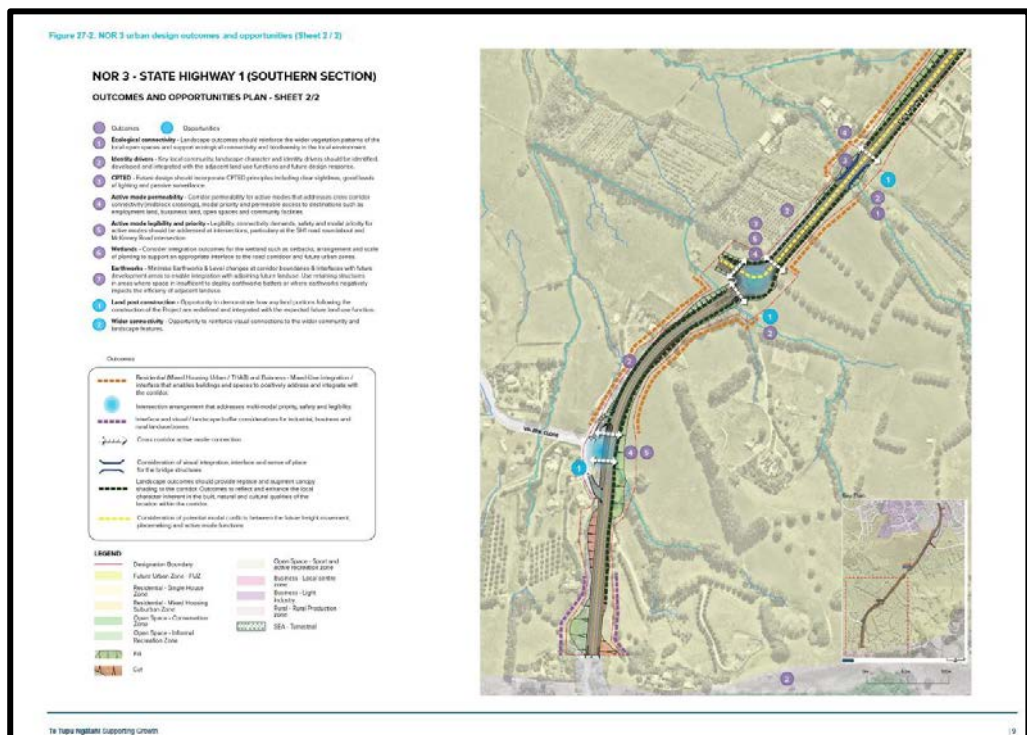


Figure 4 – NOR 3 Urban Design Outcomes and Opportunities Plan

- The Urban Design assessment also identifies the need to demonstrate how any residual land portions following construction of the project will be integrated with expected

future land use function. Given the proposed 15-year lapse date (proposed condition 4) for this project it is likely that the project could be delivered earlier and in conjunction with the anticipated urban development. This would be a more integrated and efficient outcome.

- Condition 10 flood hazard should extend to demonstrating that the outcomes apply also to access ways, particularly where there are no alternatives for access. It should also be a requirement that the Agency identify opportunities to improve flood hazard risk and if those opportunities exist it should be demonstrated how improvements will be secured, or if improvements cannot be secured then the reasons why need to be clearly stated.

2.4

RELIEF SOUGHT

11. The Submitter's seek the following recommendation or decision from Auckland Council on NOR3 State Highway 1 – South Upgrade:
 - a. Confirm the Notice of Requirement subject to the changes and further detail sought in the submission.
 - b. Amend Conditions as necessary to address matters raised in the submission.
 - c. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Karen and Stefan Richardson)

Date: 05 July 2023

Address for Service:

Karen and Stefan Richardson
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021 422 346
Email: burnette@thepec.co.nz

Attachment A – Urban Design Outcomes and opportunities Plan – Sheet 2/2

Figure 27-2: NOR 3 urban design outcomes and opportunities (Sheet 2 / 2)

NOR 3 - STATE HIGHWAY 1 (SOUTHERN SECTION)

OUTCOMES AND OPPORTUNITIES PLAN - SHEET 2/2

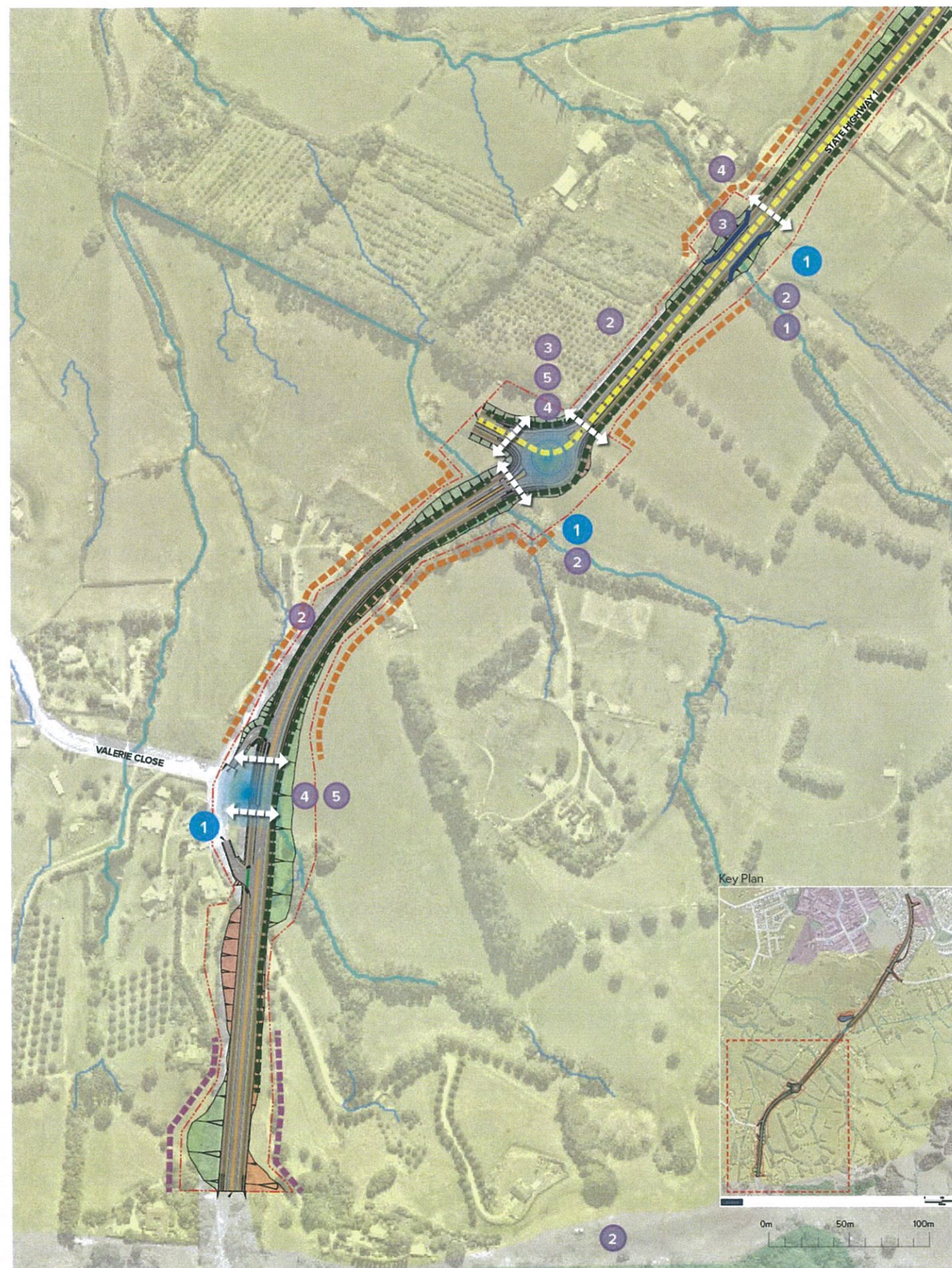
- Outcomes ● Opportunities
- 1 **Ecological connectivity** - Landscape outcomes should reinforce the wider vegetation patterns of the local open spaces and support ecological connectivity and biodiversity in the local environment.
- 2 **Identity drivers** - Key local community, landscape character and identity drivers should be identified, developed and integrated with the adjacent land use functions and future design response.
- 3 **CPTED** - Future design should incorporate CPTED principles including clear sightlines, good levels of lighting and passive surveillance.
- 4 **Active mode permeability** - Corridor permeability for active modes that addresses cross corridor connectivity (midblock crossings), modal priority and permeable access to destinations such as employment land, business land, open spaces and community facilities
- 5 **Active mode legibility and priority** - Legibility, connectivity demands, safety and modal priority for active modes should be addressed at intersections, particularly at the SH1 road roundabout and McKinney Road intersection
- 6 **Wetlands** - Consider integration outcomes for the wetland such as setbacks, arrangement and scale of planting to support an appropriate interface to the road corridor and future urban zones.
- 7 **Earthworks** - Minimise Earthworks & Level changes at corridor boundaries & Interfaces with future development areas to enable integration with adjoining future landuse. Use retaining structures in areas where space is insufficient to deploy earthworks batters or where earthworks negatively impacts the efficiency of adjacent landuse.
- 1 **Land post construction** - Opportunity to demonstrate how any land portions following the construction of the Project are redefined and integrated with the expected future land use function.
- 2 **Wider connectivity** - Opportunity to reinforce visual connections to the wider community and landscape features.

Outcomes

- Residential (Mixed Housing Urban / THAB) and Business - Mixed-Use integration / interface that enables buildings and spaces to positively address and integrate with the corridor.
- Intersection arrangement that addresses multi-modal priority, safety and legibility.
- Interface and visual / landscape buffer considerations for industrial, business and rural landuse/zones.
- Cross corridor active mode connection.
- Consideration of visual integration, interface and sense of place for the bridge structures
- Landscape outcomes should provide replace and augment canopy shading to the corridor. Outcomes to reflect and enhance the local character inherent in the built, natural and cultural qualities of the location within the corridor.
- Consideration of potential modal conflicts between the future freight movement, placemaking and active mode functions

LEGEND

| | |
|---|---|
| — Designation Boundary | — Open Space - Sport and active recreation zone |
| — Future Urban Zone - FUZ | — Business - Local centre zone |
| — Residential - Single House Zone | — Business - Light Industry |
| — Residential - Mixed Housing Suburban Zone | — Rural - Rural Production zone |
| — Open Space - Conservation Zone | — SEA - Terrestrial |
| — Open Space - Informal Recreation Zone | |
| — Fill | |
| — Cut | |





THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR3 State Highway 1 – South Upgrade that is subject to notification.

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Ash Hames and Fiona Rayner

1. Ash Hames and Fiona Rayner make this submission on NOR3 State Highway 1 – South Upgrade (“NOR3”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The submitters could not gain advantage in trade competition through this submission.
3. The submitters wish to be heard in support of their submission.
4. If any other submitters make a similar submission, Ash Hames and Fiona Rayner will consider presenting a joint case with them at the hearing.

PROPERTY DETAILS: 1684A State Highway 1, Warkworth

5. Ash Hames owns the land at 1684A State Highway 1, Warkworth. The property is held in one fee simple title with the legal description Lot 2 DP 119449 and has an area of approximately 4.2591 hectares. The land is zoned Future Urban and Rural – Rural Production in the Operative in Part Auckland Unitary Plan as shown in Figure 1 on the following page. 3.1
6. The land is currently used for small scale farming activities. Access to the land, which contains a dwelling and associated accessory buildings, is obtained over a metalled pan handle access from State Highway 1. The pan handle is the only frontage the property has to a legal road.
7. The submitter’s have an interest in the NOR3 that is greater than the interest of the general public because the driveway for the property extending from State Highway 1 appears to be affected by the proposed fill batter. The batter appears to finish at the northern extent of the driveway. It is unclear as to the impacts the fill batter may have on the ability to achieve access to and from the site for urban land uses in the future. For example, the batter may limit visibility and therefore have an impact on volume of use and safety. 3.1

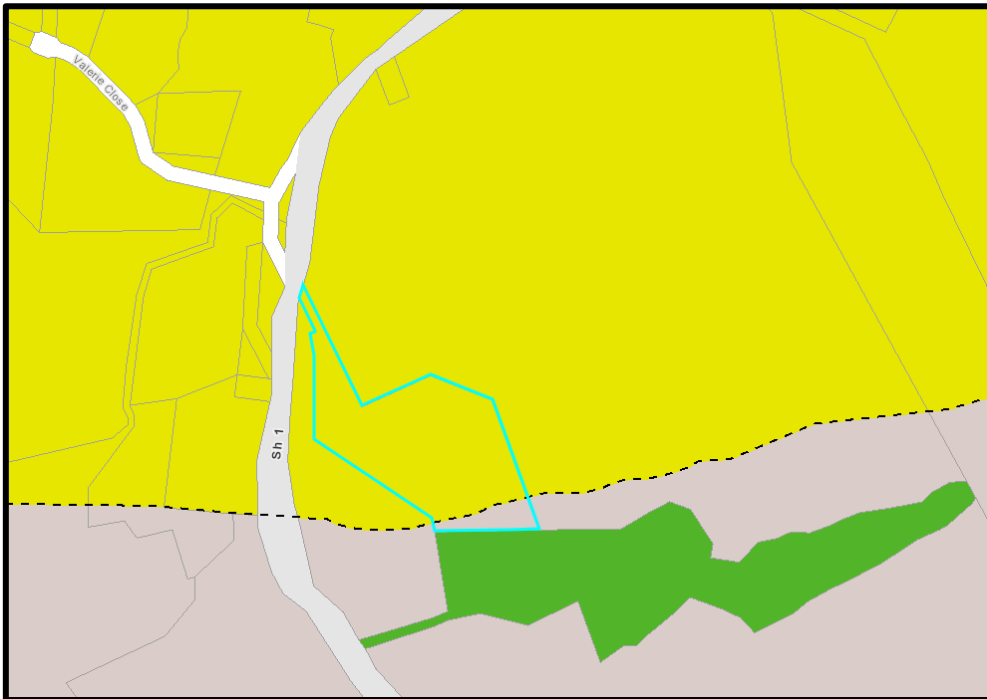


Figure 1 – Auckland Unitary Plan - Operative in Part, 1684A State Highway 1, Warkworth (source: Auckland Unitary Plan maps, 03 July 2023)



Figure 2 – Aerial Image of 1684A State Highway 1, Warkworth (source: Auckland Council GeoMaps, 03 July 2023)

SCOPE OF SUBMISSION

8. This submission relates to Notice of Requirement # 3 Warkworth State Highway 1 – South Upgrade as a whole, but specifically the proposed earthworks fill batter shown on the General Arrangement Plan and the Urban Design Outcomes and Opportunities Plan – Attachment A – snip below:

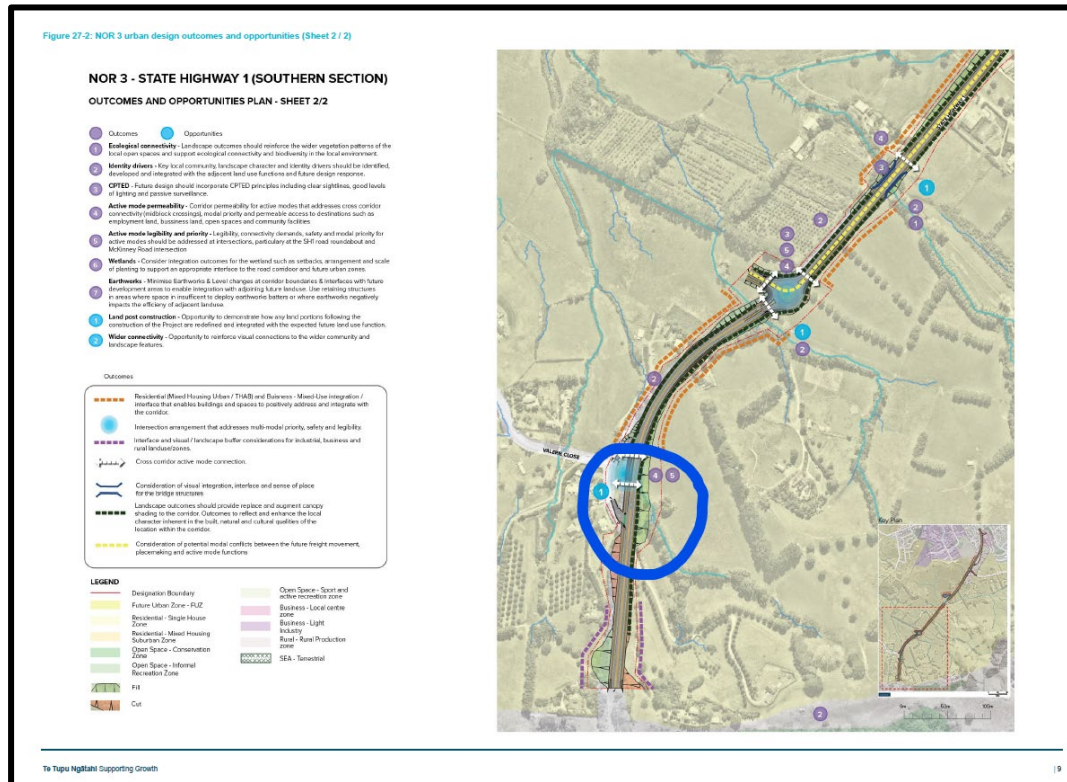


Figure 3 – Urban Design Outcomes and Opportunities Plan - Sheet 2/2

9. The Submitter’s generally support the Notice of Requirement, but wish to ensure the Requiring Authority addresses the following matters with sufficient detail to provide the Submitter’s an appropriate degree of certainty with respect to the following matters:

- That reasonable and appropriate access will be retained to the property from the State Highway.
- That access for Future Urban development to the State Highway will not be reduced or precluded by position of the proposed earth fill batter.
- That the assessments have been robustly based on the likely future development scenario taking account of the National Policy Statement Urban Development (“NPS UD”). The Warkworth Structure Plan was prepared prior to the NPS UD and therefore there could be different development outcomes with respect to density than anticipated by the Adopted Warkworth Structure Plan June 2019.
- The need for the projects has been considered in relation to the outcomes of the draft Future Development Strategy, the relevant legislation, Structure Plan, and National Policy Statements and Environmental Standards.
- Any Notice of Requirement confirmed needs to be in keeping with the objectives, policies, and requirements of the abovementioned planning documents.

3.1

10. The proposed conditions of the designation need to be amended to address the following matters:

- The Urban and Landscape Design Management Plan (ULDMP) should include a requirement for evidence of consultation with any affected landowners and if there are

aspects of the ULDMP that impact on the use, or otherwise affects land, then the landowner should be consulted, and written approval obtained. Otherwise, the ULDMP should be amended so that there are no effects, or so that the landowner provides written approval. This is required because, amongst other matters, the Urban Design assessment provided with the Notice of Requirement seeks to minimise land disturbance. Condition 12 relating to Stakeholder and Communication and Engagement Management Plan could be amended to address this requirement or could be cross referenced.

3.2

- The identified Interface visual/ landscape buffer needs to be specially designed to address the entrance to Warkworth from the south and not limit current and future access to and from the site for current and the anticipated future land uses.
- All conditions need to be reviewed to ensure matters raised in the submission are addressed.

3.3

RELIEF SOUGHT

11. The Submitter's seek the following recommendation or decision from Auckland Council on NOR3 State Highway 1 – South Upgrade:
 - a. Confirm the Notice of Requirement subject to the changes and further detail sought in the submission.
 - b. Amend the conditions as necessary to address matters raised in the submission.
 - c. Any other relief required to achieve the outcomes sought in this submission.

3.1 -3.3

Yours sincerely

Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Karen and Stefan Richardson)

Date: 05 July 2023

Address for Service:

Ash Hames and Fiona Rayner
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021 422 346
Email: burnette@thepc.co.nz

Attachment A – Urban Design Outcomes and Opportunities Plan – Sheet 2/2

Figure 27-2: NOR 3 urban design outcomes and opportunities (Sheet 2 / 2)

NOR 3 - STATE HIGHWAY 1 (SOUTHERN SECTION)

OUTCOMES AND OPPORTUNITIES PLAN - SHEET 2/2

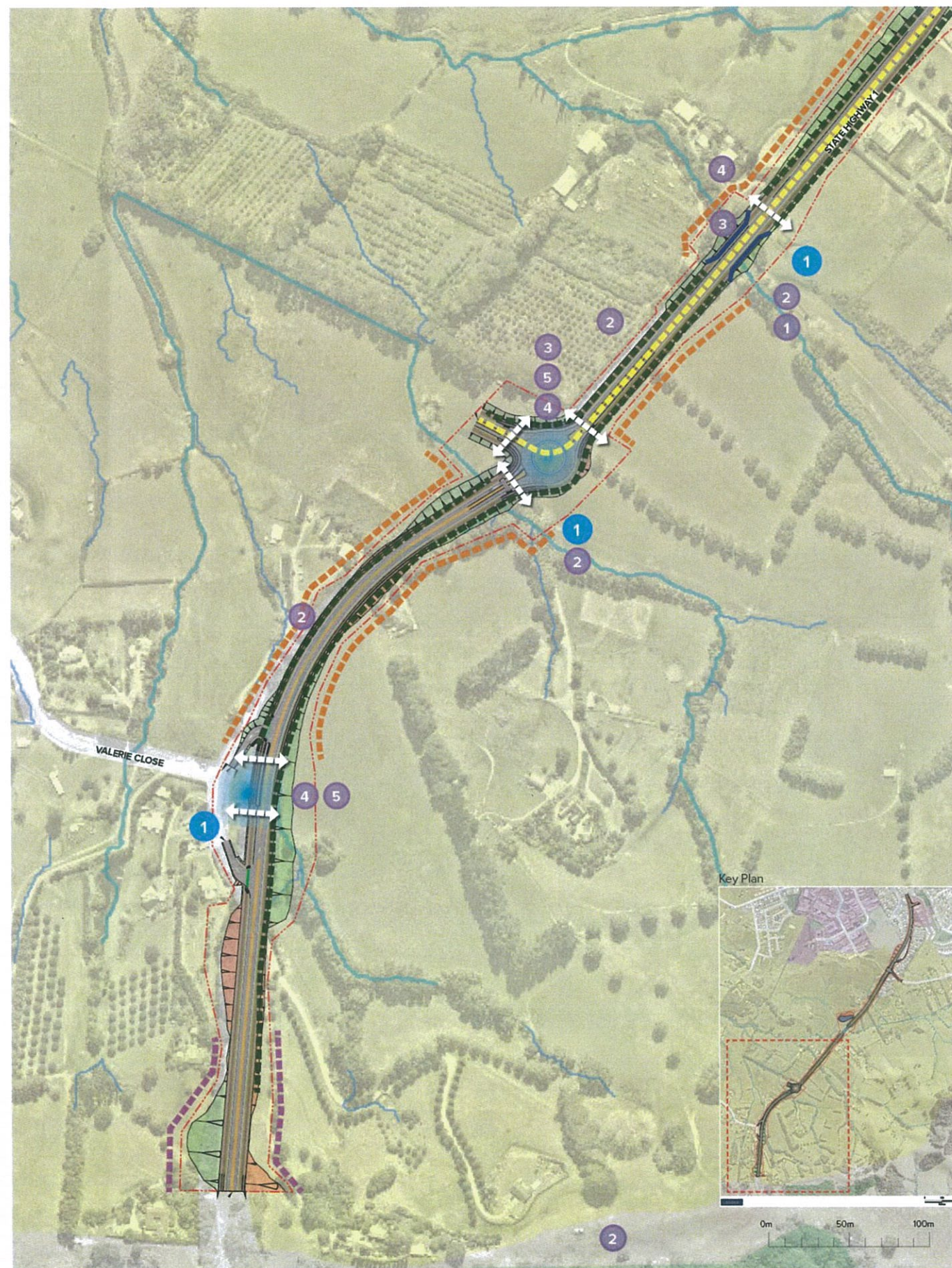
- Outcomes ● Opportunities
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- 3 **CPTED** - Future design should incorporate CPTED principles including clear sightlines, good levels of lighting and passive surveillance.
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- 1 **Land post construction** - Opportunity to demonstrate how any land portions following the construction of the Project are redefined and integrated with the expected future land use function.
- 2 **Wider connectivity** - Opportunity to reinforce visual connections to the wider community and landscape features.

Outcomes

- Residential (Mixed Housing Urban / THAB) and Business - Mixed-Use integration / interface that enables buildings and spaces to positively address and integrate with the corridor.
- Intersection arrangement that addresses multi-modal priority, safety and legibility.
- Interface and visual / landscape buffer considerations for industrial, business and rural landuse/zones.
- Cross corridor active mode connection.
- Consideration of visual integration, interface and sense of place for the bridge structures
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- Consideration of potential modal conflicts between the future freight movement, placemaking and active mode functions

LEGEND

| | |
|---|---|
| — Designation Boundary | — Open Space - Sport and active recreation zone |
| — Future Urban Zone - FUZ | — Business - Local centre zone |
| — Residential - Single House Zone | — Business - Light Industry |
| — Residential - Mixed Housing Suburban Zone | — Rural - Rural Production zone |
| — Open Space - Conservation Zone | — SEA - Terrestrial |
| — Open Space - Informal Recreation Zone | |
| — Fill | |
| — Cut | |



From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:830] Notice of Requirement online submission - James Elvy
Date: Wednesday, 5 July 2023 10:31:04 pm
Attachments: [NoR3 submission Lot 1 DP 201410 - 20230702 \(combined\).pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: James Elvy
Organisation name: Warkworth Natural Farm Limited
Full name of your agent: James Elvy
Email address: jameselvy@gmail.com
Contact phone number: 0211640055
Postal address:
11 Bristol Road
Auckland
Auckland 0618

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 3) Warkworth: State Highway 1 – South Upgrade
The specific provisions that my submission relates to are:
Lot 1 DP201410, Lot 2 DP 456189, Lot 3 DP 456189

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:
We want to see the engineering design of future road improvements, and in particular improvements to existing embankments including but not limited to increased width and level, to not cause upstream ponding of water behind the embankments onto adjoining private property - refer to detail attachment. 4.1

I or we seek the following recommendation or decision from Auckland Council:
Improvements within the designation should ensure flood prone areas are limited in extent to natural predevelopment area, prior to formation of the motorway - refer to detail in attachment. 4.1

Submission date: 5 July 2023

Supporting documents
NoR3 submission Lot 1 DP 201410 - 20230702 (combined).pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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Planning Technicians
Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142

Warkworth Natural Farm Limited
11 Bristol Road
Whenuapai
Auckland 0618

2 July 2023

Re: **NoR 3 State Highway 1 – South Upgrade Auckland Transport**
Affected Properties: Lot 1 DP201410, Lot 2 DP 456189, Lot 3 DP 456189

Dear Sir/Madam

The raised embankment of the existing alignment of SH1 south of McKinney Road cuts across the drainage paths of several catchments and effectively forms a 'dam' resulting in water ponding immediately upstream of the SH1 embankments – refer to attached figure (scale 1:5000) that shows three separate areas where water ponds behind SH1. The second figure (scale 1:250) shows the culvert detail at the northern most embankment adjacent to Lot 1 DP201410.

4.1

The reason for our views is the culvert at this location is undersized resulting in nuisance flooding on adjacent properties and the entrance to our property. If the current pavement is widened (as indicated by the NoR documents) and potentially raised in level (increasing the height of the dam), when coupled with future increased intensity of rainfall events, nuisance flooding could be much more severe in the future.

We seek the following recommendation or decision from Auckland Council. The road improvements design considers stormwater upgrades to ensure upstream flooding is not made worse by the improvements and should reduce flood sensitive areas to pre SH1 areas – i.e. mitigate the 'dam' effect of SH1 to predevelopment levels.

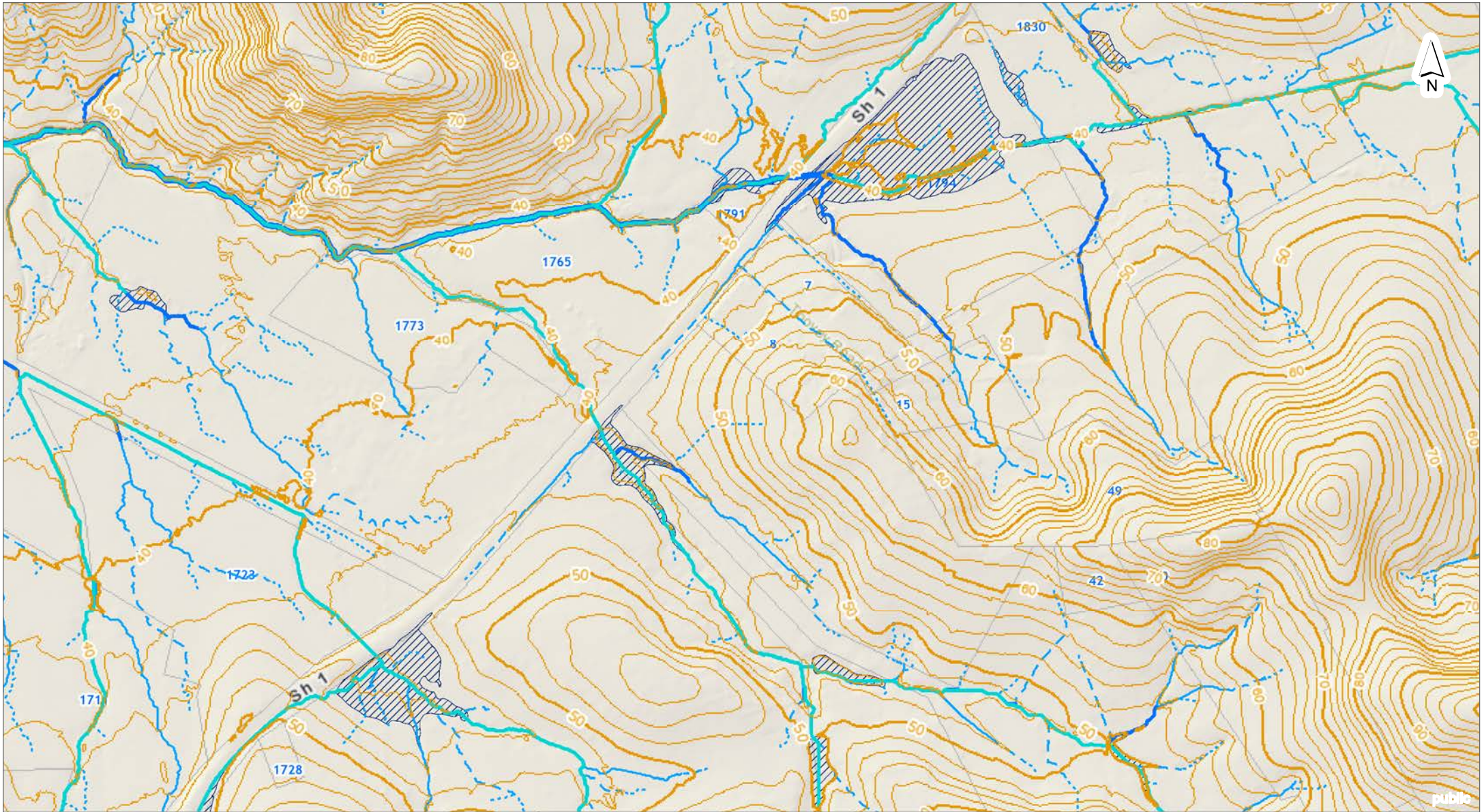
4.1

Kind regards

James Elvy

Warkworth Natural Farm Limited

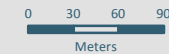
jameselvy@gmail.com



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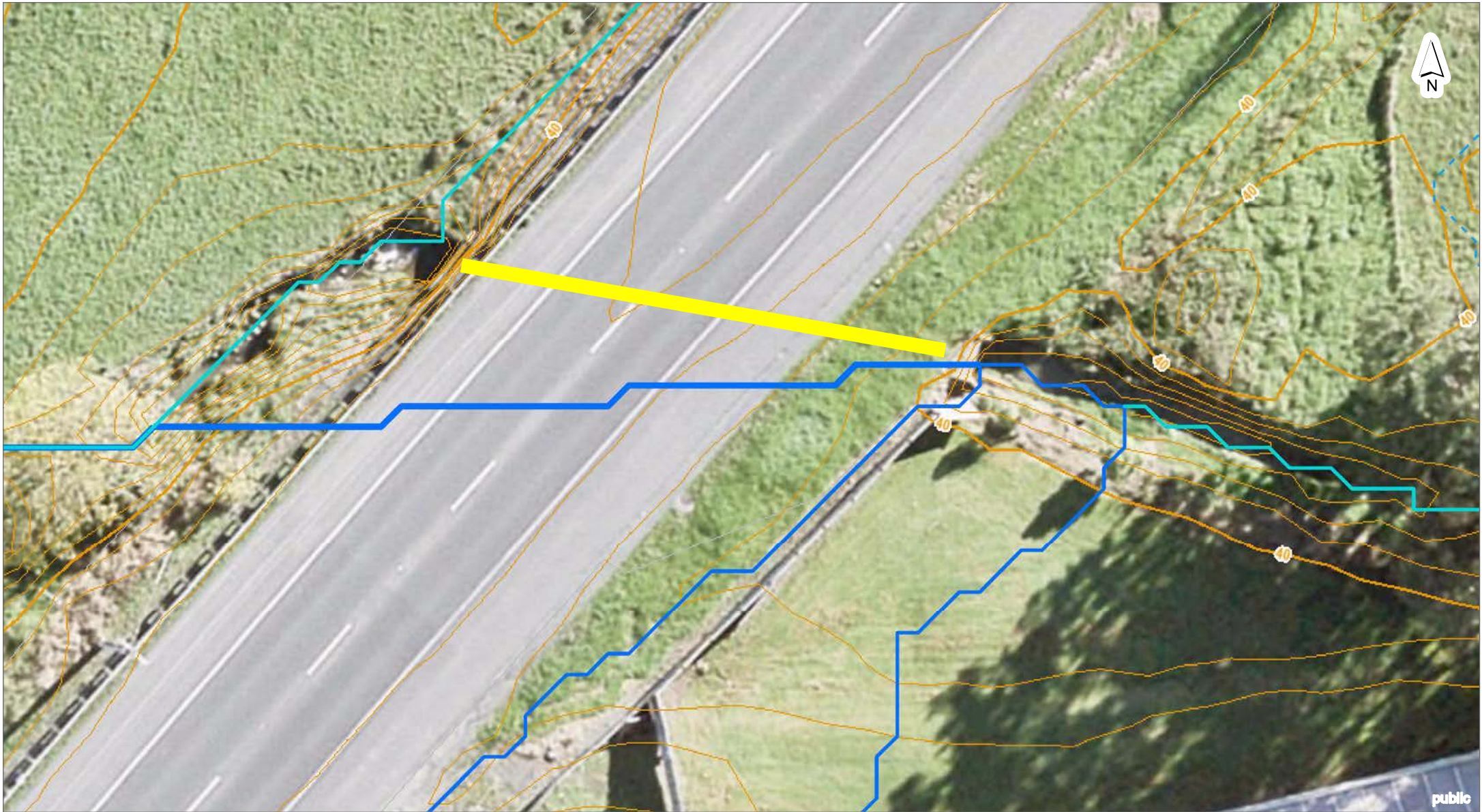
SH1 embankment acting as dam

214



Scale @ A4
= 1:5,000

Date Printed:
2/07/2023



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SH1 embankment - Culvert Detail

215



Scale @ A4
= 1:250

Date Printed:
2/07/2023

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:837] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 7:45:55 pm
Attachments: [NOR 3 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi Business Association and Warkworth Area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number:
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 3) Warkworth: State Highway 1 – South Upgrade
The specific provisions that my submission relates to are:
All of Warkworth
Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.
The reason for my or our views are:
Just need details sorted

I or we seek the following recommendation or decision from Auckland Council:
Check details of access at Driving Range and Toovey Road. Improved access for cycling and walking at Grange.

5.1

Submission date: 6 July 2023
Supporting documents
NOR 3 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR 3 – SH1 South Upgrade

1. No major issues.
2. Access to Driving range needs to be resolved as it is right against a bridge. Access to Transcom etc is also unresolved. 5.1
3. Improved Pedestrian and Cycle access to Grange needs to be resolved.

General NOR Issues

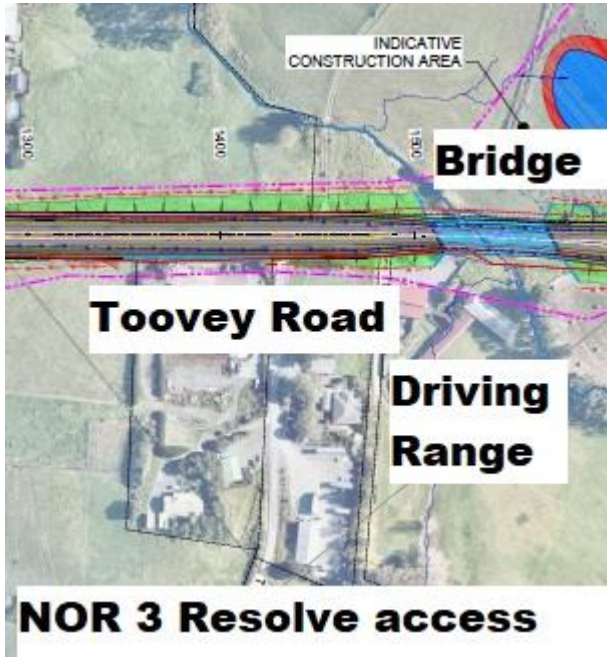
This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 5.2
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 5.3
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 5.4
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 5.5
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 5.6
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 5.7

NOR 3 Specific Issues

1. Access to the Driving Range needs to be resolved. It is immediately adjacent to a new Bridge Abutment.
2. Toovey Road is also very close to the bridge. Toovey Road is used by heavy freight transport.
3. Pedestrian and Cycle access to the Grange is not Clear. There is no clear access from the new housing areas in the south. Refer also the McKinney Subdivision Private Plan Change 72 just approved in part.

5.1





THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR3 State Highway 1 - South Upgrades that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Aztek Projects Limited & McKinney Road Estate Limited

1. The submitter makes this submission on NOR3 State Highway 1 - South Upgrades ("NOR3") lodged by Auckland Transport ("AT") to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The submitter could not gain advantage in trade competition through this submission.
3. The submitter **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

OVERVIEW OF PLAN CHANGE 72 - MCKINNEY ROAD, WARKWORTH

5. Aztek Projects Limited were the applicant for Private Plan Change 72 ("PC72") which sought to rezone 8.2ha of land at McKinney Road, Warkworth from Future Urban zoning to Residential - Mixed Housing Suburban zoning under the Auckland Unitary Plan- Operative in Part ("AUP-OP"), and to apply a precinct to address wastewater infrastructure staging, transport network, ecology and water quality effects. 6.1
6. PC72 was approved with modifications by an Auckland Council-appointed hearings panel on 17 January 2023. No appeals were lodged and PC72 was made fully operative on 9 June 2023. PC72 sets out requirements for the delivery of upgrades to State Highway 1 / McKinney Road Intersection and walking and cycling connections alongside subdivision and development of the Precinct area. The land comprising PC72 is shown in Figure 1 overleaf. The AUP-OP Maps are shown in Figure 2 overleaf. 6.1



Figure 1 - Aerial image of land comprising PC72 (source: Grip Maps, July 2023)

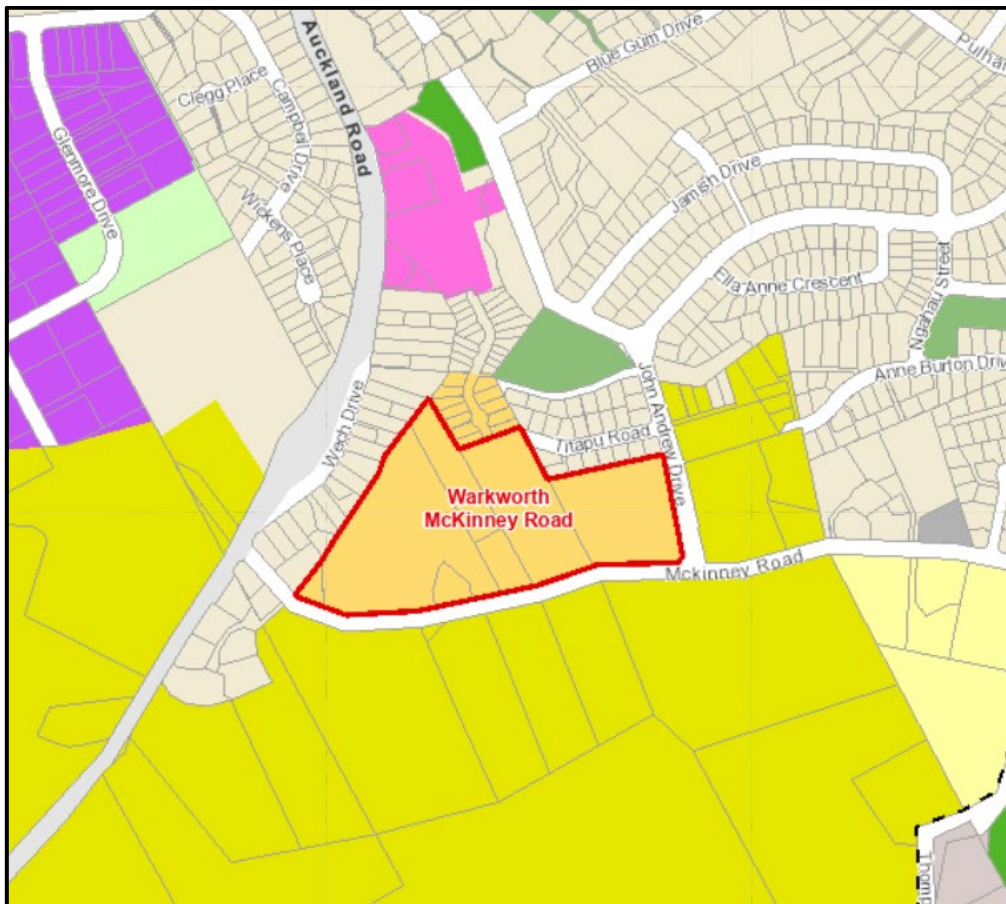


Figure 2 - AUP-OP Zoning Maps (Source: AUP-OP Maps, July 2023)

SCOPE AND REASONS FOR SUBMISSION

- 7. This submission relates to NOR3 as a whole.
- 8. The submitter has an interest in NOR3 that is greater than the interest of the general public as the submitters land is impacted by the proposed designation. Additionally, precinct applying to the submitters land requires upgrades to the State Highway 1 / McKinney Road Intersection and walking and cycling connections, both of which are proposed through this Notice of Requirement.
- 9. The submitter supports to overarching intent of the proposed designation. However, the submitter opposes the Notice of Requirement for the following reasons:
 - a. The submitter opposes the 15-year lapse period sought. The upgrades to State Highway 1 / McKinney Road Intersection need to occur now in order to provide safe and efficient transportation for current and future residential development and growth within Warkworth. 6.1
 - b. The NOR3 works need to occur in a manner that is integrated with urban development in order to create good urban outcomes and integrate with future urban development.
 - c. The Designation Conditions in their current form do not adequately provide for consultation with adjacent landowners, developers and stakeholders to ensure that the design of the NOR3 works integrate with future urban development of the surrounding area. 6.2
 - d. NOR3 (as currently proposed):
 - i. will not promote the sustainable management of the natural and physical resources and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - ii. is inconsistent with the NPS UD; 6.3
 - iii. is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - iv. will not meet the reasonably foreseeable needs of future generations;
 - v. will not enable the social, economic, and cultural wellbeing of the people of Warkworth and wider areas; and
 - vi. does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

RELIEF SOUGHT

- 1. The submitter seeks that Auckland Council recommends this NOR3 be withdrawn or rejected unless the following matters are able to be addressed:
 - a. Reduce lapse date; 6.1
 - b. Amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design 6.2

- Management Plan (or similar) and to ensure that the works are undertaken in a manner that integrate with the future urban development of the surrounding area; and
- c. Such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

Yours sincerely



Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of Aztek Projects Limited & McKinney Road Estate Limited)

Date: 07 July 2023

Address for Service:

Aztek Projects Limited & McKinney Road Estate Limited
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-713
Email: Jessica@thepc.co.nz / Burnette@thepc.co.nz

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:852] Notice of Requirement online submission - Bevan Morrison
Date: Friday, 7 July 2023 5:45:34 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Bevan Morrison

Organisation name:

Full name of your agent:

Email address: bevanmorrison75@gmail.com

Contact phone number: 0220350582

Postal address:
1829 State Highway 1
RD3
Warkworth 0983

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 3) Warkworth: State Highway 1 – South Upgrade

The specific provisions that my submission relates to are:
1829 State Highway 1, RD3, Warkworth

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

There is no detail on what is going to be done in the zone across our land. We have a historic family daffodil patch in the area shown which we need protecting or some plan on how that is going to be affected as well as what is going to happen to our driveway and septic field that lie within that designation area.

7.1

I or we seek the following recommendation or decision from Auckland Council:

We would like to understand a more detailed plan on what is planned to happen in this area including how the daffodils will be protected.

7.1

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of

requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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To: Plans and Places – Attention: Planning Technicians

Auckland Council
Private Bag 92300
Auckland 1142
Email: unitaryplan@aucklandcouncil.govt.nz

RE: Notice of Requirement – State Highway 1, South Upgrade (NoR 3) & Western Link, South (NoR 6)

1. Details of person(s) making submission

Kyle Stephen Deans and Heather Deans ('The submitters')

Ref: 17690

C/- Reyburn and Bryant
Attention: David Johnson
PO Box 191
WHANGAREI

2. General Statement

2.1 The submitters cannot gain an advantage in trade competition through this submission. They are directly affected by NoR3 and NoR6. The effects are not related to trade competition.

3. Background and context

3.1 The submitters own a residential property located at 3 McKinney Road, Warkworth. The subject site ('the site') is legally described as Lot 26 DP 40634 and is held in a single record of title referenced as RT NA1B/883.

8.1

3.2 The property comprises an area of 1,012m². The site is shown in **Figure 1** below:



Figure 1: Site location (Source: AC Geomaps).

- 3.3 The site is located in the Single House Zone (SHZ) under the AUP. Other residential properties on the eastern side of State Highway 1 are also located in the SHZ extending up to 200m south. The land further south and on the western side of State Highway 1 is located in the Future Urban Zone (FUZ).
- 3.4 The site is currently occupied by an existing legally established residential unit. It is a rectangular building extending from close to the southern boundary towards the northern boundary. It is accessed from a formed metal crossing from McKinney Road.
- 3.5 The site contains a deck and a lawn north of the existing residential unit which are used as outdoor living space. The outdoor living space is located between the existing residential unit and State Highway 1, and has a depth of approximately 15m. A stand of vegetation screens the outdoor living space from State Highway 1 and McKinney Road.
- 3.6 NoR 3 proposes to widen the existing State Highway 1 corridor to an urban arterial corridor. NoR 6 proposes a new western arterial corridor through Warkworth that will intersect with State Highway 1 at McKinney Road. The new road alignments include new footpaths and cycle paths on both sides of State Highway 1, including in front of the site.

4. Reasons for submission

Effects on amenity values

- 4.1 The submitters are supportive of the applicant's intention to secure key arterial routes to accommodate future growth in Warkworth. They are also supportive of the new

8.1

footpaths and cycling provisions proposed by NoR 3 and NoR 6. However, there has been little consideration of the effects that the new/upgraded arterial corridors will have on residential properties, and particularly the submitter's property.

4.2 While the road formation, footpaths or cycleways are not located within the site, the new layout will require a cut batter face which extends into the site. No dimensions are shown on the general arrangement plans, but the cut face appears to generally extend 5m into the submitter's property. The designation is located up to 2m from the house in some locations.

4.3 The proposed cut batter and designation boundary adversely affect the outdoor living space for the existing dwelling. The vegetation screening this area from the State Highway will also be removed as it falls within the designated area. Again, this affects privacy and amenity for the existing dwelling.

Consideration of alternatives

4.4 The NoR includes a consideration of alternatives for NoR 3 and NoR 6. However, it clearly focuses on the FUZ land as this adjoins both sides of the new road alignments for the majority of their length. There is a short but significant section where the new State Highway 1 alignment adjoins established residential properties zoned SHZ. The consideration of alternatives makes little mention of the interface between the existing residential properties and the new road corridor.

8.2

4.5 The NoR considers three route alignments for NoR 3. These are Option 1: to hold the centreline and widen equally on both sides, Option 2: to widen to the west, and Option 3: to widen to the east. The applicant considered Option 1 to be the best option. A mix of the three options does not appear to have been considered.

4.6 The submitters recognise that holding the centreline is the preferable option in the south of NoR 3 to avoid adverse effects on established activities in the FUZ. However, by adhering to Option 1 in the north, several SHZ properties are constrained, including the site. It removes land from the established residential properties in a location where the FUZ land on the western side of the corridor is vacant, and could more easily accommodate a widened arterial corridor. The result for the submitters is that the majority of the outdoor living space is removed. This severely affects the amenity values of the site.

Plan Change 78 (PC 78)

4.7 The site is proposed to be rezoned Mixed Housing Urban Zone (MHUZ) under PC 78. While PC78 is currently on hold, it will eventually enable the subdivision of the site into three 300m² lots under Rule E.38.8.2.3 of the AUP. The proposed reduction in the

8.3

area of the site resulting from subsequent acquisition of the designated area will likely reduce the subdivision potential from 3 to 2 lots with an associated reduction in the value of the site.

5. The submitters seek that AC recommend NoR 3 and NoR 6 be declined unless the following changes are made:

8.3

5.1 Extend the designation to the west of the existing designation where it adjoins the SHZ land – so no extension of the designation into SHZ properties. This allows the undeveloped FUZ land to be utilised where practicable without unduly compromising the amenity of established residential properties.

8.1

8.2

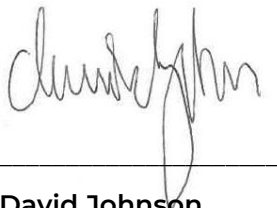
5.2 If the designation is to extend into SHZ properties, consider alternatives to cut/fill batter faces such as retaining walls. This would enable the majority of the outdoor living space to be retained.

8.1

8.2

5.3 Any other relief required to address the adverse effects.

6. Mr and Mrs Deans wish to be heard in support of their submission at a hearing.



David Johnson

Planning Consultant

On behalf of Kyle Stephen Deans and Heather Deans

Dated this 7th day of July 2023

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.

3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare's plans (ie the carpark at the Warkworth Showgrounds).

3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing.

9.1

3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained.

9.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

9.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited

**SUBMISSION ON NOTICE OF REQUIREMENT FOR A DESIGNATION THAT IS SUBJECT TO
PUBLIC NOTIFICATION UNDER SECTION 168 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council (**Council**)

Name: KA Waimanawa Limited Partnership and Stepping Towards Far Limited
(jointly **The Submitters**)

Submission on: Notice of requirement from Auckland Transport: NoR 3 Warkworth: State Highway 1 (**SH1**) – South Upgrade, for a designation to upgrade SH1 to an urban arterial corridor with active mode facilities between Fairwater Road and the southern Rural Urban Boundary (**NoR 3**).

Introduction

1. KA Waimanawa Limited Partnership is the owner of 1711 and 1723 SH1, Warkworth, which are both within the footprint of the proposed designation.¹
2. Stepping Towards Far Limited is the developer of land at 1738 SH 1, Warkworth, which is within the proposed designation.²
3. KA Waimanawa Limited Partnership and Stepping Towards Far Limited are the requestors of the proposed Warkworth South Private Plan Change (**Private Plan Change**). The Private Plan Change:
 - (a) seeks to rezone approximately 159ha of Future Urban and Rural – Rural Production zoned land in Warkworth to a mix of residential, business, open space and rural zones through the introduction of two new precincts – Waimanawa and Morrison Heritage Orchard;
 - (b) provides for the alignment of the Wider Western Link Road (**WWLR**) as it traverses through the Private Plan Change land and intersects with SH1; and
 - (c) was lodged with Auckland Council on 24 January 2023 and is expected to be notified within the next two months.
4. The Submitters will be affected by NoR 3, particularly by the proposed location of the SH1 intersection, because it is marginally inconsistent with the alignment of the WWLR provided for in the Private Plan Change. The proposed intersection between the existing SH1 and the WWLR is included within both NOR 3 and NOR 8. The Submitters repeat and adopt for NOR 8 all points made in its submission on NOR 3.
5. The Submitters could not gain an advantage in trade competition through this submission.

10.1

10.1

1 1711 and 1723 SH1, Warkworth is listed in the Schedule of Directly Affected Properties in Form 18, Attachment B.

2 1738 SH1, Warkworth is listed in the Schedule of Directly Affected Properties in Form 18, Attachment B.

Scope of submission

6. This submission relates to NoR 3 in its entirety but particularly to the portion of NoR 3 that provides for the proposed SH1 intersection with the WWLR.³

Nature of submission

7. The Submitters support the proposed designation, provided that:
- (a) a portion of the proposed designation that provides for the SH1 intersection with the WWLR is modified by shifting the location and spatial extent of the proposed SH1 intersection designation boundary marginally north, as shown in the diagram in Attachment 1; and 10.1
 - (b) conditions are imposed that ensure the adverse effects on the Submitters are addressed, including by identifying the extent of land required for permanent operation of the road and for temporary construction works. In particular, the post construction road boundary should be as shown on the notice of requirement plan. It should exclude the residual land required for construction which should remain in private land ownership. 10.2

Reasons for submission

8. Part of the proposed designation is supported because the works, including the widening and upgrade of SH1 to an urban arterial cross section, will support and manage Warkworth's growth in general accordance with the Warkworth Structure Plan and the future connection to any long-term southern on-ramps on the Ara Tuhono - Puhoi to Warkworth Motorway.
9. However, the portion of the proposed designation that provides for the SH1 intersection with the WWLR if confirmed as currently proposed:
- (a) will not promote the sustainable management of the natural and physical resources and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - (b) does not promote the efficient use and development of resources;
 - (c) is inconsistent with other relevant planning documents, including the Auckland Unitary Plan (Operative in Part);
 - (d) is not reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
 - (e) does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

³ NoR 3 "ties-in" with NoR 8 Warkworth: Wider Western Link – North at this location.

10. Without limiting the generality of the above reasons, the specific reasons for the submission are as follows:
- (a) The location of the intersection does not represent an efficient use of land because:
 - (i) the spatial extent of the intersection exceeds the land required for the proposed works;
 - (ii) the resultant alignment of the WWLR over the Private Plan Change land will reduce the amount of usable land for the local town centre area and potentially for the transportation hub; and
 - (iii) the resultant alignment of the WWLR over the Private Plan Change land will create a segregated strip of potentially undevelopable residential land north of the WWLR.
 - (b) The location of the intersection and resultant alignment of the WWLR has the potential to create reverse sensitivity effects on the adjoining Morrison Orchard if this residual land is developed for residential use or another sensitive land use.
 - (c) The location of the intersection will have adverse ecological effects on a natural wetland, which is located on 1738 SH 1, Warkworth, to the immediate southeast of the proposed Intersection.
 - (d) The Submitter's preferred alignment of the WWLR was developed as a result of an intensive master planning process and will create fewer adverse effects than the alignment resulting from the proposed designation.
 - (e) To date, the Supporting Growth justification for the location of the intersection and alignment of the WWLR is to ensure a 10m setback from a stream located on 1711 SH1. However, a sufficient setback is provided by the location of the WWLR in the Private Plan Change.
 - (f) The Supporting Growth justification for the location of the intersection and alignment of the WWLR is that it will avoid adverse effects on a "natural" wetland within the property at 1711 SH1. However, the wetland is not subject to a covenant and is a constructed wetland for the purposes of the National Policy Statement on Freshwater Management 2020 (NPS FM) and therefore is not protected by the NPS FM.

10.2

Recommendation sought

- 11. The relief sought by the Submitters is that the Council recommends that:
 - (a) NoR 3 is modified by amending the location and spatial extent of the proposed SH1 intersection designation boundary as shown in the diagram in Attachment 1; and 10.1
 - (b) Conditions are imposed that ensure the adverse effects on the Submitters are addressed, including by identifying the extent of land required for permanent operation of the road and for temporary construction works. In particular any land required for future construction works should remain outside the NOR and remain within private landownership. 10.1 10.2
 - (c) Such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
- 12. The Submitters wish to be heard in support of this submission.
- 13. If others make a similar submission, the Submitters will consider presenting a joint case with them at any hearing.
- 14. The Submitters have also lodged a submission on NoR 8 Warkworth: Wider Western Link – North, which “ties-in” with NoR 3 at the location of the SH1 intersection. 10.3

KA WAIMANAWA LIMITED PARTNERSHIP AND STEPPING TOWARDS FAR LIMITED by its solicitors and authorised agents Simpson Grierson:



Signature: Bill Loutit/Felicity Wach

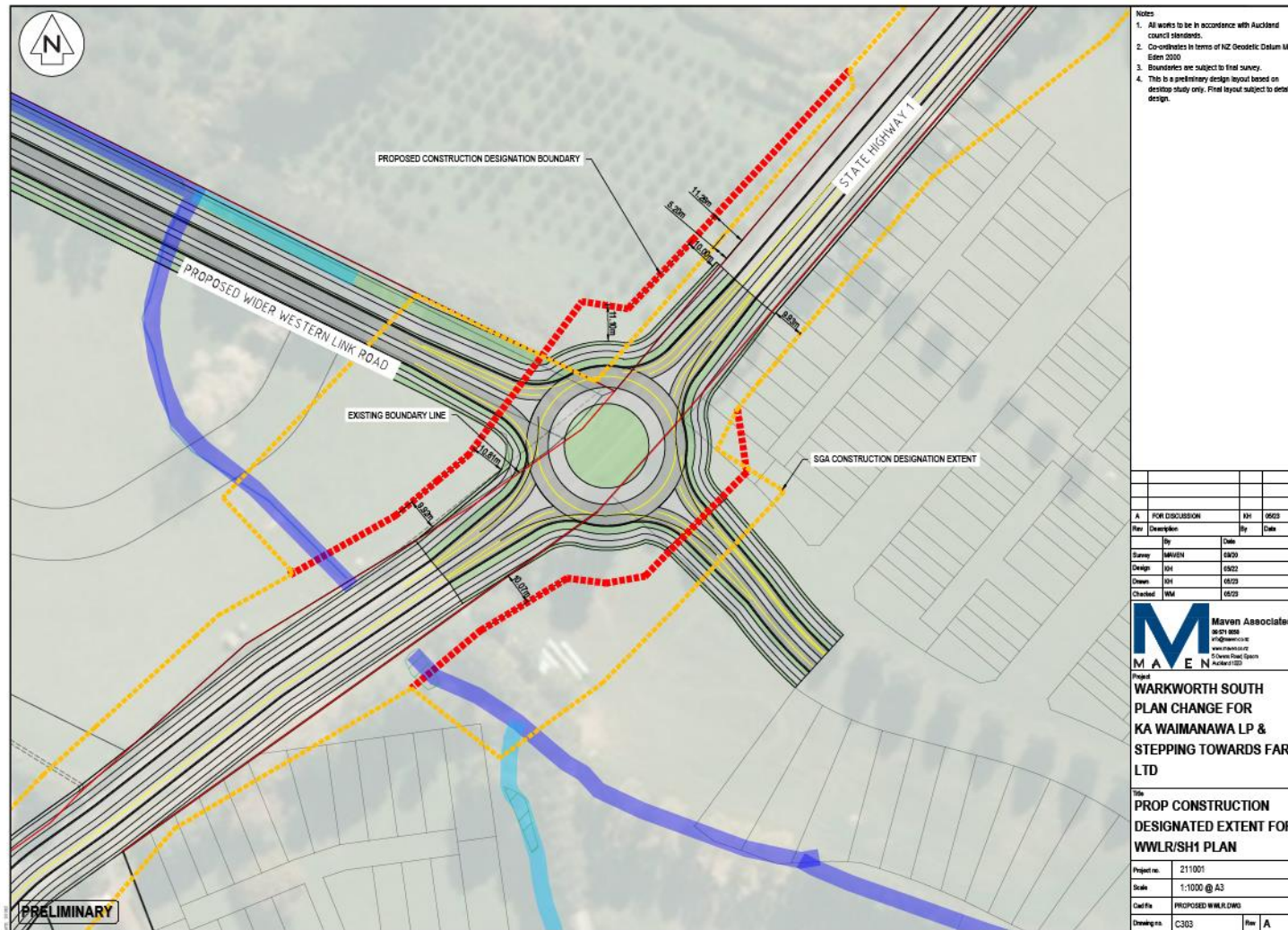
Date: 7 July 2023

Address for Service: C/- Felicity Wach
Simpson Grierson
Barristers and Solicitors
Level 27
88 Shortland Street
Private Bag 92518
AUCKLAND 1141

Telephone: +64 9 977 5306

Email: felicity.wach@simpsongrierson.com

ATTACHMENT 1 – The Submitters preferred location and extent of the Wider Western Link Road and SH1 intersection shown in red



- Notes
1. All works to be in accordance with Auckland council standards.
 2. Co-ordinates in terms of NZ Geospatial Datum Māori ED89.
 3. Boundaries are subject to final survey.
 4. This is a preliminary design layout based on desktop study only. Final layout subject to detail design.

| Rev | Description | By | Date |
|-----|----------------|----|-------|
| A | FOR DISCUSSION | KH | 06/23 |

M Maven Associates
 06 01 808
 info@maven.co.nz
 www.maven.co.nz
 1 Down Road, Open
 Auckland 1023

Project
**WARKWORTH SOUTH
 PLAN CHANGE FOR
 KA WAIMANAWA LP &
 STEPPING TOWARDS FAR
 LTD**

Title
**PROP CONSTRUCTION
 DESIGNATED EXTENT FOR
 WWLR/SH1 PLAN**

| | |
|-------------|-------------------|
| Project no. | 211001 |
| Scale | 1:1000 @ A3 |
| Conf file | PROPOSED WWLR.DWG |
| Drawing no. | C303 |
| Rev | A |

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:849] Notice of Requirement online submission - Tamara Milani
Date: Friday, 7 July 2023 12:30:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Tamara Milani

Organisation name: McDonalds Warkworth - All Businesses in the Grange complex

Full name of your agent:

Email address: tammymilani1@gmail.com

Contact phone number: 02102856542

Postal address:
40 Rosepark Crescent
St Johns
Auckland
Auckland 1050

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 3) Warkworth: State Highway 1 – South Upgrade

The specific provisions that my submission relates to are:

Our Store is located in the Grange complex which has already been heavily affected by the new motorway - we need to know more information on how this will impact our business. Will. There be road closures to build the infrastructure if so we need more information as we cant afford further loss in business.

11.1

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:

We need more information on how it will affect our business and the business in the grange - as we are already struggling with the new motorway cutting our sales by 30%

11.1

I or we seek the following recommendation or decision from Auckland Council:

WE need confirmation from the council there will be no further business disruption and more info on what will be happening and when.

11.1

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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Submitter details

Full Name Tom Morrison and Robyn Morrison

Address for service of Submitter 1791 State Highway 1 RD#, Warkworth 0983

Telephone: 0211465498 (Robyn) 0274259007 (Tom)

Email: tdrj.morrison@xtra.co.nz

Contact Person: (Name and designation if applicable) Robyn

We oppose the Notice of Requirement NOR 3 :

At address 1765 SH1.

Owner ID 101370

Map reference 110000429

We met with two representatives from Supporting Growth on March 29th and discussed our areas of concern. We were promised a reply with answers to our questions. Despite these promises from SG, and after waiting for several weeks, it took another email from us on May 25th before we eventually got an unsatisfactory reply on 31st May, and then found out a few days later that the NOR had been lodged. This gave us no time to reply and no time to further discuss changes.

12.1

We are extremely unhappy that this was described as “consultation” It appears to be a box ticking exercise to say that consultation has occurred, but that has no obligation to effect any actual practical alterations.

We object to the extent of the area affected around the orchard on this title shown by the large blue lined strip along the western side of SH1 the full eastern length of our southern title from the south corner of the orchard.

The reason for our views are:

We understand that a small strip is needed for the earthworks for the proposed improvements to the highway, but there is a much larger area designated around the fruit shed and encompassing the flat area in front of the house, the driveway and the exit onto the highway, that doesn't appear to serve any purpose. There is no need to replace the culvert. The existing (very large) culvert under the road was replaced and extended years ago and this current very large one has never overflowed since. There is no point is changing (“fixing”) what isn't broken. That is a just a waste of both time and money, let alone the totally unnecessary disruption to the traffic flow.

12.1

We ask that this wider designated area around the fruit shed and in front of the house, be removed.

12.1

Kind regards

RJ Morrison

Submitter details

Full Name Tom Morrison and Robyn Morrison

Address for service of Submitter 1791 State Highway 1 RD#, Warkworth 0983

Telephone: 0211465498 (Robyn) 0274259007 (Tom)

Email: tdrj.morrison@xtra.co.nz

Contact Person: (Name and designation if applicable) Robyn

We oppose the Notice of Requirement NOR 3

At address 1791 SH1.

Owner ID 101369

Map reference 1109252

We met with two representatives from Supporting Growth on March 29th and discussed our areas of concern. We were promised a reply with answers to our questions. Despite these promises from SG, and after waiting for several weeks, it took another email from us on May 25th before we eventually got an unsatisfactory reply on 31st May, and then found out a few days later that the NOR had been lodged. This gave us no time to reply and no time to further discuss changes.

12.2

We are extremely unhappy that this was described as “consultation” It appears to be a box ticking exercise to say that consultation has occurred, but that has no obligation to effect any actual practical alterations.

We object to the large detention pond that is proposed to be placed in our property, opposite the golf/cricket driving range.

12.2

The reason for our views are

We fail to see what catchment this will service. The catchment to the East of it can't drain into it as firstly the main highway is in the way and secondly it isn't the lowest point. To the north is a small moderate hillside in grass and trees, that doesn't require a pond, and to the south of the proposed pond, the land falls gently away and can't possible drain into a pond in this position. Water doesn't flow uphill. The western valley and associated hillside currently all drain to the south of the proposed pond and into a creek system that continues south west to eventually join the Mahurangi river.

12.2

This is not a wetland area. We feel that it will be a total waste of space, as well as a waste of the time and money spent constructing it. There is no point in constructing an artificial wetland where none currently exists.

We ask that this pond designation be removed.

12.2

Kind regards

RJ Morrison



FORM 21

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification under Section 168A, 169, 181, 189A, 190 and 195A of the Resource Management Act 1991.

To: Te Tupu Ngātahi – Supporting Growth Alliance ('Te Tupu Ngātahi')

Name of submitter: **Te Tāhuhu o te Mātauranga | Ministry of Education ('the Ministry')**

Address for service: Eden 5, Level 3/12-18
Normanby Road
Mount Eden
Auckland 1011

Attention: Gemma Hayes

Phone: +649 638 0294

Email: gemma.hayes@education.govt.nz

This is a submission on four of Te Tupu Ngātahi's Notice of Requirement in Warkworth, Woodcocks Road – West Upgrade (NoR 2), State Highway 1- South Upgrade (NoR 3), Wider Western Link – North (NoR 8) and Western Link - South (NoR 6) Auckland Transport

Background

The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact existing and future educational facilities and assets the Auckland region.

The Ministry of Education’s submission is:

Under the Resource Management Act 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

Through its delivery partner, Te Tupu Ngātahi, Auckland Transport has lodged eight Notices of Requirement (NoR) to designate land for future strategic transport corridors in Warkworth (the Project). These designations enable the future construction, operation and maintenance of transport infrastructure to support anticipated growth in Warkworth over the next 40 years. The location of each NoR in relation to and the Ministry’s assets is shown in Figure 1.

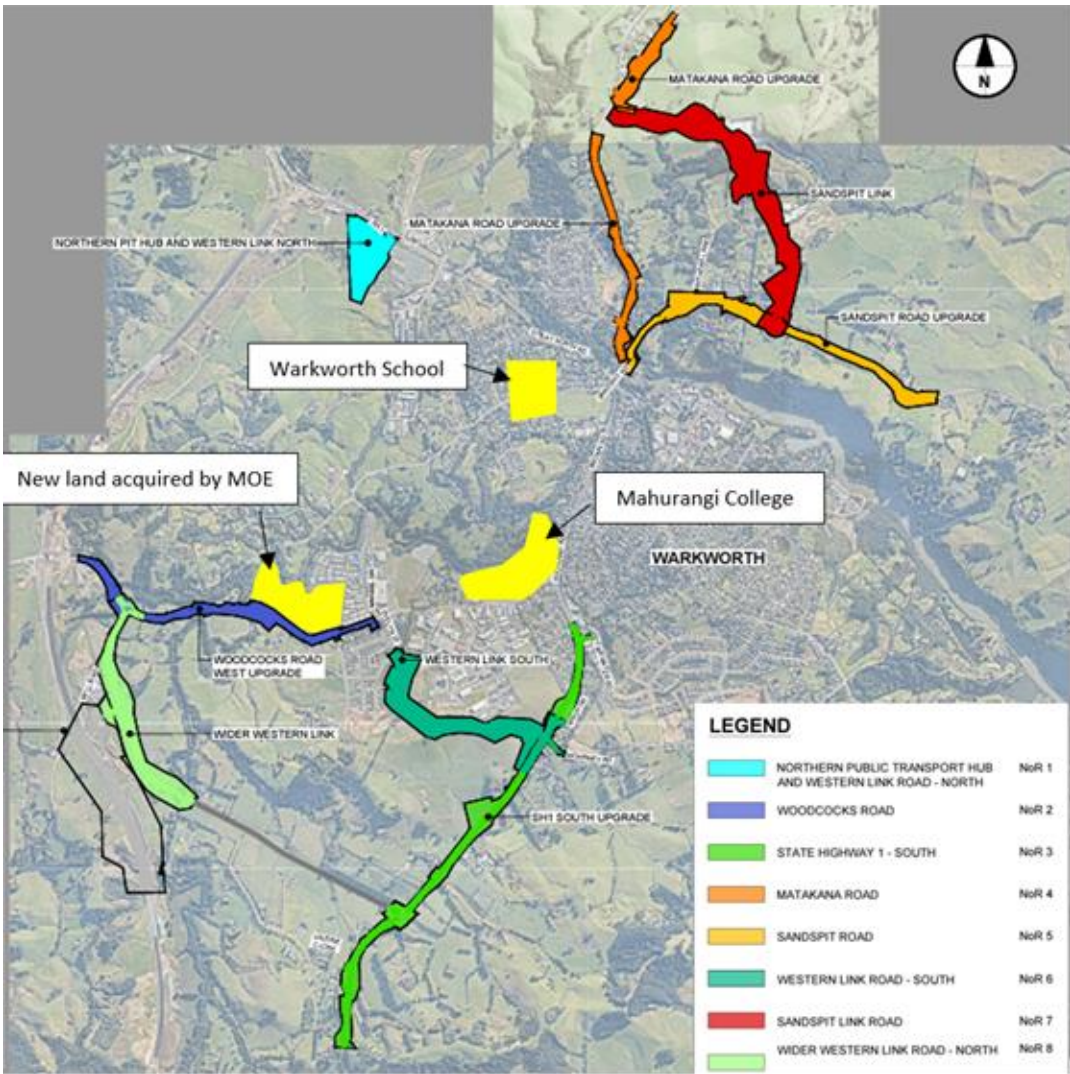


Figure 1: Project Overview - Location of Eight NoRs in relation to the Ministry of Education's School Network

The Ministry broadly supports the Project’s aim to enable better active modes of transportation and support a resilient and integrated transport network. With regard to the Ministry’s property portfolio, Mahurangi College and a site at 100 -138 Woodcocks Road, which the Ministry have acquired for a future primary and secondary school (the Ministry’s site), are within the Project area. Both Mahurangi College and the Ministry’s site have the potential to be affected by the Project.

13.1

The Ministry seeks to appropriately address and manage construction-related effects and the on-going potential effects the projects may have on the operation and management of the schools, particularly for NoR 2, NoR 6, and NoR 8. Additionally, there is a designation overlap of NoR 2 with the Ministry’s site (see Figure 2) that the Ministry wish to address. The Ministry is also investigating a possible school site South of Warkworth, and therefore are also submitting on NoR 3, and the potential effects this NoR may have on the provision of safe access to any future school site in this area. The Ministry’s specific concerns are outlined below.

13.1

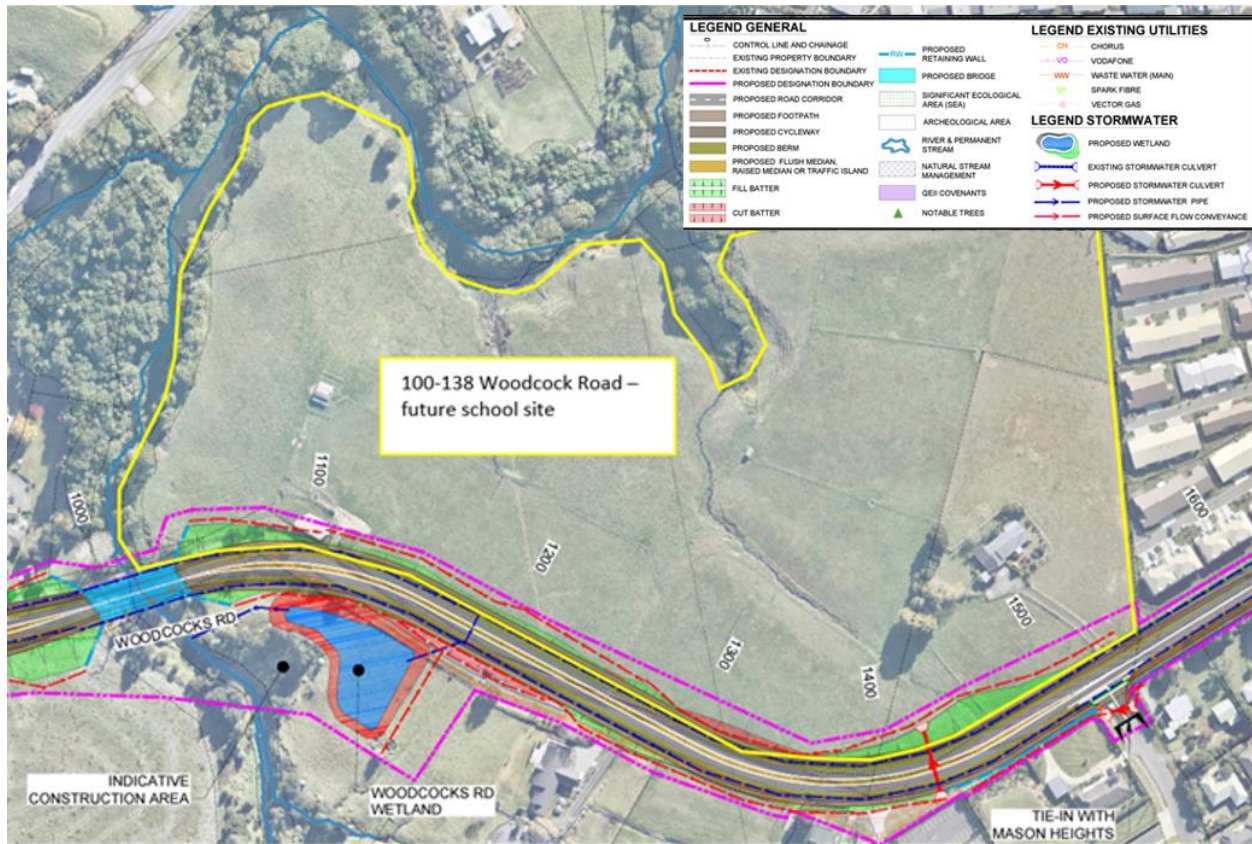


Figure 2: Proposed works in proximity to the Ministry’s site at 100-138 Woodcocks Road (Future school site is outlined in yellow)

Walking and cycling provisions

The Ministry strongly supports the provision of separated walking and cycle facilities that will provide safe access to the current and future wider school network. Encouraging mode shift will provide significant health benefits for students and staff, reducing traffic generation at pick-up and drop-off times. Schools should be well serviced by safe and accessible pedestrian and cycling links as well as public transportation facilities, and it is considered that the proposed upgrades will provide adequate cycling and walking infrastructure to the schools in Warkworth.

Regarding NoR 2, the Ministry requests the inclusion of a pedestrian crossing outside the Ministry's site once the schools have been established. This will ensure students can safely cross Woodcocks Road. We understand Auckland Transport do not have detailed design plans, but the Ministry seeks reassurance that it will be provided for in the subsequent Project implementation.

Notice of Requirement 2 (NoR 2)

The key features of NoR 2 include road widening (two-lanes and a flush median) and a bi-directional cycleway and pedestrian pathway. An indicative cross section for works on Woodcocks Road is shown in Figure 3.



Figure 3: Woodcocks Road Indicative Cross-Section

The proposed NoR 2 designation boundary overlaps with the Ministry's site (see Figure 2) by up to 20 metres in depth. Overall, Auckland Transport propose to acquire 6,350m² of the Ministry's land. This will mainly consist of the walking and cycling facilities and surface water flow conveyance channels. The Ministry's concerns with NoR 2 are outlined below.

Safe site access on Woodcocks Road

The Ministry considers that further thought should be given to the layout of the NoR 2 prior to project implementation. The current proposed arrangement requires the acquisition of a significant portion of the Ministry's site.

The current proposed road alignment moves north into the Ministry site in order to provide for clear sightlines to the existing and proposed bridge. Further consideration should be given to an alternative arrangement that shifts the alignment of the bridge. A suggested consideration is provided below (Figure 4). This would improve sightlines for the anticipated access points to the school site, and potentially reduce the need to acquire land within the school site. In discussions with Auckland Transport/SGA they indicated the location of the SW pond has not yet been determined and could possibly be located elsewhere in the vicinity.

The Ministry would like to work with Auckland Transport to consider an alternative road layout that would remove this curve and straighten the road. This would improve the overall safety of the road by enhancing sightlines and providing a safer road environment for all road users.



Figure 4: Suggested alternative road layout

Speed Limit

The NoR 2 proposes a 50km/h speed limit from Falls Road in the west to Mansel Drive in the east. As a school will be established in this location, the Ministry considers that the speed should be reconsidered to align with safer speed implementation that is currently being undertaken by Auckland Transport. The Ministry considers that a 30km/h speed should be implemented either with a variable speed limit or a permanent speed limit. Given that Mahurangi College is also located along Woodcocks Road, the variable speed limit should apply from the Falls Road intersection to the intersection of Woodcocks Road and Auckland Road adjacent to Mahurangi College.

Construction noise and vibration

If the future schools are operative before the construction of the proposed works, the schools may be affected by construction noise and vibration. Under proposed condition 16, Auckland Transport is required to develop a Construction Noise and Vibration Management Plan (CNVMP) before construction commences. The Ministry requests that the Ministry and the future schools are engaged with regarding any potential construction noise and vibration impacts. In addition, the Ministry requests that any construction activities that will significantly exceed the permitted noise and/or vibration levels are undertaken outside of exam periods to minimise disruptions to students' learning.

15.2

Access to the future schools the Ministry's site

The Project has allowed space for a flush median down the centre of Woodcocks Road as part of the proposed works (see Figure 3). The Ministry supports the inclusion of a standard, flat flush median outside the Ministry's site to enable appropriate queuing space for cars entering the school grounds. For the avoidance of doubt, the Ministry does not support any solid median that prevents flexibility in manoeuvring to and from the Ministry's site.

15.3

Overall, the Ministry wishes to work with Auckland Transport on the detailed design to suitably integrate works with school access. The Ministry notes visibility constraints due to horizontal bends and vertical gradients on Woodcocks Road (particularly at the eastern end of the school), which create complications in designing a safe access point to the future schools. The bridge appears to be a fixed point which determines the future road layout and the Ministry requests that Auckland Transport collaborate with the Ministry during the various design phases of the road to ensure the bridge and approach road to the west of the Ministry site incorporates existing or proposed entrances, and ensures safe and adequate access to our site.

15.3

Designation boundary overlap

The Ministry supports the proposed condition 3, which requires the Requiring Authority to review the physical extent of the designation and pull it back after construction.

When the Ministry develops the site, it will undertake earthworks to prepare the site for development. The development of the school site may result in earthworks by Auckland Transport not being required. The earthworks undertaken by the Ministry will change the gradient and interface on the school site with the road, and the existing levels that inform the extent of the NoR and the estimated earthworks may no longer apply. The Ministry requests recognition in the condition that earthworks on the school site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks, then the NoR boundaries can be revised.

15.4

The Ministry requests that if the Ministry finish the earthworks required by Auckland Transport, Auckland Transport roll back the designation earlier. The relief sought is outlined below.

NoR3

In NoR 3, a roundabout is proposed along the urban arterial. The Ministry is investigating a possible school site to serve this future urban area. The school may be located on either side of the urban arterial, but the likely catchment will be all of this new urban area, with students required to cross this arterial to access the school sites by active modes. The school site may be some distance from the arterial so may not be able to support safe crossing by kea or other supervision.

13.5

The Ministry supports signalised intersections over roundabouts to connect these urban areas across the arterial, as this provides a safer environment for students to access the school. Signalised intersections can better manage the safe movement (active modes) of people and vehicles. These deliver on and align with government policy to support well-functioning urban environments as well as thriving communities.

All NoRs

Construction traffic effects

Mahurangi College is located at the corner of Woodcocks Road and Auckland Road. The College will potentially be affected by an increased volume of heavy vehicles using Woodcocks Road to access the construction area of NoR2, NoR3, NoR6 and NoR8. This is a traffic safety concern for students walking and cycling to school at peak pick-up and drop-off times.

13.6

Proposed condition 15 requires the preparation of a Construction Traffic Management Plan (CTMP) prior to the start of construction. The Ministry supports the inclusion of this condition but requests minor alterations to the condition to include details on how all heavy construction vehicles will avoid schools (and any new schools established before construction commences) during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school. The Ministry also request that truck drivers are briefed on maintaining safe speeds around schools.

Stakeholder engagement

The Ministry supports the establishment of a Stakeholder Communication and Engagement Management Plan (SCEMP) as a proposed condition. The Ministry considers that the Ministry, Mahurangi College, and future schools are all key stakeholders in this Project and specific engagement with all parties is required to manage construction effects on the schools.

Decision sought

The Ministry is neutral on NoR 2, NoR 3, NoR 6 and NoR 8, however if the consent authority is minded to confirm the Notice of Requirement, the Ministry requests the following relief and any consequential amendments required to give effect to the matters raised in this submission.

The Ministry requests further engagement with Auckland Transport over the alignment of the road, to work together to determine if another layout may better provide for the use of the Ministry site, while still achieving the intended outcomes of the Project.



Conditions

The Ministry seeks the following relief for the condition below on NoR 2, NoR 3, NoR 6 and NoR 8 additions are underlined:

13.1-13.6

1. The Ministry seeks the following relief for the proposed SCEMP condition (condition 12):
 - (a) A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:
 - i. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);
 - ii. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;
 - iii. methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;
 - iv. methods for engaging with the Ministry of Education (MoE), Mahurangi College and the future schools located at 100-138 Woodcocks Road . The MoE and Schools must be contacted ten working days prior to the start of any construction within 100 metres of the school boundary. Contact details of the construction manager must be shared with MoE Mahurangi College and and the future schools located at 100-138 Woodcocks Road (should the school have any safety concerns during construction).
 - v. a list of stakeholders, organisations (such as community facilities) and businesses and persons who will be engaged and communicated with;
 - vi. Identification of the properties whose owners will be engaged with;
 - vii. methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and surrounding businesses and residential communities;
 - (b) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.
 - (c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.

2. The Ministry seeks the following relief for the proposed CTMP condition (condition 15):

13.1-13.6

- (a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work
- (b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:...
- i. methods to manage the effects of temporary traffic management activities on traffic;
 - ii. measures to ensure the safety of all transport users;
 - iii. the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;
 - iv. How heavy vehicles will avoid travelling past the schools listed in the table below during peak before-school and after-school travel times during term time. Engagement should be undertaken with the schools prior to construction to confirm the restricted times still reflect the school's peak before-school and after-school travel times. It is noted that new schools could establish around the project area before construction commences. Any new school on an identified construction route must be engaged with and added to the table below. Heavy vehicle movements must avoid these new schools at their peak before-school and after-school travel times.

| <u>School</u> | <u>Address</u> | <u>Roads vehicles are restricted from</u> | <u>Timeframe restrictions</u> |
|---|------------------------------------|---|--|
| <u>Mahurangi College</u> | <u>2 Woodcocks Road, Warkworth</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>8.15am – 9am and 3pm – 3.30pm.</u> |
| <u>Future Schools located at 100-138 Woodcocks Road</u> | <u>100-138 Woodcocks Road</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>If the School is operational Auckland Transport must undertake engagement with the School to determine an appropriate time restriction.</u> |

- v. Details of how truck drivers will be briefed on the importance of slowing down and adhering to established speed limits when driving past both schools, and to look out for school children and reversing vehicles at all times.
- vi. Details of consultation (including outcomes agreed) with the applicant, Mahurangi College and the future School located at 100-138 Woodcocks Road with regard to maintaining the safety of school students during construction. Details of all safety measures and interventions will be documented in the Construction Traffic Management Plan.

...

The Ministry request the following changes to NoR 2 only:

- 3. The Outline Plan shall include a pedestrian crossing outside the Ministry's future school site at 100 - 138 Woodcocks Road as part of the Project implementation if the designation of this site has been given effect to.
 - 4. The Ministry seeks the following relief for the proposed CNVMP condition:
 - (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.
 - (b) A CNVMP shall be implemented during the Stage of Work to which it relates.
 - (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 16 and 17 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:
 - i. Description of the works and anticipated equipment/processes;
- ...
- xiv. If noise is to significantly exceed the permitted noise levels outside the school(s) located on 100-138 Woodcocks Road, engagement must be undertaken with them to determine appropriate mitigation message and ensure all noise activities are undertaken outside of exam and important class schedules.
- 5. The Ministry seeks the following relief for the proposed designation review condition (condition 3):
 - (a) The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable following Completion of Construction the Requiring Authority shall:



- i. review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project (including where physical works of approved roading infrastructure have been undertaken by other parties); and
- ii. give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above .

Should you wish to discuss any aspect of this feedback, please do not hesitate to contact the undersigned.

The Ministry wishes to be heard in support of its feedback.

Gemma Hayes

Ministry of Education

Date: 7 July 2023

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:855] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 6:45:35 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 3) Warkworth: State Highway 1 – South Upgrade

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

14.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:863] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:30:34 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison

Organisation name:

Full name of your agent: Grant Hewison

Email address: grant@granthewison.co.nz

Contact phone number:

Postal address:

PO Box 47188

Auckland

Auckland 1011

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 3) Warkworth: State Highway 1 – South Upgrade

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

15.1

I or we seek the following recommendation or decision from Auckland Council:

Grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR3 State Highway 1 – South Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Greg and Michele Garnett

1. Greg and Michele Garnett make this submission on NOR3 State Highway 1 – South Upgrade (“NOR3”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Greg and Michele Garnett could not gain advantage in trade competition through this submission.
3. Greg and Michele Garnett **wish to be heard** in support of their submission.
4. If any other submitters make a similar submission, Greg and Michele Garnett will consider presenting a joint case with them at the hearing.

OVERVIEW OF SUBMITTER LAND

5. Greg and Michele Garnett own the property at 1794 State Highway 1, Warkworth. This property is legally described as Lot 2 DP 152920 and has an area of 4.9362 hectares. The Range Warkworth, a golf driving range and related activities business, operates from the site. The range includes a golf driving range, baseball/softball battling cages, air rifle shooting, indoor cricket machines and a 9-hole mini golf course.
6. An aerial image of the properties is provided in Figure 1 overleaf.

16.1



*Figure 1 – Aerial Image of 1794 State Highway 1, Warkworth
(source: Grip Maps, July 2023)*

7. The property is zoned as Future Urban under the Auckland Unitary Plan - Operative in Part (“AUP-OP”) as shown in Figure 2 below.



Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 7 July 2023)

SCOPE OF SUBMISSION

8. This submission relates to NOR3 as a whole.
9. Greg and Michele Garnett have an interest in NOR3 that is greater than the interest of the general public as their land will be directly impacted by the proposed designation works. The designation layout is shown in Figure 3 below.

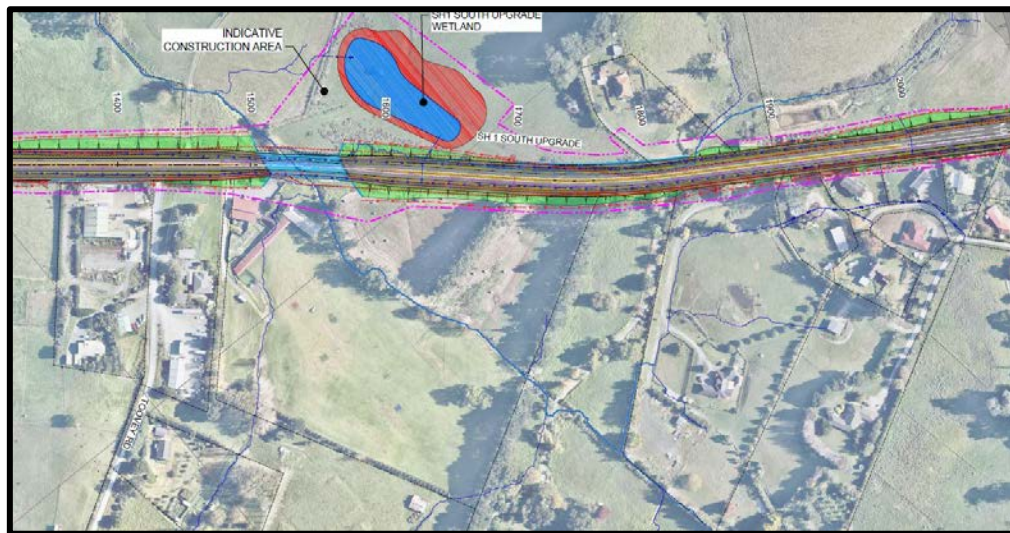


Figure 3 – NOR3 General Arrangement Plan

Extent of Designation and Consideration of Alternatives

10. Greg and Michele Garnett oppose the designated works proposed over 1974 State Highway 1. The proposed designation will be a blight on the land and will inhibit the ability to undertake a range of permitted, or otherwise consentable activities, including to grow the existing business.
11. Greg and Michele Garnett seek that the Requiring Authority demonstrate that access to the existing business activity will continue to be possible as the plans show a bridge in the location of the existing crossing point which is likely to unduly limit or restrict access. They also seek that the Requiring Authority demonstrate that all available alternatives for a crossing in this location have been considered and provide a robust assessment demonstrating that the proposal represents the best outcome in terms of urban development and efficient use of land. A bridge is a significant and costly structure. There is currently no bridge in this location.

16.2

Lapse Period Sought

12. Greg and Michele Garnett oppose the proposed 15-year lapse period sought for this designation. The timeframe sought will be a blight on the land and stagnate any development of these properties. The land is anticipated to be urbanised within the 15-year timeframe (currently 2028 – 2032 in the Future Urban Land Supply Strategy).

16.1

Designation Conditions

13. The proposed designation conditions - Appendix C of the Notice of Requirement requires an Urban and Landscape Design Management Plan (“ULDMP”) to be prepared and submitted to Auckland Council (refer to Condition 9). Sub-section (d) of the condition requires:

16.3

d) To achieve the objective, the ULDMP(s) shall provide details of how the project:
(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;

(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;

(iii) Promotes inclusive access (where appropriate); and

(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as:

- a. Crime Prevention Through Environmental Design (CPTED) principles;*
- b. Safety in Design (SID) requirements; and*
- c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.*

14. The submitter's seek that condition 9 be amended to require evidence of consultation with adjacent landowners, developers, and other stakeholders be required to be provided with the ULDMP. The condition should require the consultation to demonstrate that the ULDMP achieves the outcomes specified in the condition with respect to the adjacent land.

16.3

15. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the designation conditions to ensure that optimal urban outcomes are achieved through the designated works.

REASONS

16. NOR 3 (as currently proposed):

- a. Will not promote the sustainable management of the natural and physical resources, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
- b. Is inconsistent with the NPS UD;
- c. Is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
- d. Will not meet the reasonably foreseeable needs of future generations;
- e. Will not enable the social, economic, and cultural wellbeing of the people of Warkworth; and
- f. Does not avoid, remedy or mitigate actual and potential adverse effects on the environment;
- g. Does not integrate with the planned urbanisation of adjacent land; and
- h. May not be consistent with the Auckland Council FDS which is currently a draft.

16.4

17. Without limiting the generality of paragraph 16 above, Greg and Michele Garnett oppose NOR 3 because it will result in significant adverse effects on the subject site that will not be avoided or adequately remedied or mitigated. Specifically:

- a. The project, as proposed, will blight the land and render the existing business, buildings and land unviable. The proposed works will prevent the existing businesses from operating. This directly affects the owner of the land.
- b. Alternatives have not been fully investigated or discounted, in relation to the extent of the subject site the proposed Designation relates to and the alternatives to installation of a bridge structure in this location.
- c. The proposed lapse timeframe and the proposed conditions do not appropriately provide for integration with existing or future urban development.

16.1

16.2

16.4

- d. The extent of works are potentially based on flawed modelling and assumptions relating to stormwater flooding and roading, traffic effects.

RELIEF SOUGHT

18. Greg and Michele Garnett seek that NOR 3 is withdrawn or otherwise amended to address the matters raised in the submission, specifically:

- a. That the Requiring Authority undertake further analysis to determine that long term access will be possible to the existing business activity operated from the site as this currently appears to be restricted by a bridge. 16.2
- b. That access to the site for planned Future Urban activities is protected. 16.4
- c. That alternatives to a bridge structure are fully investigated and more suitable outcomes proposed. 16.2
- d. That the Requiring Authority demonstrates that the proposed works are the optimal and required outcome given stormwater considerations that need to take account of the full urbanisation of the adjacent land. 16.5
- e. That the Requiring Authority demonstrates that the works are based on valid transportation modelling that reflects the future urban development of surrounding land in the context of the existing legislative framework. 16.5
- f. The lapse date be reduced from the 15-year lapse period sought. 16.1
- g. That the conditions be amended to achieve optimal urban outcomes and require appropriate engagement with landowners on matters impacting their land. 16.3
- h. Any other relief required to achieve the outcomes sought in this submission.

Or alternatively that Auckland Council recommend that NOR3 State Highway 1 – South Upgrade be declined.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Greg and Michele Garnett)

Date: 07 July 2023

Address for Service:

Greg and Michele Garnett
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: Burnette@thepec.co.nz



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR3 State Highway 1 – South Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: The Range Warkworth Limited

1. The Range Warkworth Limited make this submission on NOR3 State Highway 1 – South Upgrade (“NOR3”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The Range Warkworth Limited could not gain advantage in trade competition through this submission.
3. The Range Warkworth Limited **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, The Range Warkworth Limited will consider presenting a joint case with them at the hearing.

OVERVIEW OF SUBMITTER LAND

5. The Range Warkworth Limited operates a successful business from the property at 1794 State Highway 1, Warkworth. This property is legally described as Lot 2 DP 152920 and has an area of 4.9362 hectares. The Range includes a golf driving range, baseball/softball battling cages, air rifle shooting, indoor cricket machines and a 9-hole mini golf course.
6. An aerial image of the properties is provided in Figure 1 overleaf.

17.1



*Figure 1 – Aerial Image of 1794 State Highway 1, Warkworth
(source: Grip Maps, July 2023)*

7. The property is zoned as Future Urban under the Auckland Unitary Plan - Operative in Part (“AUP-OP”) as shown in Figure 2 below.

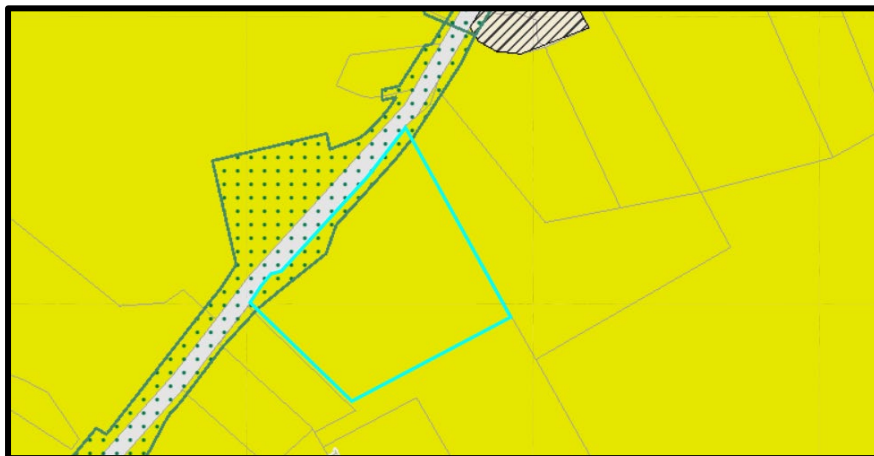


Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 7 July 2023)

SCOPE OF SUBMISSION

8. This submission relates to NOR3 as a whole.
9. The Range Warkworth Limited have an interest in NOR3 that is greater than the interest of the general public as their land will be directly impacted by the proposed designation works. The designation layout is shown in Figure 3 below.

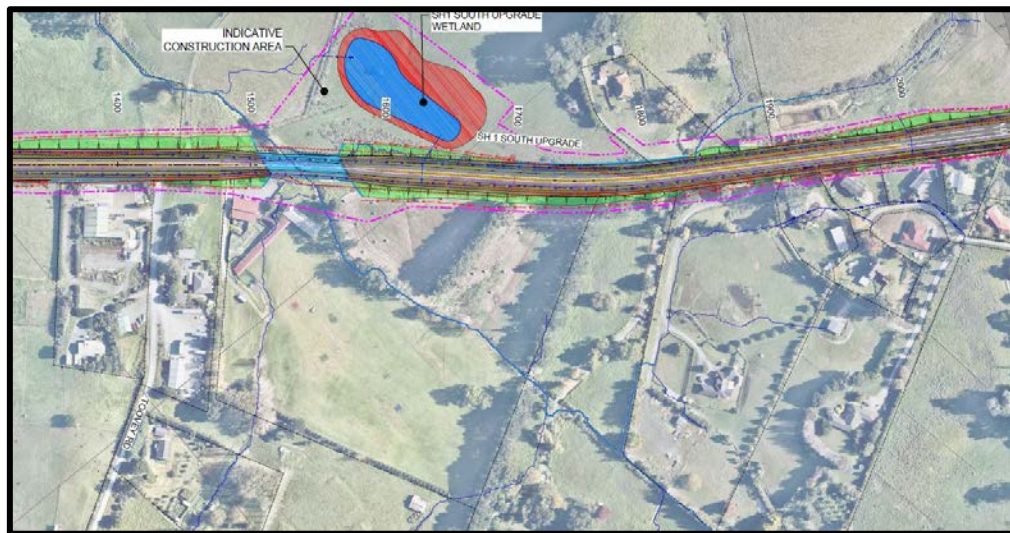


Figure 3 – NOR3 General Arrangement Plan

Extent of Designation and Consideration of Alternatives

10. The Range Warkworth Limited oppose the designated works proposed over 1794 State Highway 1. The proposed designation will be a blight on the land and will significantly adversely effect or prevent the continued operation of the existing business and inhibit or restrict the ability to grow the business.

17.1

11. The Range Warkworth Limited seek that the Requiring Authority demonstrate that access to the existing business activity will continue to be possible as the plans show a bridge in the location of the existing crossing point which is likely to unduly limit or restrict access. They also seek that the Requiring Authority demonstrate that all available alternatives for a crossing in this location have been considered and provide a robust assessment demonstrating that the proposal represents the best outcome in terms of urban development and efficient use of land. A bridge is a significant and costly structure. There is currently no bridge in this location.

17.2

Lapse Period Sought

12. The Range Warkworth Limited opposes the proposed 15-year lapse period sought for this designation. The timeframe sought will be a blight on the land and stagnate any development of these properties. The land is anticipated to be urbanised within the 15-year timeframe (currently 2028 – 2032 in the Future Urban Land Supply Strategy).

17.1

Designation Conditions

13. The proposed designation conditions - Appendix C of the Notice of Requirement requires an Urban and Landscape Design Management Plan (“ULDMP”) to be prepared and submitted to Auckland Council (refer to Condition 9). Sub-section (d) of the condition requires:

17.3

- d) To achieve the objective, the ULDMP(s) shall provide details of how the project:
 - (i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;

(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;

(iii) Promotes inclusive access (where appropriate); and

(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as:

a. Crime Prevention Through Environmental Design (CPTED) principles;

b. Safety in Design (SID) requirements; and

c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.

14. The submitter's seek that condition 9 be amended to require evidence of consultation with adjacent landowners, developers, and other stakeholders be required to be provided with the ULDMP. The condition should require the consultation to demonstrate that the ULDMP achieves the outcomes specified in the condition with respect to the adjacent land.

17.3

15. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the designation conditions to ensure that optimal urban outcomes are achieved through the designated works.

REASONS

16. NOR 3 (as currently proposed):

a. Will not promote the sustainable management of the natural and physical resources, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;

b. Is inconsistent with the NPS UD;

c. Is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;

d. Will not meet the reasonably foreseeable needs of future generations;

e. Will not enable the social, economic, and cultural wellbeing of the people of Warkworth; and

f. Does not avoid, remedy or mitigate actual and potential adverse effects on the environment;

g. Does not integrate with the planned urbanisation of adjacent land; and

h. May not be consistent with the Auckland Council FDS which is currently a draft.

17.4

17. Without limiting the generality of paragraph 16 above, The Range Warkworth Limited opposes NOR 3 because it will result in significant adverse effects on the subject site that will not be avoided or adequately remedied or mitigated. Specifically:

a. The project, as proposed, will blight the land and render the existing business, buildings and land unviable. The proposed works will prevent the existing businesses from operating. This will have significant adverse and permanent effects on the operation and visibility of the business.

17.1

b. Alternatives have not been fully investigated or discounted, in relation to the extent of the subject site the proposed Designation relates to and the alternatives to installation of a bridge structure in this location.

17.2

- c. The proposed lapse timeframe and the proposed conditions do not appropriately provide for integration with existing or future urban development. 17.4
- d. The extent of works are potentially based on flawed modelling and assumptions relating to stormwater flooding and roading, traffic effects. 17.5

RELIEF SOUGHT

18. The Range Warkworth Limited seeks that NOR 3 is withdrawn or otherwise amended to address the matters raised in the submission, specifically:

- a. That the Requiring Authority undertake further analysis to determine that long term access will be possible to the existing business activity operated from the site as this currently appears to be restricted by a bridge. This will have significant and permanent adverse effects on the business. 17.2
- b. That access to the site for planned Future Urban activities is protected. 17.2
- c. That alternatives to a bridge structure are fully investigated and more suitable outcomes proposed. 17.2
- d. That the Requiring Authority demonstrates that the proposed works are the optimal and required outcome given stormwater considerations that need to take account of the full urbanisation of the adjacent land. 17.5
- e. That the Requiring Authority demonstrates that the works are based on valid transportation modelling that reflects the future urban development of surrounding land in the context of the existing legislative framework. 17.5
- f. The lapse date be reduced from the 15-year lapse period sought. 17.1
- g. That the conditions be amended to achieve optimal urban outcomes and require appropriate engagement with landowners on matters impacting their land. 17.4
- h. Any other relief required to achieve the outcomes sought in this submission.

Or alternatively that Auckland Council recommend that NOR3 State Highway 1 – South Upgrade be declined.

Yours sincerely



Burnette O'Connor
 Director | Planner
 The Planning Collective Limited
 (On behalf of The Range Warkworth Limited)

Date: 07 July 2023

Address for Service:

The Range Warkworth Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: Burnette@thepc.co.nz

NOR 4 – ANNOTATED SUBMISSIONS

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:821] Notice of Requirement online submission - Pinglu Chen Jinhua Yang
Date: Sunday, 18 June 2023 2:00:27 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Pinglu Chen Jinhua Yang

Organisation name:

Full name of your agent:

Email address: pinglu.chen@outlook.com

Contact phone number: +64224696688

Postal address:
39 Waller Ave
bucklands Beach
Auckland 2012

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:
98 Matakana Road

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

Has directly impact to my property ~ competely blocked the entrance and could not make normal living in the house

1.1

I or we seek the following recommendation or decision from Auckland Council:

change the route design and give me sufficient space of my house front door for normal entrance.

1.1

Submission date: 18 June 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

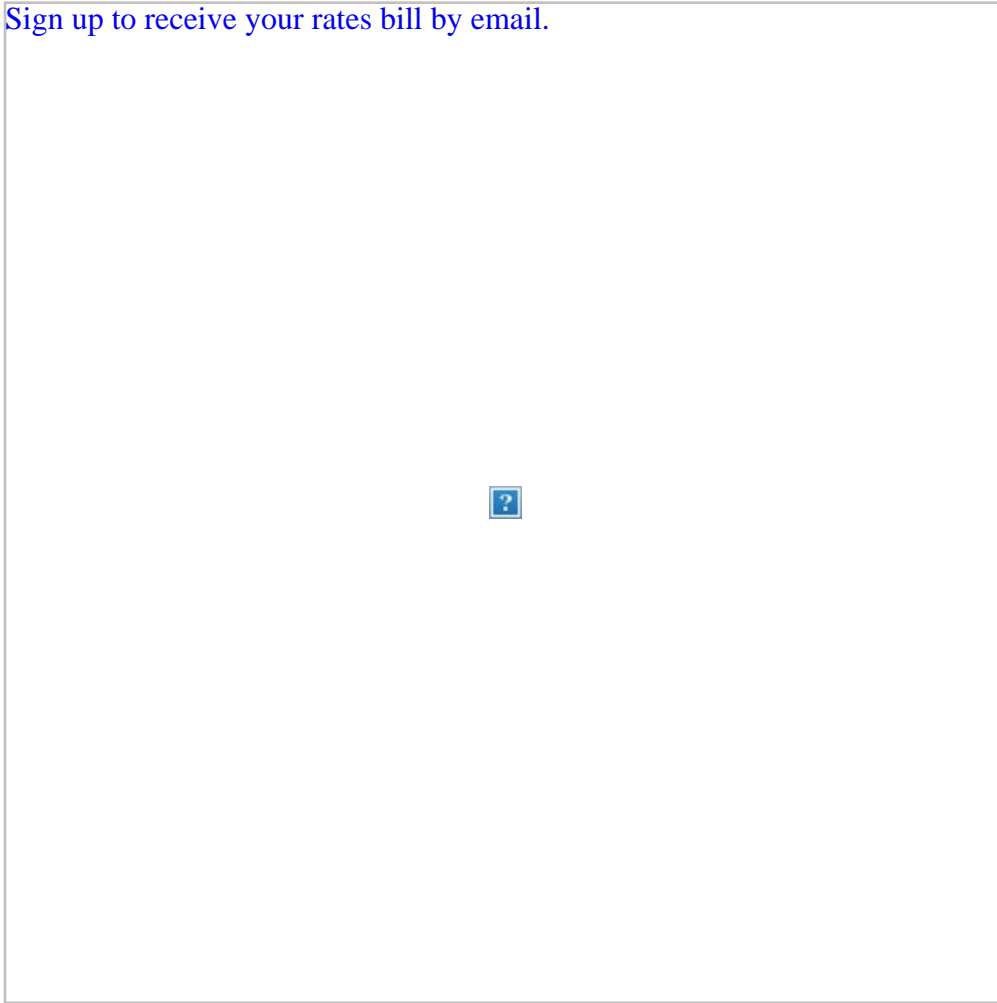
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:825] Notice of Requirement online submission - Murray Parker
Date: Saturday, 1 July 2023 11:30:42 am

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Murray Parker

Organisation name:

Full name of your agent: Karen Parker

Email address: electrician001@hotmail.com

Contact phone number:

Postal address:
37 Ashmore Crescent
Warkworth
Auckland 0910

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:
Works effecting 297 Matakana Road, Warkworth 0985

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:

You are proposing to take a portion of our land away. What are the compensation arrangements for this? Do you have a time frame, when will work commence?

2.1

I or we seek the following recommendation or decision from Auckland Council:
Compensation for land taken

Submission date: 1 July 2023

Attend a hearing

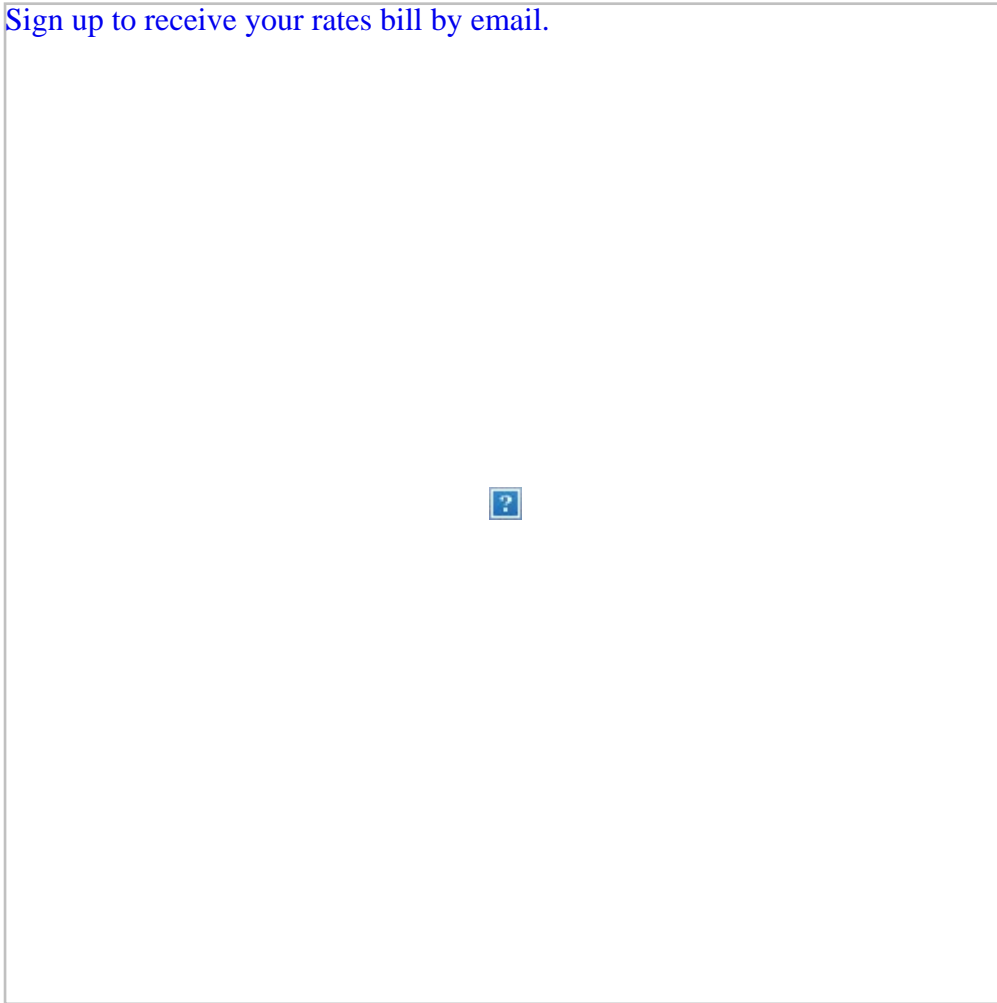
Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142



| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Robert Hugh Always Blair

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

289 Matakana Road R.D.S.
Warkworth

Telephone:

09 425 8743

Fax/Email:

[Empty box for Fax/Email]

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 4) Warkworth: Matakana Road Upgrade

The specific parts of the above notice of requirement that my submission relates to are: (give details):

Property @ 289 Matakana Road and road leading up to property.

3.1

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

See attached.

We have owned our land for 56 years and have built our workshop & House ourselves (blood sweat & tears)
 It is our home and thought it would be an inheritance for our son who has only known this place as his home.
 Having paid rates for 56 years we have no services. No Water, No Sewerage, No Street Lighting - This road has been reconstructed and sealed once since we have lived here.

This Council sends a letter stating they are going to take our land and demolish our ~~house~~ ^{home} is disgusting. No knock on the door or discussion first.
 We are in our seventies & eighties and horrified this can happen and don't know what to do.

there is no need for this extensive road plan. 3.1
 If the ~~road~~ existing road was kerbed there would be enough width for a footpath & cycleway on one side only as the Matakana Link Road has been done.

What an expensive waste of money to Tax payer and ratepayers and a total disappointment to many landowners who will lose property.
 Nobody will walk to the township from here as it is too far too steep and ~~as~~ as for cycling the lyric cyclists will still use the road not the cycleway as already proven in Auckland.

It was only last Monday at a meeting we found out you want to take our ~~house~~ ^{home} and land.

04 JUL 2023
Auckland Council

NoR 4 Sub #03

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

We don't want to move after 56 years at this property and we ask that you give further thought to this.

3.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

R. Harbain
Signature of Submitter
(or person authorised to sign on behalf of submitter)

4/7/23
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:829] Notice of Requirement online submission - Jinhua YANG
Date: Wednesday, 5 July 2023 11:46:09 am

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Jinhua YANG

Organisation name:

Full name of your agent:

Email address: daisyyang69@hotmail.com

Contact phone number: 021783022

Postal address:
daisyyang69@hotmail.com
39 waller ave. Bucklands Beach
Auckland 2012

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:
98 Matakana Road, Warkworth

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
Because we love this town and hope to retire there, so supporting it can get better.

I or we seek the following recommendation or decision from Auckland Council:
We like the lifestyle of Warkworth very much and hope to retire here, we heard that the government will expropriate our land without a definite date and will put a note on the property, which will affect my whole life plan and bring us great troubles. In particular, my husband was so concerned that he emailed back and voted no. But after my last meeting with you, I have a lot of confidence that the government understands our concerns and will do everything possible to address the issues we have raised. Here are some ideas that I hope will be addressed by the government: 1) The government can expropriate our land according to the original plan, but it must ensure that the normal use of the main house will not be damaged, including the structure of the house, the foundation of the house, the safety of the house and other issues. 2) While ensuring that the main house is not damaged, the normal use of the original garage should be preserved as far as possible. 3) It is hoped that the existing land can be divided into six separate titles. 4) The government builds a drive away to be connected to the six separate titles.

4.1

Submission date: 5 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

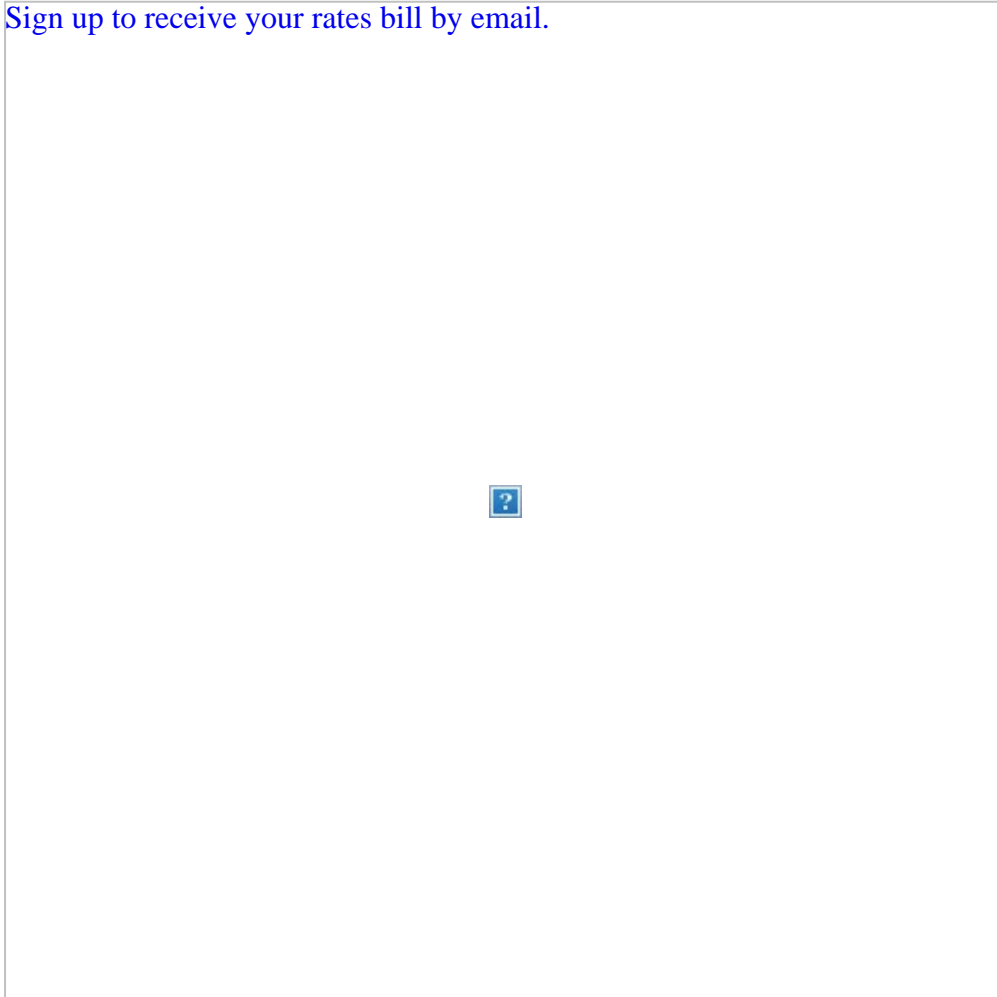
Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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SUBMISSION ON NOR4

MATAKANA ROAD UPGRADE BETWEEN HILL STREET
INTERSECTION AND NORTHERN RURAL URBAN BOUNDARY

TO: The Board of Inquiry
SUBMITTER: Stuart Alexander Wells
ADDRESS: 96 Matakana Road, Warkworth (No. 96) (as part owner)

Submissions:

- 1) I oppose the proposed designation insofar as it generally affects both myself and all other owners/occupiers of impacted properties.
- 2) I support the updated reduced designation footprint shown on the AT plan dated 9 May 2023 which is attached as it no longer requires the eventual demolition of any building/part building on No. 96.

5.1

Concluding Comment:

I do not wish to be heard on the submissions I have made.

Dated this 5th day of July 2023

S. Wells
.....

(S A Wells)

Attachment: Plan showing the reduced designation footprint as it now impacts No. 96.

*Stuart Wells 021 685 356.
StuWells88@hotmail.com.*

DRAFT

Malakana Rd

Lot 1 DP
431389

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:832] Notice of Requirement online submission - Rod Frizzell
Date: Thursday, 6 July 2023 9:00:27 am

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rod Frizzell
Organisation name:
Full name of your agent: Rod Frizzell
Email address: rod@trucutnz.com
Contact phone number:
Postal address:
160 Matakana Road
Warkworth
Warkworth 0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:
Crazy dreaming timeline. Native and Specimen trees that are in the designation area that are not to be removed. Loss of value of property @ 160 Matakana Road. a lot of unknowns and uncertainty especially with Auckland Council .

6.1

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:
it is completely unreasonable to expect privately owned land to be locked up for 20-30 years in the assumption it will happen, especially with the pushback being reported " council applies brakes to Mahurangi growth". the country is broke because of the current Labour govt who have completely neglected infrastructure , but this type of project will be well delayed as a result, main highways WW to Whangarei will take precedence and so they should.

6.2

I or we seek the following recommendation or decision from Auckland Council:
Delayed 10 years + and get the important basics done not wishful flowery nice to haves. How about concentrating on selaing and getting our roads up to speed locally first. Hill street intersection has been talked about for 20 years and still nothing done so why is the NOR 4 any different?

6.2

Submission date: 6 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:833] Notice of Requirement online submission - Maxwell Baolin Yang
Date: Thursday, 6 July 2023 10:00:57 am

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Maxwell Baolin Yang
Organisation name: Karariki Limited
Full name of your agent: Cozy Tsui - Topland NZ Limited
Email address: cozy@topland.co.nz
Contact phone number: 021683536
Postal address:
Unit 9
42 ormiston Road
Auckland
Auckland 2019

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade
The specific provisions that my submission relates to are:
154 Matakana Road and Lot 2 DP 188363, Matakana Road Warkworth The entire NoR 4
Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.
The reason for my or our views are:
The NoR 4 Matakana Road upgrade is to support the Warkworth Growth. We reviewed the alternatives and support the current option. 7.1
I or we seek the following recommendation or decision from Auckland Council:
We seek Council to approve this NoR.
Submission date: 6 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:838] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 8:00:30 pm
Attachments: [NOR 4 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams

Organisation name: Mahurangi Business association and Warkworth Area Liaison Group

Full name of your agent: Roger Williams

Email address: ropeworth@gmail.com

Contact phone number: 094259127

Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:

Need to improve details for walking and cycling and to make it a combined walkway on west side.

8.2

I or we seek the following recommendation or decision from Auckland Council:
Reduce Land take

8.1

Submission date: 6 July 2023

Supporting documents
NOR 4 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of

requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR 4 – Matakana Road Upgrade submission

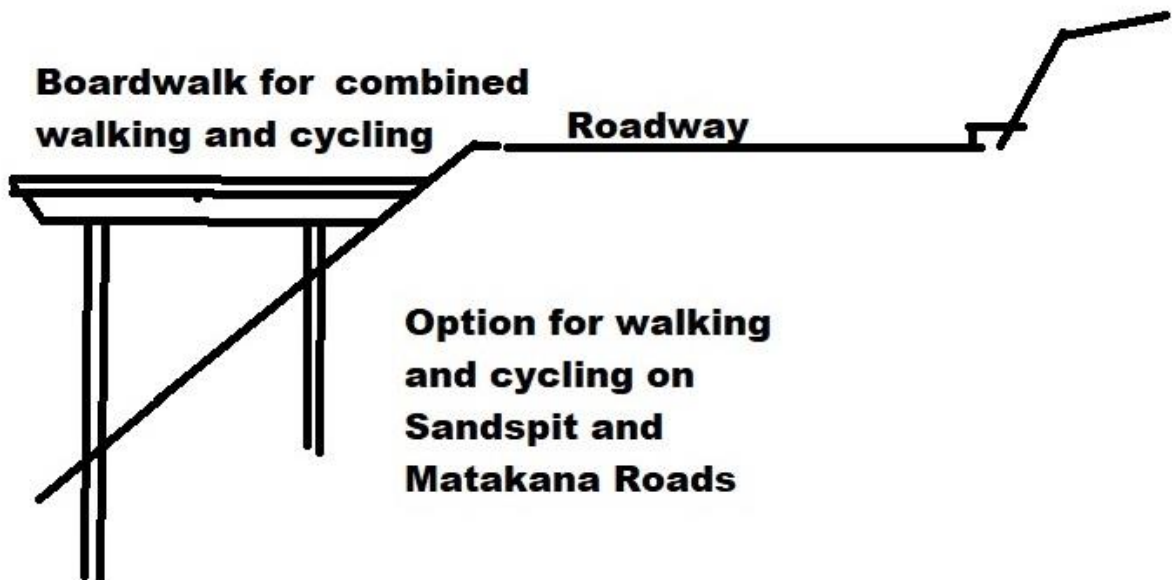
General NOR Issues

This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 8.3
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 8.4
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 8.5
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 8.6
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 8.7
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 8.8

NOR 4 Specific Issues

1. Multiple access problems on east side created by NOR boundary. 8.1
2. It would be more appropriate to have a combined walkway cycleway the full length of the west side from the Matakana Link Road through to the Hill St Intersection and to provide a minimum walkway on the east side for owner access only. 8.2
3. The walkway cycleway on west side could be built on piles or screw piles to avoid long fill slopes or retaining walls and thus allow ground water natural passage.
4. The option of timber decks should not be ruled out as this further minimizes weight and minimizes impermeable surfaces.





THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR4 Matakana Road Upgrade that is subject to notification
Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Robyn Alexander & Katherine Heatley

1. Robyn Alexander & Katherine Heatley makes this submission on NOR4 Matakana Road Upgrade (“NOR4”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Robyn Alexander & Katherine Heatley could not gain advantage in trade competition through this submission.
3. Robyn Alexander & Katherine Heatley **wish to be heard** in support of their submission.
4. If any other submitters make a similar submission, Robyn Alexander & Katherine Heatley will consider presenting a joint case with them at the hearing.

OVERVIEW OF 3 MATAKANA ROAD, WARKWORTH

5. Robyn Alexander & Kasoben Trustee Limited (Katherine Heatley) own the land at 3 Matakana Warkworth (“**subject site**”). The site contains an existing dwelling which is accessed via Matakana Road and is located adjacent to the Kowhai Park reserve. An aerial image of the subject site is provided in Figure 1 overleaf. 9.1
6. The submitter is underway with a subdivision and land use development to subdivide the site into nine developable sites with a common accessway from Matakana Road and an area of land is to be set aside to protect existing Significant Ecological Area vegetation and notable trees. Several technical assessments have been prepared to support the application. 9.1



Figure 1 – Aerial Image of 3 Matakana, Warkworth (source: Auckland Council GeoMaps, July 2023)

- 7. The subject site is zoned Residential - Large Lot under the Auckland Unitary Plan - Operative in Part (“AUP-OP”) as shown in Figure 2 below.

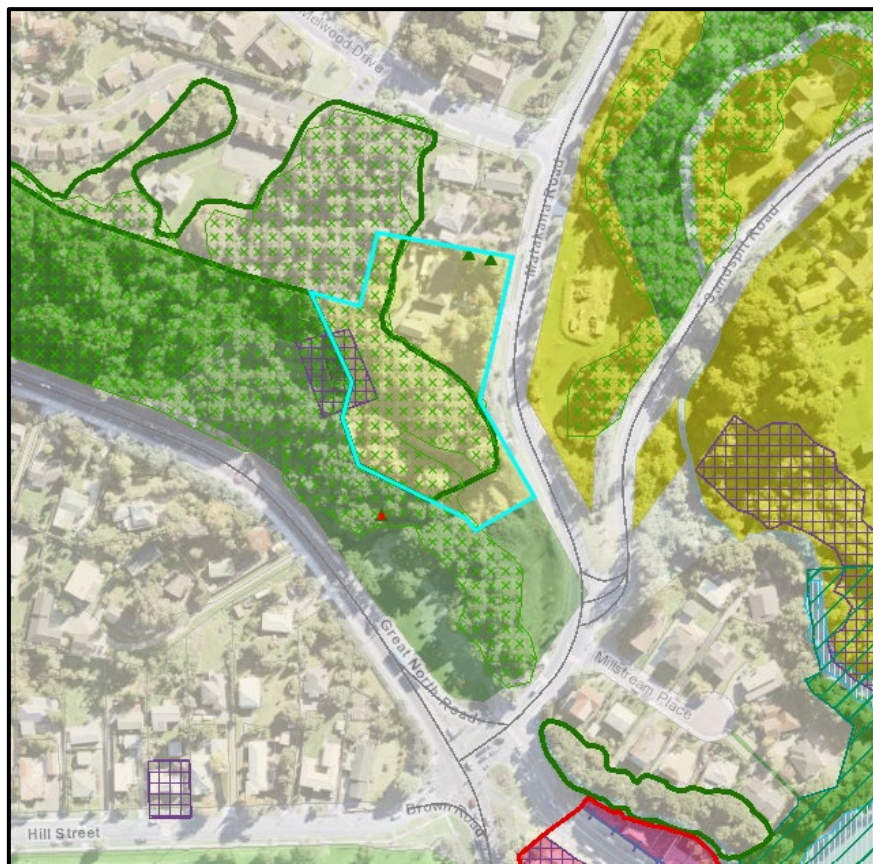


Figure 2 - AUP-OP Planning Maps (source: AUP-OP Maps, July 2023)

A large portion of the site is covered by the Significant Ecological Areas Overlay which forms part of a notable group of trees. Two notable trees are located within the north-eastern corner

of the site as identified by green triangles in Figure 2 above. The lime kilns located over the western boundary of the site is subject to the Historic Heritage Extent of Place Overlay.

SCOPE OF SUBMISSION

- 8. This submission relates to NOR4 as a whole.
- 9. Robyn Alexander & Katherine Heatley have an interest in NOR4 that is greater than the interest of the general public as their land will be directly impacted by the proposed works. The extent to which the designation is proposed over their site is shown in Figure 3 below.

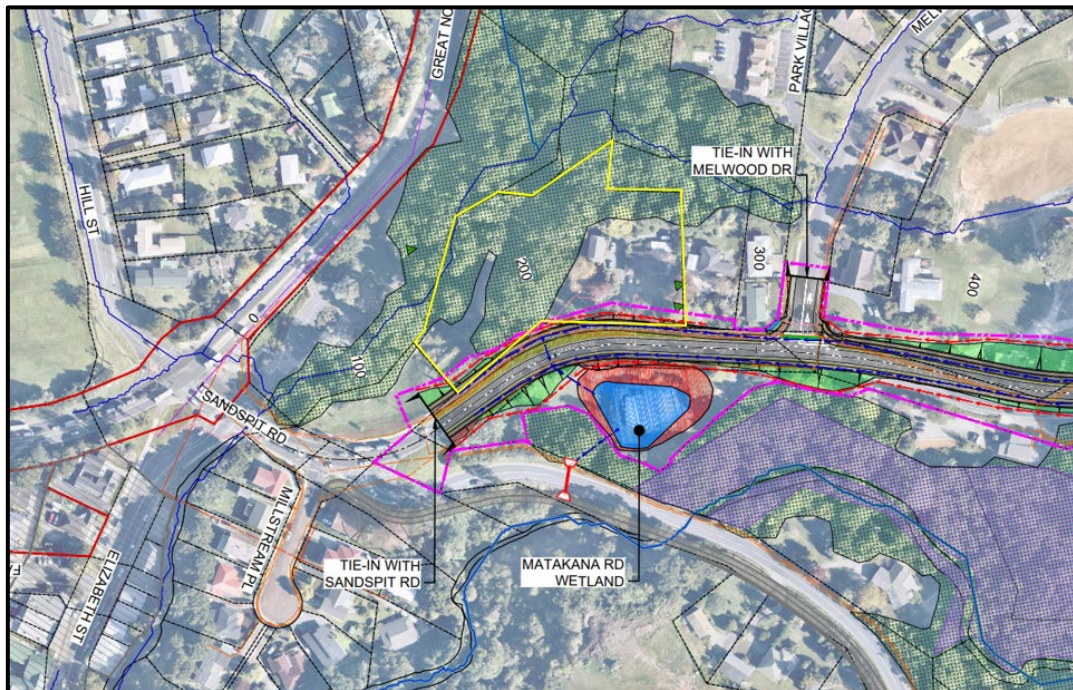


Figure 3 - NOR4 General Arrangement Plan. 3 Matakana Road boundaries outlined in yellow.

- 10. Robyn Alexander & Katherine Heatley support NOR4 in part to the extent that the identified portion of Matakana Road should be urbanised but opposes the extent of the proposed designation and 15-year lapse date for the designation. 9.1

Extent of Proposed Designation and Assessment of Alternatives

- 11. Robyn Alexander & Katherine Heatley oppose the extent to which the proposed designation affects 3 Matakana Road. The designation is proposed over the entire frontage of the site and in close proximity to Notable Trees. 9.1
- 12. The proposed designation boundary will blight the land, potentially for 15-years and will disrupt, if not prevent the submitter from proceeding with their development proposal. 9.1
- 13. The Notice of Requirement does not adequately demonstrate that all alternative options for this portion of the Matakana Road upgrades have been considered and discounted for robust and valid reasons. Design changes to the road layout could reduce the extent of submitter land required to be designated - options could include reducing the width of the grassed berm and cut batter proposed, or ideally tying in with the proposed development of the subject land to 9.2

ensure the frontage is urbanised appropriately but does not compromise the intended development of the land.

14. A cut batter is proposed over the site’s existing vehicle crossing. The Notice of Requirement does not demonstrate how safe, efficient and functional vehicle access to 3 Matakana Road will be retained as part of the designated works and how the earthworks and stormwater will be managed. 9.3

15. The proposed designation boundary is located near to one of the notable trees on the site. It is unclear whether the proposed works will adversely impact the notable tree. 9.4

16. Robyn Alexander & Katherine Heatley seek that the Requiring Authority demonstrate that all available alternatives have been considered and robustly demonstrates that the proposed represents the best urban outcome. 9.2

Project Interdependency with Hill Street / SH1 Intersection Upgrades

17. Section 3.4 of the Assessment of Effects on the Environment Report sets out the following objective for the Matakana Road Upgrade is to *provide for an upgrade to Matakana Road between the Hill Street intersection and the northern Rural Urban Boundary that:*
 - a. *Improves connectivity.*
 - b. *Improves safety.*
 - c. *Is efficient, resilient, and reliable.*
 - d. *Integrates with and supports planned urban growth.*
 - e. *Integrates with and supports the existing and future transport network.*
 - f. *Improves travel choice and contributes to mode shift.*

Section 9.6 of the Assessment of Environmental Effects outlines that *“the project will tie in with the intersection at Sandspit Road in the south and will tie into the intersection with Te Honohono ki Tai (Matakana Link Road). The intersection upgrade with Sandspit Road forms part of the Hill Street intersection improvements which is a separate project led by AT.”*

The Notice of Requirement does not adequately demonstrate how the Matakana Road upgrades will integrate with the future upgrades to the Hill Street / State Highway 1 intersection, including how the bi-directional cycling facilities will tie into these upgrades and the timeframes for when these upgrades will occur. Section 8.7 of the Assessment of Environmental Effects Report outlines that the Hill Street / State Highway 1 intersection upgrades are planned for 2026, however based on the publicly available information there is no final design or construction timeframe for these works. 9.5

Lapse Period Sought

18. Robyn Alexander and Katherine Heatley oppose the 15-year lapse period sought for this designation. The timeframe provides uncertainty as to when the Matakana Road upgrades will be implemented and will stagnate the planned development opportunities for the site. 9.1

19. This is not in keeping with the NPS UD requirements for infrastructure upgrades to be integrated with land development. It is highly likely this portion of Matakana Road will need to be urbanised ahead of the 15-year timeframe. In reality, the upgrade should be happening now.

20. There is also no certainty as to the delivery of the Hill Street upgrade that is stated to be a prerequisite for this project.

Designation Conditions

21. Urban and Landscape Design Management Plan (“ULDMP”) to be prepared and submitted to Auckland Council (refer to Condition 9). Sub-section (d) of the condition requires:

d) To achieve the objective, the ULDMP(s) shall provide details of how the project:

(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;

(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;

(iii) Promotes inclusive access (where appropriate); and

(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as:

a. Crime Prevention Through Environmental Design (CPTED) principles;

b. Safety in Design (SID) requirements; and

c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.

22. It is recommended that condition 9 be amended to require that evidence of consultation with adjacent landowners, developers, and other stakeholders be required to be provided with the ULDMP. The condition should require the consultation to demonstrate that the ULDMP achieves the outcomes specified in the condition with respect to the adjacent land.

23. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the designation conditions to ensure that optimal urban outcomes are achieved through the designated works, including matters relating to earthworks and stormwater.

Policy Assessment

24. The proposed designation in its current form is contrary to the relevant objectives and policies of the National Policy Statement for Urban Development 2020, Auckland Regional Policy Statement and the AUP-OP. Specifically, those provisions which seek that planning, funding and delivery of transport infrastructure is undertaken in a manner that integrates with urban growth and facilitates good urban outcomes.

RELIEF SOUGHT

25. Robyn Alexander & Katherine Heatley seek that Auckland Council recommends this NOR be withdrawn or rejected unless the following matters are able to be addressed:

a. That the extent of the proposed designation affecting 3 Matakana Road be reduced.

9.6

9.7

9.1

- b. That the Requiring Authority demonstrate how functional and appropriate vehicle access to 3 Matakana Road will be provided, how stormwater will be managed and whether the designation will impact on the notable trees on the site. 9.3
- c. That the lapse date be reduced from the 15-year lapse period sought. 9.4
- d. That the Requiring Authority provide further detail demonstrating how the Matakana Road upgrade will integrate with the design and delivery of the Hill Street / State Highway 1 Intersection upgrade. 9.5
- e. If the Notice of Requirement is confirmed, that the conditions achieve optimal urban outcomes and require appropriate engagement with landowners on matters impacting their land such as construction timeframes, access, earthworks and stormwater management. 9.6 and 9.7
- f. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of Robyn Alexander & Katherine Heatley)

Date: 07 July 2023

Address for Service:

Robyn Alexander & Katherine Heatley
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-713
Email: Jessica@thepec.co.nz / Burnette@thepec.co.nz

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:847] Notice of Requirement online submission - Northwood Developments Ltd
Date: Friday, 7 July 2023 11:30:50 am
Attachments: [Submission by Northwood Developments Ltd.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Northwood Developments Ltd

Organisation name:

Full name of your agent: Asher Davidson

Email address: asher@casey.co.nz

Contact phone number: 0272130538

Postal address:

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:
49 Matakana Road, Warkworth

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:
See attached submission

I or we seek the following recommendation or decision from Auckland Council:
See attached submission

Submission date: 7 July 2023

Supporting documents
Submission by Northwood Developments Ltd.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

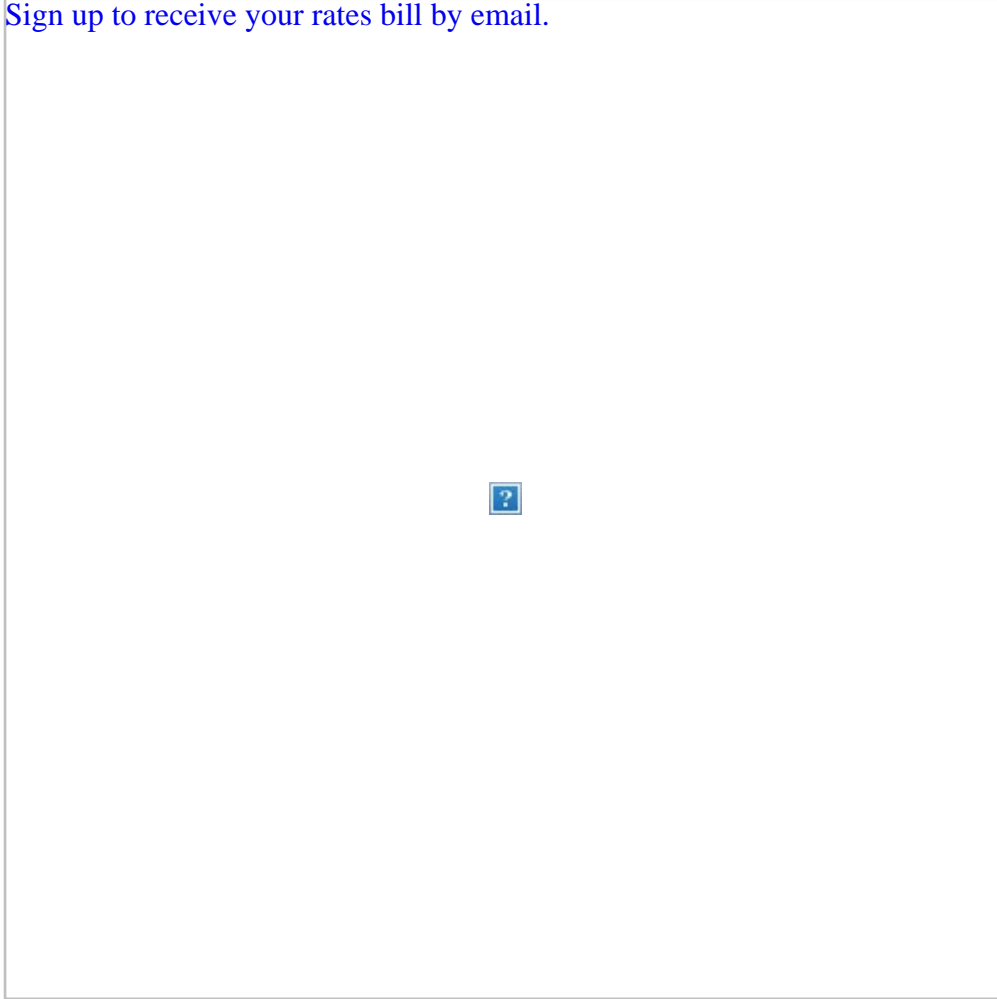
Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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Attachment to Submission by Northwood Developments Ltd

Introduction and Summary of Submission

1. This is a submission on Warkworth: Matakana Road Upgrade – Notice of Requirement 4 (**NoR4**) by Auckland Transport (**AT**).
2. This submission is made by Northwood Developments Ltd (**Northwood**). Northwood owns 49 Matakana Road, Warkworth (the **Property**) which is directly affected by NoR4. The Property has a subdivision consent for 25 residential lots, 7 of which are partly within the footprint of NoR4. A copy of the subdivision plan, with the NoR4 footprint overlaid, is **attached** to this submission. 10.1
3. For the reasons set out below, Northwood **opposes** NoR4 and seeks that it be withdrawn. In the less preferred alternative, it seeks modifications to NoR4 to avoid or mitigate adverse effects of the designation and proposed works on the Property, including conditions.

Specific Points of Submission

Assessment based on flawed information

4. The Property is within the Residential – Single House Zone under the Auckland Unitary Plan and is identified as Residential- Mixed Housing Urban Zone under Proposed Plan Change 78 (subject to a Flood Plains qualifying matter).
5. On 11 June 2018, subdivision and earthworks consents were granted to enable staged subdivision of the Property to create 25 vacant residential lots. Land use consent applies to authorise new impervious areas greater than 50m² within the stormwater Management Area – Flow 1 (**Consents**). The Consents have been largely given effect to, with only one stage of the subdivision (Stage 11) and related earthworks remaining. An extension of the lapse period to 11 June 2026 was granted for the remaining works. 10.1
6. The subdivision and development enabled by the Consents are likely to be given effect to and form part of the environment against which any assessment of NoR4 must be undertaken.
7. NoR4 was prepared and assessed by AT evidently without any knowledge or understanding of the Consents. The first time AT became aware of the Consents was when advised by Northwood at a meeting on 14 April 2023, less than a month before NoR4 was lodged with Auckland Council.¹
8. To the extent that there has been any assessment of the proposed works or the designation itself as they relate to the Property, it has been undertaken on an incorrect basis. It has incorrectly regarded the Property as a single undeveloped landholding, rather than a full residential subdivision. As set out below, the designation and its effects will be more significant than assumed in the assessments to date. 10.1
9. The error also means the duty to consider whether the designation is reasonably necessary and consideration of alternatives in relation to the Property has not been properly fulfilled.
10. The failure to assess

Adverse effects on the Property

11. There is no assessment of the designation as it affects the Property. First and foremost, it will significantly inhibit the consented development, as under s 178 Resource Management Act 1991

¹ Lodgement letter dated 12 May 2023,

(RMA) no person may do anything on the land within the NoR4 footprint that might prevent or hinder the public work without AT's permission.

12. This means that NoR4 compromises the ability to give effect to the consented subdivision and it will need to be redesigned, with much less land available for development. This will have significant adverse effects on Norwood.
13. Even if the Consents could be given full effect to, and on any redesign of the subdivision, the designation and the proposed works will have significant adverse effects on the owners and occupiers of the sections in the development, including, without limitation:

- (a) Construction effects including noise, vibration, dust and adverse visual and amenity effects;
- (b) Effects associated with the operation of the proposed widened road including noise, vibration, visual effects, including in relation to the removal of well-established and attractive native vegetation on the Property and within the NoR4 footprint.

10.2

14. No adequate mitigation is proposed to address these effects. In particular, despite the residential development of the Property being part of the existing environment, AT does not propose to mitigate foreseeable noise and vibration effects on the new residences because they do not fall within the definition of "Protected Premises and Facilities". Northwood strongly opposes this approach and, if NoR4 is confirmed, it seeks that appropriate noise and vibration mitigation be applied to all residences on the Property.

15. If the development permitted by the Consents cannot be implemented, then that results in a direct loss of residential capacity, which is contrary to outcomes sought in higher order planning documents, including the National Policy Statement on Urban Development. That loss is an adverse effect not able to be fully addressed, including through compensation.

10.3

Consideration of Alternatives; and Reasonable Necessity

16. Proper consideration was required to be given to alternative sites, routes, or methods of undertaking the work, as AT does not have an interest in the Property and it is likely that the work will have significant adverse effects on the environment.

17. It is apparent from the documentation and information provided by AT that it did not give adequate consideration to alternative sites, routes or methods for undertaking the work, particularly those that do not involve designating and/or acquiring the Property or any part of it. Adequate consideration has not been given to undertaking any necessary upgrading works within the existing road corridor.

10.4

18. Further AT has not established that the work and designation are reasonably necessary. In support of these submissions Northwood notes:

- (a) Traffic flows on Matakana Road are expected to decrease dramatically as a result of the opening of Te Honohono ki Tai Road, and a widened road corridor is not necessary to cater for increased traffic;
- (b) The existing road corridor has sufficient capacity to accommodate an extension to the existing footpath and a new cycleway – the significant widening proposed by NoR4 is unnecessary to achieve that outcome;
- (c) AT has not given any or adequate consideration to an alternative route and method of achieving the desired outcome which was put forward by Northwood in a meeting on 14 April 2023. That alternative would enable the desired footpath and cycleway without the need to have such a significant impact on the Property;
- (d) AT has publicly stated it does not have funding for the proposed works and this calls into serious question whether sterilising the land in the meantime is "reasonable";
- (e) The fact that AT undertook its consideration of alternatives without correct information as to the nature of the existing environment means it cannot have properly discharged its statutory duty to undertake an "adequate" consideration of alternatives.

10.5

10.6

Extended lapse period opposed

19. A 15-year lapse period is proposed for NoR4. Earlier advice to Northwood was that the works would not be undertaken for 20-30 years.
20. Northwood opposes an extended lapse date for NoR4 and seeks that the standard lapse period of 5 years apply. Having an extended lapse period, with no commitment or ability to undertake the works within a reasonable time, will have a blighting effect on the Property which has not been justified in the documentation. 10.6
21. The convenience to AT in allowing itself a longer lapse period is not sufficient to justify the unnecessary stress and uncertainty to current and future owners and occupiers of the Property.

Relief sought

22. Northwood seeks the following relief:
- (a) That NOR4 be withdrawn;
 - (b) In the less preferred alternative, if NOR4 is confirmed then:
 - (i) The footprint be modified so as to avoid the Property; 10.1
 - (ii) The standard 5 year lapse period be applied; 10.6
 - (iii) Appropriate conditions be imposed to fully mitigate effects on the Property including, without limitation:
 - A requirement to assess and mitigate noise and vibration effects on any future residences on the Property, at both construction and operational stages; 10.2
 - A requirement that AT compensate Northwood for the cost of redesigning and re-consenting its proposed development of the Property, together with the reduction in value.
23. Northwood requests that AT provides further information in relation to the effects of the designation and works on the Property specifically, including addressing the issues set out above, but specifically in relation to how it proposes to address adverse effects on the existing environment which includes residential development in accordance with the Consents.
24. Northwood wishes to be heard in support of its submission.



Signed on behalf of Northwood Developments Ltd

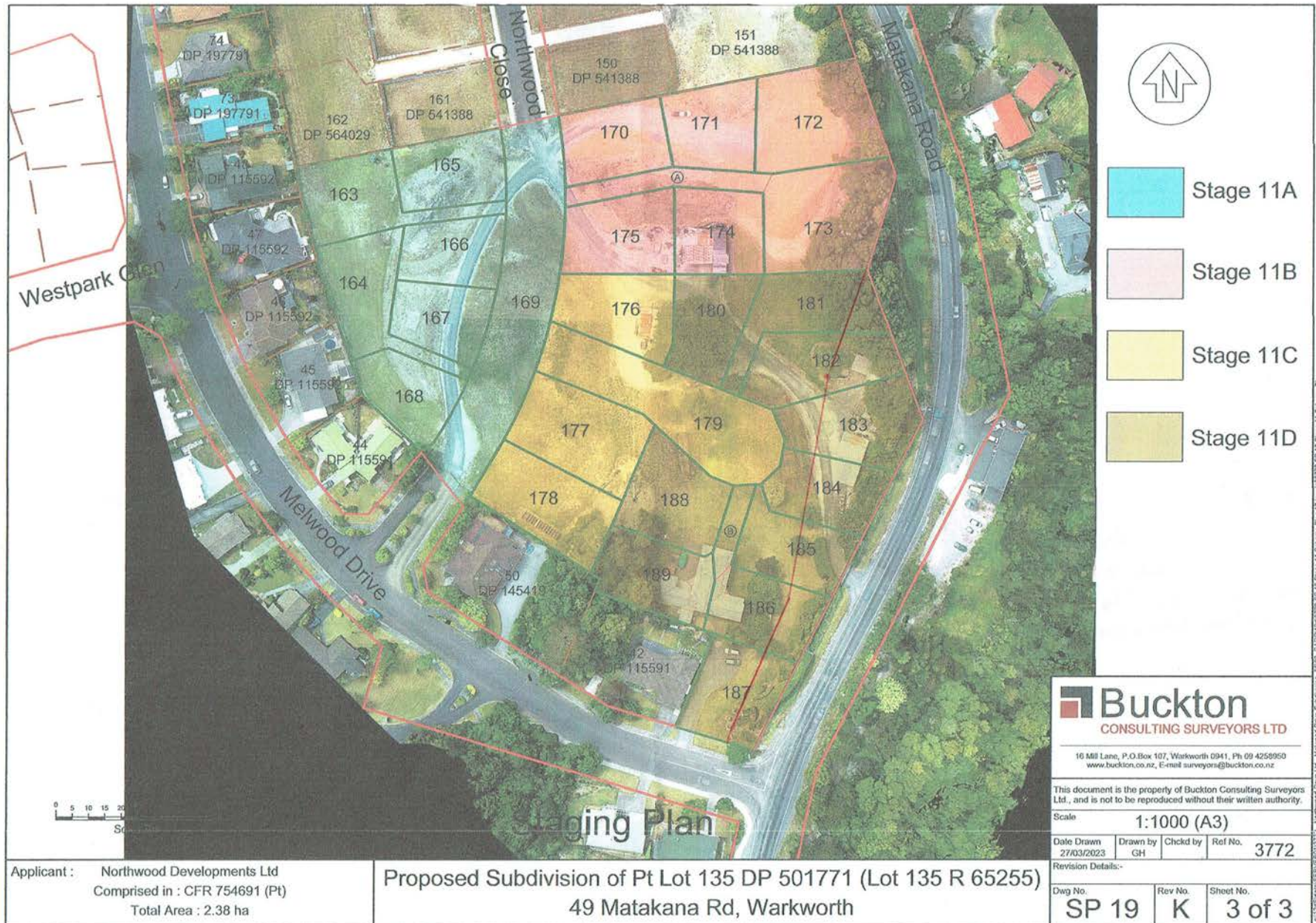
Date: 7 July 2023

Address for Service:

Asher Davidson
Barrister

Ph. 027 213 0538

Email: asher@casey.co.nz



Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|--|
| For office use only |
| Submission No: |
| Receipt Date: |
| <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>RECEIVED</p> <p>07 JUL 2023</p> <p>Auckland Council</p> </div> |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Ms/Ms (Full Name)

JOHN. E. HALLIGAN

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

23, NORTHWOOD CLOSE, WARKWORTH.

Telephone:

09.425.7353

Email:

john.halligan@btinternet.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 4) Warkworth: Matakana Road Upgrade

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

The widening of the Matakana road in packing on our property boundary, 23, Northwood Close.

My submission is:

I or we support of the Notice of Requirement
I or we are neutral to the Notice of Requirement

I or we oppose to the Notice of Requirement

The reasons for my views are:

The proposed changes to the Matakana road will inflict upon the present privacy and security to our home and the whole Northwood development, by bringing the road closer to our property boundary. It would also

11.1

increase the threat of disease to the council registered protected trees on my land, Kauris included, which are situated close to our boundary.

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

That this proposed change be reconsidered. The speed limit on this section of the Makakana road to be reduced to 50 instead of 80.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

[Signature]
Signature of Submitter
(or person authorised to sign on behalf of submitter)

6th July 2023
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|--|
| For office use only |
| Submission No: |
| Receipt Date: RECEIVED 07 JUL 2023 Auckland Council |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Richard James Fisher & Robyn Frances Fisher

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

120 Matakana Rd Warkworth 0985.

Telephone: 0274515326

Email: hcao farms@gmail.com

Contact Person: (Name and designation if applicable)

Richard Fisher

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 4) Warkworth: Matakana Road Upgrade

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

Amount of land to be taken from 120 Matakana Rd Warkworth for footpaths/bike lanes/road extension

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

2 footpaths, 2 bike lanes and road extension appears to be completely excessive

Environmental concerns - 50 plus primary native trees:- Tanekaka, Pukatea, Pohutukawa, Titoki, Kakaha, Kahikata.

12.1

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

12.1

That a realistic proposal for what is required.
The devaluation of land, with the proposed
lost of land for resale.
Access has to be guaranteed during construction.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

RS Fisher R Fisher

7 July 2027

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

From: [Steve Wiggill](#)
To: [Unitary Plan](#); submissions@supportinggrowth.nz
Subject: Notice of Requirement - Matakana Road Upgrade (NoR 4)
Date: Friday, 7 July 2023 9:43:10 pm

Notice of Requirement - Matakana Road Upgrade (NoR 4)

We refer to your letter dated 2 June 2023.

Firstly, we believe that it is unreasonable to expect private individuals to read and digest the volume of material supporting the proposed change to the Auckland Unitary Plan in the time allowed. Similarly, there was insufficient time to procure the services of experts to provide advice on this matter. I would thus request that we be given the opportunity to be heard at a public hearing.

We object to the proposed change for the following reasons:

- On the basis that this change is driven by future population and transportation growth, in order for the change to be justified, you must provide evidence of the need for the upgrade in the form of modelling reports for both population and traffic growth. Please provide these reports.
- Council had the opportunity to address transportation needs between these nodes in planning and designing the recently opened Matakana Link Road but appears to have failed to take that opportunity. It is unjust therefore to attempt to address this failure by proposing changes to the Unitary Plan that blight properties adjoining this road and negatively affect the enjoyment of these properties by their occupiers.
- The local community has suffered for years from the territorial authority's historical failure to properly plan for population growth and resultant traffic flow through the Hill Street/State Highway intersection. Now that traffic volumes are reduced by the opening of the Matakana Link Road and an upgrade is planned for this intersection, it seems ludicrous to introduce more traffic along this route which, with the population growth expected out towards Snells Beach, will over time leave us with the same traffic chaos at this intersection as we have suffered in the past.
- In the time allowed, it has not been possible to identify whether the proposed upgrade will result in trees being removed from the road reserve in the vicinity of the adjacent properties along our street. These trees currently provide a significant contribution in attenuating traffic noise from the road traffic along Matakana Road. We object to this plan change if the proposed upgrade requires any of these trees to be removed.
- It is not clear if any future detailed design will require the appropriation of any part of our section. We object to this plan change if Council cannot provide a binding undertaking that no appropriation will be required.
- It is not immediately clear what the proposed speed limit will be for the upgraded road. Speed and road surface quality will have a significant effect on the amount of noise being imposed on occupiers of these properties. We object to this plan

13.1

change if Council cannot provide a binding undertaking that speed will be restricted to 50km/h or less and that the road wearing surface will be formed from hotmix asphalt or similar noise mitigating material.

Yours faithfully,

SG and SM Wiggill
59 Northwood Close, Warkworth
Postal Address: 2 Shea Lane, Pyes Pa, Tauranga 3112.

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A,169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Marj Taylor

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter
170 Matakana Road ,RD5 Warkworth 0986

Telephone: Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

| | |
|--|--|
| By: Name of Requiring Authority | Auckland Transport |
| For: A new designation or alteration to an existing designation | (NoR 4) Warkworth: Matakana Road Upgrade |

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

frontage of my property at 170 Matakana Road

My submission is:

I or we support of the Notice of Requirement I or we oppose to the Notice of Requirement
I or we are neutral to the Notice of Requirement

The reasons for my views are:

I am in the processs of selling my home as it is not practicable for me to remain there. I need to relocate to a suitable aged retirement arrangment and to do so must sell my home.
I have established contact with the property team to secure support in realltion to
Auckland Transport's property impact obligations. This proforma submission records that the

14.1

impact on me is significant and that I will be continuing to work with the property team to secure the appropriate support for hardship that I will likely experience as a consequence of the designation.

NOR 4 Sub #14

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).


A requirement that statutory hardship management obligations will be proactively addressed by Auckland Transport as a consequence of the impact on land owners of the very long NOR duration that has been sought.

14.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing


Signature of Submitter
(or person authorised to sign on behalf of submitter)

7.07.2023
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.

3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare's plans (ie the carpark at the Warkworth Showgrounds).

3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing.

15.1

3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained.

15.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

15.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited



7 July 2023

File ref: AUP Warkworth NoR 4

Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

**SUBMISSION ON THE NOTICE OF REQUIREMENT FOR THE WARKWORTH NETWORK – NOR 4 –
MATAKANA ROAD UPGRADE, BY THE REQUIRING AUTHORITY: AUCKLAND TRANSPORT**

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The focus for HNZPT is for the identification, protection, preservation, and conservation of historic heritage (HNZPTA) and advocate that historic heritage is fully considered in accordance with section 6(f) of the Resource Management Act 1991 (RMA).
4. HNZPT supports the purpose of planning for a well-functioning urban environment through the protection of integrated transport networks to support the expected future growth needs.
5. HNZPT has reviewed the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' prepared for the eight NoRs that form the suite of NoRs for the Warkworth Network.
6. Section 22 Engagement, in the Assessment of Environmental Effects (AEE), sets out the engagement undertaken for the Warkworth NoR Network. While extensive, HNZPT was not included. If there had been engagement, HNZPT would have had the opportunity to provide feedback and guidance relating to the historic heritage of the place.
7. Nevertheless, since notification, the Te Tupu Ngatahi Supporting Growth have engaged with HNZPT. This engagement has enabled the parties to further understand the intent of the draft conditions being proposed through the full suite of NoRs notified or presently being prepared.
8. There is also now greater understanding with the intended mechanisms to ensure the protection of historic heritage, and mitigation to manage any adverse effects resulting from the physical construction of the Network through the Outline Plan of Works process in the future.



The specific parts of the Notice of Requirement that Heritage New Zealand's submission relates to are:

9. The following proposed conditions:
 - Condition 6 Outline Plan
 - Condition 7 Management Plans
 - Condition 8 Cultural Advisory Report
 - Condition 9 Urban and Landscape Design Management Plan (ULDMP)
 - Condition 14 Cultural Monitoring Plan
 - Condition 20 Historic Heritage Management Plan (HHMP)
10. HNZPT is a submitter to the NoRs for the Airport to Botany Network and the North-West Network. Part of both sets of NoRs, HNZPT have raised concerns over the wording and the potential conflation of the roles under the RMA and the HNZPTA in the protection of archaeology. HNZPT has had post submission discussions with Te Tupa Ngatahi Supporting Growth and reviewed the s.42a report and Te Tupa Ngatahi's evidence for the Airport to Botany NoRs. As a result, HNZPT considers clarity has now been expressed on the intent and application of the HHMP condition, along with the acknowledgement of the historic heritage requirements under both acts and how those will be managed.
11. HNZPT can now support of the general intent and application of the HHMP.
12. HNZPT also considers Te Tupa Ngatahi's suggestion of replacing the term 'accidental' with 'unexpected' within the text of the HHMP (in their Airport to Botany evidence) assists in removing the conflation potential between the requirements under the HNZPTA and what can be managed via the Accidental Discovery Protocol Rule (E11.6.1) under the Auckland Unitary Plan (AUP).
13. The requirement for an Archaeological Authority to be obtained in accordance with the HNZPTA does not mitigate the effects of the NoR identified under the RMA. It is a separate statutory obligation before any physical works undertaken to construct the proposed Warkworth Network commence. While obtaining an Archaeological Authority does not mitigate the effects on the heritage values by the NoRs it does ensure the archaeological of the area is fully assessed, formally documented, and monitored. Through the HHMP, the provision of historic heritage interpretation, public awareness and similar remedies mitigate the effects of the construction of the Network.
14. HNZPT is supportive of the recommendations outlined in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' being implemented.

Heritage New Zealand Pouhere Taonga supports the Notice of Requirement (NoR 4).

The reasons for Heritage New Zealand's position are as follows:

15. The consideration, management, and mitigation of effects from the purpose of the designation on the historic heritage values of the place are required to ensure effects are appropriately mitigated.
16. There should be no duplication of the archaeological authority processes under the HNZPTA 2014.



17. The recommendations set out in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' are appropriate.

18. HNZPT is supportive of the proposed amendments to the wording of the HHMP through the evidence recently circulated for the Airport to Botany Network NoR hearing in removing the conflation potential between the requirements under the HNZPTA and the RMA.

16.1

Heritage New Zealand seeks the following decision from Council:

19. The approval of NoR 4, with the amendment of the wording of the Historic Heritage Management Plan (HHMP) condition to read (amendments shown by underlining and ~~struckthrough~~):

16.1

Historic Heritage Management Plan (HHMP)

- a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:
 - i. any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
 - ii. methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;
 - iii. known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
 - iv. any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded (such as in the NZAA SRS (ArchSite) and/or the Auckland Council's CHI index);
 - v. roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
 - vi. specific areas to be investigated, monitored, and recorded to the extent these are directly affected by the Project;
 - vii. the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings and standing structures) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;
 - viii. methods to acknowledge cultural values identified through the Mana Whenua Partnership Forum [Condition ##] and Urban and Landscape Design Management Plan [Condition ##] where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;



- ix. methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to:
 - a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access.
 - x. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and
 - xi. training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to **accidental unexpected** discoveries and the AUP Accidental Discovery Rule (E11.6.1). The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under [Condition ##]).
- c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation, **building and standing structure recording**, and monitoring), shall be submitted to the Manager within 12 months of completion.

Accidental Discoveries Advice Note:

The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP.

20. Heritage New Zealand wishes to be heard in support of their submission.

21. If others make a similar submission, HNZPT will consider presenting a joint case with them at a hearing.

Yours sincerely

BHParslow

Acting Director Northern Region

Address for service: Alice Morris
amorris@heritage.org.nz
PO Box 105 291
Auckland City 1143

Cc: Auckland Transport
submissions@supportinggrowth.nz



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR4 Matakana Road Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

Copy to: Auckland Transport (via email: submissions@supportinggrowth.nz)

SUBMITTER DETAILS

Name of Submitter: Arvida Limited (“Arvida”)

1. Arvida makes this submission on NOR4 Matakana Road Upgrade (“NOR 4”) lodged by Auckland Transport (“AT”) the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Arvida could not gain advantage in trade competition through this submission.
3. Arvida wishes to be heard in support of its submission.

NATURE OF SUBMISSION

- 4. Arvida owns the land locally known as Paddison Farm. The land is legally described as SECT 19 SO 588806, Lot 2 DP 375478, Lot 3 DP 76450, Lot 4 DP 76450 (“subject site”) and has a land area of approximately 55 hectares. NOR 4 traverses the boundary of, and includes land within, the subject site. 17.1

- 5. Arvida supports the urbanisation of Matakana Road. However, Arvida opposes NOR 4 as currently proposed on the basis that it will adversely affect the development of the subject site and does not provide for efficient urban outcomes.

- 6. In particular:
 - a. Arvida opposes the 15-year lapse date sought by AT. 17.1
 - b. Arvida opposes the extent of the works within, and alongside, the subject site shown on the General Arrangement Plan attached to NOR 4. 17.2
 - c. Arvida opposes the location of the proposed wetland on the subject site opposite the intersection with Clayden Road and Matakana Road. 17.3
 - d. AT has not adequately considered alternatives routes, sites or methods to NOR 4. 17.2

REASONS FOR SUBMISSION

- 7. NOR 4 (as currently proposed):
 - a. will not promote the sustainable management of the natural and physical resources in Tāmaki Makaurau, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991; 17.4
 - b. is inconsistent with the NPS UD;
 - c. is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - d. the supporting traffic modelling (SATURN model) is based on potentially outdated land use assumptions that do not reflect the current policy and legislative framework; 17.5
 - e. the proposed designation does not show a connection to the adjoining road network – Hill Street or Sandspit Road projects. The full local network needs to be shown so comprehensive and informed decision making can occur;
 - f. will not meet the reasonably foreseeable needs of future generations; 17.4
 - g. will not enable the social, economic, and cultural wellbeing of the people of Tāmaki Makaurau; and
 - h. does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

- 8. Without limiting the generality of paragraph 7 above, Arvida opposes NOR 4 because it will result in adverse effects on the subject site that have not been adequately avoided, remedied or mitigated including:
 - a. The proposed extent of NOR 4 alongside, and within, the subject site is not needed. Arvida is also concerned that inadequate consideration has been given to alternative sites, routes, and methods for undertaking the works for NOR 4. In particular:
 - i. NOR 4 does not seek to utilise the existing road corridor which could accommodate the proposed upgrade; 17.2

- ii. Alternatives to the stormwater devices, design or location have not been adequately considered. AT has not adequately considered alternatives to stormwater management than the current plans showing a wetland on the subject site opposite the intersection with Clayden Road and Matakana Road. 17.3
 - b. The proposed extent of NOR 4 and the draft conditions do not appropriately provide for integration with future urban development.
 - i. Indicative cross corridor active mode connections are shown in NOR 4. While these are supported in principle, the locations of these connections need to be better integrated with future urban development. 17.6
 - ii. NOR 4 does not adequately provide for engagement with developers of surrounding land within the design of the NOR 4 works. Optimal urban outcomes to create well-functioning urban environments will be achieved by engaging with other groups and developers active in providing connections and land development in this location e.g Matakana Coast Trail Trust, and developers such as The Kilns, Warkworth Ridge, Goatley Holdings and Northland Waste. Working with adjoining developers will provide the opportunity to create consistent earthworks levels and minimise the need for batters and retaining structures. This will assist in creating a higher quality urban environment. 17.7
 - iii. NOR 4 does not adequately provide for consistent multi modal safe connections along Matakana Road into Warkworth Town Centre. This is potentially one of the main connections into Warkworth Town Centre and people from the eastern side of Matakana Road need to safely access the Town Centre, including having safe locations to cross the road or have a clear and safe path for pedestrian and cycle access into the Town Centre. 17.8
 - c. Arvida is concerned that the supporting traffic assessment is based on the SATURN model that is itself based on flawed assumptions that do not reflect the current legislative or policy framework. 17.4
 - d. The proposed lapse date of 15 years will unnecessarily blight the subject site for a substantial amount of time. The lapse date does not appropriately take account of the timing of future urban development of the surrounding area. The timeframe for upgrade of Matakana Road needs to align with the planned urban development of the surrounding future urban zoned land area. 17.1

RELIEF SOUGHT

9. Arvida seeks that the Council recommends NOR 4 be withdrawn unless amendments are made to:
- a. remove the extent of NOR 4 from the subject site; 17.1
and
17.2
 - b. reduce the extent of NOR 4 alongside the subject site so that all works are undertaken within the existing road corridor;
 - c. amend the lapse date to ten years;
 - d. ensure the technical transportation assessment is informed by modelling based on current and foreseeable land use assumptions; 17.5
 - e. ensure the connections to the adjacent road network are shown, assessed and accounted for;
 - f. amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design Management Plan (or similar); 17.7
 - g. amend the conditions to address Arvida's concerns, including to provide for, and enable, active mode connections that integrate with the future urban development of the surrounding area and safe connections across Matakana Road into the Warkworth Town Centre; and 17.4
 - h. such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Arvida Limited)

Date: 7 July 2023

Address for Service:

Arvida Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz



THE PLANNING COLLECTIVE

Form 21

Submission on requirement for designation NOR4 Matakana Road Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Laroc Farm Limited (“Laroc Farm Ltd”)

1. Laroc Farm Ltd makes this submission on NOR4 Matakana Road Upgrade (“NOR4”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Laroc Farm Ltd could not gain advantage in trade competition through this submission.
3. Laroc Farm Ltd wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, Laroc Farm Ltd will consider presenting a joint case with them at the hearing.

NATURE OF SUBMISSION

5. Laroc Farm Ltd own the land at 76 Matakana Road, Matakana (“subject site”). The land is zoned Future Urban under the Auckland Unitary Plan - Operative in Part (“AUP-OP”) and is subject to the Significant Ecological Area overlay.

18.1



Figure 1 – Aerial Image of 76 Matakana Road, Matakana (source: Auckland Council GeoMaps, 29 June 2023)

6. Laroc Farm Ltd has an interest in the NOR4 that is greater than the interest of the general public because their land is directly affected by the proposed designation.
7. Laroc Farm supports the need to urbanise Matakana Road, particularly the portion between the Matakana Link Road intersection and Hill Street. However, Laroc Farm opposes the Notice of Requirement as it is currently proposed. This submission relates to NOR 4 in its entirety including all the supporting technical documentation and proposed conditions.
8. In particular:
 - a. Laroc Farm opposes the 15 year lapse date sought by the Requiring Authority (“AT”). 18.1
 - b. Laroc Farm opposes the extent of works affecting the subject site as shown on the General Arrangement Plan for NOR 4. 18.2
 - c. Laroc Farm opposes the location of the proposed stormwater wetland and fill batter as shown on the Urban Design Outcomes and Opportunities Plan. 18.3
 - d. Laroc Farm opposes the fact that no connection is shown between the proposed Sandspit Road NOR and associated upgrade and NOR 4. 18.4
 - e. Lorac Farm opposes the fact that the Notice of Requirement does not demonstrate how the upgrade will tie into the Hill Street / State Highway 1 intersection upgrades.
 - f. Laroc Farm opposes NOR 4 on the basis the transportation modelling upon which the Project is based is out of date and is not prepared on the basis of the likely form of development that will arise for Warkworth under the National Policy Statement Urban Development (“NPS UD”), including outcomes that may arise as a result of Proposed Plan Change 78 and the Auckland Council Draft Future Development Strategy (“FDS”). 18.5

REASONS FOR SUBMISSION

9. NOR 4 (as currently proposed):
 - a. Will not promote the sustainable management of the natural and physical resources, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - b. Is inconsistent with the NPS UD;
 - c. Is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - d. Will not meet the reasonably foreseeable needs of future generations;
 - e. Will not enable the social, economic, and cultural wellbeing of the people of Warkworth; and
 - f. Does not avoid, remedy or mitigate actual and potential adverse effects on the environment;
 - g. Does not integrate with adjoining planned roading upgrades; and
 - h. May not be consistent with the Auckland Council FDS which is currently a draft.
10. Without limiting the generality of paragraph 9 above, Laroc Farm Limited opposes NOR 4 because it will result in significant adverse effects on the subject site that will not be avoided or adequately remedied or mitigated. Specifically:
 - a. The project, as proposed, will blight the land and render the existing buildings unusable, and will prevent the existing businesses from operating. This affects Laroc Farm as the owner of the land.
 - b. Alternatives have not been fully investigated or discounted, in relation to the extent of the subject site the proposed Designation relates to.

- c. The proposed lapse timeframe and the proposed conditions do not appropriately provide for integration with existing or future urban development.
- d. The extent of works are potentially based on flawed modelling and assumptions.

RELIEF SOUGHT

11. Laroc Farm Ltd seek Auckland Council recommends NOR4 be rejected or that amendments are made to:

18.1 -
18.5

- a. Remove the extent of NOR 4 from the subject site;
- b. Reduce the extent of NOR 4 alongside the subject site so that all works are undertaken within the existing road corridor;
- c. Amend the lapse date to ten years maximum;
- d. Amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design Management Plan (or similar);
- e. Such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Laroc Farm Limited)

Date: 07 June 2023

Address for Service:

Laroc Farm Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepc.co.nz



THE PLANNING COLLECTIVE

Form 21

Submission on requirement for designation NOR4 Matakana Road Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: ECM Signs Limited (“ECM Signs”)

1. ECM Signs makes this submission on NOR4 Matakana Road Upgrade (“NOR4”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. ECM Signs could not gain advantage in trade competition through this submission.
3. ECM Signs wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, ECM Signs will consider presenting a joint case with them at the hearing.

NATURE OF SUBMISSION

5. ECM Signs operates a business from existing buildings located on the land at 76 Matakana Road, Matakana (“subject site”). The land is zoned Future Urban and subject to Significant Ecological Area overlay. The buildings are old and have been on the land prior to when building consent records were kept. Council subdivision consent records show and acknowledge the presence of these buildings.

19.1



Figure 1 – Aerial Image of 76 Matakana Road, Matakana (source: Auckland Council GeoMaps, 29 June 2023)

6. ECM Signs has an interest in the NOR4 that is greater than the interest of the general public because their business is directly affected by the proposed designation.
7. ECM Signs supports the need to urbanise Matakana Road, particularly the portion between the Matakana Link Road intersection and Hill Street. However, Laroc Farm opposes the Notice of Requirement as it is currently proposed. This submission relates to NOR 4 in its entirety including all the supporting technical documentation and proposed conditions.
8. In particular:
 - a. ECM Signs opposes the 15-year lapse date sought by the Requiring Authority (“AT”). 19.1
 - b. ECM Signs opposes the extent of works shown affecting the subject site as shown on the General Arrangement Plan for NOR 4.
 - c. ECM Signs opposes the location of the proposed stormwater wetland and fill batter as shown on the Urban Design Outcomes and Opportunities Plan. 19.2
 - d. ECM Signs opposes the fact that no connection is shown between the proposed Sandspit Road NOR and associated upgrade and NOR 4. 19.3
 - e. ECM Signs opposes NOR 4 on the basis the transportation modelling upon which the Project is based is out of date and is not prepared on the basis of the likely form of development that will arise for Warkworth under the National Policy Statement Urban Development (“NPS UD”), including outcomes that may arise as a result of Proposed Plan Change 78 and the Auckland Council Draft Future Development Strategy (“FDS”).

REASONS FOR SUBMISSION

9. NOR 4 (as currently proposed):
 - a. will not promote the sustainable management of the natural and physical resources, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - b. is inconsistent with the NPS UD;
 - c. is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - d. will not meet the reasonably foreseeable needs of future generations;
 - e. will not enable the social, economic, and cultural wellbeing of the people of Warkworth or the wider area; and
 - f. does not avoid, remedy or mitigate actual and potential adverse effects on the environment;
 - g. May not be consistent with the Auckland Council FDS which is currently a draft.
10. Without limiting the generality of paragraph 9 above, ECM Signs opposes NOR 4 because it will result in significant adverse effects to the home occupation business, that will not be avoided or adequately remedied or mitigated. Specifically,
 - a. The project, as proposed, will blight the land and render the existing buildings unusable, and will prevent the existing businesses from operating. ECM Signs is a long-established business operating from this location. 19.1
 - b. Alternatives have not been fully investigated or discounted, in relation to the extent of the subject site the proposed Designation relates to. 19.2
 - c. The proposed lapse timeframe and the proposed conditions do not appropriately provide for integration with existing or future urban development.

- d. The extent of works are potentially based on flawed modelling and assumptions.

RELIEF SOUGHT

- 11. ECM Signs seek Auckland Council recommends NOR4 be rejected or that amendments are made to:
 - a. remove the extent of NOR 4 from the subject site;
 - b. reduce the extent of NOR 4 alongside the subject site so that all works are undertaken within the existing road corridor;
 - c. amend the lapse date to ten years maximum;
 - d. amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design Management Plan (or similar);
 - e. such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

19.1-
19.3

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of ECM Signs Limited)

Date:07 June 2023

Address for Service:

ECM Signs Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz



THE PLANNING COLLECTIVE

Form 21

Submission on requirement for designation NOR4 Matakana Road Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: ECM Laser Limited (“ECM Laser”)

1. ECM Laser makes this submission on NOR4 Matakana Road Upgrade (“NOR4”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. ECM Laser could not gain advantage in trade competition through this submission.
3. ECM Laser wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, ECM Signs will consider presenting a joint case with them at the hearing.

NATURE OF SUBMISSION

5. ECM Laser operates a business from existing buildings located on the land at 76 Matakana Road, Matakana (“subject site”). The land is zoned Future Urban and subject to Significant Ecological Area overlay. The buildings are old and have been on the land prior to when building consent records were kept. Council subdivision consent records show and acknowledge the presence of these buildings.

20.1



Figure 1 – Aerial Image of 76 Matakana Road, Matakana (source: Auckland Council GeoMaps, 29 June 2023)

6. ECM Laser has an interest in the NOR4 that is greater than the interest of the general public because their business is directly affected by the proposed designation.
7. ECM Laser supports the need to urbanise Matakana Road, particularly the portion between the Matakana Link Road intersection and Hill Street. However, ECM Laser opposes the Notice of Requirement as it is currently proposed. This submission relates to NOR 4 in its entirety including all the supporting technical documentation and proposed conditions.
8. In particular:
 - a. ECM Laser opposes the 15-year lapse date sought by the Requiring Authority (“AT”).
 - b. ECM Laser opposes the extent of works shown affecting the subject site as shown on the General Arrangement Plan for NOR 4. 20.1
 - c. ECM Laser opposes the location of the proposed stormwater wetland and fill batter as shown on the Urban Design Outcomes and Opportunities Plan. 20.2
 - d. ECM Laser opposes the fact that no connection is shown between the proposed Sandspit Road NOR and associated upgrade and NOR 4.
 - e. ECM Laser opposes NOR 4 on the basis the transportation modelling upon which the Project is based is out of date and is not prepared on the basis of the likely form of development that will arise for Warkworth under the National Policy Statement Urban Development (“NPS UD”), including outcomes that may arise as a result of Proposed Plan Change 78 and the Auckland Council Draft Future Development Strategy (“FDS”). 20.3

REASONS FOR SUBMISSION

9. NOR 4 (as currently proposed):
 - a. will not promote the sustainable management of the natural and physical resources, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - b. is inconsistent with the NPS UD;
 - c. is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - d. will not meet the reasonably foreseeable needs of future generations;
 - e. will not enable the social, economic, and cultural wellbeing of the people of Warkworth or the wider area; and
 - f. does not avoid, remedy or mitigate actual and potential adverse effects on the environment;
 - g. May not be consistent with the Auckland Council FDS which is currently a draft.
10. Without limiting the generality of paragraph 9 above, ECM Laser opposes NOR 4 because it will result in significant adverse effects to the home occupation business, that will not be avoided or adequately remedied or mitigated. Specifically,
 - a. The project, as proposed, will blight the land and render the existing buildings unusable, and will prevent the existing businesses from operating. ECM Laser is an established business operating from this location. 20.1
 - b. Alternatives have not been fully investigated or discounted, in relation to the extent of the subject site the proposed Designation relates to. 20.2
 - c. The proposed lapse timeframe and the proposed conditions do not appropriately provide for integration with existing or future urban development.

- d. The extent of works are potentially based on flawed modelling and assumptions.

RELIEF SOUGHT

- 11. ECM Laser seek Auckland Council recommends NOR4 be rejected or that amendments are made to:
 - a. remove the extent of NOR 4 from the subject site;
 - b. reduce the extent of NOR 4 alongside the subject site so that all works are undertaken within the existing road corridor;
 - c. amend the lapse date to ten years maximum;
 - d. amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design Management Plan (or similar);
 - e. such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

20.1-
20.3

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of ECM Laser Limited)

Date:07 June 2023

Address for Service:

ECM Laser Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:856] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 6:45:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

21.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:864] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:30:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison

Organisation name:

Full name of your agent: Grant Hewison

Email address: grant@granthewison.co.nz

Contact phone number:

Postal address:
PO Box 47188
Auckland
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 4) Warkworth: Matakana Road Upgrade

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

22.1

I or we seek the following recommendation or decision from Auckland Council:
Grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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NOR 4 – Matakana Road Upgrade

19 Northwood Close

10 July 2023

19 Northwood Close
Warkworth
0910

Dear John Duguid:

We apologise for the late submission. Unfortunately, we were away from Warkworth at the time of submission and formally request that this letter be accepted, albeit after the closing submission date of July 7th.

19 Northwood Close is impacted by the proposed upgrade to Matakana Road. We note in the draft sent to us that we will lose some land to the footpath and the cycleway and do not contest this as it is currently unused land. Our concerns that we wish to raise are:

- Area impacted is very close to the home – and earthworks and construction activity is within metres of the homes 3 bedrooms. – see attached with bedroom area labeled in red.
- Area impacted is very close to the home – and the noise of earthworks and construction activity will severely impact our ability to run our two businesses from home offices. Specifically, Business 1 = management consulting including tele and online coaching which requires quiet and the reason the property was purchased in November 2022, and Business 2 = commercial Blinds with client phone consultations.
- The land proposed for construction is steep as the house is located below the Matakana road line. A more viable route would use the flatter land on the other side of Matakana Road.
- Amount of land impacted reducing the outside area for personal recreation

23.1

Please consider the points above in your planning.

Sincerely,

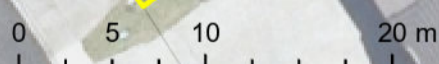
Michael and Cindy Lincoln

DRAFT



Bedrooms

Lot 126
DP 480443



Aerial imagery supplied by Nearmap Australia Pty Ltd
Road names LINZ and ESRI Community Maps

Name: SGA-Engage-WW-003-MatakanaRoad
Path: P:\3813810934\TGI01 Map06 ArcGIS Pro01 Warkworth\SGA_WW_PropertyPlans.aprx

| | | | |
|---------------|--|--|---------------------------------------|
| LEGEND | | | |
| | Your Property | | Earthworks |
| | Indicative area of your property within draft designation boundary | | Verge |
| | | | Bridge |
| | | | Retaining Wall |
| | | | Road Corridor |
| | | | Footpath |
| | | | Cycleway |
| | | | Median/Flush Median |
| | | | Stormwater Wetland/Attenuation Device |

Owner ID:100068
Title No: 671299
19 Northwood Close
Matakana Road
Date : 28/02/2023

- NOTES**
1. Property Boundary data derived from Land Information New Zealand
 2. This map shows the area of land that may be affected by the route
 3. This plan may not include all the land in your ownership over a wider area
 4. Blue hatched area for designation enables work to tie into existing on site features like driveways etc.

The recipient receives this information in confidence and in good faith to assist with discussions with the members of the Te Tupu Ngātahi Supporting Growth team. In receiving this information, the recipient acknowledges that this information is in draft form and may be subject to further amendments including (but not limited to) prior to the lodgment of the notice/s of requirement for the Warkworth projects, and as part of any subsequent detailed design process. The recipient further acknowledges that Te Tupu Ngātahi has no obligation to provide any such amendments or updates to the recipient as part of this process or otherwise.

This map contains data derived in part or wholly from sources other than those party to the Supporting Growth Alliance, and therefore, no representations or warranties are made by those party to the Supporting Growth Alliance as to the accuracy or completeness of this information. Map intended for distribution as a PDF document. Scale may be incorrect when printed.

NOR 5 – ANNOTATED SUBMISSIONS

From: [Julia Fraser](#)
To: [Unitary Plan](#)
Subject: Nor5
Date: Friday, 23 June 2023 1:49:05 pm

Attention Planning technicians,

Now that the new motorway is open it is apparent that rather than widening Sandspit Road is much more important to prioritise the link road between Sandspit rd and Matakana road therefore relieving even more the amount of traffic descending on Hill street. To travel from Snells, Sandspit or Algies etc to the motorway it some 2ks further to use Sharp Rd to the Link rd and the motorway than to come via Sandspit and Hill st.

1.1

Yours faithfully,

Julia Fraser

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

FOLKERT (SIM) VISSER

Organisation Name (if submission is made on behalf of Organisation)

VISSER FAMILY TRUST

Address for service of Submitter

89 A SANDSPIT RD WARKWORTH 0982

Telephone:

0274583005

Email:

sim.visser@live.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 5) Warkworth : Sandspit Road Upgrade

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

THAT 89A RETAIN ROAD ACCESS BESIDE/ TRU PROPOSED RAIN GARDEN.

2.1

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

THE PROPOSED GARDEN .OK . THIS AREA OF LAND IS THE LOWEST PRACTICAL POINT ON THIS PART OF THE ROAD REDEVELOPMENT THE WET LAND ON PROPOSED ON 89 SANDSPIT RD SHOULD ALSO BE MOVED. THE PLAN SUBMITTED HAS NOT BEEN SUBJECT TO AN "ONSITE

2.1

INSPECTION" BY A COMPETENT GEOTECHNICAL ENGINEER, WHO WOULD IN MY OPINION COME TO THE SAME CONCLUSION. NO PRACTICAL PLANNER WOULD CREATE A WETLAND IN A SANDSTONE EMBANKMENT, REQUIRING THE EXCAVATION OF 2500 M³, JUST TO CAPTURE A

(continue on a separate sheet if necessary)


I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

THAT A COMPETENT GEOTECHNICAL INSPECTION / REVIEW, BE CARRIED OUT. BEFORE A DECISION IS MADE.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing


Signature of Submitter
(or person authorised to sign on behalf of submitter)

3. July 2023
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

* WATERSHED OF 15000 M² INCLUDING ITSELF, AND REQUIRING THE DISPLACEMENT OF A PROPERTY WHICH WOULD COST \$ 3.5 MILLION TO REPLACE.

SUBMISSION ON REQUIREMENT FOR DESIGNATION

Section 168(2) of the Resource Management Act 1991

TO: AUCKLAND TRANSPORT

SUBMITTER: MICHAEL AND DIANE KELLY

1. This is a submission on a notice of requirement from Auckland Transport for a designation for the upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial corridor with active mode facilities (NOR5).

Notice of requirement details

2. The notice of requirement is NOR5 of eight Auckland Transport projects which were notified on 9 June 2023.
3. The notice of requirement proposes work along Sandspit Road which includes:
 - (a) *Upgrading Sandspit Road to accommodate an urban arterial corridor, with cycle lanes and footpaths.*
 - (b) *Tie-ins with existing roads, localised widening around the existing intersections to accommodate proposed intersection forms and roundabouts.*
 - (c) *New or upgraded stormwater management systems, bridges and culverts (where applicable).*
 - (d) *Batter slopes to enable widening of the corridor, and associated cut and fill earthworks.*
 - (e) *Vegetation removal along the existing road corridor.*
 - (f) *Other construction related activities required outside the permanent corridor including the re-grade of driveways, construction traffic manoeuvring and construction laydown areas.*
4. The notice of requirement also proposes that the designation should be pursuant to an extended lapse period of 25 years under section 184(1)(c) of the Resource Management Act 1991. This is for the purpose of long term route protection to ensure implementation of the proposed designation.

Not a trade competitor

5. Michael and Diane Kelly (Mr and Mrs Kelly) could not gain an advantage in trade competition for the purposes of section 308B of the Resource Management Act 1991 through this submission.

Submission on entire notice of requirement

6. NOR5 applies to 99 and 101-105 Sandspit Road, Warkworth (Site), which are owned by Mr and Mrs Kelly.

7. This Site is legally described as Lot 1 DP 171446 (Title NA104D/220). The designation proposed by Auckland Transport would apply to 5,411m2 of this Site. This Site is given Site ID 200100 in NOR5.

8. We oppose NOR5 in its entirety for the following reasons:

(a) inadequate engagement with affected persons; 3.1

(b) inadequate assessment of alternatives; 3.2

(c) inconsistencies with the Future Development Strategy notified for consultation by Auckland Council on 6 June 2023; and 3.1

(d) significant adverse effects on us, as owners of the Site. 3.3

9. The adverse effects on us, include:

(a) The taking of a significant portion of our property, which will drastically reduce the value of our land. We had been in reliance on this land value for our retirement, so this will severely adversely affect our ability to provide for ourselves. 3.3

(b) The reduction of the buffer distance between Sandspit Road and our home, which will result in significantly increased noise levels and road vibration. This will immediately adversely affect our quality of life and will devalue the property for future buyers. 3.3

(c) The proposed extended lapse period, which is an unreasonable length of time for the designation to be held over the property, which will adversely restrict our ability to plan for our retirement. 3.4

Relief sought

10. We seek the territorial authority recommend that the requiring authority withdraw NOR5 or modify NOR5 to not include the Site. 3.1 - 3.4

11. We wish to be heard in support of our submission.

12. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

DATE: 5 July 2023



Paul F Majurey / Louise Ford

on behalf of Michael and Diane Kelly

Address for Service of submitter:

C/- Paul F Majurey / Louise Ford
Atkins Holm Majurey Ltd
Level 19, 48 Emily Place
PO Box 1585, Shortland Street
Auckland 1140

Telephone: (09) 304 0294
Email: paul.majurey@ahmlaw.nz / louise.ford@ahmlaw.nz
Contact person: Paul F Majurey / Louise Ford

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:831] Notice of Requirement online submission - Antony Paul Nagel
Date: Wednesday, 5 July 2023 10:45:45 pm
Attachments: [RE_2 Millstream Place - 100184.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Antony Paul Nagel

Organisation name: 0274356831

Full name of your agent:

Email address: t.nagel@xtra.co.nz

Contact phone number: 0274356831

Postal address:
70a Sarsfield Street
Herne Bay
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 5) Warkworth : Sandspit Road Upgrade

The specific provisions that my submission relates to are:

The current proposal designates the owner's property (2 Millstream Place, Warkworth) to be taken as part of the footpath and cycleway at some time in the future. We have been told that the timing of any decision to take the land will likely be some time in the next 20-30 years. We have also been told that there is no realistic possibility of Auckland Transport purchasing the land until that decision is made. In the meantime, our property is unable to be developed and effectively unable to be sold. This is grossly unfair and will severely impact on the owner, both economically and psychologically.

4.1

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

Unilaterally imposing a Notice of Requirement on a ratepayer's property which severely impacts the value of the property, and makes it effectively unable to be sold, while offering no compensation nor offering to buy the property, is simply outrageous. The owner was not even told about the proposal until relatively recently. Council staff confirmed in correspondence (email 17 March 2023) that the owner was not contacted in the early consultation period in 2022 due to a database error. According to the proposal, only a very small portion of the property will actually be crossed by the proposed cycleway and footpath, but the house will be demolished as part of the wider earthworks involved, presumably for contouring. The owner has suggested to the Council that the northern boundary of the property could perhaps instead be retained, thereby enabling the owner to continue to enjoy the property, relatively unaffected by the footpath and cycleway proposal. The owner asked the Council to investigate with its engineering team whether this might be possible. The Council has not responded adequately to this request. Despite agreeing to undertake this investigation (at a meeting on 30 March, confirmed by email to the owner dated 5 April 2023), it was apparently not done. The owner followed up on 20 June asking about the result of the investigation. On 21 June Council replied by email stating simply that "We received your previous feedback and have considered your suggestion of a retaining wall. However, at this stage we will be proceeding with the proposed design which we previously presented to you and which is referenced in the lodged documentation". No evidence was provided to the owner to indicate that the investigation was ever done. I find the Council's attitude throughout (despite having been delivered in a friendly manner) to have been

4.1

4.2

arrogant and uncaring as the extreme effects such a long-dated designation, with no offer of compensation, will undoubtedly have on the mental and financial wellbeing of the property owners affected by the proposal. My property, which was purchased as an investment to provide security for my retirement, will now, as a result of the designation, be effectively unsaleable for the 20-30 years (by which stage I will be aged 80-90). To say that I can seek a buyer and then at that stage seek compensation from the Council if the price offered is less than the property's pre-designation value, is laughable. Who is going to be interested in even making an offer in such circumstances?

4.1

I or we seek the following recommendation or decision from Auckland Council:

One of the following: 1. Revoke the Notice of Requirement over 2 Millstream Place, Warkworth; or 2. Change the Notice of Requirement over 2 Millstream Place, Warkworth to one requiring the construction of the retaining wall on the northern boundary of the property to allow the cycleway and footpath to be built; or 3. Immediately offer to purchase 2 Millstream Place, Warkworth from the owner at a fair price to be agreed.

4.1

4.2

Submission date: 5 July 2023

Supporting documents

RE_ 2 Millstream Place - 100184.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: [Supporting Growth Team](#)
To: [Tony Nagel](#)
Cc: [Tony Nagel](#); [Shelley](#)
Subject: RE: 2 Millstream Place - 100184
Date: Wednesday, 21 June 2023 9:15:31 am
Attachments: [image001.png](#)

Kia ora Tony

Apologies that I misread your previous email.

We received your previous feedback and have considered your suggestion of a retaining wall. However, at this stage we will be proceeding with the proposed design which we previously presented to you and which is referenced in the lodged documentation.

Through the detailed design phase there may be opportunities to give further consideration to the potential for retaining in this locality. In this regard the proposed conditions framework for NOR 5, in particular the ULDMP, also includes provisions to address the future integration of the corridor with adjacent properties/land use.

Following completion of the works, the extent of the designation will be reviewed to identify any areas of designated land that are no longer required e.g. for the on-going operation or maintenance of the corridor. The designation boundary will be drawn back to the edge of the final formed corridor (operational boundary) after construction is complete.

We encourage you provide submission regarding any concerns you have about the proposed designation, so it can be formally considered through submission process. [Notice of requirement online submission \(aucklandcouncil.govt.nz\)](#) Please note that submissions close on 7 July 2023.

In regards to a follow up meeting with Auckland Transport property team, we are sorry that it hasn't happened sooner. I have sent on the referral and noted that the close of submissions is looming, they will get back to you as soon as possible to schedule in an online meeting.

If you have any other questions please let me know.

Kind regards

Leuina Fisiiahi | Engagement Manager
Te Tupu Ngātahi Supporting Growth
Level 5, 203 Queen Street, Auckland
M +64 21 363 260



From: Tony Nagel <tnagel@lodestoneenergy.co.nz>
Sent: Tuesday, 20 June 2023 9:48 am
To: Supporting Growth Team <info@supportinggrowth.nz>

Cc: Tony Nagel <t.nagel@xtra.co.nz>; Shelley <satrueman@xtra.co.nz>

Subject: RE: 2 Millstream Place - 100184

Thanks Leuina,

Thanks for your email. We did receive the 24 May letter, but that is not what I was seeking in my email. When I last spoke to your team (on 30 March 2023) I queried why the house on our 2 Millstream Place property needed to be demolished, when it appeared to me that the proposed cycleway only touched our property in a very minor way. I asked whether it might be possible to build a retaining wall on our boundary instead, thereby enabling us to keep our property and minimising the negative effects on us as owners.

Your team committed to investigate this possibility and come back to me with advice from the property team (as evidenced by Jaclyn's email of 5 April, below). I've heard nothing more on that matter since Jaclyn's email and I'm seeking a response. Clearly we need to get that response before the submission date of 7 July, as it will affect our submission.

I look forward to hearing from your team on that matter urgently.

Kind regards,
Tony

Tony Nagel

M: +64 274 356 831

From: Supporting Growth Team <info@supportinggrowth.nz>

Sent: Tuesday, June 20, 2023 6:47 AM

To: Tony Nagel <tnagel@lodestoneenergy.co.nz>

Subject: 2 Millstream Place - 100184

Kia ora Tony

Thank you for your email. I have attached our latest letter to you dated 24 May 2023 that advises that we have lodged our Notice of Requirement (NoR) with Auckland Council.

You should hopefully have received a letter from Auckland Council notifying you of this as an impacted landowner.

Here is the link to where all the documents are related to the NoR 5 [Warkworth : Sandspit Road Upgrade \(NoR 5\) Auckland Transport \(aucklandcouncil.govt.nz\)](https://www.aucklandcouncil.govt.nz/transport/road-works/NoR-5-Warkworth-Sandspit-Road-Upgrade)

You can also make a submission here and please note they close on 7 July 2023. [Notice of requirement online submission \(aucklandcouncil.govt.nz\)](https://www.aucklandcouncil.govt.nz/transport/road-works/NoR-5-Warkworth-Sandspit-Road-Upgrade)

If you have any other questions please let me know.

Kind regards

Leuina Fisiiahi | Engagement Manager
Te Tupu Ngātahi Supporting Growth
Level 5, 203 Queen Street, Auckland
M +64 21 363 260



From: Tony Nagel <tnagel@lodestoneenergy.co.nz>
Sent: Thursday, 15 June 2023 11:31 am
To: Supporting Growth Team <info@supportinggrowth.nz>
Cc: Tony Nagel <t.nagel@xtra.co.nz>
Subject: RE: Landowner Information

Hi Jaclyn,

Could you please update me on the last line in your email below? I haven't heard anything further from your team since that email.

Kind regards,
Tony

Tony Nagel
M: +64 274 356 831

From: Supporting Growth Team <info@supportinggrowth.nz>
Sent: Wednesday, April 5, 2023 11:44 AM
To: t.nagel@xtra.co.nz; Tony Nagel <tnagel@lodestoneenergy.co.nz>
Subject: Landowner Information

Hi Tony

Thanks for taking the time to meet with us last week.

As promised, please find attached the landowner guides Megan mentioned. The AT Landowner Guide is much more user-friendly, but if you are after more detail you'll find it in the LINZ Guide.

We're also looking into the possibility of a retaining wall and will pass your details on to Auckland Transport's property team.

Kind Regards
Jaclyn Chetty
The Supporting Growth team
PO Box 105218, Auckland 1143
P: 0800 GROW AKL (0800 476 9255)
E: info@supportinggrowth.nz
W: www.supportinggrowth.govt.nz



From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:843] Notice of Requirement online submission - Jillian Gabriel
Date: Thursday, 6 July 2023 8:30:27 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Jillian Gabriel

Organisation name:

Full name of your agent:

Email address: warkworth@bininn.co.nz

Contact phone number: 0220667074

Postal address:

11 Elizabeth St

Warkworth

Auckland 0910

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 5) Warkworth : Sandspit Road Upgrade

The specific provisions that my submission relates to are:

9 - 11 Elizabeth Street, Warkworth

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

I am the business tenant of the property operating the retail outlet under the banner of Warkworth Bin Inn. I am wholly reliant on vehicle street access and available for my customers in order to operate my business. Without such customers I will be forced to close. I received notification that my business property will be affected with the proposed roadworks to Hill St/ Matakana Rd/ Sandspit Rd intersection and I have sought clarity with the Council on that. However the response was not clear and I was advised to complete the submission form. On that matter I am opposed until I am fully provided with the details of the work to allow me to consider the proposal further. I have already experienced a significant slump in sales since the opening of the Matakana link road which diverts traffic from the Warkworth township. Any further disruption will be significant on future trading.

5.1

I or we seek the following recommendation or decision from Auckland Council:

I seek clarity on what the proposed roadworks will include for Elizabeth Street Warkworth and how traffic flow and foot traffic to this area will be affected, and specifically how the property at 9-11 Elizabeth St, Warkworth will be affected.

5.1

Submission date: 6 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

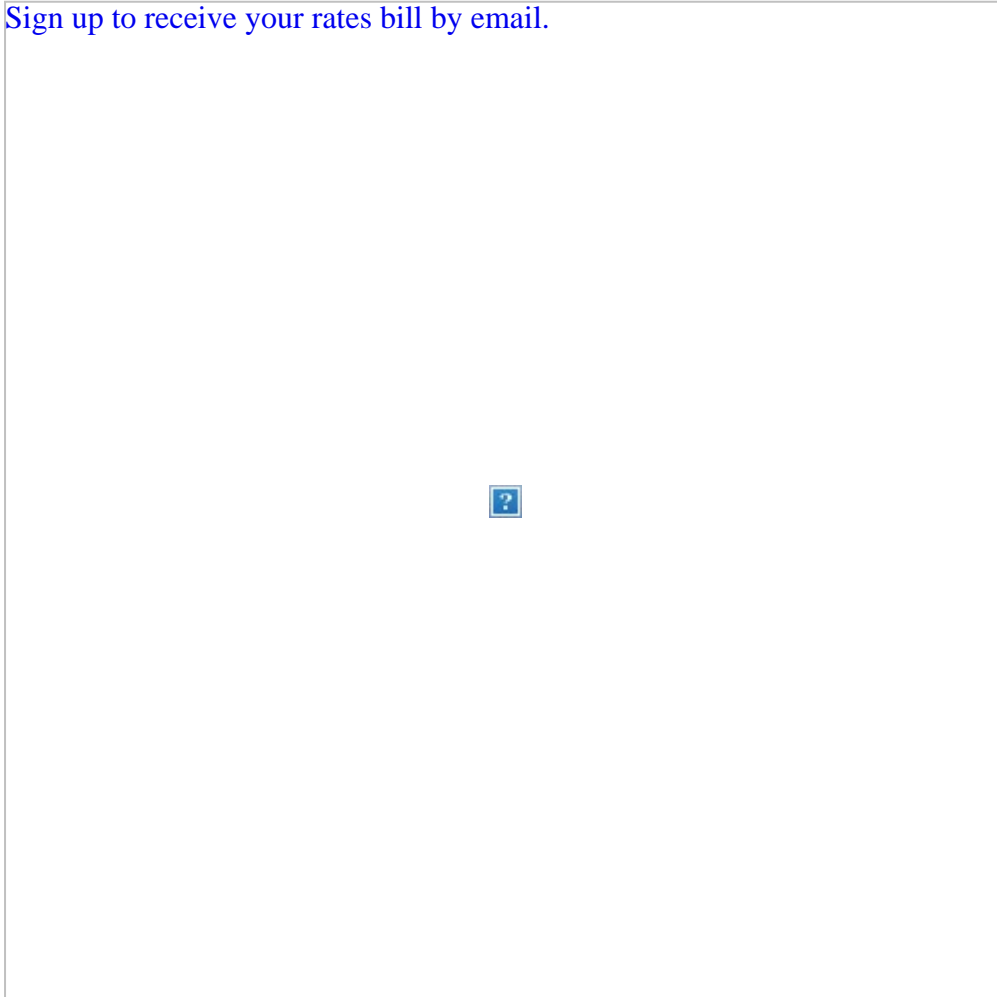
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:842] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 8:30:27 pm
Attachments: [NOR 5 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi Business Association and Warkworth area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number: 094259127
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 5) Warkworth : Sandspit Road Upgrade
The specific provisions that my submission relates to are:
All of Warkworth
Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.
The reason for my or our views are:
Details need to be improved
I or we seek the following recommendation or decision from Auckland Council:
Details of walking and Cycling. Alter alignment by Park Lane
Submission date: 6 July 2023

Supporting documents
NOR 5 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR 5 – Sandspit Road Upgrade

General NOR Issues

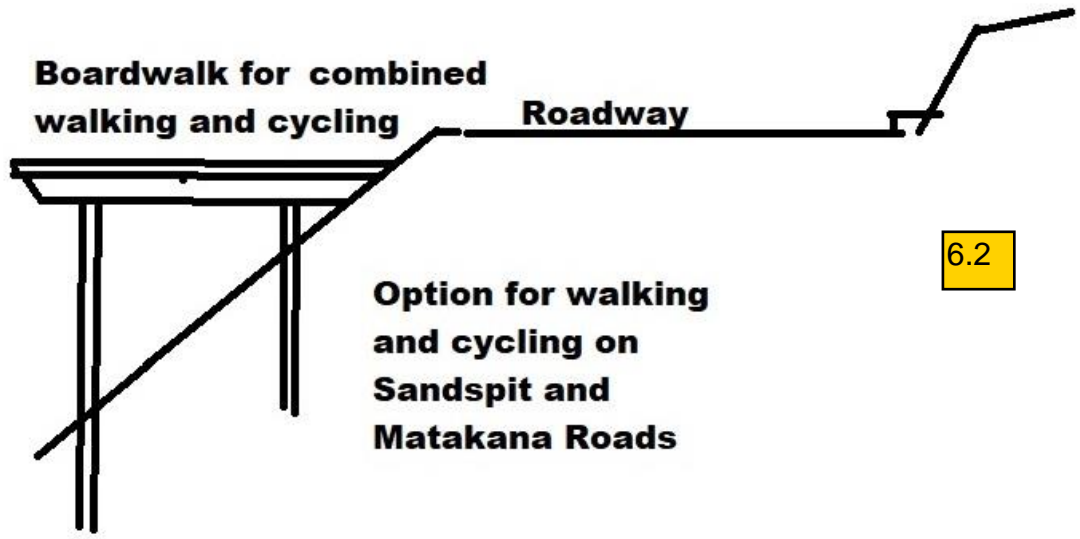
This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 6.3
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 6.4
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 6.5
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 6.6
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 6.7
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 6.8

NOR 5 Specific Issues

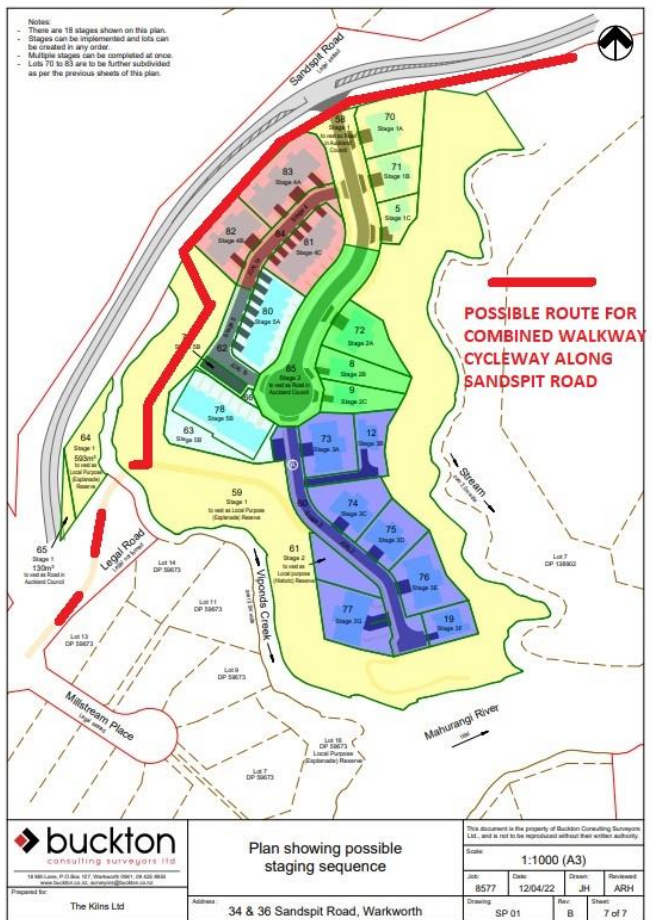
1. 2 Millstream Place. It should be possible to build a piled retaining wall adjacent to the boundary to avoid taking this property. See design proposals for Hill St Intersection 6.1
2. Alternatives for the crossing of the Vipond stream have been tabled with the 'Kiln Hearing'. This would involve sharing the bridge built by the developer (See diagram below) and taking the route away from the rather dubious retaining walls on Sandspit Road. This should be able 6.2

to be resolved by negotiation with the 'Kilns' Developer. The SGA designers may have already picked up on this point.



6.2

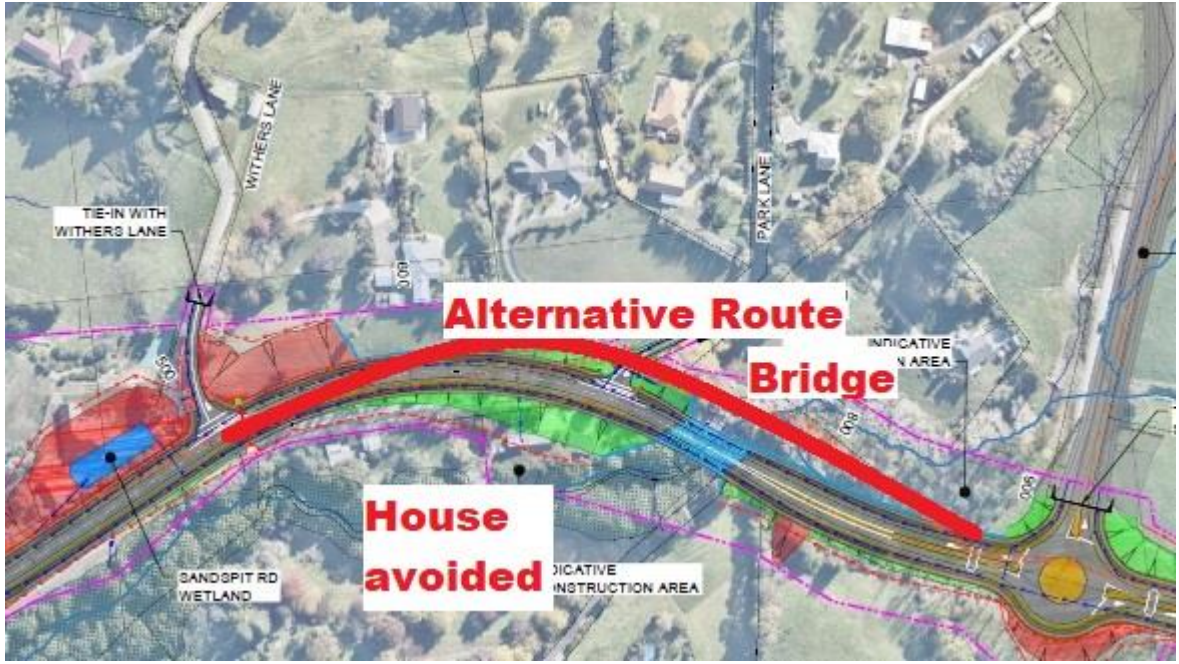
3. The combined Walkway at the Kilns should be carried up to the Sandspit Link intersection.



6.2

4. At Park Lane the road crosses a narrow culvert. This will have to be replaced with a bridge. It would be much easier to build the bridge to the north and keep Sandspit Road operational during the upgrade. Relocation of the road would also avoid the house at 126 Sandspit Road

6.2



5.



THE PLANNING
COLLECTIVE

Form 21

Submission on Notice of Requirement for designation NOR 5 Sandspit Road Upgrade that is subject to notification.

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: The Kilns Limited

1. The Kilns Limited makes this submission on NOR5 Sandspit Road Upgrade (“NOR5”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The Kilns Limited could not gain advantage in trade competition through this submission.
3. The Kilns Limited wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, The Kilns Limited will consider presenting a joint case with them at the hearing.

PROPERTY DETAILS: 34 & 36 Sandspit Road, Warkworth

5. The Kilns Limited owns the land at 34 & 36 Sandspit Road, Warkworth (“subject site”). The land is legally described as lot 1 DP 66360 (34 Sandspit Road) and Lot 1 DP 39534 & Part Lot 51 DP 703. The combined land area of the two sites is approximately 3.25 hectares.

7.1



Figure 1 – Aerial Image of 34 & 36 Sandspit Road, Warkworth (source: Auckland Council GeoMaps, 29 June 2023)

6. The land is zoned Future Urban and subject to a number of overlays. A snip of the property from the Auckland unitary Plan Planning Maps is shown below:



Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 29 June 2023)

7. On 25th May 2023 resource consent was granted by independent Hearing Commissioners consenting the construction of 49 dwellings, related construction works and subdivision. The impact of the proposed Designation on the consented development is shown in **Attachment A** and a snip is included below:

7.1

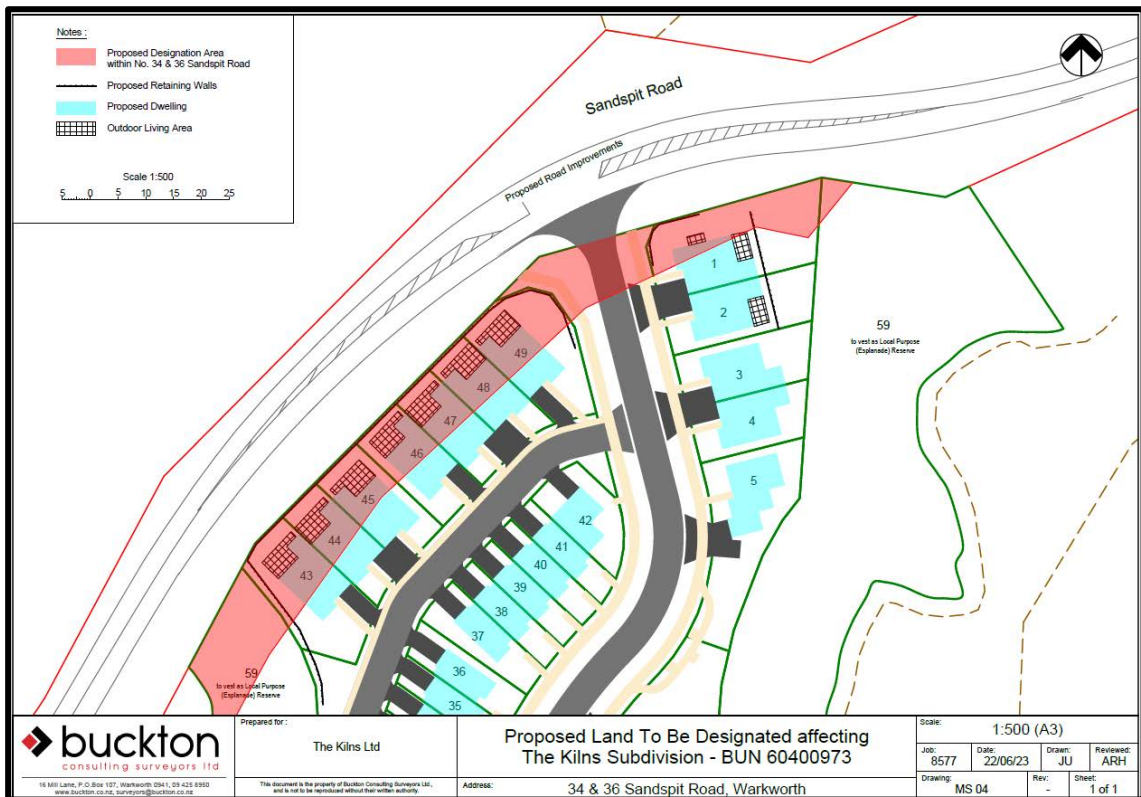


Figure 3 – Effect of Designation on Consented Development 34 & 36 Sandspit Road

8. The Kilns Limited has an interest in the NOR5 that is greater than the interest of the general public because the proposed Notice of Requirement shows a proposed Designation that directly impacts on the recently consented development. Consented development plans are **Attachment B**.

SCOPE OF SUBMISSION

9. This submission relates to NOR 5 in its entirety but specifically the portion of the proposed Sandspit Road upgrade between Millstream Place and the Lime Works private road.
10. The Kilns Limited opposes NOR 5 to the extent that it adversely impacts on the proposed residential development.
11. The NOR does not take account of viable and consented alternatives.
12. The NOR does not adequately demonstrate why the extent of designation is required to achieve the objectives of the NOR. Which are to:

7.1

Provide for an upgrade to Sandspit Road between the Hill Street intersection and the eastern Rural Urban Boundary that:
 a) *Improves connectivity*

- b) Improves safety
- c) Is efficient, resilient and reliable
- d) Integrates with and supports planned urban growth
- e) Integrates with and supports the existing and future transport network
- f) Improves travel choice and contributes to mode shift.

13. The NOR does not adequately address why it is necessary to significantly, and adversely impact the consented residential development. Although we acknowledge the following commentary on page 99 in the AEE:

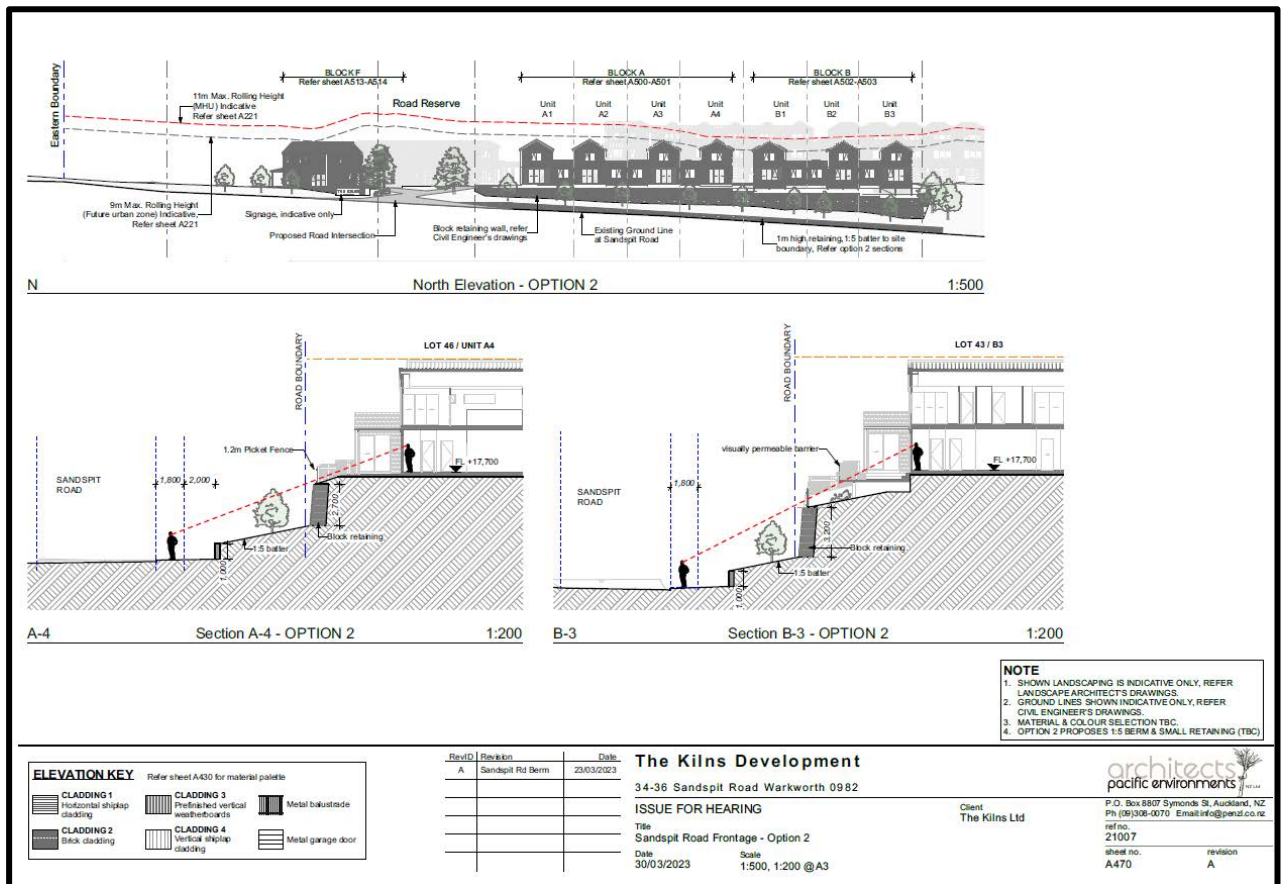
Table 12.1: Specific access considerations for the Warkworth Package

| NOR | Comment |
|-------|---|
| NOR 1 | An opportunity exists to improve access to a cemetery site located to the west of the Public Transport Hub. Access to this cemetery is currently via SH1 and turning movements are compromised by high traffic volumes and multiple lanes. This will be considered at the detailed design stage. |
| NOR 2 | In the case of property at 101 Woodcocks Road a driveway reinstatement is not considered possible, and as such these properties are included within the designation boundary. |
| NOR 5 | Two existing properties at 34 and 36 Sandspit Road have been identified where access will not be able to be reinstated to the existing smaller parcels following the project due to retaining work required, as such these have been included within the designation. For the avoidance of doubt, access can be retained to the adjacent larger parcel of 36 Sandspit Road via the existing access in the north-east corner. As noted previously these properties, and the adjacent larger parcel are currently the subject of a proposed development, with a lodged resource consent and proposed private plan change ('The Kilns'). It is anticipated that should development of this site proceed as proposed, or similar, that integration of the frontage of the site(s) with the proposed Sandspit Road upgrades will occur. Specifically, if these parcels are to be developed (either the whole site or just the two front lots), there are opportunities for the developer to tie back onto Sandspit Rd across the proposed footpath, provided they undertake earthworks to provide a safe / compliant tie in. Access to 325 Sandspit Road will likely need to be relocated following detailed design and can be accommodated within the designation boundary. |
| NOR 7 | In terms of existing access, vehicle access to the dwelling at 195 Sandspit Road is not able to be retained and as such the dwelling has been included within the designation. The alignment of the Sandspit Link follows an existing driveway / access that currently services residential properties, a quarry, and a recycling plant. Should these properties still require access at |

14. The impact on the consented development creates an inefficient use of the scarce land resource within close proximity to Warkworth Town Centre. Although the now consented development is acknowledged in the AEE this does not seem to acknowledge the shared path that will connect to Millstream Place that is also a consented part of the development.

7.2

15. A frontage arrangement was agreed with Auckland Transport prior to the hearing enabling a 1.8 metre footpath along the frontage and without affecting the consented development. A snip of the approved plan is set out below:



16. The extent of the Designation should be reduced to reflect the alternative frontage arrangement. 7.2

17. The Designation will blight the land owned by The Kilns for potentially 25-years. The lapse date time period is opposed. The portion of the designation adjacent to the site and between the Lime Works Road and Warkworth Town Centre needs to be urbanised in a much shorter timeframe. This is because of the proximity of this portion of road to the Town Centre and the likely development that will occur in this area within a lesser time period. 7.3

18. As shown on the planning maps snip – Figure 2, above the site is subject to a Heritage Extent of Place overlay and Significant Ecological Area (“SEA”). The AEE and supporting technical assessments do not appear to acknowledge the potential adverse effects that could be associated with the proposed works. The consented development appropriately addresses the heritage and archaeological values. 7.4

19. The proposed conditions for NOR 5 need to be amended to address matters raised in this submission. The scope of this submission relates to all conditions but in particular: 7.5

- Condition 1 should be amended to alter the extent of the Designation affecting the subject land.
- Condition 9 relating to the Urban and Landscape Design Management Plan (ULDMP) should include a requirement for evidence of consultation with any affected landowners and if there are aspects of the ULDMP that impact on the use or otherwise affects land then the landowner should be consulted, and written approval obtained. Otherwise, the ULDMP

should be amended so that there are no effects, or so that the landowner provides written approval. This is required because, amongst other matters the Urban Design assessment provided with the Notice of Requirement seeks to minimise land disturbance. Condition 12 relating to Stakeholder and Communication and Engagement Management Plan could be amended to address this requirement or could be cross referenced.

7.5

20. The NOR is based on transportation modelling that is out of date with likely changes to urban form and density in Warkworth.

7.6

21. The NOR does not fulfil the outcomes sought by the National Policy Statement Urban Development, the Auckland Regional Policy Statement or the relevant provisions of the Unitary Plan.

7.7

RELIEF SOUGHT

22. The Kilns Limited seek the following recommendation or decision from Auckland Council on NOR 5 – Warkworth Sandspit Road Upgrade:

7.1-7.7

- a. That NOR 5 as it relates to the subject land, be rejected Or withdrawn unless amendments are made to the NOR to address the matters raised in this submission.
- b. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of The Kilns Limited)

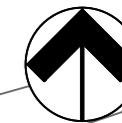
Date: 06 June 2023

Address for Service:

The Kilns Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

Attachment A:

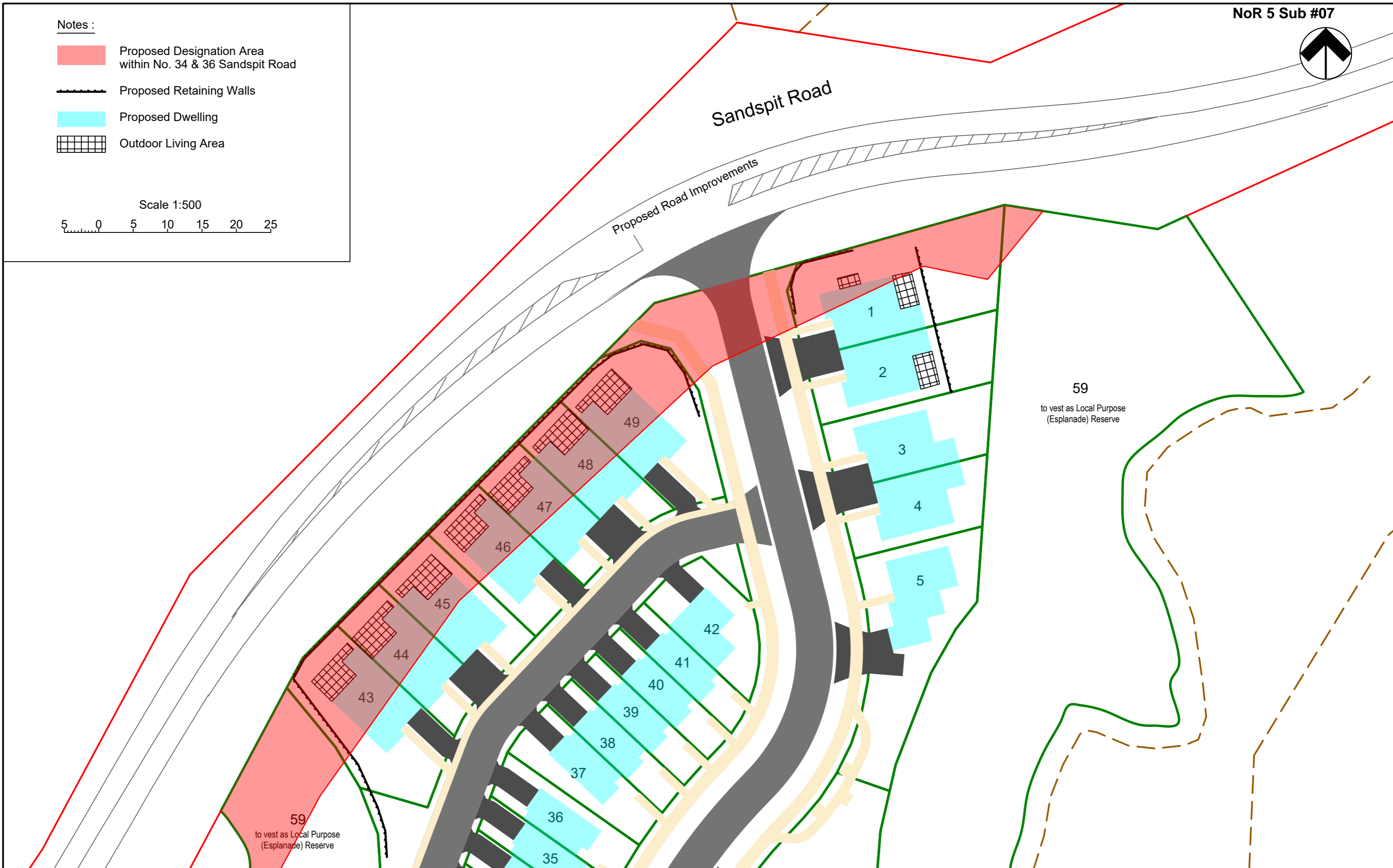
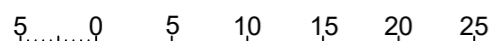
Designation Impact Plan



Notes :

- Proposed Designation Area within No. 34 & 36 Sandspit Road
- Proposed Retaining Walls
- Proposed Dwelling
- Outdoor Living Area

Scale 1:500



Prepared for :
The Kilns Ltd

Proposed Land To Be Designated affecting
The Kilns Subdivision - BUN 60400973

Scale: 1:500 (A3)

| | | | |
|-----------|----------------|-----------|---------------|
| Job: 8577 | Date: 22/06/23 | Drawn: JU | Reviewed: ARH |
|-----------|----------------|-----------|---------------|

16 Mill Lane, P.O.Box 107, Warkworth 0941, 09 425 8950
www.buckton.co.nz, surveyors@buckton.co.nz

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Address: 34 & 36 Sandspit Road, Warkworth

Drawing: MS 04 Rev: Sheet: Page 8 of 161 of 1

Attachment B:

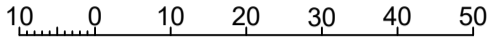
Consented Plans - Scheme Plan



Notes:

- Areas and dimensions are approximate only and are subject to survey.
- Zone:
Auckland Unitary Plan
- Future Urban
- Overlay / Areas
Historic Heritage, SEA, Natural Heritage
- This plan is for Resource Consent Purposes only.
- Comprised in RT's NA35C/478 and NA35C/479.
- Total RT Area: 3.0692ha.

Scale 1:1000



16 Mill Lane, P.O.Box 107, Warkworth 0941, 09 425 8950
www.buckton.co.nz, surveyors@buckton.co.nz

Prepared for:
The Kilns Ltd

Proposed Subdivision of Pt Lot 51 DP 703, Lot 1 DP 39534 and Lot 1 DP 66360

Address :
34 & 36 Sandspit Road, Warkworth

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Scale: 1:1000 (A3)

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| Job: 8577 | Date: 31/03/23 | Drawn: JU/PS | Reviewed: ARH |
|--------------|-------------------|-----------------|------------------|

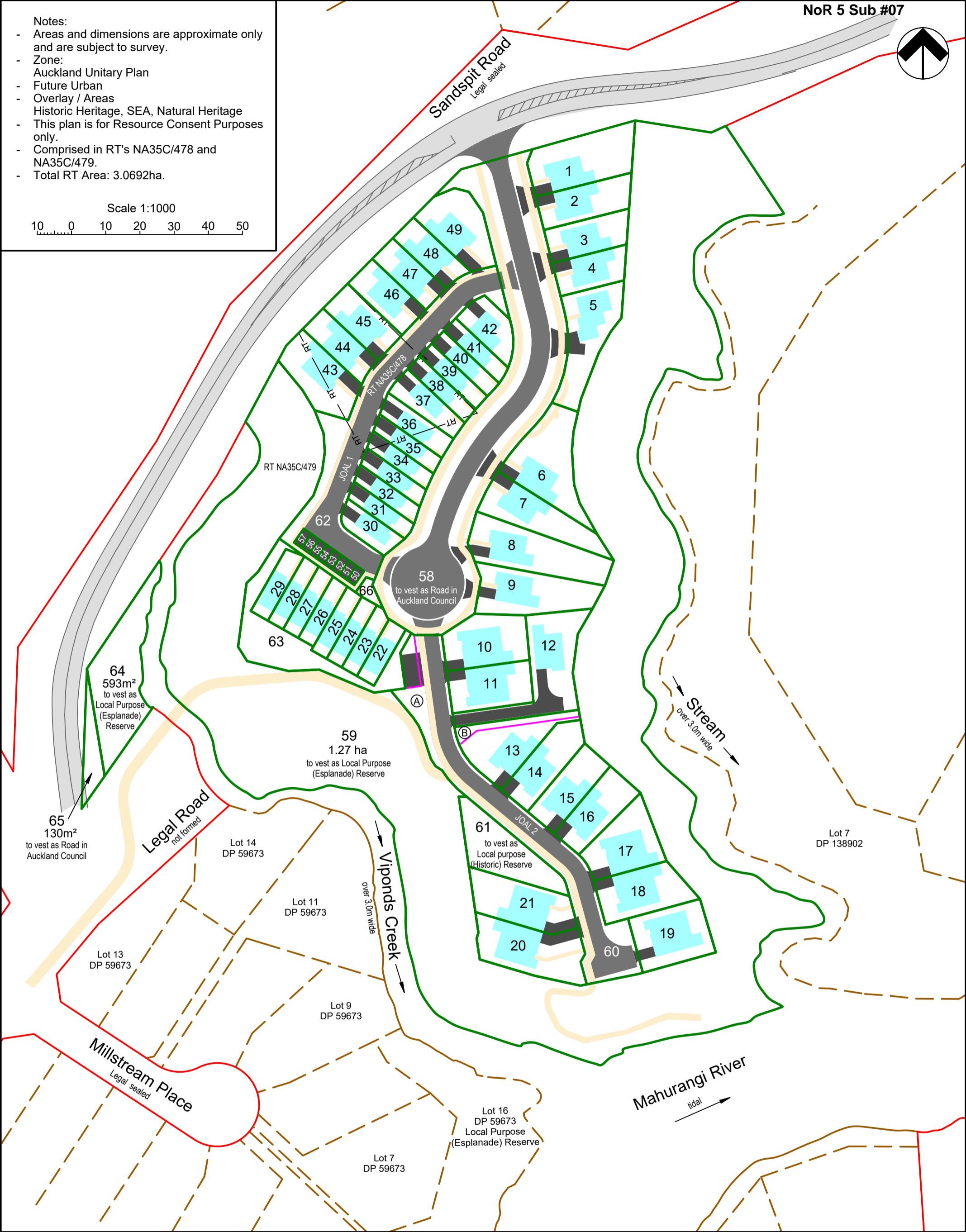
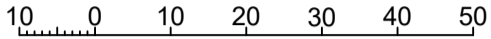
| | | |
|-------------------|------------------------|--------------------|
| Drawing: SP 01 | Rev: Page 40 of 161 | Sheet: 161 of 7 |
|-------------------|------------------------|--------------------|



Notes:

- Areas and dimensions are approximate only and are subject to survey.
- Zone: Auckland Unitary Plan
- Future Urban
- Overlay / Areas: Historic Heritage, SEA, Natural Heritage
- This plan is for Resource Consent Purposes only.
- Comprised in RT's NA35C/478 and NA35C/479.
- Total RT Area: 3.0692ha.

Scale 1:1000



16 Mill Lane, P.O.Box 107, Warkworth 0941, 09 425 8950
www.buckton.co.nz, surveyors@buckton.co.nz

Prepared for:
The Kilns Ltd

Proposed Subdivision of
Pt Lot 51 DP 703, Lot 1 DP 39534
and Lot 1 DP 66360

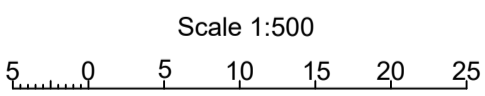
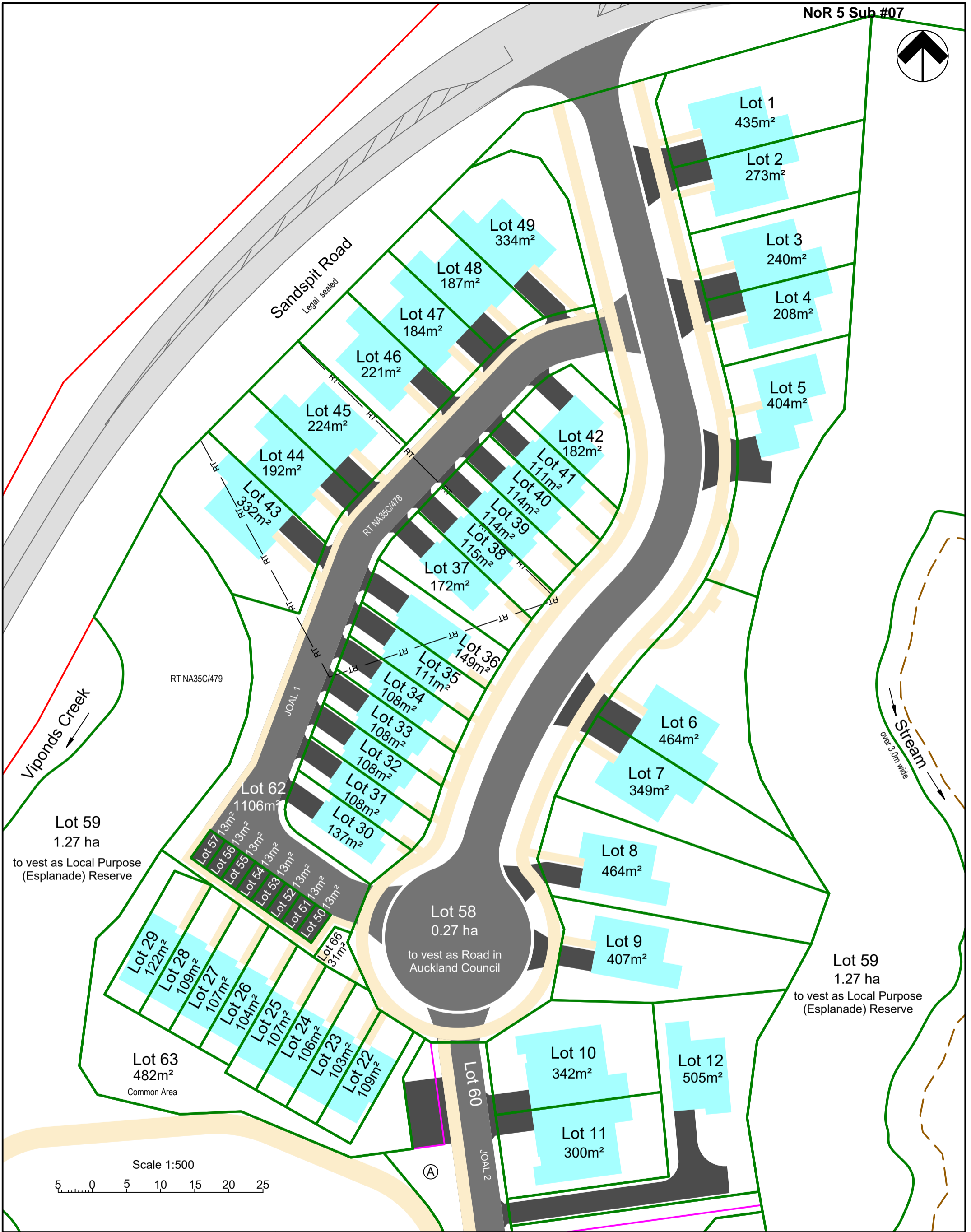
Address :
34 & 36 Sandspit Road, Warkworth

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Scale: 1:1000 (A3)

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| Drawing: SP 01 | Rev: | Sheet: Page 1 of 162 of 7 |
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www.buckton.co.nz, surveyors@buckton.co.nz

Prepared for:
The Kilns Ltd

Proposed Subdivision of Pt Lot 51 DP 703, Lot 1 DP 39534 and Lot 1 DP 66360

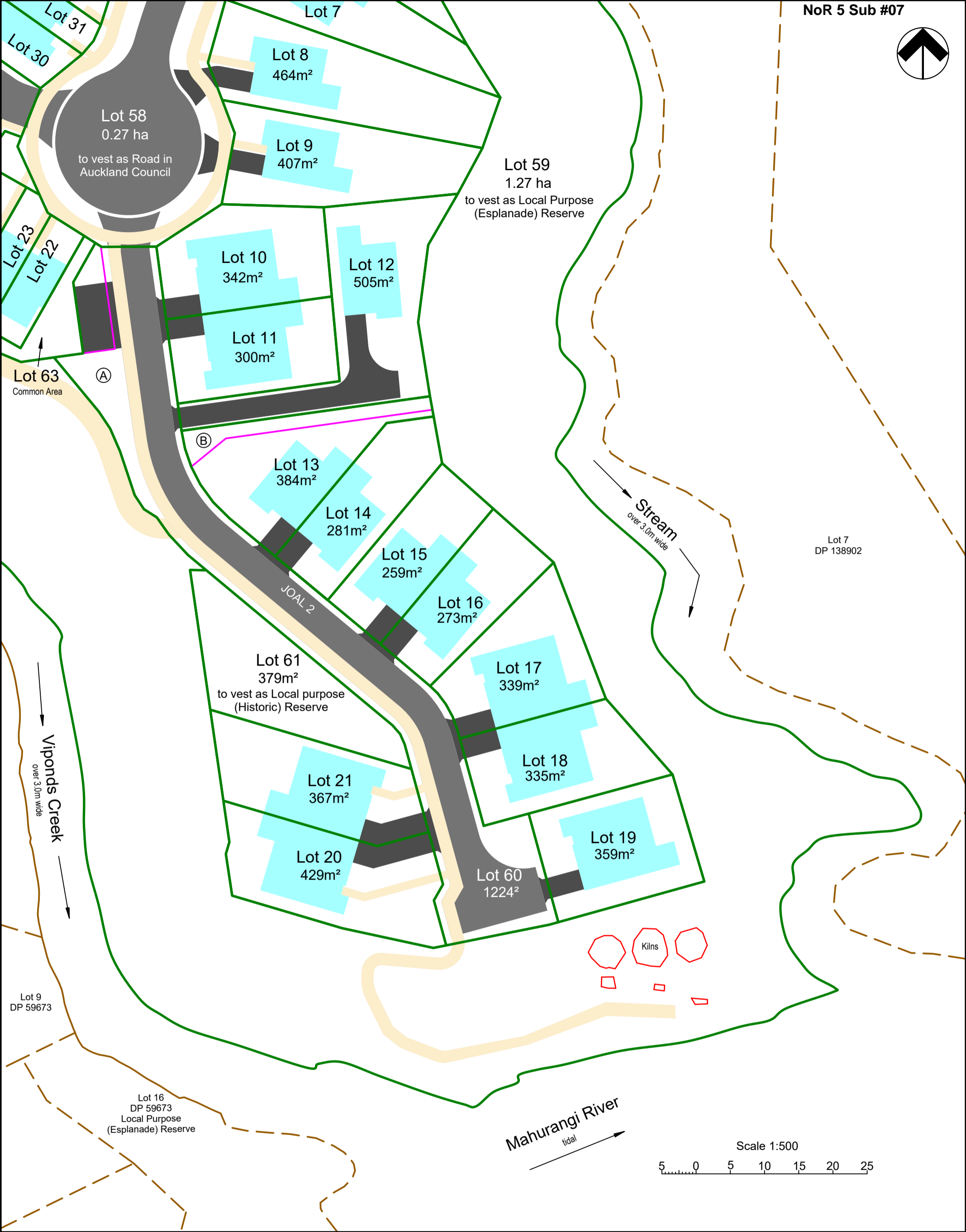
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Prepared for:
The Kilns Ltd

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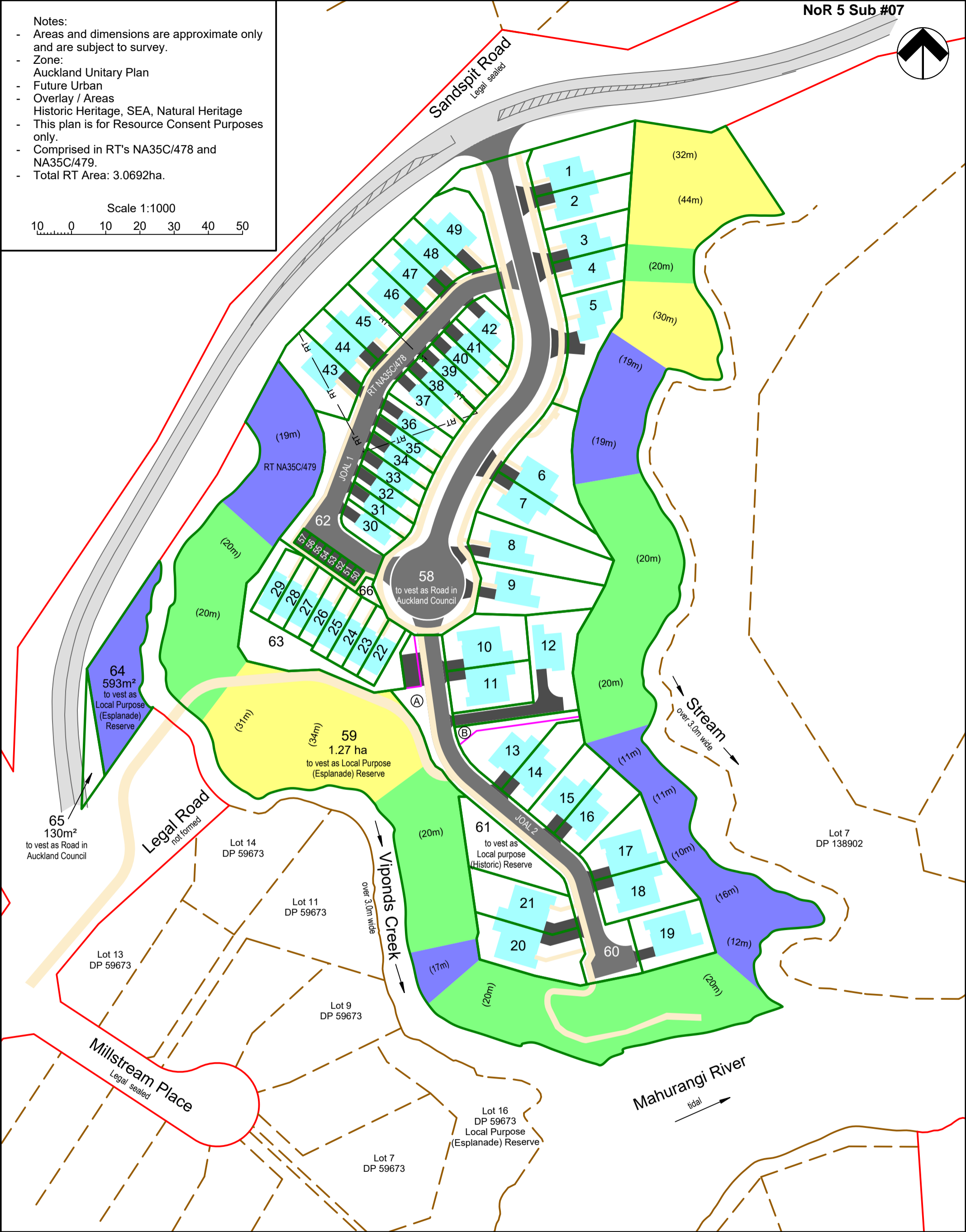
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Notes:

- Areas and dimensions are approximate only and are subject to survey.
- Zone: Auckland Unitary Plan
- Future Urban
- Overlay / Areas: Historic Heritage, SEA, Natural Heritage
- This plan is for Resource Consent Purposes only.
- Comprised in RT's NA35C/478 and NA35C/479.
- Total RT Area: 3.0692ha.

Scale 1:1000



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Prepared for:
The Kilns Ltd

Address :
34 & 36 Sandspit Road, Warkworth

Plan showing proposed Esplanade Reserve widths

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| Drawing: SP 01 | Rev: | Sheet: Page 64 of 165 of 7 |
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| Purpose | Shown | Servient Tenement (Burdened Land) | Grantee |
|--------------------------------|----------------|-----------------------------------|------------------------|
| Pedestrian Right of Way | A | Lot 60 hereon | Auckland Council |
| Schedule of Easements in Gross | | | |
| Purpose | Shown | Servient Tenement (Burdened Land) | Grantee |
| Right to convey electricity | Lots 60 and 62 | Lots 60 and 62 | Vector Ltd |
| Right to convey telecoms | Lots 60 and 62 | Lots 60 and 62 | Chorus New Zealand Ltd |
| Right to drain water | B | Lot 13 | Residents Society |

- Notes:
- Areas and dimensions are approximate only and are subject to survey.
 - Zone:
Auckland Unitary Plan
 - Future Urban
 - Overlay / Areas
Historic Heritage, SEA, Natural Heritage
 - This plan is for Resource Consent Purposes only.
 - Comprised in RT's NA35C/478 and NA35C/479.
 - Total RT Area: 3.0692ha.

Amalgamation conditions:

Lots 22 and 50 hereon are to be held in the same Record of Title.
 Lots 23 and 51 hereon are to be held in the same Record of Title.
 Lots 24 and 52 hereon are to be held in the same Record of Title.
 Lots 25 and 53 hereon are to be held in the same Record of Title.
 Lots 26 and 54 hereon are to be held in the same Record of Title.
 Lots 27 and 55 hereon are to be held in the same Record of Title.
 Lots 28 and 56 hereon are to be held in the same Record of Title.
 Lots 29 and 57 hereon are to be held in the same Record of Title.

Lot 60 hereon (legal access) is to be held as to twelve undivided one-twelfth shares, with one share being held by each of Lots 10 to 21.

Lot 62 hereon (legal access) is to be held as to twenty eight undivided one-twenty eighth shares, with one share being held by each of Lots 30 to 49, one share being held by Lots 22 and 50, one share being held by Lots 23 and 51, one share being held by Lots 24 and 52, one share being held by Lots 25 and 53, one share being held by Lots 26 and 54, one share being held by Lots 27 and 55, one share being held by Lots 28 and 56 and one share being held by Lots 29 and 57.

Lots 63 and 66 hereon (common area) are to be held as to eight undivided one-eighth shares, with one share being held by Lots 22 and 50, one share being held by Lots 23 and 51, one share being held by Lots 24 and 52, one share being held by Lots 25 and 53, one share being held by Lots 26 and 54, one share being held by Lots 27 and 55, one share being held by Lots 28 and 56 and one share being held by Lots 29 and 57.

Residents Societies shall be created for the JOALs. The Records of Title for all lots to be accessed by the JOALs, being Lots 10 to 57, shall be subject to encumbrances requiring the owners to be members of the relevant Residents Society.



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Prepared for:
 The Kilns Ltd

Proposed Subdivision of
 Pt Lot 51 DP 703, Lot 1 DP 39534
 and Lot 1 DP 66360

Address :
 34 & 36 Sandspit Road, Warkworth

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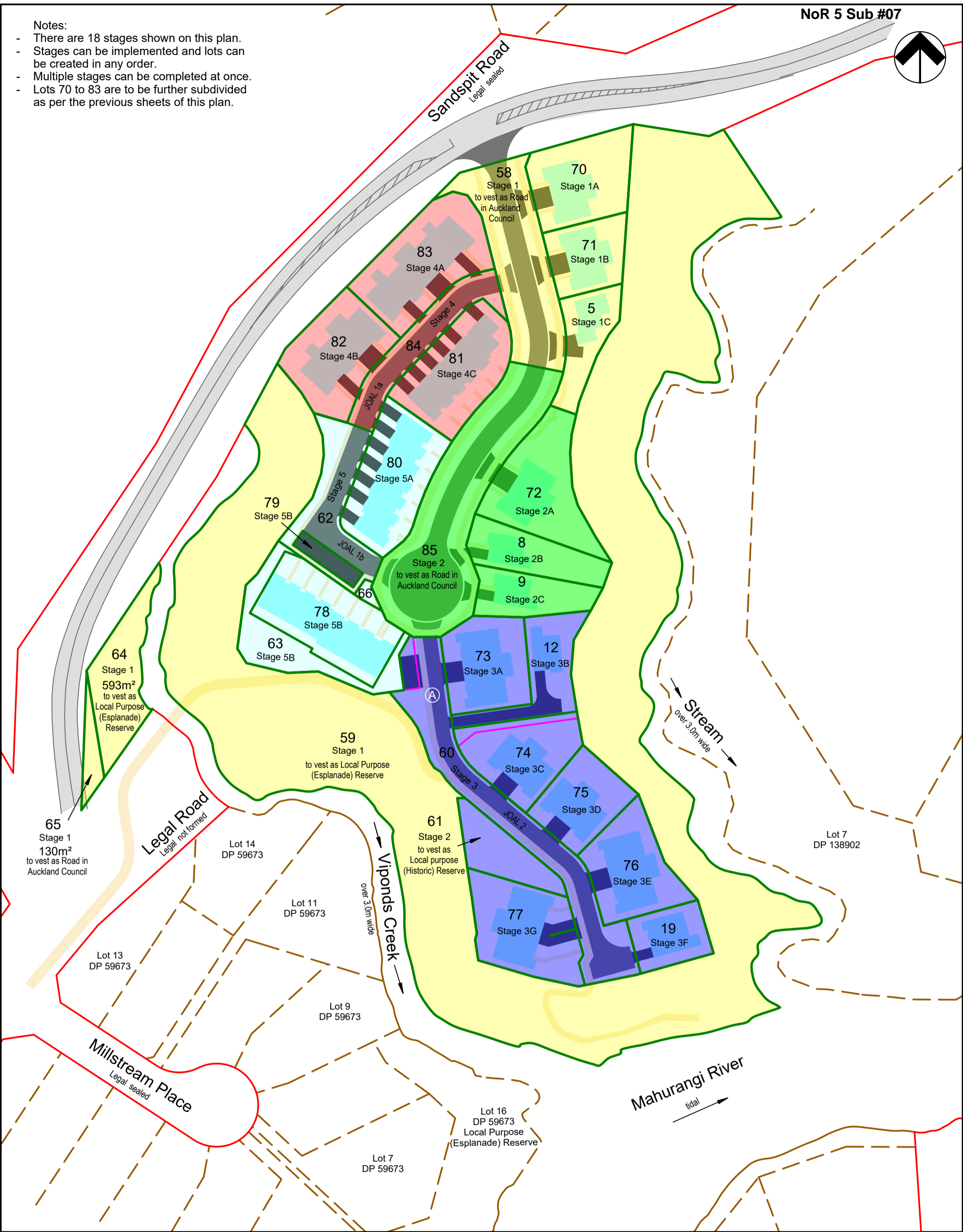
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| Drawing: SP 01 | Rev: | Sheet: Page 65 of 166 of 7 |
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Notes:

- There are 18 stages shown on this plan.
- Stages can be implemented and lots can be created in any order.
- Multiple stages can be completed at once.
- Lots 70 to 83 are to be further subdivided as per the previous sheets of this plan.



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Prepared for: The Kilns Ltd

Plan showing possible staging sequence

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| Drawing: SP 01 | Rev: | Sheet: Page 66 of 167 of 7 |
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THE PLANNING
COLLECTIVE

Form 21
Submission on requirement for designation NOR5 Sandspit Road Upgrade that is subject to notification.

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Northland Waste Limited (“Northland Waste Ltd”)

1. Northland Waste Ltd makes this submission on NOR5 Sandspit Road Upgrade (“NOR5”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Northland Waste Ltd could not gain advantage in trade competition through this submission.
3. Northland Waste Ltd wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, Northland Waste Ltd will consider presenting a joint case with them at the hearing.

OVERVIEW OF NORTHLAND WASTE LAND INTERESTS

5. Northland Waste Ltd has an interest in the following land holdings:
 - a. 163 Sandspit Road (Lot 1 DP 513584) which comprises some 1.057ha and is currently a vacant site.
 - b. 183 Sandspit Road (Lot 1 DP 122100) which comprises some 3.6422 hectares and contains the Warkworth Recovery Re:Sort as well as a household unit and a minor household unit. It is noted that all other transfer stations that serviced Warkworth have now been closed and the Warkworth Transfer Station provides a critical service to the Warkworth community, and wider towns and communities such as Matakana and Snells Beach.

8.1



Figure 1 – Aerial Image of 163 & 183 Sandspit Road, Warkworth (source: Auckland Council GeoMaps, 29 June 2023)

- Both 163 and 183 Sandspit Road are zoned as Future Urban under the Auckland Unitary Plan – Operative in Part. Northland Waste hold a resource consent for the activities, namely a Transfer Station, undertaken on the site at 183 Sandspit Road.

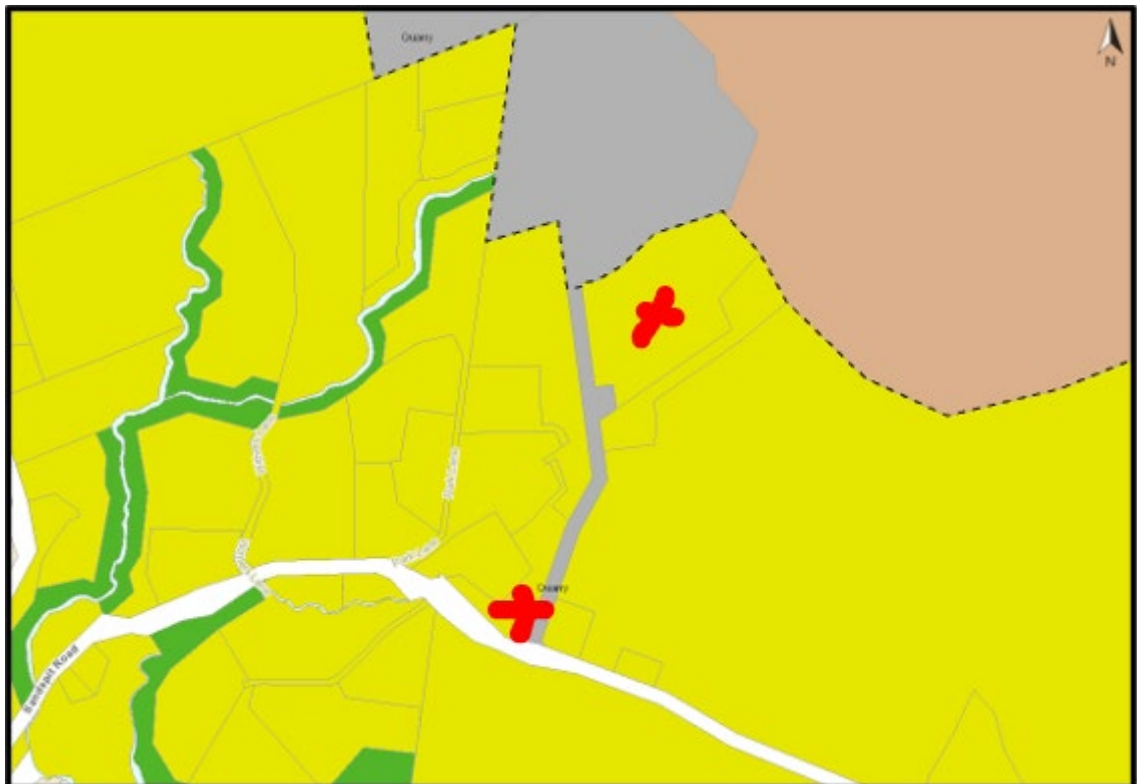


Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 29 June 2023)

SCOPE OF SUBMISSION

- 7. This submission relates to NOR5 as a whole.
- 8. Northland Waste Ltd has an interest in NOR5 that is greater than the interest of the general public because it has an interest in land which is directly affected by the Notice of Requirement and land which is accessed from Sandspit Road.
- 9. Northland Waste Ltd opposes NOR5 in that insufficient information has been provided to demonstrate that effects of the project are appropriate.
- 10. Northland Waste Ltd seeks that the Requiring Authority demonstrates that all available alternatives have been considered and robustly demonstrates that the construction and operation of the upgrade will not result in adverse effects on established and future land use activities.

8.1

REASONS FOR SUBMISSION

- 11. NOR5 Sandspit Road upgrade is for the portion of the corridor between the Hill Street intersection and the edge of the Future Urban zone. It is proposed that the existing rural corridor be upgraded to accommodate an indicative two lane urban arterial cross section with separated cycle lanes and footpaths on the corridor (along the eastern portion only).
- 12. The General Arrangement plans submitted with NOR5 show a potential construction yard area within the proposed designation area on 163 Sandspit Road hence the reason for a wider designation footprint in this location. See Figure 3 below:

8.2

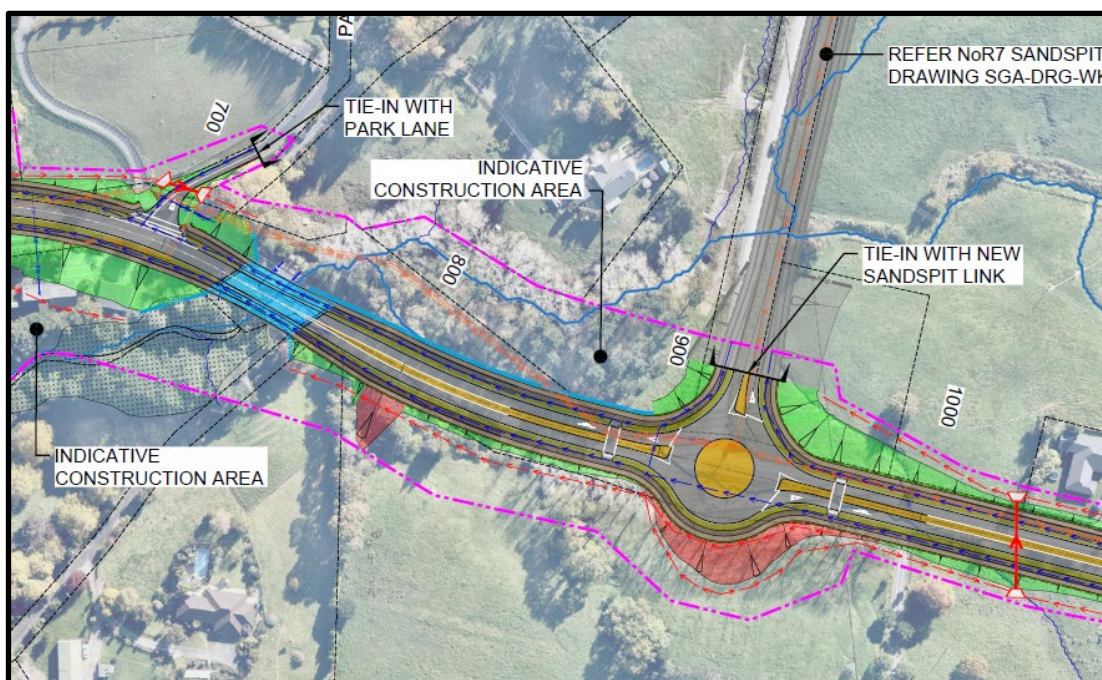


Figure 3: Snip of General Arrangement Plan provided with the NoR application

13. The Right of Way adjacent to the indicative construction area, which serves 163 and 183 Sandspit Road, also serves the quarry and several other properties. It is a highly utilised right of way by cars and large trucks. Further this entire area is identified on Auckland Council GeoMaps as containing a flood plain and flood prone area which is unlikely to be a suitable place to locate a construction yard– refer to Figure 4 below. In addition, the majority of the indicative construction area is subject to a consent notice which protects the vegetation in this area – a copy of the consent notice is contained in Attachment 2 and a snip of the title plan is shown below in Figure 5. There is no assessment provided to demonstrate that the effects of a construction yard in this location are appropriate nor is there any assessment of alternatives provided with respect to the location of the construction yard. Given the potential adverse effects of a construction yard in this location, alternative locations should have been assessed and considered. There are other areas on the submitters land that a construction yard could be established, and we would be happy to discuss these with Auckland Transport.

8.2



Figure 4 – Flood Plain and Flood Prone Areas as identified on Auckland Council GeoMaps (accessed 5 July 2023).

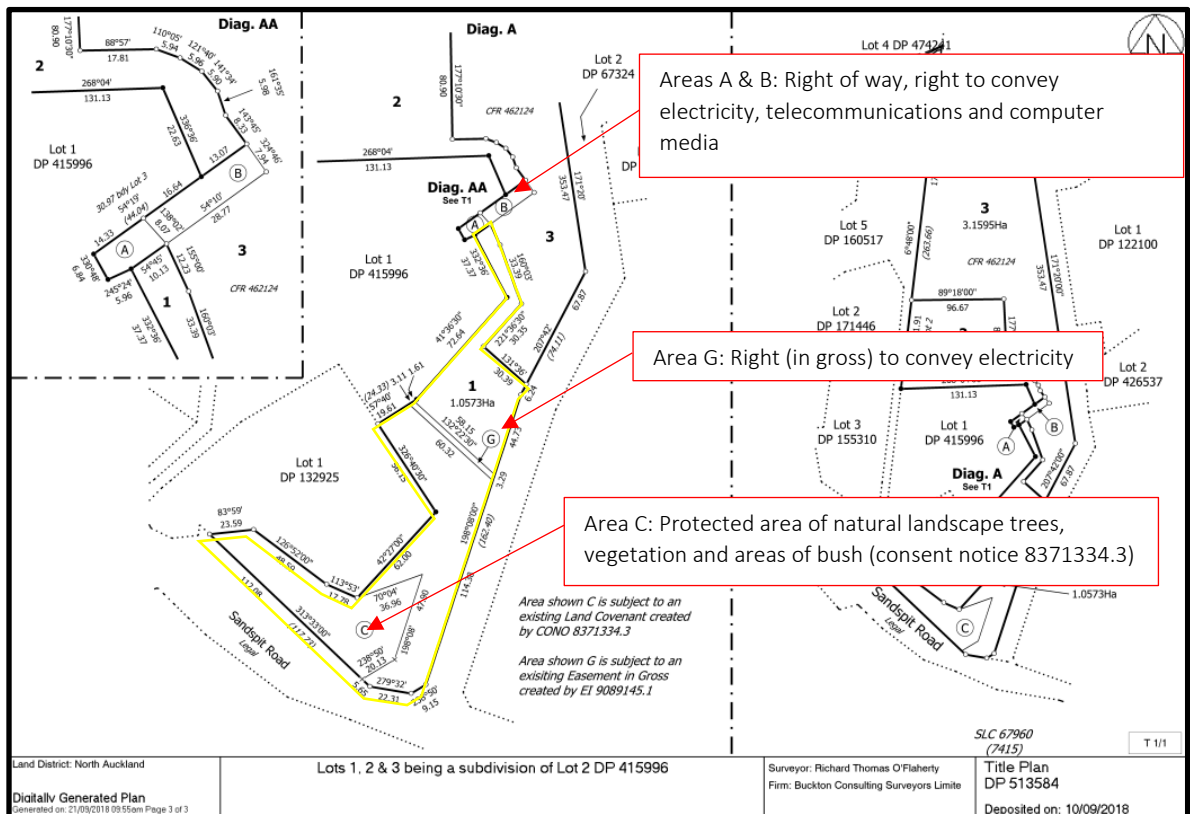


Figure 5 – Annotated title plan for 163 Sandspit Road showing location and easements.

14. Section 5.32 of the Assessment of Traffic Effects covers the Assessment of Construction Effects. Table 5.3 lists sites for consideration within future CTMP; the Quarry site is the only site identified as a site for specific consideration. The Warkworth Resource Recovery operation should be added as a site for specific consideration. It is essential that the Warkworth Resource Recovery operation maintains full access for all vehicles, including heavy vehicles, to and from the site during the construction of the Sandspit Road Upgrade project.

8.3

15. The Assessment of Transport effects states that *the Sandspit Link is a key project that integrates with the Sandspit Road upgrade. These projects interface at a key intersection and in order to support the implementation of these projects within the context of timing uncertainties, the designations are proposed to overlap.*

16. There is concern with the above, as the Sandspit Road Upgrade may be implemented some time before the Sandspit Link Road project. As shown in Figure 3, the proposed roundabout at the future intersection of the Sandspit Link Road provides a leg into the private Right of Way that is used to access the land which Northland Waste has an interest in as well as the Quarry. Given the arrangement proposed it is likely that public traffic will likely make a turn into the ROW at some point in time – this raises safety and efficiency concerns. How is this to be managed? It does not appear to have been assessed.

8.4

17. SATURN modelling has been completed on the basis that the Hill Street intersection has been upgraded; this is uncertain, and the project has been in discussion for decades. If the NOR is dependent upon this intersection being upgraded, then this should be a condition otherwise modelling shall be undertaken to demonstrate effects if the Hill Street intersection has not been upgraded. Further there is a concern that the traffic assessment is based on the SATURN model

8.5

that itself is based on flawed assumptions that do not reflect the current legislative or policy framework.

18. Figure 33-1 in the Urban Design Evaluation Report shows an 'ecological connectivity' outcome on or adjacent to 163 Sandspit Road. Ecological Connectivity is described as *landscape outcomes should reinforce the wider vegetation patterns of the local open spaces and support ecological connectivity and biodiversity along the Mahurangi River*. Does this mean that this area of land is to be utilised for long term ecological enhancement and as such is not a temporary construction area – this information should be made clear as the Notice of Requirement seeks a 25 year lapse period which places blight on the property. Without clear information, the landowner is unable to plan for any development within the next 25 years and it makes it difficult for the Requiring Authority to provide a future s176 approval if what is required in this area is not known.

8.6

RELIEF SOUGHT

19. Northland Waste Ltd seek the following recommendation or decision from Auckland Council on NOR5 Sandspit Road Upgrade:

- a. Seeks evidence that the matters raised above have been full assessed and that the resulting effects are acceptable.
- b. Northland Waste Ltd seeks that the Requiring Authority demonstrates that all available alternatives have been considered and robustly demonstrates the construction and operation of NOR7 will not result in adverse effects on the existing and future urban form.
- c. Northland Waste Ltd opposes the proposed conditions to the extent that they require amendment and review to address matters raised in the submission. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the Designation conditions to ensure that optimal urban outcomes are achieved.
- d. Any other relief required to achieve the outcomes sought in this submission.

8.1-8.6

8.1

8.1-8.6

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Northland Waste Limited)

Date: 7 July 2023

Address for Service:

Northland Waste Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

Attachment 1 – Consent Notice

View Instrument Details



| | |
|-------------------------------|--|
| Instrument No | 8371334.3 |
| Status | Registered |
| Date & Time Lodged | 13 December 2011 12:56 |
| Lodged By | Stodart, Susan Mary |
| Instrument Type | Consent Notice under s221(4)(a) Resource Management Act 1991 |



| | |
|------------------------------------|----------------------|
| Affected Computer Registers | Land District |
| 462124 | North Auckland |

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Susan Mary Stodart as Territorial Authority Representative on 13/12/2011 12:48 PM

*** End of Report ***

IN THE MATTER of a Plan lodged for
Deposit under
Number 415996

Pursuant to Section 221 of the Resource Management Act 1991 THE RODNEY DISTRICT COUNCIL HEREBY GIVES NOTICE that its subdivision consent given in respect of the land in the Second Schedule as shown on Land Transfer Plan 415996 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Third Schedule hereto with the conditions set forth in the First Schedule hereto.

FIRST SCHEDULE

(riparian margin protection) The area labelled C to be protected on Lot 2 shall be protected in perpetuity to the satisfaction of the Consents Manager.

The owners, or their successors in title for the time being, of the above lots:

- Shall preserve the natural landscape trees, vegetation and areas of bush now thereon within that part of each lot identified as such on the survey plan; and
- Shall not do anything that would prejudice the health of any of such natural landscape trees, vegetation or areas of bush; and
- Shall control all noxious plants and animals within the identified part of each lot; and
- Shall maintain a stock-proof fence as approved by the Council around the perimeter of the identified part of each lot.

The owners shall be deemed not to be in breach of this covenant if any of such trees, vegetation or bush die from fire or natural causes not attributable to any act or default by or on behalf of the owners and for which the owners are responsible. Failure to comply with this condition may result in enforcement action being taken by the Council under the Resource Management Act 1991 to ensure full compliance and the continuing protection of the bush.

The owners shall pay to the Council the fair and reasonable costs incurred by the Council in monitoring this condition at not less than two-yearly intervals, unless required otherwise by a legitimate complaint. The owners will be advised of the costs, assessed under the Council's Schedule of Fees and Charges, as they fall due.

(weed and pest control) The owners for the time being of Lot 2 shall implement the Weed and Pest Control Plan approved under condition 3) b) R40172.

(maintenance plan) The owners for the time being of Lot 2 shall implement the Maintenance Plan approved under condition 3) c) R40172.

(provision of telecommunication services) Future owners of Lot 2 shall be advised that, contrary to district plan provisions, telecommunication connections have not been provided to Lot 2 and if and when such services are required the full cost of providing these services will be met by the owners for the time being.

4.

SECOND SCHEDULE

3.

An estate in fee simple in 6.9755 hectares more or less being Lot 2 DP 132925 comprised in Certificate of Title NA78B/355.

THIRD SCHEDULE

Lot 2 DP 415996 totalling 5.2168 hectares in area.

DATED this 9th day of November 2009.

SIGNED for and on behalf of the
RODNEY DISTRICT COUNCIL



Authorised Officer

SCHEME PLAN: R40172

s221

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.

3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare's plans (ie the carpark at the Warkworth Showgrounds).

3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing.

9.1

3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained.

9.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

9.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited



7 July 2023

File ref: AUP Warkworth NoR 5

Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

**SUBMISSION ON THE NOTICE OF REQUIREMENT FOR THE WARKWORTH NETWORK - NOR 5 –
SANDSPIT ROAD UPGRADE, BY THE REQUIRING AUTHORITY: AUCKLAND TRANSPORT**

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The focus for HNZPT is for the identification, protection, preservation, and conservation of historic heritage (HNZPTA) and advocate that historic heritage is fully considered in accordance with section 6(f) of the Resource Management Act 1991 (RMA).
4. HNZPT supports the purpose of planning for a well-functioning urban environment through the protection of integrated transport networks to support the expected future growth needs.
5. HNZPT has reviewed the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' prepared for the eight NoRs that form the suite of NoRs for the Warkworth Network.
6. Section 22 Engagement, in the Assessment of Environmental Effects (AEE), sets out the engagement undertaken for the Warkworth NoR Network. While extensive, HNZPT was not included. If there had been engagement, HNZPT would have had the opportunity to provide feedback and guidance relating to the historic heritage of the place.
7. Nevertheless, since notification, the Te Tupu Ngatahi Supporting Growth have engaged with HNZPT. This engagement has enabled the parties to further understand the intent of the draft conditions being proposed through the full suite of NoRs notified or presently being prepared.
8. There is also now greater understanding with the intended mechanisms to ensure the protection of historic heritage, and mitigation to manage any adverse effects resulting from the physical construction of the Network through the Outline Plan of Works process in the future.



The specific parts of the Notice of Requirement that Heritage New Zealand's submission relates to are:

9. The following proposed conditions:
 - Condition 6 Outline Plan
 - Condition 7 Management Plans
 - Condition 8 Cultural Advisory Report
 - Condition 9 Urban and Landscape Design Management Plan (ULDMP)
 - Condition 14 Cultural Monitoring Plan
 - Condition 20 Historic Heritage Management Plan (HHMP)
10. HNZPT is a submitter to the NoRs for the Airport to Botany Network and the North-West Network. Part of both sets of NoRs, HNZPT have raised concerns over the wording and the potential conflation of the roles under the RMA and the HNZPTA in the protection of archaeology. HNZPT has had post submission discussions with Te Tupa Ngatahi Supporting Growth and reviewed the s.42a report and Te Tupa Ngatahi's evidence for the Airport to Botany NoRs. As a result, HNZPT considers clarity has now been expressed on the intent and application of the HHMP condition, along with the acknowledgement of the historic heritage requirements under both acts and how those will be managed.
11. HNZPT can now support of the general intent and application of the HHMP.
12. HNZPT also considers Te Tupa Ngatahi's suggestion of replacing the term 'accidental' with 'unexpected' within the text of the HHMP (in their Airport to Botany evidence) assists in removing the conflation potential between the requirements under the HNZPTA and what can be managed via the Accidental Discovery Protocol Rule (E11.6.1) under the Auckland Unitary Plan (AUP).
13. The requirement for an Archaeological Authority to be obtained in accordance with the HNZPTA does not mitigate the effects of the NoR identified under the RMA. It is a separate statutory obligation before any physical works undertaken to construct the proposed Warkworth Network commence. While obtaining an Archaeological Authority does not mitigate the effects on the heritage values by the NoRs it does ensure the archaeological of the area is fully assessed, formally documented, and monitored. Through the HHMP, the provision of historic heritage interpretation, public awareness and similar remedies mitigate the effects of the construction of the Network.
14. HNZPT is supportive of the recommendations outlined in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' being implemented.

Heritage New Zealand Pouhere Taonga supports the Notice of Requirement (NoR 5).

The reasons for Heritage New Zealand's position are as follows:

15. The consideration, management, and mitigation of effects from the purpose of the designation on the historic heritage values of the place are required to ensure effects are appropriately mitigated.
16. There should be no duplication of the archaeological authority processes under the HNZPTA 2014.



17. The recommendations set out in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' are appropriate.

18. HNZPT is supportive of the proposed amendments to the wording of the HHMP through the evidence recently circulated for the Airport to Botany Network NoR hearing in removing the conflation potential between the requirements under the HNZPTA and the RMA.

10.1

Heritage New Zealand seeks the following decision from Council:

19. The approval of NoR 5, with the amendment of the wording of the Historic Heritage Management Plan (HHMP) condition to read (amendments shown by underlining and ~~struckthrough~~):

10.1

Historic Heritage Management Plan (HHMP)

- a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:
 - i. any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
 - ii. methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;
 - iii. known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
 - iv. any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded (such as in the NZAA SRS (ArchSite) and/or the Auckland Council's CHI index);
 - v. roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
 - vi. specific areas to be investigated, monitored, and recorded to the extent these are directly affected by the Project;
 - vii. the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings and standing structures) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;
 - viii. methods to acknowledge cultural values identified through the Mana Whenua Partnership Forum [Condition ##] and Urban and Landscape Design Management Plan [Condition ##] where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;



- ix. methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to:
 - a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access.
 - x. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and
 - xi. training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to **accidental unexpected** discoveries and the AUP Accidental Discovery Rule (E11.6.1). The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under [Condition ##]).
- c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation, **building and standing structure recording**, and monitoring), shall be submitted to the Manager within 12 months of completion.

Accidental Discoveries Advice Note:

The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP.

20. Heritage New Zealand wishes to be heard in support of their submission.

21. If others make a similar submission, HNZPT will consider presenting a joint case with them at a hearing.

Yours sincerely

BHParslow

Acting Director Northern Region

Address for service: Alice Morris
amorris@heritage.org.nz
PO Box 105 291
Auckland City 1143

Cc: Auckland Transport
submissions@supportinggrowth.nz



THE PLANNING COLLECTIVE

Form 21

Submission on requirement for designation NOR 5 Sandspit Road Upgrade that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Laroc Farm Limited (“Laroc Farm Ltd”)

1. Laroc Farm Ltd makes this submission on NOR5 Sandspit Road Upgrade (“NOR5”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Laroc Farm Ltd could not gain advantage in trade competition through this submission.
3. Laroc Farm Ltd wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, Laroc Farm Ltd will consider presenting a joint case with them at the hearing.

NATURE OF SUBMISSION

5. Laroc Farm Ltd owns the land at 76 Matakana Road, Matakana (“subject site”). The land is zoned Future Urban under the Auckland Unitary Plan - Operative in Part, and is subject to Significant Ecological Area overlay.

11.1



Figure 1 – Aerial Image of 76 Matakana Road, Matakana (source: Auckland Council GeoMaps, 29 June 2023)

6. Laroc Farm Ltd has an interest in the NOR5 that is greater than the interest of the general public because their land is directly affected by the proposed designation.
7. Laroc Farm supports the need to urbanise Sandspit Road, particularly the portion between the the Lime Works Road and Hill Street. However, Laroc Farm opposes the Notice of Requirement as it is currently proposed. This submission relates to NOR 5 in its entirety including all the supporting technical documentation and proposed conditions.
8. In particular:
 - a. Laroc Farm opposes the 25-year lapse date sought by the Requiring Authority (“AT”). 11.1
 - b. Laroc Farm opposes the extent of works shown affecting the subject site as shown on the General Arrangement Plan for NOR 5. 11.2
 - c. Laroc Farm opposes the location of the proposed stormwater wetland and fill batter as shown on the Urban Design Outcomes and Opportunities Plan. 11.3
 - d. Laroc Farm opposes the fact that no connection is shown between the proposed Sandspit Road NOR and associated upgrade and NOR 5. 11.4
 - e. Lorac Farm opposes the fact that the Notice of Requirement does not demonstrate how the upgrade will tie into the Hill Street / State Highway 1 intersection upgrades or the Matakana Road Upgrades.
 - f. Laroc Farm opposes NOR 5 on the basis the transportation modelling upon which the Project is based is out of date and is not prepared on the basis of the likely form of development that will arise for Warkworth under the National Policy Statement Urban Development (“NPS UD”), including outcomes that may arise as a result of Proposed Plan Change 78 and the Auckland Council Draft Future Development Strategy (“FDS”). 11.5

REASONS FOR SUBMISSION

9. NOR 5 (as currently proposed):
 - a. will not promote the sustainable management of the natural and physical resources and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - b. is inconsistent with the NPS UD;
 - c. is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - d. will not meet the reasonably foreseeable needs of future generations;
 - e. will not enable the social, economic, and cultural wellbeing of the people of Warkworth and wider areas; and
 - f. does not avoid, remedy or mitigate actual and potential adverse effects on the environment;
 - g. May not be consistent with the Auckland Council FDS which is currently a draft.
10. Without limiting the generality of paragraph 9 above, Laroc Farm Limited opposes NOR 5 because it may adversely affect the subject site. Specifically,
 - a. The project, as proposed, will blight the land for up to 25-years.
 - b. The proposed lapse timeframe and the proposed conditions do not appropriately provide for integration with existing or future urban development.
 - c. The extent of works are potentially based on flawed modelling and assumptions.

RELIEF SOUGHT

11. Laroc Farm Ltd seek Auckland Council recommends NOR 5 be rejected or that amendments are made to:

- a. remove the extent of NOR 5 from the subject site;
- b. amend the lapse date to ten years maximum;
- c. amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design Management Plan (or similar);
- d. such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

11.1-11.6

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Laroc Farm Limited)

Date:07 June 2023

Address for Service:

Laroc Farm Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:857] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 6:45:37 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 5) Warkworth : Sandspit Road Upgrade

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

12.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:865] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:30:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison
Organisation name:
Full name of your agent: Grant Hewison
Email address: grant@granthewison.co.nz
Contact phone number:
Postal address:
PO Box 47188
Auckland
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 5) Warkworth : Sandspit Road Upgrade
The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

13.1

I or we seek the following recommendation or decision from Auckland Council:
Grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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NOR 6 – ANNOTATED SUBMISSIONS

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:820] Notice of Requirement online submission - Samuel Holmes
Date: Friday, 16 June 2023 12:19:57 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Samuel Holmes

Organisation name:

Full name of your agent:

Email address: irish.samuel.holmes@gmail.com

Contact phone number:

Postal address:
5 Dunningham Street
warkworth
auckland 0910

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 6) Warkworth : Western Link - South

The specific provisions that my submission relates to are:
Private property boundary to public road boundary interface 1.1

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:
I am neutral of this NoR subject to boundary treatment.

I or we seek the following recommendation or decision from Auckland Council:
I would like to be included in options of the boundary treatment between private property and public road boundary. Will the area be densely vegetated with a boundary fence. This will aid with light pollution, noise pollution, whilst clearly identifying maintenance requirements. 1.1

Submission date: 16 June 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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THE PLANNING COLLECTIVE

Form 21

Submission on requirement for designation NOR6 Warkworth Western Link South that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Grange Ridge Limited (“GRL”)

1. Grange Ridge Limited makes this submission on NOR6 Warkworth Western Link – South (“NOR6”) lodged by Auckland Transport (“AT”) the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. GRL could not gain advantage in trade competition through this submission.
3. GRL wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, GRL will consider presenting a joint case with them at the hearing.

OVERVIEW OF GRL Land

5. The land is described as follows:
 - a. 59 Woodcocks Road (Lot 4 DP 467037) with an area of 1.3477ha
 - b. 24 Morrison Drive (Lot 2 DP 454568) with an area of 2.0091ha
 - c. 20-22 Morrison Drive (Lot 16 DP 185146) with an area of 2388m²
 - d. Lot 1 DP 556765 with an area of 2688m²

2.1



Figure 1 – Land Parcels – Grange Ridge Limited, (source: GRIP, 4 July 2023)

- The land is currently utilised for a range of industrial activities consistent with its Business – Light Industry zoning. A portion of the Auckland Unitary Plan – Operative in Part planning maps is shown below:

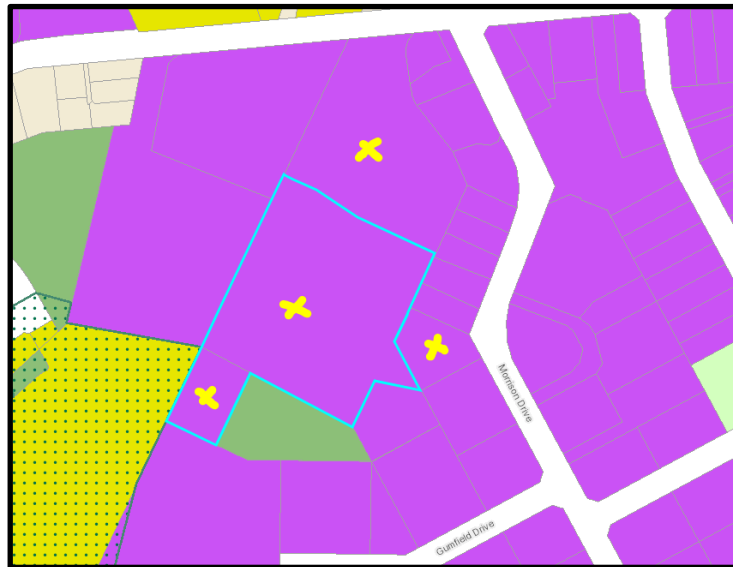


Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 4 July 2023)

- A public stormwater pond sits adjacent to the southern boundary of 24 Morrison Drive. The GRL land and the public stormwater pond are identified on the Auckland Council GeoMaps as flood plain and flood prone areas. Refer to Figure 3 below:

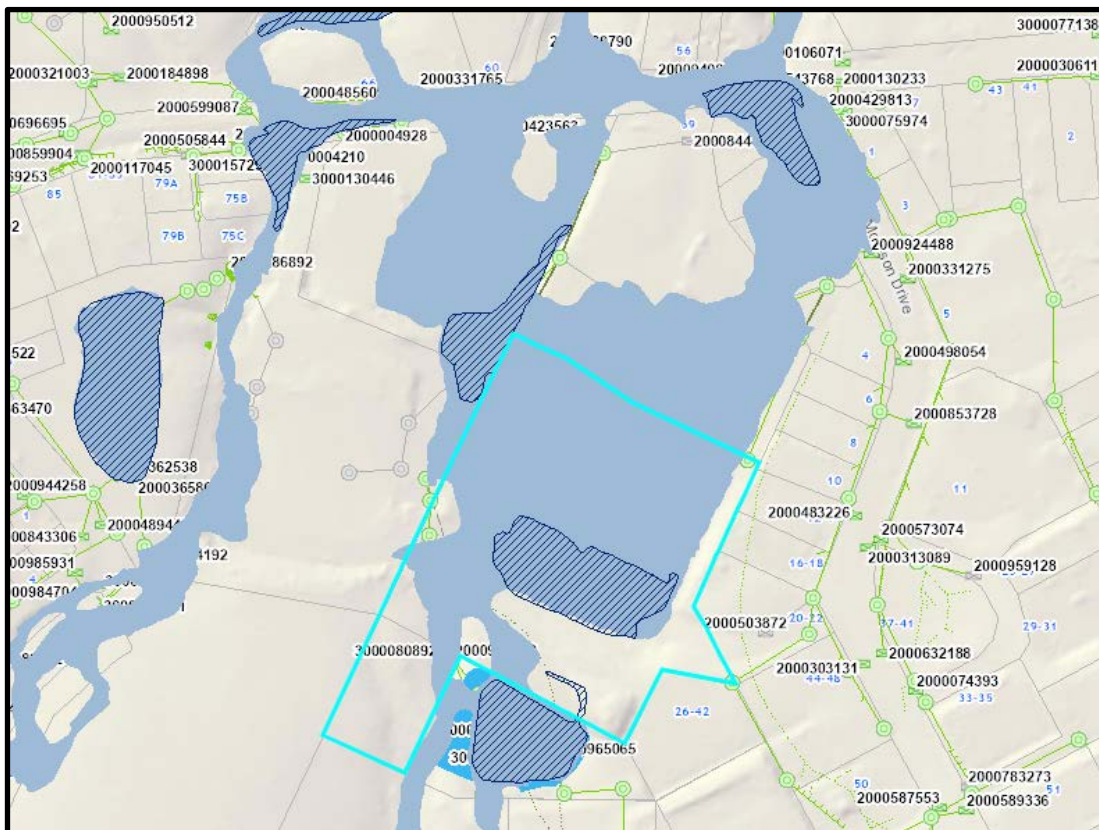


Figure 3 – Auckland Council GeoMaps showing flooding and public stormwater network (source: Auckland Council GeoMaps AUPOP, 4 July 2023)

SCOPE OF SUBMISSION

- 8. This submission relates to NOR 6 as a whole.
- 9. Grange Ridge Limited has an interest in the NOR6 that is greater than the interest of the general public because they own the land directly adjoining the designation where a stormwater pond is proposed which will have an outlet into an existing stormwater pond which sits adjacent to their site boundary. Refer to Figure 4 below:



Figure 4: Source General Arrangement Plan – NOR6 (Western Link – South)

- 10. GRL opposes NOR6 in that insufficient information has been provided to demonstrate the quantum of effects associated with the proposed discharge of stormwater; or that stormwater impacts are able to be appropriately mitigated and that effects on neighbouring properties and the existing stormwater system are appropriate. 2.1
- 11. GRL seeks that the Requiring Authority demonstrates that all available alternatives have been considered and robustly demonstrates the stormwater management system proposed will not result in adverse effects on adjoining properties. 2.1
- 12. GRL also seeks that the Requiring Authority demonstrate that the proposed stormwater devices are efficient and will not compromise the development of land within the catchment for urban purposes. Infrastructure needs to be planned and coordinated so that it is efficient and effective now and into the future. 2.1

EFFECTS ASSESSMENT

- 13. The Assessment of Flooding Effects assessment makes the following comments with regard to how stormwater impacts have been considered as part of the Notice of Requirement [emphasis added]:

The land required for mitigating future stormwater impacts have also been considered; bridges and culverts, attenuation and treatment of runoff NOR impervious surfaces and impacts on stream diversions or flow paths.

Flood modelling will be required at the detailed design phase to confirm the final corridor design will comply with the NOR conditions. It is also acknowledged that there will be a subsequent outline plan process and process for seeking regional resource consents which will address potential stormwater quantity and quality effects and will require additional detailed modelling and design in future.¹

While stormwater effects (apart from flooding) were not assessed, provision is made for the future mitigation of potential stormwater effects (stormwater quantity, stormwater quality and instream structures) by identifying the space required for stormwater management devices (for example wetlands) and incorporating land for that purpose into the proposed boundaries.²

14. While we understand that regional consent applications will be required in the future to address stormwater matters the identification and location of ponds needs to consider whether the outfall from those ponds is appropriate. While not stated within the application, through previous conversations with Supporting Growth we understand that the overflow from the stormwater pond proposed on Evelyn Street will discharge to the existing stormwater pond adjacent to the southern boundary of the GRL land (Refer to Attachment 1 for copies of these communications). This pond already overflows resulting in flooding of the GRL land. In addition, further development which has recently been consented in this catchment is going to direct its stormwater to this existing pond. We submit that this existing pond is at capacity and it is not appropriate for the proposed new stormwater pond at Evelyn Street to have an outfall into this existing pond.

2.1

15. The application goes on to state that:

For the project the assessment of operational flooding and stormwater effects considered:

- Proposed culvert and bridge crossings
- Areas where the new road embankment encroaches onto predicted flood plain and flood prone land
- Raised road levels where previously the road overtopped
- Land requirements for treatment wetlands and devices.
- The potential of flooding on existing properties due to the new project corridor and associated works.³

7. There is no evidence within the application material for the Notice of Requirement that shows the potential operational flooding and stormwater effects on the GHL have been assessed.
8. The assessment for NOR6 is extremely brief with no evidence provided to support the statements made.

2.1

¹ Assessment of Flooding Effects – Section 1.1

² Assessment of Flooding Effects – Section 1.2

³ Assessment of Flooding Effects – Section 4.1.2

12.6 Assessment of operational effects

There are no predicted flooding impacts associated with this NOR.

At detailed design stage consideration can be given to siting the proposed wetland near SH1 closer to the proposed Western Link South alignment to facilitate its combined use.

Conveyance of flows through the deep cuttings will be required.

9. The following condition is proposed to address flooding:

| | |
|------------|--|
| 10. | <p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <ul style="list-style-type: none"> (i) no increase in flood levels for existing authorised habitable floors that are already subject to flooding; (ii) no more than a 10% reduction in freeboard for existing authorised habitable floors; (iii) no increase of more than 50mm in flood level on land zoned for urban or future urban development where there is no habitable existing dwelling; (iv) no new flood prone areas; and (v) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) for main access to authorised habitable dwellings existing at time the Outline Plan is submitted. <p>(b) Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project 100 year ARI flood levels (for Maximum Probable Development land use and including climate change).</p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</p> |
|------------|--|


10. Given that the GRL Land is used for industrial purposes and there is no habitable building located on the site, subsection (a)(iii) of Condition 10 would apply. Any addition to flood level on the GRL land is not appropriate; flooding up to 50mm on the GRL land will result in more than minor effects given the existing flooding that already occurs on the land. 2.2

11. The NOR needs to demonstrate that stormwater devices and solutions have been designed comprehensively for the wider roading network in conjunction with the existing stormwater system as well as existing and future urban development. Flooding effects generated by stormwater proposed as part of the Notice of Requirement need to be assessed in a comprehensive manner and understood, particularly on the GRL land.

RELIEF SOUGHT

12. GRL seek the following recommendation or decision from Auckland Council on NOR6 Western Link South: 2.1
- a. Evidence that there will be no additional flooding on the GRL land as a result of NOR6.
 - b. GRL opposes the proposed conditions to the extent that they require amendment and review to address matters raised in the submission. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the Designation conditions to ensure that optimal urban outcomes are achieved. 2.2
 - c. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Grange Ridge Limited)

Date: 6 July 2023

Address for Service:

Grange Ridge Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

Landowner Meeting Record

| PROPERTY DETAILS | | |
|--|----------------------------|--|
| SG Reference | Property Owner Name | |
| 100761 | Grange Ridge Limited | |
| Property Address / Location | | |
| 24 Morrison Drive | | |
| Meeting Date/Time | Meeting Location | Meeting Attendees |
| Friday, 31 March 2023 / 11:00am – 11:45am | ONLINE via Microsoft Teams | Hugh Harvey (ITS Engineering) Diana Bell (Planning Collective) Simon Titter (Te Tupu Ngātahi, Warkworth Planning lead) Paige Rundle (Te Tupu Ngātahi, Engagement manager) |
| Owner(s) Contact Details | | |
| Address: PO Box 5 (Grange Ridge Limited) Mobile: 021-382-000 (Diana Bell) Email: hugh@itsseng.nz , Diana@thepec.co.nz , burnette@thepec.co.nz | | |
| Notes/ Specific project queries from residents: | | |
| <p>Simon explained that the purpose of draft designation over this property was for a outlet from the proposed stormwater pond to the west. Noted that we are already in discussion with the team regarding whether the designation is required for this proposed outlet so there is scope for this to change.</p> <p>Hugh and Diana noted that the section shown on the plan is a piece of 24 Morrison Drive. It is amalgamated and not a separate title. Northern boundary shown on the plan is not a real property boundary, this is the only access to this piece of the property.</p> <p>Hugh has plans for a building along the western boundary shown. The yard space is used for parking.</p> <p>Hugh explained current stormwater details at the property:</p> <ul style="list-style-type: none"> - Manhole on north eastern corner of property. - Stormwater detention pond on Evelyn st that captures water from all properties in the valley and catchment to the west. This all goes into an existing 900mm pipe in carpark by building. - Council required Hugh to make an overland flow path beside 24 Morrison Drive building for when the pipes overflow. Hugh has seen this happen, it overflows and takes up his yard/carpark space. | | |

Key points/queries:**1. Why do not use the existing stormwater pond on Evelyn St?**

Simon: Stormwater assessment associated with the Project did consider this and determined that it would not be sufficient to meet the anticipated future stormwater requirements

2. Hugh noted that there are current issues with the capacity of stormwater pipes on his property. Hugh's key concern is that the current downstream pipes are already at capacity and there is not enough capacity for additional water.

Simon: Noted that this was good feedback to know. This level of detail would be determined in the future.

3. How would the outfall be constructed?

Simon: Design will be confirmed at detailed design stage

4. How wide would the designation area be?

Simon: Noted that the draft designation is conservative. **ACTION: Find out the width**

5. Diana asked if we have considered the increase in stormwater through to the surrounding pipe network (which is already at capacity). Is this an RMA effect and is it a part of the Notice of Requirement (NoR)?

Simon: Explained the general approach is to not worsen the existing situation. Through detailed design process would look into this in greater detail and incorporate aspects into the design of the wetland to control the flow. It is not specifically included in the NoR as stormwater matters will be considered in detail through the regional consenting phase.

6. How will the resource consent hearing coming up affect Te Tupu Ngātahi work?

Simon: AT is involved in this process. As a project team we provide input to them as requested.

7. Do you need a designation for an outlet?

Simon: Explained that it may not need to be designated. As noted we are already in the process of looking into this in more detail. Particularly after further insights you've shared today this might not be necessary. We will go back to team and get back in touch with you to confirm.

Next steps / outcomes and actions

Simon/Paige to get back to Diana & Hugh to confirm if designation is required for the outfall, and if so what the width is.

Email dated 20th April 2023: Confirmed that the designation is not required and has been pulled back so that it no longer impacts 24 Morrison Drive.

DRAFT



Path: P:\381138\109341\TGM01_Map\06_ArcGIS\Pro01_Warkworth\SGA_WW_PropertyPlanV2.aprx Name: SGA_Erriage-WW-006-WesternLinkSouth



LEGEND

- Your Property
- Indicative area of your property within draft designation boundary

| | | |
|------------|----------------|---------------------------------------|
| Earthworks | Retaining Wall | Cycleway |
| Verge | Road Corridor | Median/Flush Median |
| Bridge | Footpath | Stormwater Wetland/Attenuation Device |

Owner ID:100761
 Title No: 973272
 24 Morrison Drive
Western Link South
 Date : 28/02/2023

- NOTES**
1. Property Boundary data derived from Land Information New Zealand
 2. This map shows the area of land that may be affected by the route
 3. This plan may not include all the land in your ownership over a wider area
 4. Blue hatched area for designation enables work to tie into existing on site features like driveways etc.

The recipient receives this information in confidence and in good faith to assist with discussions with the members of the Te Tupu Ngātahi Supporting Growth team. In receiving this information, the recipient acknowledges that this information is in draft form and may be subject to further amendments including (but not limited to) prior to the lodgment of the notice/s of requirement for the Warkworth projects, and as part of any subsequent detailed design process. The recipient further acknowledges that Te Tupu Ngātahi has no obligation to provide any such amendments or updates to the recipient as part of this process or otherwise.

This map contains data derived in part or wholly from sources other than those party to the Supporting Growth Alliance, and therefore, no representations or warranties are made by those party to the Supporting Growth Alliance as to the accuracy or completeness of this information.
 Map intended for distribution as a PDF document. Scale may be incorrect when printed.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:834] Notice of Requirement online submission - Te Whatu Ora Health New Zealand
Date: Thursday, 6 July 2023 2:48:07 pm
Attachments: [Submission - Western Link South NoR 6 - Te Whatu Ora Health New Zealand - Final.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Te Whatu Ora Health New Zealand

Organisation name:

Full name of your agent:

Email address: Martyn.Winslade@waitematadhb.govt.nz

Contact phone number: 021577605

Postal address:
Private Bag 93-503
Takapuna
Auckland 0740

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 6) Warkworth : Western Link - South

The specific provisions that my submission relates to are:
Please refer to the submission.

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:
Please refer to the submission.

I or we seek the following recommendation or decision from Auckland Council:
Please refer to the submission.

Submission date: 6 July 2023

Supporting documents
Submission - Western Link South NoR 6 - Te Whatu Ora Health New Zealand - Final.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of

requirement as soon as reasonably practicable after submitting to Auckland Council.

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SUBMISSION ON A NOTICE OF REQUIREMENT FOR A DESIGNATION FOR A PUBLIC WORK SUBJECT TO FULL NOTIFICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

| | |
|-------------------------------|---|
| Territorial authority: | Auckland Council |
| Submitter: | Te Whatu Ora Health New Zealand |
| Submission on: | A notice of requirement from Auckland Transport for a designation for a public work (Western Link – South (NoR 6)) subject to full notification |

Introduction

1. This is a submission by Te Whatu Ora Health New Zealand (“**Te Whatu Ora**”) on a notice of requirement (“**the requirement**”) from Auckland Transport (“**AT**”) to the Auckland Council (“**the Council**”) for a designation for a public work (Western Link – South (NoR 6)) being the construction of a new arterial corridor between Evelyn Street and the intersection of State Highway 1 and McKinney Road (“**the proposed corridor**”).
2. Te Whatu Ora is a public health agency which leads the day-to-day running of the New Zealand healthcare system, with functions delivered at the local, district, regional and national levels. In delivering its functions, Te Whatu Ora also works alongside Te Pou Hauora Tūmatanui Public Health Agency and Te Aka Whai Ora Māori Health Authority.

Background

3. Warkworth Community Services is currently located on a temporary basis at two locations: 77 Morrison Drive (Rodney Surgical Centre) and 47 Morrison Drive (Harbour Hospice). Because of this, Te Whatu Ora plans to develop a new healthcare facility, a Community Hub, to support the delivery of community services in the Warkworth area. Te Whatu Ora’s vision for the Community Hub includes, but is not limited to, the following:
 - (a) a “one-stop shop” with co-location of multiple services to meet a range of patient needs; and

3.1

- (b) provides services from a safe and welcoming facility which enables efficient patient, staff and equipment flow and enhances patient experience, access and equity; and
 - (c) provides for partnerships and collaboration with primary care providers and non-government organisations.
4. Te Whatu Ora plans to develop the Community Hub adjacent to the Rodney Surgical Centre, on a new lot to be subdivided from the north-eastern corner of 25 Gumfield Drive (Lot 2 DP 583685) and subsequently purchased by Te Whatu Ora.¹ 25 Gumfield Drive is a property directly affected by the proposed NoR corridor. The notified drawing of the proposed corridor shows the proposed corridor as intersecting the southern corner of the proposed Community Hub lot.²
5. An excerpt of the notified drawing and overlaid with the proposed Community Hub lot is included as **Attachment A** and shown in **Figure 1** below.

3.1

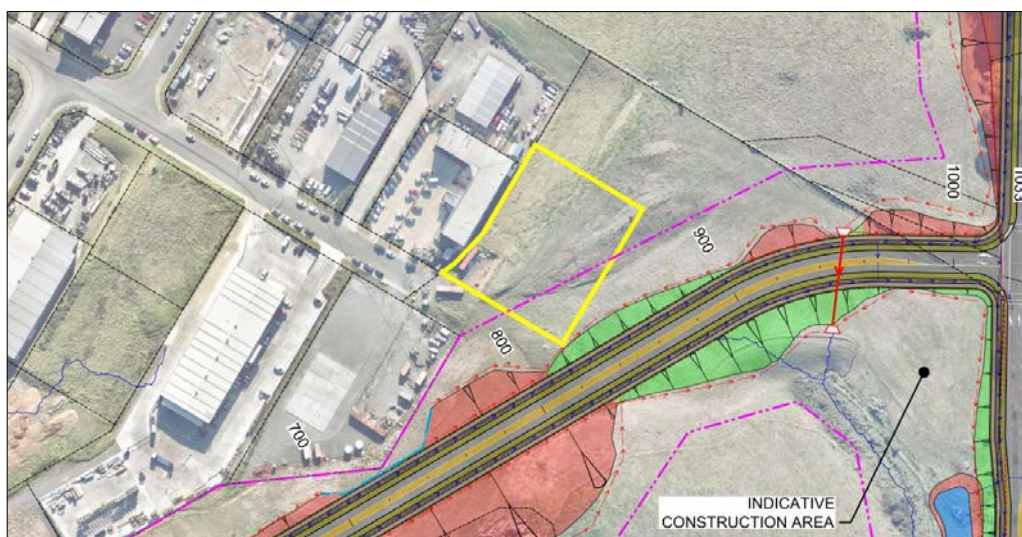


Figure 1. Excerpt of notified drawing of the proposed corridor overlaid with proposed Community Hub lot (identified by yellow outline). Source: Attachment A.

¹ The resource consent application (reference BUN60416053) to create this lot has been lodged and is being processed by the Council at the time of this submission's lodgement.

² Drawing titled 'GENERAL ARRANGEMENT LAYOUT PLAN WESTERN LINK SOUTH (SGA-DRG-WKW-30-GE-1000, Revision C, dated 27/03/23)' prepared by SGA.

6. The landowner of 25 Gumfield Drive (Mr Bevan Morrison) and Te Whatu Ora have previously engaged with Te Tupu Ngātahi Supporting Growth (“SGA”) to improve the alignment of the project with the proposed subdivision and future Community Hub and to exclude the proposed Community Hub lot from the designation area. We understand that Mr Morrison’s recent correspondence with Mr Simon Titter (SGA Warkworth Planning Lead) and Ms Michelle Seymour (SGA Warkworth Project Lead) did include an amendment to the proposed designation boundary to exclude the proposed Community Hub lot.

7. Additionally, we understand that Mr Morrison’s previous engagement with SGA also related to his support for a connection between Morrison Drive and the proposed corridor. This was previously investigated by SGA and an alignment placing the proposed corridor closer to Morrison Drive is illustrated under NoR 6 Option 1 in the Warkworth Project Assessment of Alternatives Report (“AAR”).³ The AAR states that a hybrid of Option 1’s northern section and Option 4’s southern section was carried forward to create Option 6 which was then refined to become the selected Option 6A. The northern section was shifted further west (and thus away from Morrison Road) which the AAR states was to reduce potential adverse impacts on existing and future industrial land activities.⁴ A Morrison Drive connection is not shown in the notified drawings.

Scope of this submission

8. This submission relates to the following:
 - (a) the alignment of the proposed designation boundary as it relates to the proposed Community Hub lot; and 3.1

 - (b) the absence of a Morrison Road connection to the proposed corridor. 3.2

Reasons for this submission

9. Firstly, Te Whatu Ora seeks that the proposed designation boundary is amended to exclude the proposed Community Hub lot, as per previous 3.1

³ Figure 5-25 (p. 67) of the Warkworth Project Assessment of Alternatives Report (v 1.0) prepared by SGA.

⁴ Table 5-27 (p. 72) of the Warkworth Project Assessment of Alternatives Report (v 1.0) prepared by SGA.

discussions between the landowner (Mr Morrison) and SGA. This amendment will better provide for the development of a new facility which will respond to the health and wellbeing needs of local and future residents in the area.

10. Secondly, Te Whatu Ora seeks that a two-way connection between Morrison Road and the proposed corridor is provided for. This amendment will enable a logical and convenient connection between the area and the existing and anticipated residential land to the west and south as well as State Highway 1 to the east. This would not only benefit those working at or visiting the proposed Community Hub, but also the workers, visitors, customers, patients or students of local businesses, Rodney Surgical Centre, Harbour Hospice and the Early Learning Centre (33 Glenmore Drive), among many others. Te Whatu Ora also considers that this amendment will not adversely impact existing and future industrial activities in the area.

3.2

Relief sought

11. Te Whatu Ora seeks that the Council recommend that the requirement be withdrawn in its current form unless it is amended as follows:

- (a) that the proposed designation boundary be amended to exclude the proposed Community Hub lot; and
- (b) that a two-way connection between Morrison Road and the proposed corridor is provided for.

3.1

3.2

- 11.2 Te Whatu Ora also seeks such alternative, further or consequential relief as may be required to address the concerns raised in this submission.

Procedural matters

12. Te Whatu Ora could not gain an advantage in trade competition as a result of this submission.
13. Te Whatu Ora wishes to be heard in support of this submission.
14. If others make a similar submission, Te Whatu Ora would give consideration to presenting a joint case with them at any hearing.

Signed for and on behalf of Te Whatu Ora Health New Zealand by:



Chris Cardwell, Interim Head of Facilities

7 July 2023

Address for service:

Te Whatu Ora Health New Zealand

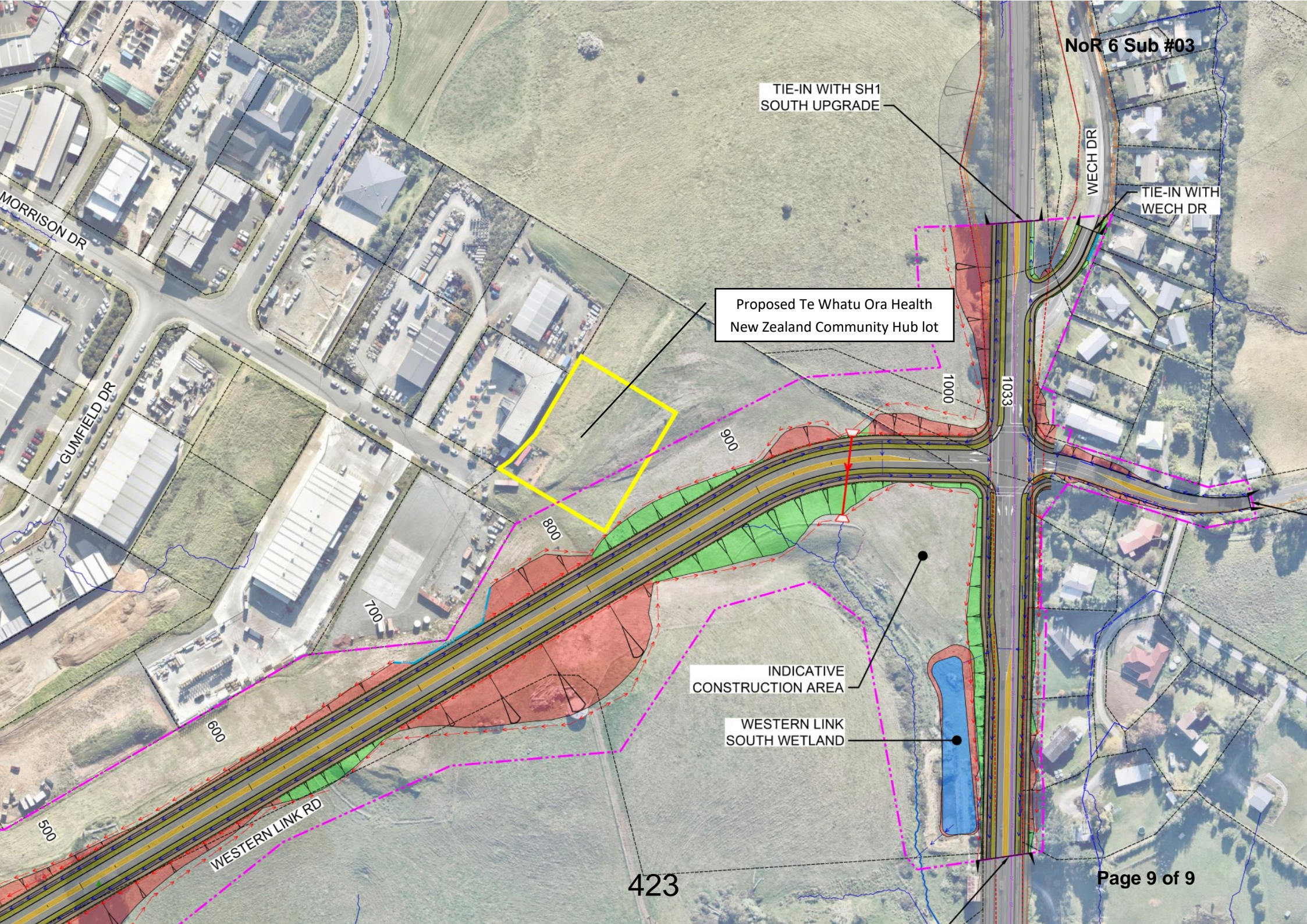
Private Bag 93-503, Takapuna
Auckland 0740

Attention: Martyn Winslade

By email: martyn.winslade@waitematadhb.govt.nz

Attachment A:

Excerpt of designation drawing overlaid with proposed Community Hub lot



NoR 6 Sub #03

TIE-IN WITH SH1 SOUTH UPGRADE

TIE-IN WITH WECH DR

Proposed Te Whatu Ora Health New Zealand Community Hub lot

INDICATIVE CONSTRUCTION AREA

WESTERN LINK SOUTH WETLAND

MORRISON DR

GUMFIELD DR

WESTERN LINK RD

WECH DR

500

600

700

800

900

1000

1033

423

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:839] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 8:15:31 pm
Attachments: [NOR 6 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi Business Association and Warkworth Area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number: 094259127
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 6) Warkworth : Western Link - South
The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:
Not satisfied with Alinement

I or we seek the following recommendation or decision from Auckland Council:
Change Alinement to make better use of remaining industrial land

4.1

Submission date: 6 July 2023

Supporting documents
NOR 6 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of

requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR-6 – Western Link South (Mansell Drive through to SH1)

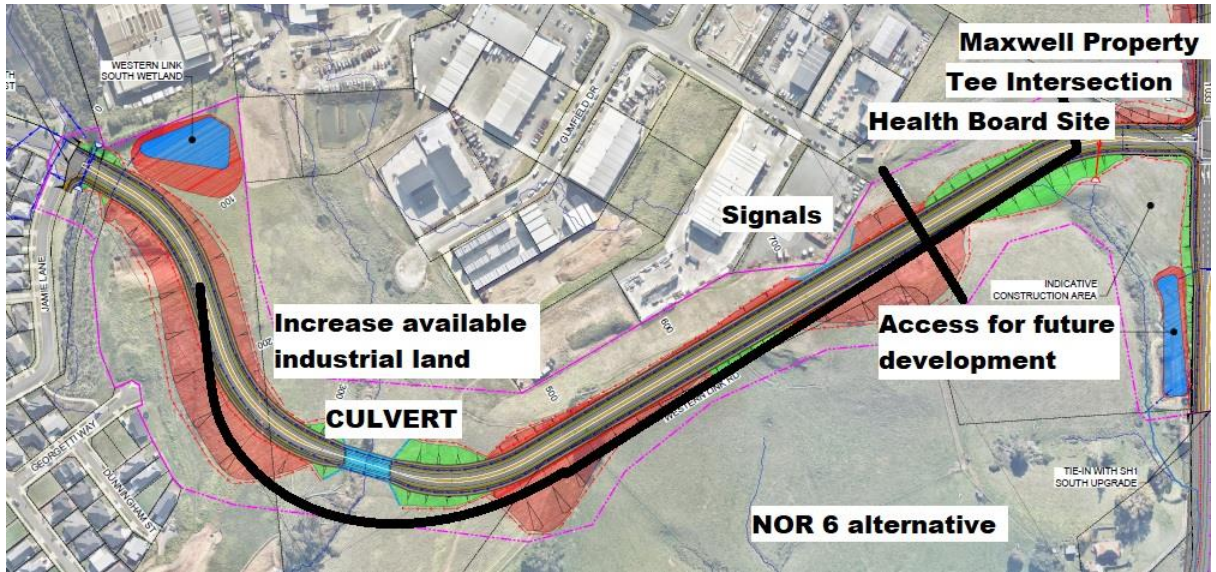
General NOR Issues

This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 4.5
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 4.6
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 4.7
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 4.8
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 4.9
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 4.10

NOR-6 – Western Link South Specific Issues

1. No details given of the Mansell Drive – Woodcocks Road intersection. This is the site of many accidents. There is always broken glass on the road. It needs to be signaled urgently. 4.2
2. It is anticipated that at some stage in the future Mansell Drive may need to be 4 laned to match the Western Link Road through to SH1. 4.3
3. There is a serious need for providing land zoned Industrial in Warkworth. The alignment of NOR6 shown shows little respect for this demand. This should be resolved by discussion with the landowners rather than by issuing an NOR. 4.4



- 4.
5. An alignment further from Gumfield Drive should be adopted to maximise usable industrial land.
6. The bridge over the gully should be replaced with a box culvert and the location should be moved further up the gully. The culvert would allow a continuous curve rather than 2 curves in the same direction which is highly undesirable because traffic will not recognise the straight section.
7. The alignment of the next straight section should be moved further from the industrial property to allow better land utilization.
8. An intersection at Morrison Drive should be shown. This should be shown as a signalized crossroads to allow access to the land to the south for further development.
9. The industrial section at the top left of Morrison Drive should be retained intact as this has been committed to a Hospital Board facility.
10. An intersection to provide access to the Maxwell property should be shown as access to this land via Campbell Drive is narrow and comes out directly opposite Mahurangi College. Extra traffic from the Maxwell subdivision outside the school is highly undesirable

4.4

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:846] Notice of Requirement online submission - Bevan Morrison
Date: Friday, 7 July 2023 11:31:07 am
Attachments: [8 June 2023 Simon Titter Email re DHB site 20230704181713.777.pdf](#)
[NOR6 WLR South Objection Gumfield Property.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Bevan Morrison

Organisation name: Gumfield Property Ltd

Full name of your agent:

Email address: bevanmorrison75@gmail.com

Contact phone number: 0220350582

Postal address:
 1829 State Highway 1
 RD3
 Warkworth 0983

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 6) Warkworth : Western Link - South

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

Over the years, we as individuals and a family have attended and contributed to various future planning processes firstly with the Rodney District council and then with Auckland Council. And we have had many meetings, conference calls and site visits with Auckland Transport, Supporting Growth Alliance and various other engineers, planners and consultants within council. We don't require a Western Collector road as part of our industrial development, but we have always been proactive and supportive of it recognizing the possible need for it in traffic movements over the wider Warkworth area. We have always tried to work with the various council bodies to achieve sensible and equitable solutions to all perceived problems. Our family has lived and worked in Warkworth and supported the town for over 150 years. We believe in the consultative inclusive approach. This has not been the case with this most recent consultation on the WLR. We have major concerns with the restrictions that the WLR will put on the continuing development our live zoned industrial land. The WLR as shown virtually cuts the industrial area in two, making the southern portion inaccessible, and the blue lined area needed for the earthworks on both sides makes any development very restricted. We understand there is no committed timeframe for building the road or even any actual commitment that it WILL be built at all. There have been many different alignments proposed over the last 30 years and so far none of them have come to anything concrete, or asphalt, or even gravel. Gumfield Property has just recently purchased (for a substantial amount of money) an area of land shown in Map title number 1109253 . Now the majority of that land has been "blue lined" as unable to be developed. The Supporting Growth team has been kept fully up to date with our plans for development at the top of Morrison Drive, but none of that has been taken into consideration in placement of the road or the blue line area. We are told that there are NO plans to buy land in the foreseeable future, just tie it up for an unspecified time – 20/30 years. How is Gumfield Property expected to service the debt and pay for this land when it is now impossible to develop it? In March 2022 we shared with SGA/AT the plan to extend Morrison

5.2

5.3

Drive to accommodate a subdivision off it for a new highly needed Healthcare facility for the WDHB (now Te Whatu Ora Health), for which there was already a Sale & Purchase Agreement in place. The email included engineering designs & design levels in PDF and DWG format. We then had a joint pre-application meeting with Auckland Council, ourselves and WDHB, plus planners on 9th May 2022 and covered this same plan including the extension of Morrison Drive and size of the WDHB site. Discussions continued right up until this NOR submission, including consultation meetings with SGA on this proposed alignment and the issues with the possible designation boundaries crossing through the DHB site and the impact that would have on Te Whatu Ora Health progressing with the much needed medical facility in Warkworth. In all their work done SGA chose not to consider the future extension of Morrison Drive, nor the position of their road and designation boundary with respect to the Healthcare facility and chose to put the designation boundary through the middle of the DHB site. As per the email attached here from Simon Titter we understand there is a commitment from SGA to reduce the designation boundary from 20m off the toe of the road batter to 6m. This was pleasing to hear. A change in alignment or designation boundary that moves any and all designation boundary outside the future Te Whatu Ora Health site would be agreeable to us but we request this is done in a consultative manner.

5.1

I or we seek the following recommendation or decision from Auckland Council:

We are requesting the requirement for the WLR be reconsidered as we believe the Wider Western Link Road will suffice, particularly as the volume of development in the south of Warkworth increases. As developers of our land we do not require the WLR for our development; we have constructed Morrison Drive and Gumfield Drive and we have provided plans to SGA as to how our development will be serviced with these roads. If AT/SGA confirm the road is needed then we are requesting the alignment to be updated, in consultation with the three land owners the WLR passes through, such that short term impact is minimised and live zoned land can be properly developed without the hindrance or restriction of having a hypothetical road through it; a road that may or may not be constructed and has a 10-30 year time frame somewhere in the future. In particular we are requesting a proper consultation which includes two way planning on how to make the connection between Morrison Drive, WLR and the neighboring subdivision at Lot 57 DP145377 an acceptable solution for all parties since this is likely the first part of WLR to be constructed. There are only 3 land owners, all who are ready to work together for a better outcome than what is being proposed today. If AT/SGA are not willing to work together on a new alignment (instead of the alignment that is being dictated) then we request the designation boundary of the WLR to be moved as shown in the attached document. This will ensure it is outside the future Te Whatu Ora Health site at the top of Morrison Drive, as per the attached email commitment from SGA; it also avoids the water reservoir and provides a more appropriate boundary line with the live and future zoned development land. This will ensure that development can occur in an efficient way.

5.2

5.2

Submission date: 7 July 2023

Supporting documents

8 June 2023_Simon Titter Email re DHB site_20230704181713.777.pdf
 NOR6 WLR South Objection_Gumfield Property.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
 Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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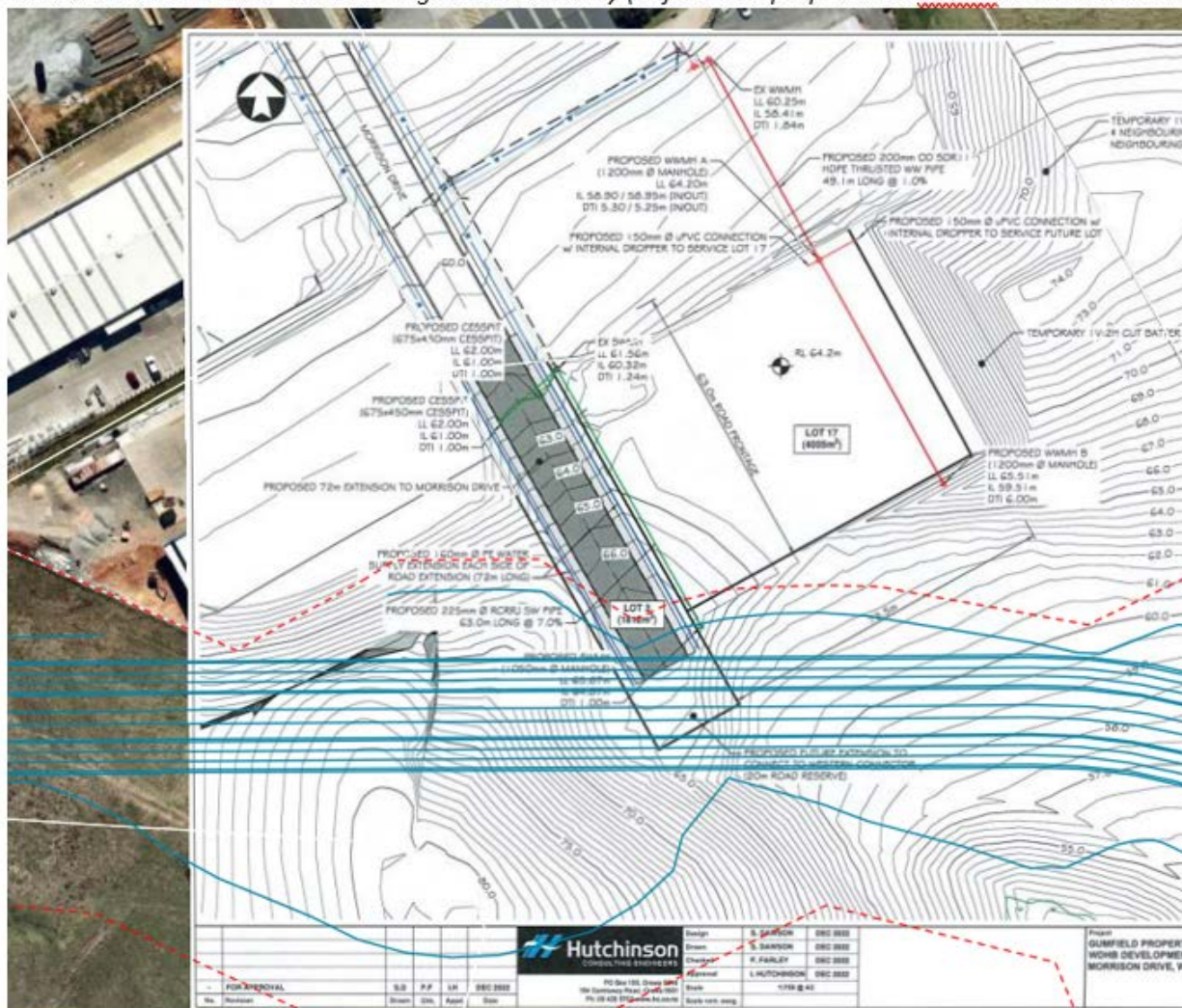
Subject: RE: Proposed Te Whatu Ora Health Centre Site - Proposed designation update [CONFIDENTIAL]
Date: Thursday, June 8, 2023 at 11:23:40 AM New Zealand Standard Time
From: Simon Titter
To: Bevan Morrison
CC: Michelle Seymour, Daniel Willcocks, Natasha Garvan
Attachments: image001.png, image002.png

Hi Bevan,

Following on from Michelle’s earlier email, dated 10 May, as outlined in email trail below, we can confirm that the designation boundary adjacent to the proposed Health Centre site (on which is currently the subject of a lodged resource consent application (BUN60416053), which we understand is still being processed by Council, has been reduced from 20m to 6m off the toe of the indicative earthworks batter (refer images below).

We note that this may still impact on the proposed development lot and indicative road to vest (Morrison Drive extension), and we will continue to work with you and our engineering team to understand the implications of this. However, it is noted the designation boundary currently includes the area required for construction purposes and the final designation boundary will be confirmed following detailed design, prior to implementation.

Indicative Western Link – South designation boundary (adjacent to proposed Te Whatu Ora Health Centre site)



It is understood that the Warkworth NOR package, including NOR 6 Western Link – South, will be notified by Council this week, and we encourage you to put in a submission regarding this proposal.

Please note the information contained within this email is confidential and as such in-line with the terms of the previously signed NDA between SGA and yourself we ask that this information is not shared with any external parties.

Ngā Mihi | Kind regards,

Simon

Simon Titter | Warkworth Planning Lead

Te Tupu Ngātahi Supporting Growth Alliance
Level 5, 203 Queen Street, Auckland
M +64 21 505 483



From: Bevan Morrison <bevanmorrison75@gmail.com>

Sent: Friday, 2 June 2023 12:53 PM

To: Simon Titter <Simon.Titter@supportinggrowth.nz>; Michelle Seymour

<Michelle.Seymour@supportinggrowth.nz>; Daniel Willcocks <Daniel.Willcocks@supportinggrowth.nz>

Cc: davestott@xtra.co.nz

Subject: Re: DHB site

Hi Simon,

Thanks for the update and I look forward to feedback early next week.

We have had a formal RFI on our consent application which included a request from you/AT for a new turning head at the end of Morrison Drive and some sight distance calculations/feedback. This requires some further engineering detail as now we have EW on the southern side of ridge line which will likely require us to re-instate the old decant pond and this needs to be detailed. Our engineer is working through those details – most other responses to the RFI have been completed.

Our goal is to have this back to council by end of next week so would be good to see your response and where exactly that 6m sits on our plans (hence the request for the overlay) as if needed I could speak to the DHB to reduce the Morrison Drive road frontage by a meter of two if needed since I think that is about how close we are to making this work.

Have a good long weekend and look forward to working through this as early next week as possible.

Regards
Bevan

From: Simon Titter <Simon.Titter@supportinggrowth.nz>
Date: Friday, June 2, 2023 at 12:45 PM
To: Bevan Morrison <bevanmorrison75@gmail.com>, Michelle Seymour <Michelle.Seymour@supportinggrowth.nz>, Daniel Willcocks <Daniel.Willcocks@supportinggrowth.nz>
Cc: davestott@xtra.co.nz <davestott@xtra.co.nz>
Subject: RE: DHB site

Hi Bevan,

Thank you for your email.

We are currently working to pull together information to address your request below relating to the reduction of the designation boundary from 20m to 6m in the vicinity of the proposed Health Centre site. We will come back to you early next week with this.

If possible it would also be useful if you were able to please provide us with an update on the progress of the lodged consent application.

Have a good long weekend.

Ngā Mihi | Kind regards,

Simon

Simon Titter | Warkworth Planning Lead

Te Tupu Ngātahi Supporting Growth Alliance
Level 5, 203 Queen Street, Auckland
M +64 21 505 483



From: Bevan Morrison <bevanmorrison75@gmail.com>
Sent: Friday, 2 June 2023 10:15 AM
To: Michelle Seymour <Michelle.Seymour@supportinggrowth.nz>; Simon Titter <Simon.Titter@supportinggrowth.nz>; Daniel Willcocks <Daniel.Willcocks@supportinggrowth.nz>
Cc: Lorraine Stone <Lorraine.Stone@supportinggrowth.nz>; davestott@xtra.co.nz
Subject: Re: DHB site

Hi Michelle, Simon and Daniel,

Just as a follow up to our meeting at your offices and Michelle's earlier email below.
Can you please urgently send me the DWG file for your alignment so we can overlay with our DHB site design ...or if that is too difficult then perhaps you have already overlaid your road with our site and you can send me a pdf of that overlay so I can determine if this reduction to 6m could potentially work for our contractual obligations to DHB.

Is this something you can send me today as I understand you have already been working on this.

Thanks in advance
Bevan

In terms of moving forward, whilst we cannot make changes to the designation boundaries for lodgement, we are able to confirm that changes can be agreed to prior to the notification process. While these likely wont be able to be reflected in the notification documentation due to timeframes associated with Council processes, we are currently confirming the process for documenting any agreed changes.

In the first instance, the following change can be supported by the Supporting Growth team

1. A shift of the proposed designation boundary (adjacent to the proposed WDHB site) on the northern side of the Western Link Road, from 20m to 6m from the toe of the batter. We note that this may still impact on the proposed lot, and we will continue to work with you and our engineering team to understand the implications of this. Additionally, it is noted the designation boundary currently includes the area required for construction purposes and the final designation boundary will be confirmed following detailed design, prior to implementation.

From: Michelle Seymour <Michelle.Seymour@supportinggrowth.nz>
Date: Wednesday, May 10, 2023 at 3:55 PM
To: Bevan Morrison <bevanmorrison75@gmail.com>
Cc: Daniel Willcocks <Daniel.Willcocks@supportinggrowth.nz>, Lorraine Stone <Lorraine.Stone@supportinggrowth.nz>, davestott@xtra.co.nz <davestott@xtra.co.nz>, Simon Titter <Simon.Titter@supportinggrowth.nz>
Subject: RE: DHB site

Hi Bevan,

Apologies for the delay in getting this feedback through to you, we are continuing to work on things in the background – but as a way of an update, please see below.

I have confirmed that at this stage in the process we are unable to change the proposed designation boundaries prior to lodgement as the files are being used to inform the notification process within Council and have already been pre-circulated.
However, I would like to reiterate that we are committed to ongoing engagement with you in terms of

working through the notice of requirements for Warkworth in the post-lodgement phase.

Subdivision Proposal

In regard to the proposed subdivision the engineers have reviewed the your proposed subdivision and also looked at our proposed design for the Western Link Road.

1. Based on existing LIDAR information, there appears to be a likely height difference between Morrisons Drive and the Supporting Growth indicative height for the Western Link. This is likely due to our requirement of the Western Link Road to be an acceptable grade to connect to SH1.
2. The Morrison Drive extension as shown will connect with the Western Link Road at an atypical skew
3. The indicative batters from the Western Link Road (based on existing LIDAR), currently are shown to impact on the proposed lot and the proposed Morrisons Drive extension.

In terms of moving forward, whilst we cannot make changes to the designation boundaries for lodgement, we are able to confirm that changes can be agreed to prior to the notification process. While these likely wont be able to be reflected in the notification documentation due to timeframes associated with Council processes, we are currently confirming the process for documenting any agreed changes.

In the first instance, the following change can be supported by the Supporting Growth team

4. A shift of the proposed designation boundary (adjacent to the proposed WDHB site) on the northern side of the Western Link Road, from 20m to 6m from the toe of the batter. We note that this may still impact on the proposed lot, and we will continue to work with you and our engineering team to understand the implications of this. Additionally, it is noted the designation boundary currently includes the area required for construction purposes and the final designation boundary will be confirmed following detailed design, prior to implementation.

Stormwater Location

In terms of the proposed stormwater facility, Supporting Growth has undertaken optioneering process for location of wetlands along SH1.

The proposed design for SH1 largely follows the existing corridor in terms of horizontal alignment and vertical grades, except at locations of stream crossings (in this case a bridge) where flood resilience requirement influences the vertical grade of the road. This design will be confirmed at the detailed design, prior to implementation.

Wetlands are generally located near the sag point of the road and placed outside flood plains. At the lower section of SH1, between Wider Western Link intersection to the golf range, it is understood that:

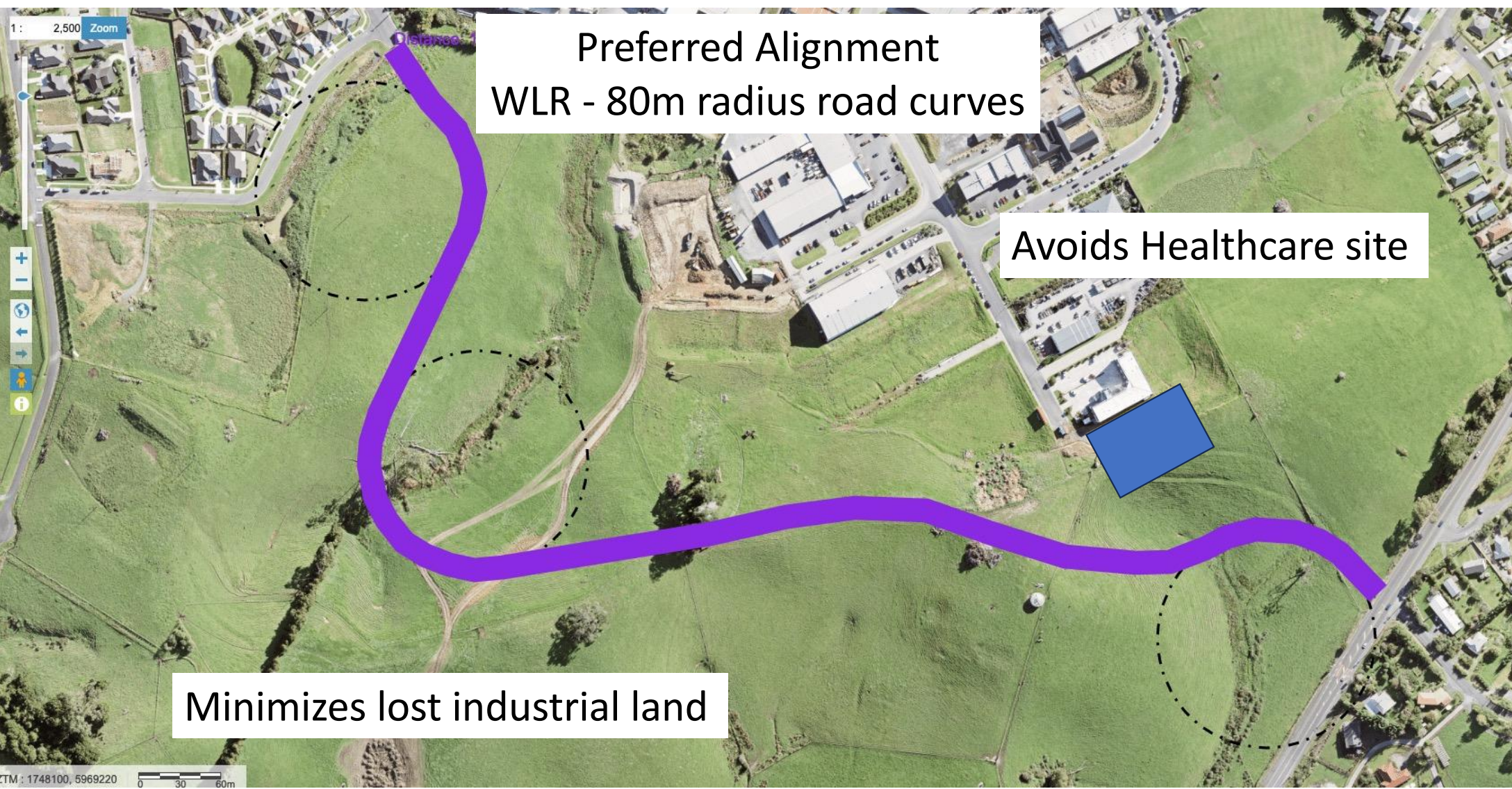
1. A large portion of land on the western side of SH1 sits in a flood plain and not suitable for placement of wetland.
2. The eastern side of the SH1 towards the south has a more challenging topography for placement of wetland compared to the proposed location. The ground appears to be steeper based on lidar information and therefore will likely result in larger earthworks footprint for the wetland.

Hope this helps clarify things and as I mentioned we are continuing to look at this through the post lodgement phase.

Regards
Michelle

NOR 6 – Western Link South - Objection

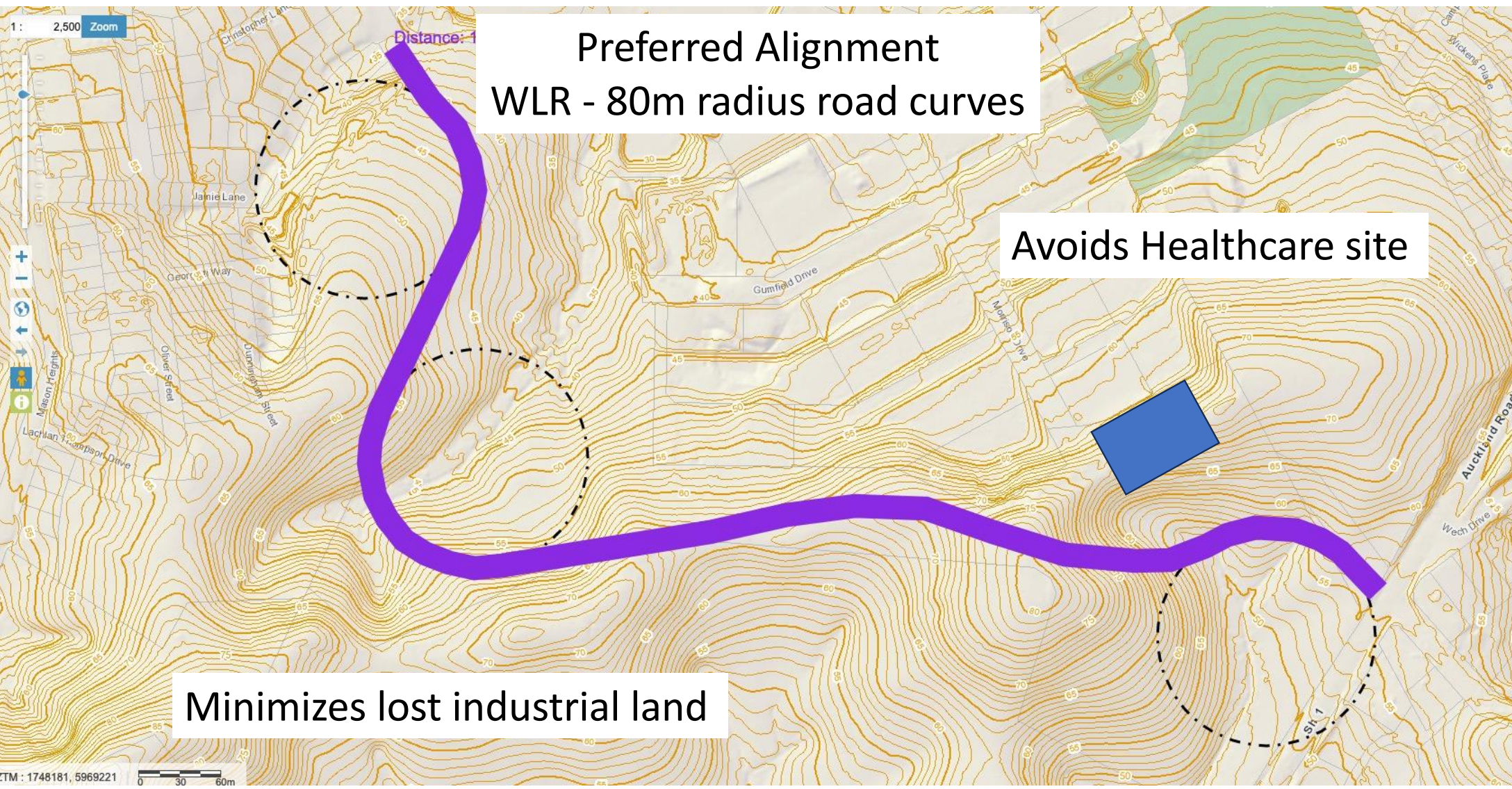
- Gumfield Property Ltd is an affected landowner objects to the proposed WLR South alignment
- We objected to the proposed alignment during consultation and we object to it now.
- Preference is for no WLR
- Current proposed WLR alignment causes significant loss of live zoned industrial land and designation boundary crosses within the future Te Whatu Ora Health site.
 - SGA/AT have had our development plans for Morrison Drive and Gumfield drive for over a year yet no consideration of how a proposed WLR alignment might work with an existing and extension of existing roading network.
 - Proposed alignment doesn't consider intersection with Morrison Drive extension, nor the future connection required into the neighboring large residential development (consented with future exit into our land, to connect into WLR, to mitigate 60+ house lots exiting past the local College)
- If WLR is required by AT our preferred alignment is shown in following slides.
- If WLR is required by AT our preferred Designation Boundary stays outside the Te Whatu Ora Health site; avoids the water reservoir on top of the hill that supplies the farm and houses; provides a more suitable boundary to industrial land to allow existing live zoned land to be suitable developed in the future (ahead of this AT constructing this road in the next 10-30yrs)
- We remain willing to work collaboratively with AT/SGA and the other two landowners the WLR South passes through.
- Preferred alignments and designation boundaries are shown in following slides

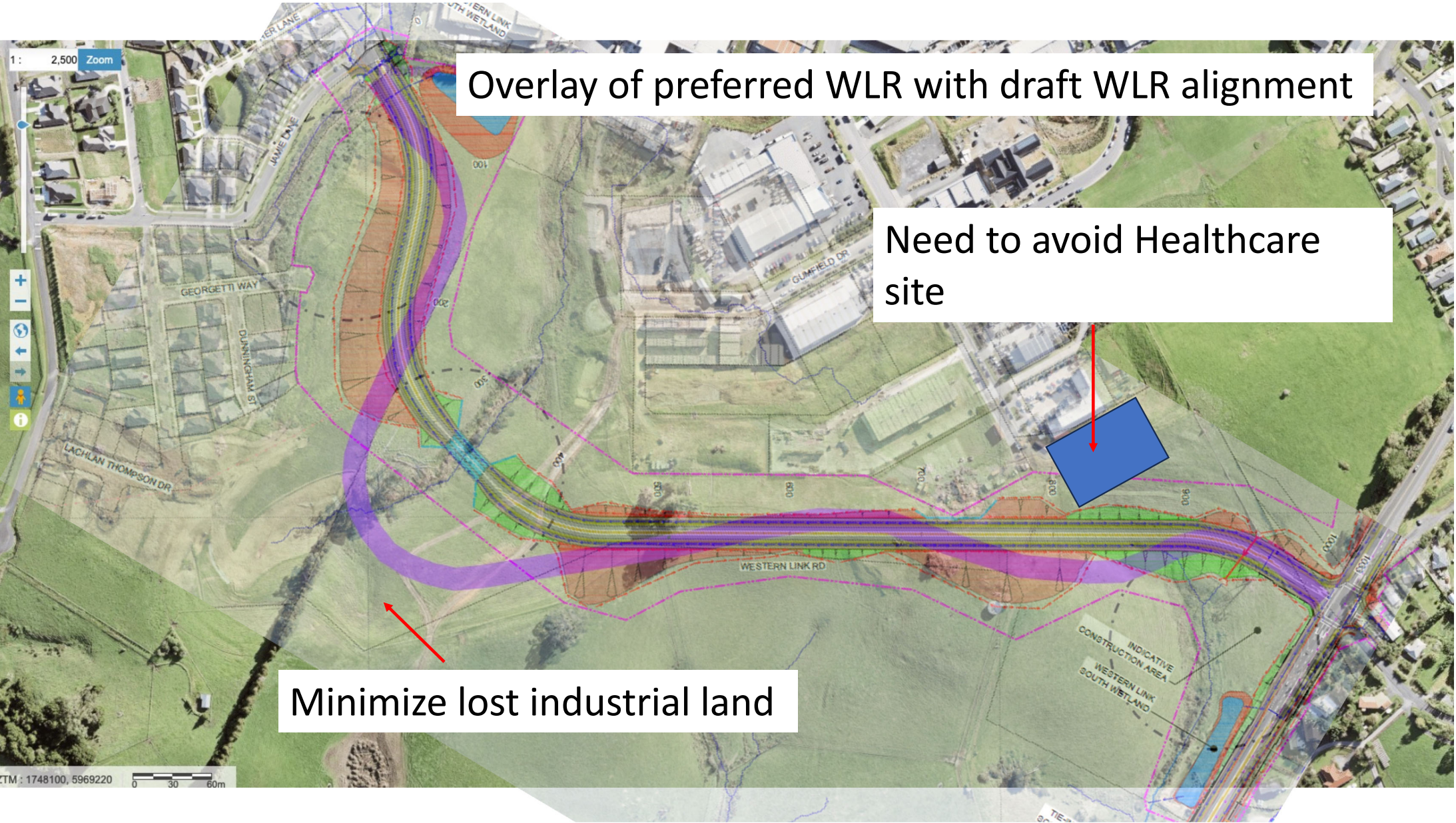


Preferred Alignment
WLR - 80m radius road curves

Avoids Healthcare site

Minimizes lost industrial land



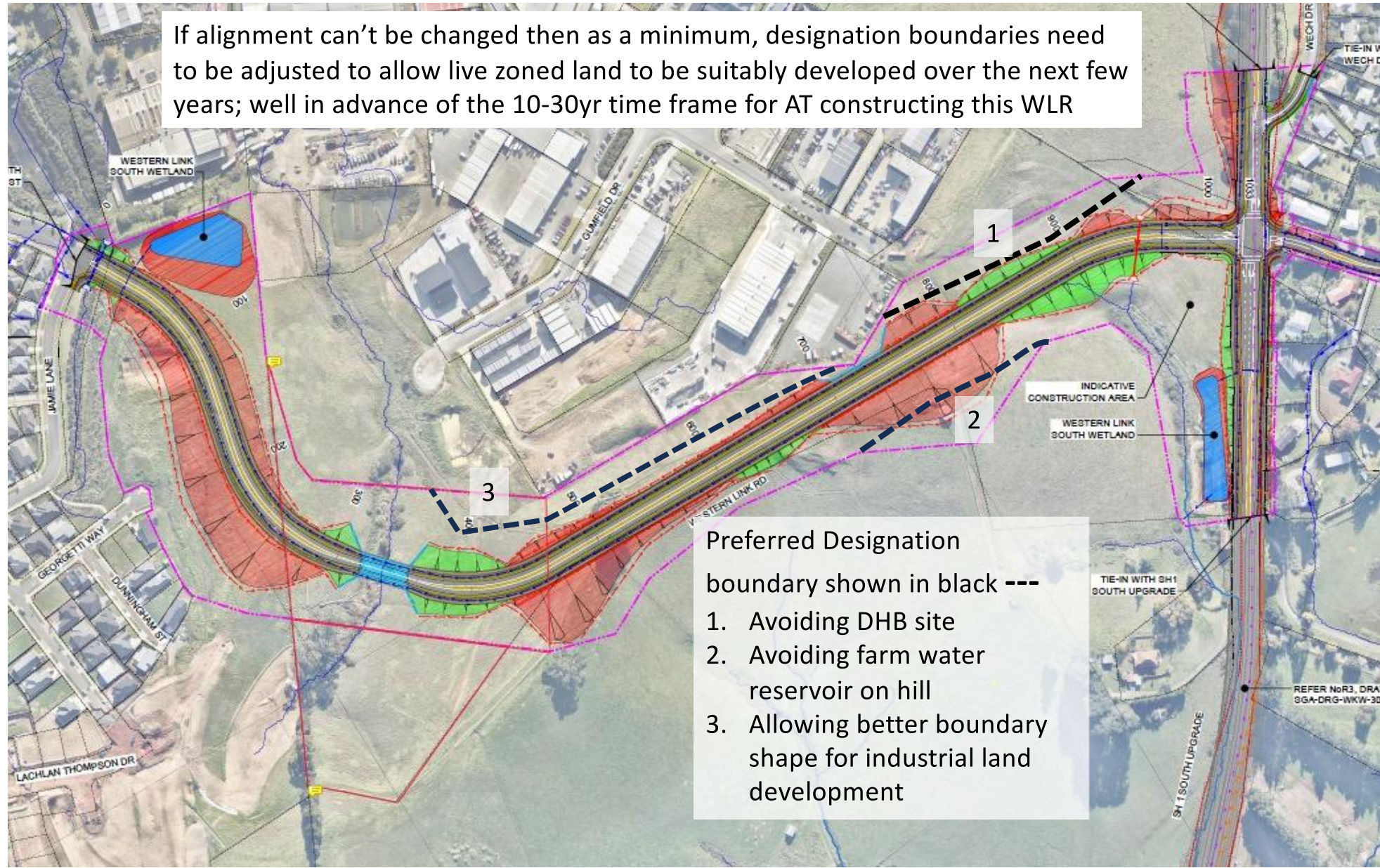


Overlay of preferred WLR with draft WLR alignment

Need to avoid Healthcare site

Minimize lost industrial land

If alignment can't be changed then as a minimum, designation boundaries need to be adjusted to allow live zoned land to be suitably developed over the next few years; well in advance of the 10-30yr time frame for AT constructing this WLR



Preferred Designation boundary shown in black ---

1. Avoiding DHB site
2. Avoiding farm water reservoir on hill
3. Allowing better boundary shape for industrial land development

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:848] Notice of Requirement online submission - Maxwell Baolin Yang
Date: Friday, 7 July 2023 12:01:07 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Maxwell Baolin Yang

Organisation name: Nauwhakahoki Limited

Full name of your agent: Cozy Tsui

Email address: cozy@topland.co.nz

Contact phone number: 0277683536

Postal address:
Unit 9
42 ormiston Road
East Tamaki
Auckland 2019

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 6) Warkworth : Western Link - South

The specific provisions that my submission relates to are:
Address Lot 57 DP 145377, State Highway 1 Warkworth 0910 Legal Description Lot 57 DP 145377,
Lot 58 DP 145377 and Address 25 Gumfield Drive Warkworth 0910 Legal Description LOT 2 DP
583685

5.1

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

We support the NoR 6 proposal in respect of: 1. Design outcome , strategic social, economic and environment benefit that supports long term growth in Warkworth. 2. The SH1/Mckinney Road intersection. However, it is unclear for the (future proof) access connection from our site and Morrison Road extension. Figure 36-1, page 22 of the "Urban Design Evaluation" identify the land post construction opportunity. Pages 19-20 Land use of the "Urban Design Evaluation" states that demonstration of how any residual land portions following the construction of the Projects are redefined and integrated with the expected future land use function... Table 9, Pages 49 and 50, Principles 2.1, 2.3, 2.5, 3.1, 3.2, 3.3, 4.1 also mentions the future land integration We seek local road connections from our sites. We seek a future collaborative work relationship for delivering the next phase package, better than a status quo (requiring authority approval).

5.1

I or we seek the following recommendation or decision from Auckland Council:
Approve with solid condition to satisfy our position.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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**SUBMISSION ON NOTICE OF REQUIREMENT FOR A DESIGNATION THAT IS SUBJECT TO
PUBLIC NOTIFICATION UNDER SECTION 168 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council (**Council**)

Name: Woodcocks Property Limited (the **Submitter**)

Submission on: Notice of requirement from Auckland Transport: NoR 6 Warkworth: Western Link – South, for a designation for a new urban arterial corridor with active mode facilities between Evelyn Street and the intersection of Stage Highway (**SH**) 1 and McKinney Road (**NoR 6**).

Introduction

1. The Submitter is the owner of 6 Lachlan Thompson Drive (formerly known as 35 Mason Heights), Warkworth (**Site**). The majority of the Site is within the proposed NoR 6 footprint. 7.1
2. The Submitter has applied for resource consent to undertake a 72-lot subdivision of the Site, including the vesting of roads, with 71 of the proposed new lots being for residential development and one lot set aside for future light industrial or commercial activities. The application for consent is currently subject to appeal, filed by the Submitter with the Environment Court on 8 June 2023. 7.1
3. The Submitter will be affected by NoR 6, particularly by the proposed location of the corridor, the proposed stormwater pond and the spatial extent of the corridor and wider NoR footprint. 7.1
4. The Submitter could not gain an advantage in trade competition through this submission.

Scope of submission

5. This submission relates to NoR 6 in its entirety, particularly the adverse effects that arise from the proposed location and spatial extent of the corridor and the overall NoR 6 footprint. 7.1

Nature of submission

6. The Submitter opposes NoR 6, subject to the adverse effects associated with the location and extent of NoR 6 being addressed, including by:
 - (a) amending the location of the corridor and reducing the spatial extent of the NoR 6 boundary (including the stormwater pond which is not required), such that the Submitter's Site is either no longer within the NoR 6 footprint, or, at the very least, is located further east as shown in the diagram in Attachment 1; and 7.1

- (b) imposing conditions that ensure any adverse effects on the Submitter are addressed. 7.1

Reasons for submission

7. The reasons for this submission are that, if granted as currently proposed, NoR 6:
- (a) will not promote the sustainable management of the natural and physical resources and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - (b) does not promote the efficient use and development of resources;
 - (c) is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - (d) is not reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
 - (e) does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

Specific reasons for submission

8. Without limiting the generality of the above reasons, the specific reasons for the submission are that NoR 6:
- (a) does not represent an efficient use of land because: 7.1
 - (i) the spatial extent of the corridor, and the project footprint, which includes an unnecessary stormwater pond, exceeds the land required for the proposed works; and
 - (ii) it will reduce the amount of usable land for urban development in an area that has been identified as a growth node for Auckland;
 - (iii) it is not necessary, given the 30-year projected timeframe and the wider transport network being designated, to respond to growth, or give effect to the Requiring Authority's transport vision for Warkworth;
 - (b) will not result in the most appropriate transport outcomes, when compared to possible alternative alignment options, including the alignment shown in Attachment 1; and 7.1
 - (c) will create greater adverse effects than the Attachment 1 alignment, which was developed as a result of an intensive master planning process that included the consideration of the road's purpose, the topography of the area, watercourses and wetlands, traffic safety, the need for a strong connection to SH1, linkages to future recreational reserves, land ownership and various urban design considerations.

Recommendation sought

9. The relief sought by the Submitter is that the Council recommends that:
- (a) NoR 6 is withdrawn; or 7.1
 - (b) NoR 6 is amended such that the Submitter's Site is either no longer located within the NoR footprint, or a reduced portion of the Site is located within the NoR footprint (as shown in Attachment 1), including by:
 - (i) relocating the corridor further east of the Submitter's Site; and
 - (ii) reducing the spatial extent of the NoR boundary.
 - (c) Such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
10. The Submitter wishes to be heard in support of this submission.
11. If others make a similar submission, the Submitter will consider presenting a joint case with them at any hearing.

WOODCOCKS PROPERTY LIMITED by its solicitors and authorised agents Simpson Grierson:



Signature:

Bill Loutit/Rachael Mortiaux

Date:

7 July 2023

Address for Service:

C/- Bill Loutit
Simpson Grierson
Barristers and Solicitors
Level 27
88 Shortland Street
Private Bag 92518
AUCKLAND 1141

Telephone:

+64 9 977 5092

Email:

bill.loutit@simpsongrierson.com
rachael.mortiaux@simpsongrierson.com

ATTACHMENT 1 – The Submitter’s preferred location and extent of Western Link – South shown in red

Legend

- Existing SGA Design
- Indicative Design

7.3



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FOR INFORMATION

| No. | REVISION (DESCRIPTIONS) | NAME | DATE |
|-----|-------------------------|------------|------------|
| A | Issued For Information | C.Solleder | 04/07/2023 |
| B | Issued For Information | C.Solleder | 04/07/2023 |

| | | |
|-------------|-----------------|---------------|
| SURVEYED | | |
| DESIGNED | C.Solleder | 03/07/2023 |
| DRAWN | B.Nel | 04/07/2023 |
| DATE | 04/07/2023 | 04/07/2023 |
| | ORIGINAL SCALE | ORIGINAL SIZE |
| | 1:1500 | A3 |
| DRAWING NO. | 43136-DR-C-3013 | REVISION |
| | | B |

C:\1126\Synergy\Workspace\data\CATOAPP\43136 - Woodcocks Property Limited_53699\Technical\Drawings\43136-DR-C-3010-3013 Link Road Layout



Woodcocks Property Limited
17-41 Mason Heights
Warkworth

SGA Submission
Indicative
Road Alignment



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR6 Western Link - South that is subject to notification *Section 169 of the Resource Management Act 1991*

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Aztek Projects Limited & McKinney Road Estate Limited

1. The submitter makes this submission on NOR6 Western Link - South (“**NOR6**”) lodged by Auckland Transport (“**AT**”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The submitter could not gain advantage in trade competition through this submission.
3. The submitter **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

OVERVIEW OF PLAN CHANGE 72 - MCKINNEY ROAD, WARKWORTH

5. Aztek Projects Limited were the applicant for Private Plan Change 72 (“**PC72**”) which sought to rezone 8.2ha of land at McKinney Road, Warkworth from Future Urban zoning to Residential - Mixed Housing Suburban zoning under the Auckland Unitary Plan- Operative in Part (“**AUP-OP**”), and to apply a precinct to address wastewater infrastructure staging, transport network, ecology and water quality effects.
6. PC72 was approved with modifications by an Auckland Council-appointed hearings panel on 17 January 2023. No appeals were lodged and PC72 was made fully operative on 9 June 2023. PC72 sets out requirements for the delivery of upgrades to State Highway 1 / McKinney Road Intersection and walking and cycling connections alongside subdivision and development of the Precinct area. The land comprising PC72 is shown in Figure 1 overleaf. The AUP-OP Maps are shown in Figure 2 overleaf.

8.1



Figure 1 - Aerial image of land comprising PC72 (source: Grip Maps, July 2023)

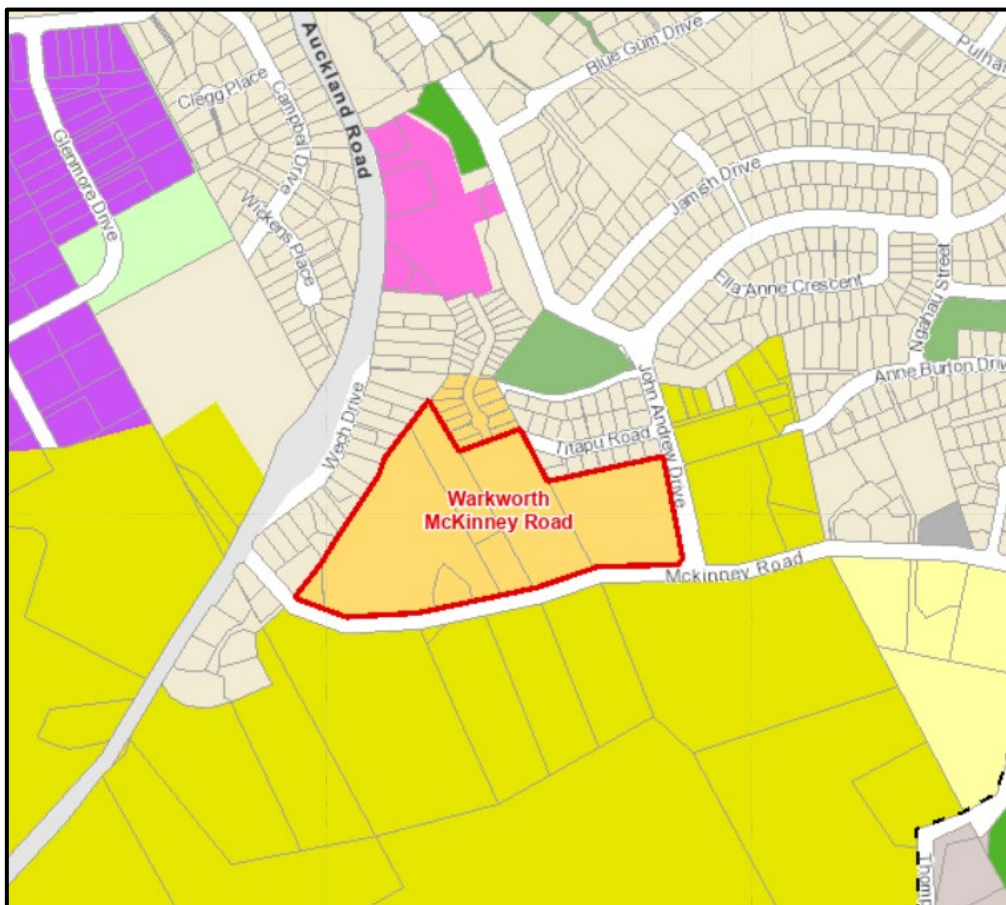


Figure 2 - AUP-OP Zoning Maps (Source: AUP-OP Maps, July 2023)

SCOPE AND REASONS FOR SUBMISSION

7. This submission relates to NOR6 as a whole.
8. The submitter has an interest in NOR6 that is greater than the interest of the general public as the submitters land is impacted by the proposed designation. Additionally, precinct applying to the submitters land requires upgrades to the State Highway 1 / McKinney Road Intersection and walking and cycling connections, both of which are proposed through this Notice of Requirement.
9. The submitter supports to overarching intent of the proposed designation. However, the submitter opposes the Notice of Requirement for the following reasons:
 - a. The submitter opposes the 20-year lapse period sought. The upgrades to State Highway 1 / McKinney Road Intersection need to occur now in order to provide safe and efficient transportation for current and future residential development and growth within Warkworth. 8.1
 - b. The NOR6 works need to occur in a manner that is integrated with urban development in order to create good urban outcomes and integrate with future urban development.
 - c. The Designation Conditions in their current form do not adequately provide for consultation with adjacent landowners, developers and stakeholders to ensure that the design of the NOR6 works integrate with future urban development of the surrounding area. 8.2
 - d. NOR6 (as currently proposed):
 - i. will not promote the sustainable management of the natural and physical resources and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991; 8.3
 - ii. is inconsistent with the NPS UD;
 - iii. is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - iv. will not meet the reasonably foreseeable needs of future generations;
 - v. will not enable the social, economic, and cultural wellbeing of the people of Warkworth and wider areas; and
 - vi. does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

RELIEF SOUGHT

1. The submitter seeks that Auckland Council recommends this NOR6 be withdrawn or rejected unless the following matters are able to be addressed: 8.3
 - a. Reduce lapse date; 8.1
 - b. Amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design 8.2

- Management Plan (or similar) and to ensure that the works are undertaken in a manner that integrate with the future urban development of the surrounding area; and
- c. Such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

Yours sincerely



Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of Aztek Projects Limited & McKinney Road Estate Limited)

Date: 07 July 2023

Address for Service:

Aztek Projects Limited & McKinney Road Estate Limited
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-713
Email: Jessica@thepec.co.nz / Burnette@thepec.co.nz

To: Plans and Places – Attention: Planning Technicians

Auckland Council
Private Bag 92300
Auckland 1142
Email: unitaryplan@aucklandcouncil.govt.nz

RE: Notice of Requirement – State Highway 1, South Upgrade (NoR 3) & Western Link, South (NoR 6)

1. Details of person(s) making submission

Kyle Stephen Deans and Heather Deans ('The submitters')

Ref: 17690

C/- Reyburn and Bryant
Attention: David Johnson
PO Box 191
WHANGAREI

2. General Statement

2.1 The submitters cannot gain an advantage in trade competition through this submission. They are directly affected by NoR3 and NoR6. The effects are not related to trade competition.

3. Background and context

3.1 The submitters own a residential property located at 3 McKinney Road, Warkworth. The subject site ('the site') is legally described as Lot 26 DP 40634 and is held in a single record of title referenced as RT NA1B/883.

9.1

3.2 The property comprises an area of 1,012m². The site is shown in **Figure 1** below:



Figure 1: Site location (Source: AC Geomaps).

- 3.3 The site is located in the Single House Zone (SHZ) under the AUP. Other residential properties on the eastern side of State Highway 1 are also located in the SHZ extending up to 200m south. The land further south and on the western side of State Highway 1 is located in the Future Urban Zone (FUZ).
- 3.4 The site is currently occupied by an existing legally established residential unit. It is a rectangular building extending from close to the southern boundary towards the northern boundary. It is accessed from a formed metal crossing from McKinney Road.
- 3.5 The site contains a deck and a lawn north of the existing residential unit which are used as outdoor living space. The outdoor living space is located between the existing residential unit and State Highway 1, and has a depth of approximately 15m. A stand of vegetation screens the outdoor living space from State Highway 1 and McKinney Road.
- 3.6 NoR 3 proposes to widen the existing State Highway 1 corridor to an urban arterial corridor. NoR 6 proposes a new western arterial corridor through Warkworth that will intersect with State Highway 1 at McKinney Road. The new road alignments include new footpaths and cycle paths on both sides of State Highway 1, including in front of the site.

4. Reasons for submission

Effects on amenity values

- 4.1 The submitters are supportive of the applicant's intention to secure key arterial routes to accommodate future growth in Warkworth. They are also supportive of the new

9.1

footpaths and cycling provisions proposed by NoR 3 and NoR 6. However, there has been little consideration of the effects that the new/upgraded arterial corridors will have on residential properties, and particularly the submitter's property.

4.2 While the road formation, footpaths or cycleways are not located within the site, the new layout will require a cut batter face which extends into the site. No dimensions are shown on the general arrangement plans, but the cut face appears to generally extend 5m into the submitter's property. The designation is located up to 2m from the house in some locations.

4.3 The proposed cut batter and designation boundary adversely affect the outdoor living space for the existing dwelling. The vegetation screening this area from the State Highway will also be removed as it falls within the designated area. Again, this affects privacy and amenity for the existing dwelling.

Consideration of alternatives

4.4 The NoR includes a consideration of alternatives for NoR 3 and NoR 6. However, it clearly focuses on the FUZ land as this adjoins both sides of the new road alignments for the majority of their length. There is a short but significant section where the new State Highway 1 alignment adjoins established residential properties zoned SHZ. The consideration of alternatives makes little mention of the interface between the existing residential properties and the new road corridor.

9.2

4.5 The NoR considers three route alignments for NoR 3. These are Option 1: to hold the centreline and widen equally on both sides, Option 2: to widen to the west, and Option 3: to widen to the east. The applicant considered Option 1 to be the best option. A mix of the three options does not appear to have been considered.

4.6 The submitters recognise that holding the centreline is the preferable option in the south of NoR 3 to avoid adverse effects on established activities in the FUZ. However, by adhering to Option 1 in the north, several SHZ properties are constrained, including the site. It removes land from the established residential properties in a location where the FUZ land on the western side of the corridor is vacant, and could more easily accommodate a widened arterial corridor. The result for the submitters is that the majority of the outdoor living space is removed. This severely affects the amenity values of the site.

Plan Change 78 (PC 78)

4.7 The site is proposed to be rezoned Mixed Housing Urban Zone (MHUZ) under PC 78. While PC78 is currently on hold, it will eventually enable the subdivision of the site into three 300m² lots under Rule E.38.8.2.3 of the AUP. The proposed reduction in the

9.3

area of the site resulting from subsequent acquisition of the designated area will likely reduce the subdivision potential from 3 to 2 lots with an associated reduction in the value of the site.

5. The submitters seek that AC recommend NoR 3 and NoR 6 be declined unless the following changes are made:

9.3

5.1 Extend the designation to the west of the existing designation where it adjoins the SHZ land – so no extension of the designation into SHZ properties. This allows the undeveloped FUZ land to be utilised where practicable without unduly compromising the amenity of established residential properties.

9.1

9.2

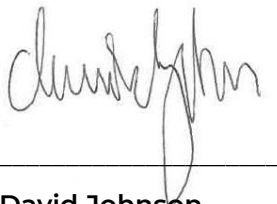
5.2 If the designation is to extend into SHZ properties, consider alternatives to cut/fill batter faces such as retaining walls. This would enable the majority of the outdoor living space to be retained.

9.1

9.2

5.3 Any other relief required to address the adverse effects.

6. Mr and Mrs Deans wish to be heard in support of their submission at a hearing.



David Johnson

Planning Consultant

On behalf of Kyle Stephen Deans and Heather Deans

Dated this 7th day of July 2023

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.

3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare's plans (ie the carpark at the Warkworth Showgrounds).

3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing.

10.1

3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained.

10.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

10.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited



7 July 2023

File ref: AUP Warkworth NoR 6

Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

**SUBMISSION ON THE NOTICE OF REQUIREMENT FOR THE WARKWORTH NETWORK - NOR 6 –
WESTERN LINK - SOUTH, BY THE REQUIRING AUTHORITY: AUCKLAND TRANSPORT**

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The focus for HNZPT is for the identification, protection, preservation, and conservation of historic heritage (HNZPTA) and advocate that historic heritage is fully considered in accordance with section 6(f) of the Resource Management Act 1991 (RMA).
4. HNZPT supports the purpose of planning for a well-functioning urban environment through the protection of integrated transport networks to support the expected future growth needs.
5. HNZPT has reviewed the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' prepared for the eight NoRs that form the suite of NoRs for the Warkworth Network.
6. Section 22 Engagement, in the Assessment of Environmental Effects (AEE), sets out the engagement undertaken for the Warkworth NoR Network. While extensive, HNZPT was not included. If there had been engagement, HNZPT would have had the opportunity to provide feedback and guidance relating to the historic heritage of the place.
7. Nevertheless, since notification, the Te Tupu Ngatahi Supporting Growth have engaged with HNZPT. This engagement has enabled the parties to further understand the intent of the draft conditions being proposed through the full suite of NoRs notified or presently being prepared.
8. There is also now greater understanding with the intended mechanisms to ensure the protection of historic heritage, and mitigation to manage any adverse effects resulting from the physical construction of the Network through the Outline Plan of Works process in the future.



The specific parts of the Notice of Requirement that Heritage New Zealand's submission relates to are:

9. The following proposed conditions:
 - Condition 6 Outline Plan
 - Condition 7 Management Plans
 - Condition 8 Cultural Advisory Report
 - Condition 9 Urban and Landscape Design Management Plan (ULDMP)
 - Condition 14 Cultural Monitoring Plan
 - Condition 20 Historic Heritage Management Plan (HHMP)
10. HNZPT is a submitter to the NoRs for the Airport to Botany Network and the North-West Network. Part of both sets of NoRs, HNZPT have raised concerns over the wording and the potential conflation of the roles under the RMA and the HNZPTA in the protection of archaeology. HNZPT has had post submission discussions with Te Tupa Ngatahi Supporting Growth and reviewed the s.42a report and Te Tupa Ngatahi's evidence for the Airport to Botany NoRs. As a result, HNZPT considers clarity has now been expressed on the intent and application of the HHMP condition, along with the acknowledgement of the historic heritage requirements under both acts and how those will be managed.
11. HNZPT can now support of the general intent and application of the HHMP.
12. HNZPT also considers Te Tupa Ngatahi's suggestion of replacing the term 'accidental' with 'unexpected' within the text of the HHMP (in their Airport to Botany evidence) assists in removing the conflation potential between the requirements under the HNZPTA and what can be managed via the Accidental Discovery Protocol Rule (E11.6.1) under the Auckland Unitary Plan (AUP).
13. The requirement for an Archaeological Authority to be obtained in accordance with the HNZPTA does not mitigate the effects of the NoR identified under the RMA. It is a separate statutory obligation before any physical works undertaken to construct the proposed Warkworth Network commence. While obtaining an Archaeological Authority does not mitigate the effects on the heritage values by the NoRs it does ensure the archaeological of the area is fully assessed, formally documented, and monitored. Through the HHMP, the provision of historic heritage interpretation, public awareness and similar remedies mitigate the effects of the construction of the Network.
14. HNZPT is supportive of the recommendations outlined in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' being implemented.

Heritage New Zealand Pouhere Taonga is supports the Notice of Requirement (NoR 6).

The reasons for Heritage New Zealand's position are as follows:

15. The consideration, management, and mitigation of effects from the purpose of the designation on the historic heritage values of the place are required to ensure effects are appropriately mitigated.
16. There should be no duplication of the archaeological authority processes under the HNZPTA 2014.



17. The recommendations set out in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' are appropriate.

18. HNZPT is supportive of the proposed amendments to the wording of the HHMP through the evidence recently circulated for the Airport to Botany Network NoR hearing in removing the conflation potential between the requirements under the HNZPTA and the RMA.

11.1

Heritage New Zealand seeks the following decision from Council:

19. The approval of NoR 6, with the amendment of the wording of the Historic Heritage Management Plan (HHMP) condition to read (amendments shown by underlining and ~~struckthrough~~):

Historic Heritage Management Plan (HHMP)

11.1

- a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:
 - i. any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
 - ii. methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;
 - iii. known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
 - iv. any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded (such as in the NZAA SRS (ArchSite) and/or the Auckland Council's CHI index);
 - v. roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
 - vi. specific areas to be investigated, monitored, and recorded to the extent these are directly affected by the Project;
 - vii. the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings and standing structures) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;
 - viii. methods to acknowledge cultural values identified through the Mana Whenua Partnership Forum [Condition ##] and Urban and Landscape Design Management Plan [Condition ##] where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;



- ix. methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to:
 - a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access.
 - x. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and
 - xi. training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to **accidental unexpected** discoveries and the AUP Accidental Discovery Rule (E11.6.1). The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under [Condition ##]).
- c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation, **building and standing structure recording**, and monitoring), shall be submitted to the Manager within 12 months of completion.

Accidental Discoveries Advice Note:

The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP.

20. Heritage New Zealand wishes to be heard in support of their submission.

21. If others make a similar submission, HNZPT will consider presenting a joint case with them at a hearing.

Yours sincerely

BHParslow

Acting Director Northern Region

Address for service: Alice Morris
amorris@heritage.org.nz
PO Box 105 291
Auckland City 1143

Cc: Auckland Transport
submissions@supportinggrowth.nz

Submitter details

Full Name Tom Morrison and Robyn Morrison

Address for service of Submitter 1791 State Highway 1 RD#, Warkworth 0983

Telephone: 0211465498 (Robyn) 0274259007 (Tom)

Email: tdrj.morrison@xtra.co.nz

Contact Person: (Name and designation if applicable) Robyn

We oppose the Notice of Requirement NOR 6 :

At address 1791 SH1, Warkworth.

Owner ID 101369

Map reference 1109253 and 1109252

We met with two representatives from Supporting Growth on March 29th and discussed our areas of concern. We were promised a reply with answers to our questions. Despite these promises from SG, and after waiting for several weeks, it took another email from us on May 25th before we eventually got an unsatisfactory reply on 31st May, and then found out a few days later that the NOR had been lodged. This gave us no time to reply and no time to further discuss changes.

12.1

We are extremely unhappy that this was described as “consultation” It appears to be a box ticking exercise to say that consultation has occurred, but that has no obligation to effect any actual practical alterations.

We object to the extent of the area apparently needed for a batter above the road, as well as the area cross hatched in blue at the northern end of our property.

The reason for our views are:

We understand that a certain area is needed for construction of the road. But what is shown here entirely covers our big water tank that supplies water for 4 houses and all the stock. The tank sits at the highest area above the pump, so that it can gravity feed everything on the farm. It is impractical to move it. If the road alignment was higher at this point, instead of being cut down with a large batter, then the impact would be a lot less.

12.1

We ask that the alignment of the road be changed, or the road designation be cancelled completely

12.1

Kind regards

R Morrison



FORM 21

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification under Section 168A, 169, 181, 189A, 190 and 195A of the Resource Management Act 1991.

To: Te Tupu Ngātahi – Supporting Growth Alliance (‘Te Tupu Ngātahi’)

Name of submitter: **Te Tāhuhu o te Mātauranga | Ministry of Education (‘the Ministry’)**

Address for service: Eden 5, Level 3/12-18
Normanby Road
Mount Eden
Auckland 1011

Attention: Gemma Hayes

Phone: +649 638 0294

Email: gemma.hayes@education.govt.nz

This is a submission on four of Te Tupu Ngātahi’s Notice of Requirement in Warkworth, Woodcocks Road – West Upgrade (NoR 2), State Highway 1- South Upgrade (NoR 3), Wider Western Link – North (NoR 8) and Western Link - South (NoR 6) Auckland Transport

Background

The Ministry is the Government’s lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government’s goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact existing and future educational facilities and assets the Auckland region.

The Ministry of Education’s submission is:

Under the Resource Management Act 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

Through its delivery partner, Te Tupu Ngātaihi, Auckland Transport has lodged eight Notices of Requirement (NoR) to designate land for future strategic transport corridors in Warkworth (the Project). These designations enable the future construction, operation and maintenance of transport infrastructure to support anticipated growth in Warkworth over the next 40 years. The location of each NoR in relation to and the Ministry’s assets is shown in Figure 1.

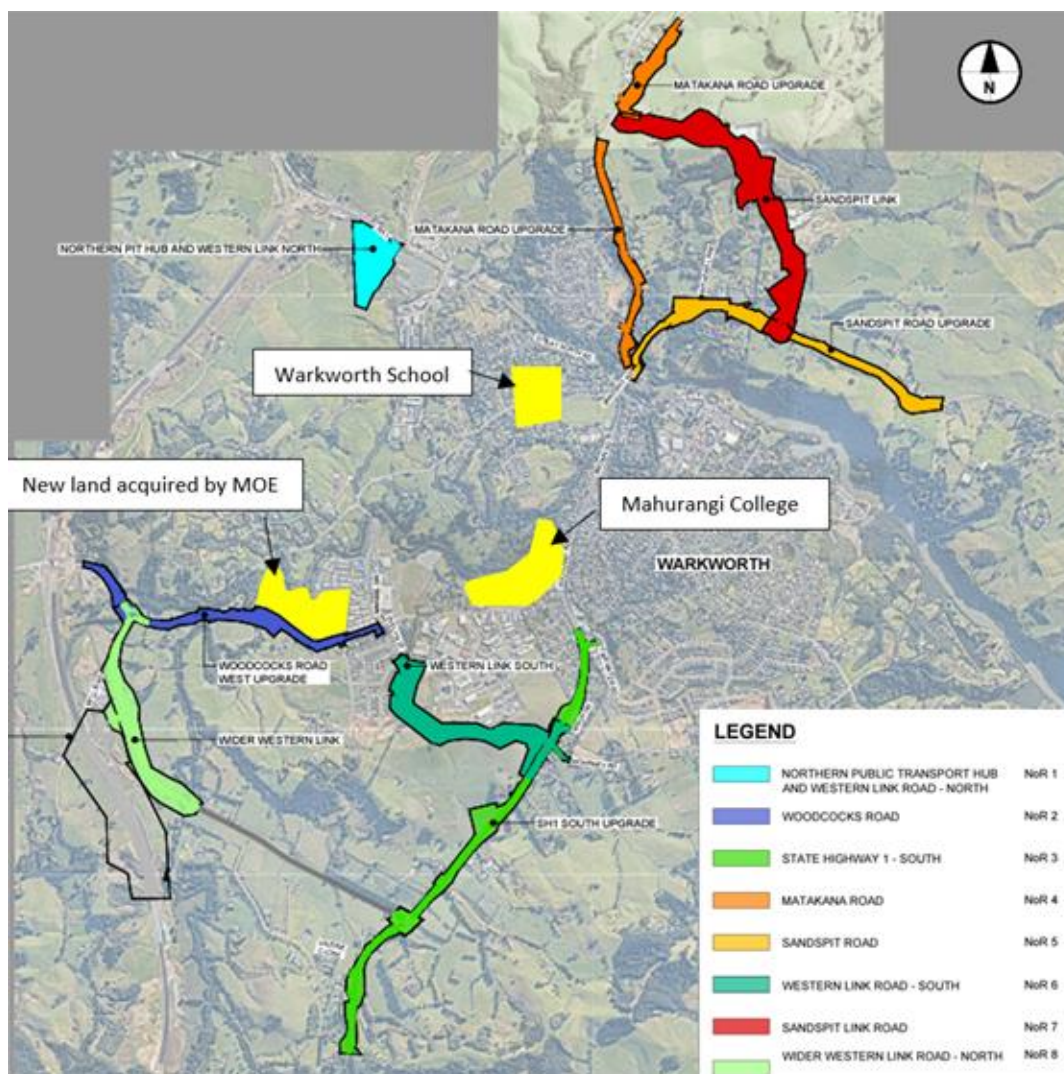


Figure 1: Project Overview - Location of Eight NoRs in relation to the Ministry of Education's School Network

The Ministry broadly supports the Project’s aim to enable better active modes of transportation and support a resilient and integrated transport network. With regard to the Ministry’s property portfolio, Mahurangi College and a site at 100 -138 Woodcocks Road, which the Ministry have acquired for a future primary and secondary school (the Ministry’s site), are within the Project area. Both Mahurangi College and the Ministry’s site have the potential to be affected by the Project.

The Ministry seeks to appropriately address and manage construction-related effects and the on-going potential effects the projects may have on the operation and management of the schools, particularly for NoR 2, NoR 6, and NoR 8. Additionally, there is a designation overlap of NoR 2 with the Ministry’s site (see Figure 2) that the Ministry wish to address. The Ministry is also investigating a possible school site South of Warkworth, and therefore are also submitting on NoR 3, and the potential effects this NoR may have on the provision of safe access to any future school site in this area. The Ministry’s specific concerns are outlined below.

13.1

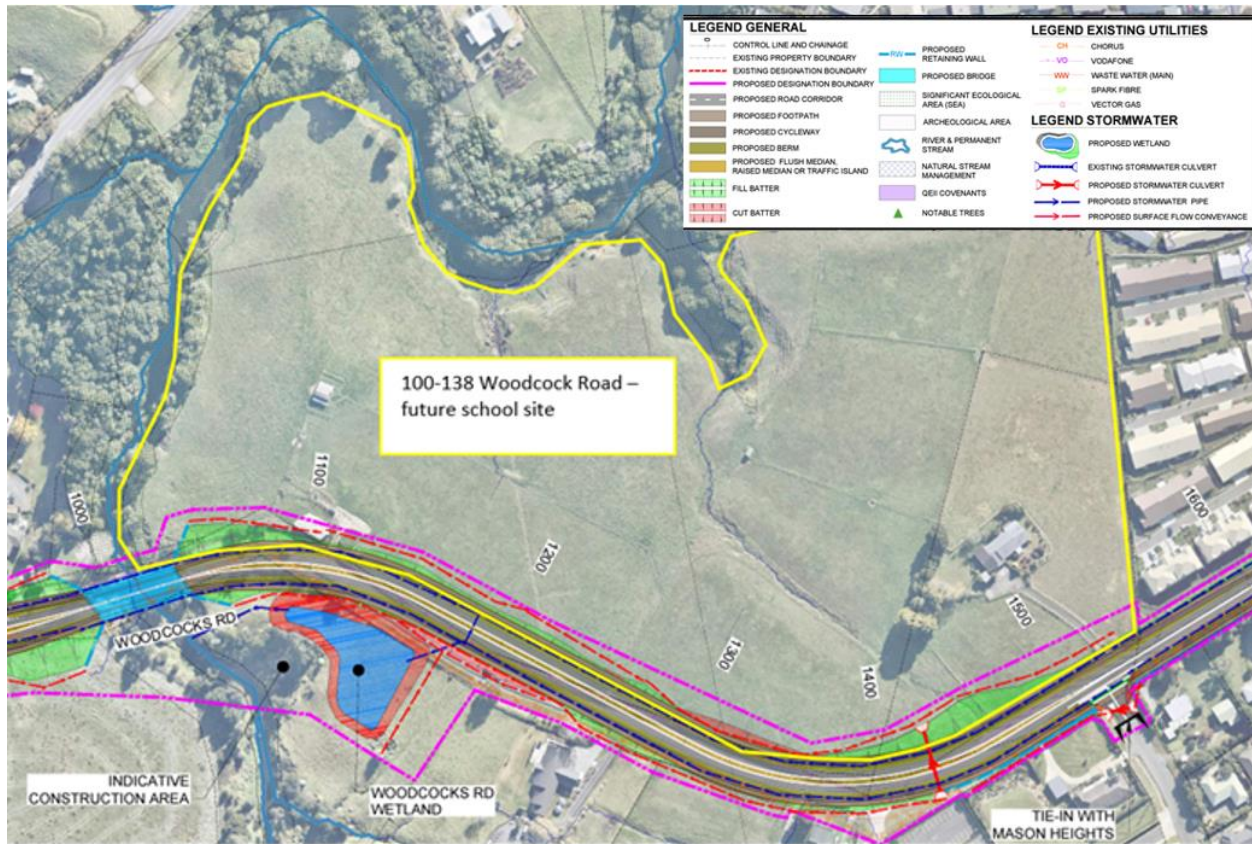


Figure 2: Proposed works in proximity to the Ministry’s site at 100-138 Woodcocks Road (Future school site is outlined in yellow)

Walking and cycling provisions

The Ministry strongly supports the provision of separated walking and cycle facilities that will provide safe access to the current and future wider school network. Encouraging mode shift will provide significant health benefits for students and staff, reducing traffic generation at pick-up and drop-off times. Schools should be well serviced by safe and accessible pedestrian and cycling links as well as public transportation facilities, and it is considered that the proposed upgrades will provide adequate cycling and walking infrastructure to the schools in Warkworth.

13.2

Regarding NoR 2, the Ministry requests the inclusion of a pedestrian crossing outside the Ministry's site once the schools have been established. This will ensure students can safely cross Woodcocks Road. We understand Auckland Transport do not have detailed design plans, but the Ministry seeks reassurance that it will be provided for in the subsequent Project implementation.

Notice of Requirement 2 (NoR 2)

The key features of NoR 2 include road widening (two-lanes and a flush median) and a bi-directional cycleway and pedestrian pathway. An indicative cross section for works on Woodcocks Road is shown in Figure 3.



Figure 3: Woodcocks Road Indicative Cross-Section

The proposed NoR 2 designation boundary overlaps with the Ministry's site (see Figure 2) by up to 20 metres in depth. Overall, Auckland Transport propose to acquire 6,350m² of the Ministry's land. This will mainly consist of the walking and cycling facilities and surface water flow conveyance channels. The Ministry's concerns with NoR 2 are outlined below.

Safe site access on Woodcocks Road

The Ministry considers that further thought should be given to the layout of the NoR 2 prior to project implementation. The current proposed arrangement requires the acquisition of a significant portion of the Ministry's site.

The current proposed road alignment moves north into the Ministry site in order to provide for clear sightlines to the existing and proposed bridge. Further consideration should be given to an alternative arrangement that shifts the alignment of the bridge. A suggested consideration is provided below (Figure 4). This would improve sightlines for the anticipated access points to the school site, and potentially reduce the need to acquire land within the school site. In discussions with Auckland Transport/SGA they indicated the location of the SW pond has not yet been determined and could possibly be located elsewhere in the vicinity.

The Ministry would like to work with Auckland Transport to consider an alternative road layout that would remove this curve and straighten the road. This would improve the overall safety of the road by enhancing sightlines and providing a safer road environment for all road users.



Figure 4: Suggested alternative road layout

Speed Limit

The NoR 2 proposes a 50km/h speed limit from Falls Road in the west to Mansel Drive in the east. As a school will be established in this location, the Ministry considers that the speed should be reconsidered to align with safer speed implementation that is currently being undertaken by Auckland Transport. The Ministry considers that a 30km/h speed should be implemented either with a variable speed limit or a permanent speed limit. Given that Mahurangi College is also located along Woodcocks Road, the variable speed limit should apply from the Falls Road intersection to the intersection of Woodcocks Road and Auckland Road adjacent to Mahurangi College.

Construction noise and vibration

If the future schools are operative before the construction of the proposed works, the schools may be affected by construction noise and vibration. Under proposed condition 16, Auckland Transport is required to develop a Construction Noise and Vibration Management Plan (CNVMP) before construction commences. The Ministry requests that the Ministry and the future schools are engaged with regarding any potential construction noise and vibration impacts. In addition, the Ministry requests that any construction activities that will significantly exceed the permitted noise and/or vibration levels are undertaken outside of exam periods to minimise disruptions to students' learning.

13.3

Access to the future schools the Ministry's site

The Project has allowed space for a flush median down the centre of Woodcocks Road as part of the proposed works (see Figure 3). The Ministry supports the inclusion of a standard, flat flush median outside the Ministry's site to enable appropriate queuing space for cars entering the school grounds. For the avoidance of doubt, the Ministry does not support any solid median that prevents flexibility in manoeuvring to and from the Ministry's site.

Overall, the Ministry wishes to work with Auckland Transport on the detailed design to suitably integrate works with school access. The Ministry notes visibility constraints due to horizontal bends and vertical gradients on Woodcocks Road (particularly at the eastern end of the school), which create complications in designing a safe access point to the future schools. The bridge appears to be a fixed point which determines the future road layout and the Ministry requests that Auckland Transport collaborate with the Ministry during the various design phases of the road to ensure the bridge and approach road to the west of the Ministry site incorporates existing or proposed entrances, and ensures safe and adequate access to our site.

Designation boundary overlap

The Ministry supports the proposed condition 3, which requires the Requiring Authority to review the physical extent of the designation and pull it back after construction.

When the Ministry develops the site, it will undertake earthworks to prepare the site for development. The development of the school site may result in earthworks by Auckland Transport not being required. The earthworks undertaken by the Ministry will change the gradient and interface on the school site with the road, and the existing levels that inform the extent of the NoR and the estimated earthworks may no longer apply. The Ministry requests recognition in the condition that earthworks on the school site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks, then the NoR boundaries can be revised.

The Ministry requests that if the Ministry finish the earthworks required by Auckland Transport, Auckland Transport roll back the designation earlier. The relief sought is outlined below.

NoR3

In NoR 3, a roundabout is proposed along the urban arterial. The Ministry is investigating a possible school site to serve this future urban area. The school may be located on either side of the urban arterial, but the likely catchment will be all of this new urban area, with students required to cross this arterial to access the school sites by active modes. The school site may be some distance from the arterial so may not be able to support safe crossing by kea or other supervision.

The Ministry supports signalised intersections over roundabouts to connect these urban areas across the arterial, as this provides a safer environment for students to access the school. Signalised intersections can better manage the safe movement (active modes) of people and vehicles. These deliver on and align with government policy to support well-functioning urban environments as well as thriving communities.

All NoRs

Construction traffic effects

Mahurangi College is located at the corner of Woodcocks Road and Auckland Road. The College will potentially be affected by an increased volume of heavy vehicles using Woodcocks Road to access the construction area of NoR2, NoR3, NoR6 and NoR8. This is a traffic safety concern for students walking and cycling to school at peak pick-up and drop-off times.

Proposed condition 15 requires the preparation of a Construction Traffic Management Plan (CTMP) prior to the start of construction. The Ministry supports the inclusion of this condition but requests minor alterations to the condition to include details on how all heavy construction vehicles will avoid schools (and any new schools established before construction commences) during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school. The Ministry also request that truck drivers are briefed on maintaining safe speeds around schools.

13.4

Stakeholder engagement

The Ministry supports the establishment of a Stakeholder Communication and Engagement Management Plan (SCEMP) as a proposed condition. The Ministry considers that the Ministry, Mahurangi College, and future schools are all key stakeholders in this Project and specific engagement with all parties is required to manage construction effects on the schools.

13.5

Decision sought

The Ministry is neutral on NoR 2, NoR 3, NoR 6 and NoR 8, however if the consent authority is minded to confirm the Notice of Requirement, the Ministry requests the following relief and any consequential amendments required to give effect to the matters raised in this submission.

The Ministry requests further engagement with Auckland Transport over the alignment of the road, to work together to determine if another layout may better provide for the use of the Ministry site, while still achieving the intended outcomes of the Project.

Conditions

The Ministry seeks the following relief for the condition below on NoR 2, NoR 3, NoR 6 and NoR 8 additions are underlined:

13.1 -
13.5

1. The Ministry seeks the following relief for the proposed SCEMP condition (condition 12):
 - (a) A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:
 - i. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);
 - ii. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;
 - iii. methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;
 - iv. methods for engaging with the Ministry of Education (MoE), Mahurangi College and the future schools located at 100-138 Woodcocks Road . The MoE and Schools must be contacted ten working days prior to the start of any construction within 100 metres of the school boundary. Contact details of the construction manager must be shared with MoE Mahurangi College and and the future schools located at 100-138 Woodcocks Road (should the school have any safety concerns during construction).
 - v. a list of stakeholders, organisations (such as community facilities) and businesses and persons who will be engaged and communicated with;
 - vi. Identification of the properties whose owners will be engaged with;
 - vii. methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and surrounding businesses and residential communities;
 - (b) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.
 - (c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.



2. The Ministry seeks the following relief for the proposed CTMP condition (condition 15):

13.1-13.5

- (a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work
- (b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:...
 - i. methods to manage the effects of temporary traffic management activities on traffic;
 - ii. measures to ensure the safety of all transport users;
 - iii. the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;
 - iv. How heavy vehicles will avoid travelling past the schools listed in the table below during peak before-school and after-school travel times during term time. Engagement should be undertaken with the schools prior to construction to confirm the restricted times still reflect the school's peak before-school and after-school travel times. It is noted that new schools could establish around the project area before construction commences. Any new school on an identified construction route must be engaged with and added to the table below. Heavy vehicle movements must avoid these new schools at their peak before-school and after-school travel times.

| <u>School</u> | <u>Address</u> | <u>Roads vehicles are restricted from</u> | <u>Timeframe restrictions</u> |
|---|------------------------------------|---|--|
| <u>Mahurangi College</u> | <u>2 Woodcocks Road, Warkworth</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>8.15am – 9am and 3pm – 3.30pm.</u> |
| <u>Future Schools located at 100-138 Woodcocks Road</u> | <u>100-138 Woodcocks Road</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>If the School is operational Auckland Transport must undertake engagement with the School to determine an appropriate time restriction.</u> |



- v. Details of how truck drivers will be briefed on the importance of slowing down and adhering to established speed limits when driving past both schools, and to look out for school children and reversing vehicles at all times.
- vi. Details of consultation (including outcomes agreed) with the applicant, Mahurangi College and the future School located at 100-138 Woodcocks Road with regard to maintaining the safety of school students during construction. Details of all safety measures and interventions will be documented in the Construction Traffic Management Plan.

...

The Ministry request the following changes to NoR 2 only:

- 3. The Outline Plan shall include a pedestrian crossing outside the Ministry’s future school site at 100 - 138 Woodcocks Road as part of the Project implementation if the designation of this site has been given effect to.

- 4. The Ministry seeks the following relief for the proposed CNVMP condition:

- (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.
- (b) A CNVMP shall be implemented during the Stage of Work to which it relates.
- (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 16 and 17 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 ‘Acoustics – Construction Noise’ (NZS6803:1999) and shall as a minimum, address the following:

- i. Description of the works and anticipated equipment/processes;

...

- xiv. If noise is to significantly exceed the permitted noise levels outside the school(s) located on 100-138 Woodcocks Road, engagement must be undertaken with them to determine appropriate mitigation message and ensure all noise activities are undertaken outside of exam and important class schedules.

- 5. The Ministry seeks the following relief for the proposed designation review condition (condition 3):

13.1-13.5

- (a) The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable following Completion of Construction the Requiring Authority shall:



- i. review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project (including where physical works of approved roading infrastructure have been undertaken by other parties); and
- ii. give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above .

Should you wish to discuss any aspect of this feedback, please do not hesitate to contact the undersigned.

The Ministry wishes to be heard in support of its feedback.

Gemma Hayes

Ministry of Education

Date: 7 July 2023

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:858] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 7:00:34 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name:

Full name of your agent: Equal Justice Project

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 6) Warkworth : Western Link - South

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

14.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:866] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:30:38 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison
Organisation name:
Full name of your agent: Grant Hewison
Email address: grant@granthewison.co.nz
Contact phone number:
Postal address:
PO Box 47188
Auckland
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 6) Warkworth : Western Link - South
The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

15.1

I or we seek the following recommendation or decision from Auckland Council:
Grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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NOR 7 – ANNOTATED SUBMISSIONS

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:819] Notice of Requirement online submission - Derek SMITH
Date: Wednesday, 14 June 2023 9:45:34 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Derek SMITH
Organisation name:
Full name of your agent:
Email address: assetprotect@libello.com
Contact phone number:
Postal address:
Jackson Crescent
Martins Bay
Mahurangi East
0982

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 7) Warkworth : Sandspit Link

The specific provisions that my submission relates to are:
The positioning of the proposed Sandspit Link Road. I prefer option 5 with the exit onto Sandspit Road being far more easterly than option 4 (your preferred option) where the exit onto Sandspit Road is nearer to Warkworth.

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:
The positioning of the proposed Sandspit Link Road. As mentioned above I prefer option 5 with the exit onto Sandspit Road being far more easterly than option 4 (your preferred option) where the exit onto Sandspit Road is nearer to Warkworth. The reason that I prefer this is that it will be far quicker for people from Sandspit, Scotts Landing, Snells Beach, Algies & Martin's Bays to get onto the motorway then having to go almost all the way into Warkworth (a big dog leg) and then get stuck into the commuter traffic going into the Hill Street intersection.

1.1

I or we seek the following recommendation or decision from Auckland Council:
That for the Sandspit link road that option 5 rather than option 4 is chosen.

1.1

Submission date: 14 June 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:822] Notice of Requirement online submission - John William Bryham
Date: Tuesday, 20 June 2023 1:30:46 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: John William Bryham

Organisation name:

Full name of your agent: John William Bryham

Email address: johnbandshirl@gmail.com

Contact phone number: 0276364823

Postal address:
131 Sandspit Rd
RD2
Auckland
Auckland 0982

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 7) Warkworth : Sandspit Link

The specific provisions that my submission relates to are:
The road across our property, 131 Sandspit Rd.

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

Ever since our first[non] contact with Supporting Growth [SG] when we found out almost by accident that a line had been drawn across our property indicating a future road, despite not being contacted at all, I was pretty sure that this is not the way things happen in NZ, after all this is not China, where the State can just ride roughshod over the General Populace, we as a collective neighbourhood affected scheduled a meeting in Central Auckland with SG and found out that this is indeed how they operate! That meeting was on the 19th of September 2018, and we met about six of their people. We tabled an alternative route at that meeting, which seemed to be well received, and we all left that meeting with the understanding that they would not pursue the original alignment over our properties. Fast forward five years and with absolutely no contact in the intervening years and it appears they are stuck on the original alignment, save for moving it a little East to avoid some covenanted bush, which we had to point out to them at that meeting. Interestingly, at that meeting, when they brought up their map on the screen, it didn't even show the bush, never mind the fact that it was covenanted! I have some very pertinent questions regarding the process to establish the "best route". Firstly, how can you propose to cross Rodney McDonald's blocks without geologically assessing the underlying soil? Nobody in their right mind would consider putting a road over this land considering it is some of the most slip-prone land in the area. This would also prove to be a huge risk factor to siting the silt-retention dam in the proposed site, as it was considered too unstable for Rodney to build a house there. Secondly, just a little further East is the old worked-out section of the Limeworks land ie; "waste land" . If this land was utilised then the road could be built up from bedrock limestone to engineering standards that would give 100% confidence of stability to handle any foreseeable events, floods etc. Also there are established silt retention ponds nearby that may be able to be made use of. Thirdly, I am sure that Rodney Lime Co-Op would be very amenable to selling some of their worked-out ground to you for this road, at a far cheaper price than your having to pay to cross five prime blocks on your proposed route and absolutely smashing the

2.1

2.1

2.2

lives of so many people to bits for the next thirty years. Our proposal is to continue straight ahead at the end of the Limeworks road up to the top corner of Rodney's third block and there veer left almost in a straight line to the new roundabout on Matakana Rd. This would appear to be a far more stable route at a far lower cost, with the added advantage of silt retention ponds already established. When one considers that SG's sole "Raison D'etre is to sort out the "best route" one would have to say that they have failed massively. Given the stark, almost black and white choices, "should we traverse the old mine site at minimal cost and solid foundations, or traverse five prime blocks of residential land with very unstable land, and just smash these peoples lives to bits for the next thirty years?" I would have thought that the answer would have been self-evident! The land that they want to site the silt-retention dam on could be a catastrophic failure given it is not far above the Warkworth Basin, which has just had millions of dollars spent dredging muck out of it, and the last thing needed is to fill it up with more! The other thing we have issue with is the timeline of this project. At any time of the day on any day of the week there can be queues up Sandspit Rd, past our driveway about 1 km from the intersection. This used to be only on busy weekends, so this must point to the fact that this road is needed now, not in ten to thirty years time! When we met with Michelle Seymour and Phillipa White from SG at the Warkworth Town Hall on the 16th of March 2023 they said that the "improvements" for the Hill St intersection were going to happen before this road and that funding had been approved. I suggested that they take that funding and apply it to this project and that will almost negate the need for the Hill St upgrade in the short term. Speaking of which, the only effective upgrade for that intersection is an overpass. Given that SG cannot even find the minutes of the meeting we had with them on the 19th Sept. 2018 nor the alternative alignment plan that we proposed, one would have to say that their "level of engagement" is virtually zero. We believe their "meetings" are solely "box ticking" exercises, with no heed paid whatsoever. In fact the choice is just so stark, that one wonders who these people are who are hiding behind a wall of anonymity and coming out with these weird alignments instead of the obvious best? The other part is that we cannot even challenge their reasoning or evidence, as they don't put anything forward, just come out with pronouncements. We believe that it should not be possible for SG to act in such a cavalier fashion as they do without even soil-testing the proposed route which would immediately tell them that this is not the optimum route. No matter what we put forward in the "Consultation" round it seems to be consigned to File 13, ie the rubbish bin as evidenced by the fact that they cannot find the Minutes or the alternative Plan we put forward at our 2018 meeting. This whole process is hugely one-sided, as we don't see who we are opposing, their arguments or evidence, as the people we have met with are not the ones making the decisions, apparently. The other thing we have issue with is the very tight time for us to gather evidence and present our submission, given they have not contacted us at all for five years, and have a 10-30year time line on this project.

2.2

2.4

2.1

2.1

2.4

I or we seek the following recommendation or decision from Auckland Council:
To remove the NoR from our properties.

Submission date: 20 June 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:840] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 8:16:47 pm
Attachments: [NOR 7 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi Business Association and Warkworth Area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number:
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 7) Warkworth : Sandspit Link
The specific provisions that my submission relates to are:
All of Warkworth
Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.
The reason for my or our views are:
Would have liked better assessment of outer route
I or we seek the following recommendation or decision from Auckland Council:
Not yet
Submission date: 6 July 2023
Supporting documents
NOR 7 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR- 7 – Sandspit Link

General NOR Issues

This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 3.2
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 3.3
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 3.4
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 3.5
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 3.6
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 3.7

NOR- 7 – Sandspit Link Specific Issues

9. The options considered did not include the option proposed by the community outside the quarry. That option affected fewer land owners and has less environmental impacts. All alternatives should be considered. 3.1

10. The option shown cuts across the quarry through an area of waste disposal. The stability of the ground in this location may not have been considered.

3.1

11.



From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:851] Notice of Requirement online submission - Rodney Macdonald
Date: Friday, 7 July 2023 3:15:53 pm
Attachments: [Notices of requirement to designate land for 97 Sandspit Rd - Jul23 - compressed.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rodney Macdonald

Organisation name: Sol Solis Trust

Full name of your agent:

Email address: rodneymac006@gmail.com

Contact phone number: 021701652

Postal address:
97 Sandspit Road
Warkworth
Auckland 0982

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 7) Warkworth : Sandspit Link

The specific provisions that my submission relates to are:
Property 1 - 95 Sandspit Road Warkworth 0982, Property 2- 97 Sandspit Road 0982, Property 3 - 97A Sandspit Road 0982

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:
that Option 4 should be chosen over Option 5, both so that our 3 year old house is not demolished, and also because Option 4 yields a better result for local infrastructure, community and ecology. A more detailed rationale is attached and entitled "Notices of requirement to designate land for 97 Sandspit Rd - Jul23 - final"

4.1

I or we seek the following recommendation or decision from Auckland Council:
I seek a more thorough reassessment of option 4 and 5, as option 4 has merits that requires further assessment, and and option 5, selected by Supporting Growth, appears to have overlooked key elements including the impact of the loss of residents dwellings in assessment discussions.

4.1

Submission date: 7 July 2023

Supporting documents
Notices of requirement to designate land for 97 Sandspit Rd - Jul23 - compressed.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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Notices of requirement to designate land (NOR – 8 – Sandspit Road Link). 7 July 2023
Notice of requirement online submission

Landowner – Rodney Macdonald, for Sol Solis Trust for 3 properties:

- Property 1 - 95 Sandspit Road Warkworth 0982,
- Property 2- 97 Sandspit Road 0982,
- Property 3 - 97A Sandspit Road 0982

I or we oppose the Notice of Requirement.

The reason for my or our views are:

1. The affected landowners consulted with Auckland Transport over 5 years ago, and identified that the best outcome for the Route is to go around the north of the quarry (originally Option 1 and then Refined **Option 4**).

Figure 5-37: Overview of Sandspit Link refined options

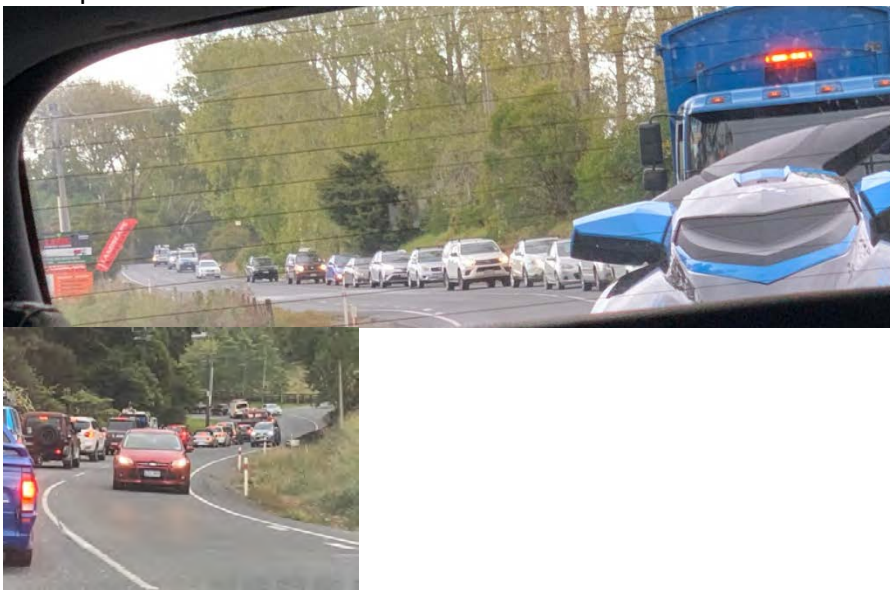


4.1

2. Option 4 best removes the severe congestion likely to arise (and already exists at the connection to Sandspit Road).

4.1

Photos below show the regular pre-existing traffic congestion at the proposed Sandspit Road Connection Point. .



It is of concern that the road to Snells Beach, Algies Bay and Martins Bay will end up a bottleneck area like the current Whangaparaoa Connection with Silverdale. 4.1

In assessing option 5 the red box in the table below notes that it increases connectivity to NE Warkworth and the Mahurangi Peninsula. This assessment does not appear logical when compared to Option 4, as the **pictures above** show the intersection is already regularly congested, adding a further connector will only increase traffic. **Have Supporting Growth considered cutting off the western end of Sandspit Road all the way back to Hamilton Road (or where option 4 connects to Sandspit Rd) to all but local traffic (thus eliminating the need for an expensive upgrade to Sandspit Rd per NOR5) and directing all Mahurangi Peninsula traffic to the Matakana Link Road and thus take most of the pressure off Hill Street Intersection?** 4.1

Table 5-42. Assessment outcome for preferred option

| Option | Assessment Outcome |
|-----------------------|---|
| 5 Refined Option 3 | <ul style="list-style-type: none"> • Option minimises impacts on the identified vegetation area and open space - conservation zone • Provides for ability to integrate with local network and future land use connections • Option will result in the smallest amount of catchment fragmentation and the smallest extent of wetland and stream impacts <li style="border: 1px solid red;">• Option increases connectivity between north-east Warkworth and the Mahurangi peninsula. |

In considering option 4, most of the land inside the ring road is already countryside living / large lot residential, or future urban, and rural land is low quality, so development in this area should not be of concern. 4.1

3. **Have Supporting Growth yet obtained a Statutory Valuation of the market value of Option 4 and Option 5?** This is a significant element in determining the relative purchase costs of the proposed routes, and is important information that shouldn't be withheld from landowners if the valuation is completed. **If Statutory Valuation is not yet complete, when will this be completed as this is essential information in considering alternatives, and when will it be made available to landowners?** 4.2

4. In discussions with neighbours, Option 4 is strongly preferred (which avoids the loss of 4 or 5 residential properties (3 of the worst affected belonging to our family trust). and this would be supported by the vast majority of residents. I understand that even the golf course would be amenable to the route, as it provides a chance to remodel and update. 4.3

5. **With Supporting Growth selecting Option 5 as the preferred route (based on the criteria identified in 5.8.3 Route: Option development), where does the loss of residential dwellings receive consideration in the publicly available information? Assuming it falls under the Social Cohesion criteria, where is the impact on local residents and property directly addressed, and particularly private dwellings affected?** The options make no mention of the loss of homes (our family alone stands to lose our house and potentially my parents house also which will have a 4.3

large stormwater collection pond over 75% of their property, and could put the stability of their house at risk due to poor ground stability). There are various mentions of the local golf course which is uninhabited. **Has Supporting Growth specifically documented the impact on residents losing their homes?**

4.3

6. Based on the current preferred option 5, **our home and place of identity for our parents, us, and our children and grandchildren, essentially our turangawaewae, (pictured below) will be demolished as it is in the middle of the proposed road.** It is 3 years old, and used for regularly community events including pony club meetings, children and youth events and large family gatherings. **Were Supporting Growth aware that the proposed road goes directly through the middle of our home, and gathering place in our community in selecting route 5?**

4.3



7. The route through our house shows clear examples of land slippage – see red box below. **Has Supporting Growth assessed the engineering risks of route 5 compared to route 4?**



4.4

- 8. If route 5 goes ahead, my 85 year old parent's will have their house directly above a large stormwater collection pond that will place massive load on unstable soils directly below their house.

4.4



In considering route 5 are Supporting Growth aware that the land where the stormwater is proposed is already unstable, and has been subject to slippages, erosion and springs underground that could impact the integrity of the dam with the weight of the large volume of water?

4.4



9. Returning to the criteria identified in 5.8.3 Route: Option Development, the Project Team identified the following known key features mapped in Figure 5-35 below.



In considering key features, why is there no discussion of residential dwellings to be demolished? 4.3

Why does an uninhabited golf course warrant discussion as a key feature?

Operational Quarry is also noted, but there appears to be no discussion that it is near the end of life, most of the land is unused despite being informed of this in September 2018, as per Supporting Growth’s own meeting minutes below:



Minutes of Meeting

Subject: Meeting with Sandspit Road residents
Date: Wednesday 19th September **Time:** 1pm – 2pm
Location: Supporting Growth Alliance, 8 Nelson Street
Participants: Sarah MacCormick, Michelle, Ida Dowling, Georgia Cottrell, John Bryham (131 Sandspit Road), Rodney McDonald (95 Sandspit Road), Jeffrey and Alison Lindsay (93 Sandspit Road)

| No. | Action | Date |
|-----|---|---|
| 1 | Run through of Supporting Growth Programme. 2016 Transport for Future Urban Growth Programme Business Case. John, Rodney and Jeffrey concerned that current Alignment goes through properties and protected bush. <u>Rodney run through of their option for Sandspit Link Road.</u> Noted section of quarry has dug as much as they can – has started to be filled in – land of no value to them. | Team to investigate option. Sarah to circulate to Ryan (re. protection of bush) for input into Structure |

- a) Permanent streams and flood plains **What actual work has been done to identify that the quarry is flood prone to support the label in the legend?** 4.5

- b) Hill slope seep, valley head seeps and natural wetlands present. **As noted above are Supporting Growth aware that the proposed route over our land is extremely unstable and the neighbouring quarry had to undertake major works including removing 40 mature pine trees to stop major slippages on our land?** 4.4
 Contrastingly, the quarry land however has solid limestone base under their overburden. **Has Supporting Growth published this analysis?**

- c) The project team noted surface ponding and a wish to avoid fragmenting potential bird corridors between nearby ponds. **Given the limestone is alkaline, have birds actually been observed in the quarry area marked as flood prone?** 4.5

- d) Warkworth golf course in the north of the study area. **Why is the golf course is mentioned in the key assessment criteria multiple times while permanent residents who stand to lose houses not identified by Supporting Growth’s key assessment criteria – this appears to be a significant and concerning oversight?** 4.3

- g) Operational quarry in the northern growth area. **On what basis is there higher construction and environmental risk associated with the quarry (but no observable risks identified), when the greenfields option on our property has clear observable landslides according to Supporting Growth’s notes in the table below?** 4.6

Table 5-40. Assessment outcomes for the discounted option

| Option | Assessment outcome |
|--------------------|--|
| 2 IBC alignment | <ul style="list-style-type: none"> • The alignment is longer compared to Option 3, resulting in the requirement for greater earthworks • The option will largely be constructed on greenfields however there are some landslide features observed around slopes and streams <li style="border: 1px solid red; padding: 2px;">• There is a higher construction and environmental risk associated to an alignment going through a quarry. |

10. In analysing the various route options there appears to be significant discrepancies. The first route (**Option 1**) was discarded based on the orange panels below, but route 4 below (which is clearly is closest to option 1) is reinstated for comparison. **Why would the discarded option 1 be reinstated?**

Figure 5-36: Overview of options for Sandspit Link

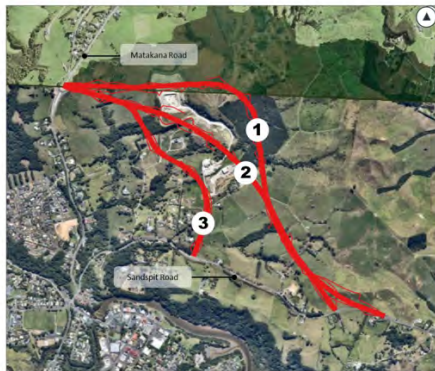


Table 5-38: Sandspit Link MCA Summary

| MCA Criteria | Option 1 | Option 2 | Option 3 |
|----------------------------|----------|----------|----------|
| I.O.1 – Access | Green | Green | Green |
| I.O.2 – Integration | Green | Green | Green |
| I.O.3 – Travel Choice | Green | Green | Green |
| I.O.4 – Resilience | Green | Green | Green |
| Heritage | Yellow | Yellow | Yellow |
| Land use | Orange | Orange | Orange |
| Urban Design | Orange | Orange | Orange |
| Land Requirement | Orange | Orange | Orange |
| Social Cohesion | Orange | Orange | Orange |
| Human health and wellbeing | Orange | Orange | Orange |
| Landscape / Visual | Orange | Orange | Orange |
| Stormwater | Orange | Orange | Orange |
| Ecology | Red | Red | Red |
| Natural Hazards | Orange | Orange | Orange |
| Construction impacts | Orange | Orange | Orange |
| Construction disruption | Orange | Orange | Orange |
| Construction cost / risk | Orange | Orange | Orange |

Figure 5-37: Overview of Sandspit Link refined options



Table 5-41: MCA Workshop 2 Summary

| MCA Criteria | Option 4 | Option 5 |
|----------------------------|----------|----------|
| I.O.1 – Access | Green | Green |
| I.O.2 – Integration | Green | Green |
| I.O.3 – Travel Choice | Green | Green |
| I.O.4 – Resilience | Green | Green |
| Heritage | Yellow | Yellow |
| Land use | Orange | Orange |
| Urban Design | Orange | Orange |
| Land Requirement | Orange | Orange |
| Social Cohesion | Orange | Orange |
| Human health and wellbeing | Orange | Orange |
| Landscape / Visual | Orange | Orange |
| Stormwater | Orange | Orange |
| Ecology | Red | Red |
| Natural Hazards | Orange | Orange |
| Construction impacts | Orange | Orange |
| Construction disruption | Orange | Orange |
| Construction cost / risk | Orange | Orange |

In conclusion, Option 4 is a far superior outcome to option 5 from both from the perspective of the residents but also from an infrastructure and community perspective. It avoids the loss / impairment of 4 or 5 residential properties (3 of the worst affected belonging to our family trust). and would be supported by the vast majority of residents. I understand that the golf course would be amenable to option 4, as it provides a chance to remodel and update.

4.3

As landowners and local community, we accept that the decision and evaluation process is difficult. The landowners who met with Supporting Growth over 5 years ago, and engaged in constructive dialogue, have been surprised and disappointed at the lack of meaningful engagement since. Nevertheless, we would like to extend our offer to help provide local perspective to deliver better outcomes for our community and explore constructive alternatives to preserve our turangawaewae for future generations.

4.1



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR7 Sandspit Link that is subject to notification
Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: Northland Waste Limited (“Northland Waste Ltd”)

1. Northland Waste Ltd makes this submission on NOR7 Sandspit Link (“NOR7”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Northland Waste Ltd could not gain advantage in trade competition through this submission.
3. Northland Waste Ltd wishes to be heard in support of their submission.
4. If any other submitters make a similar submission, Northland Waste Ltd will consider presenting a joint case with them at the hearing.

OVERVIEW OF 163 & 183 Sandspit Road

5. Northland Waste Ltd has an interest in the following land holdings:
 - a. 163 Sandspit Road (Lot 1 DP 513584) which comprises some 1.057ha and is currently a vacant site.
 - b. 183 Sandspit Road (Lot 1 DP 122100) which comprises some 3.6422 hectares and contains the Warkworth Recovery Re:Sort as well as a household unit and a minor household unit. It is noted that all other transfer stations that serviced Warkworth have now been closed and as the Warkworth Transfer Station provides a critical service to the Warkworth community, and wider towns and communities such as Matakana and Snells Beach.

5.1

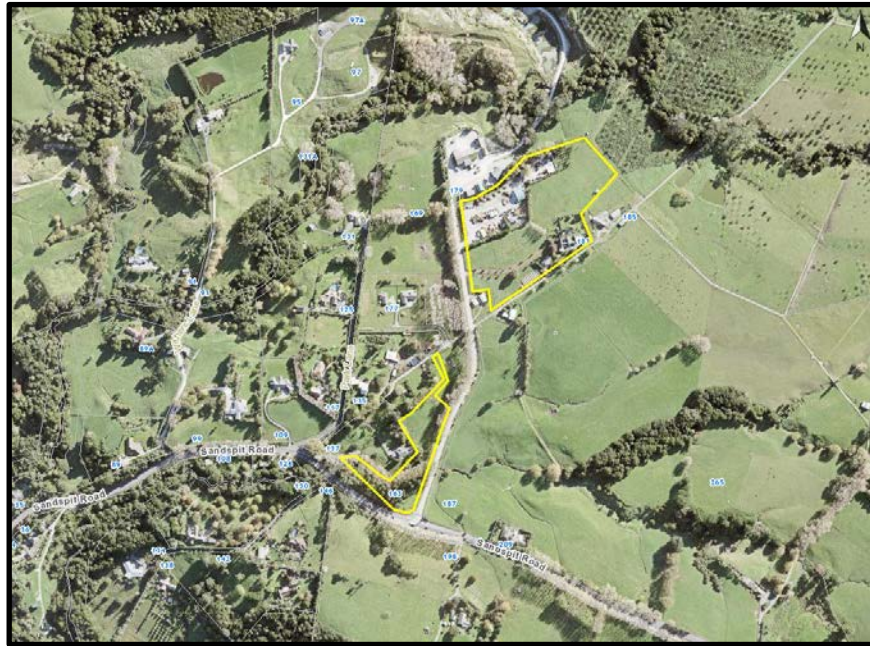


Figure 1 – Aerial Image of 163 & 183 Sandspit Road, Warkworth (source: Auckland Council GeoMaps, 29 June 2023)

6. Both 163 and 183 Sandspit Road are zoned as Future Urban under the Auckland Unitary Plan – Operative in Part. Northland Waste hold a resource consent for the activities, namely a Transfer Station, undertaken on the site at 183 Sandspit Road.



Figure 2 – AUP-OP Planning Maps (source: Auckland Council GeoMaps AUPOP, 29 June 2023)

SCOPE OF SUBMISSION

7. This submission relates to NOR7 as a whole
8. Northland Waste Ltd has an interest in NOR7 that is greater than the interest of the general public because it has an interest in land which is directly affected by the NOR7.

9. Northland Waste Ltd opposes NOR5 in that insufficient information has been provided to demonstrate that effects of the project in its current form are appropriate and also that a full assessment of alternatives for all aspects of the project have been undertaken and whether the project objectives are met by what is proposed as part of NOR7.

5.1

EFFECTS ASSESSMENT

10. This submission relates to NOR7 as a whole.

163 Sandspit Road

11. The designation shows a small slither of 163 Sandspit Road being outside the proposed designation – this slither of land is subject to a consent notice which protects the vegetation in this area. In previous communications with Supporting Growth, we had been advised that 163 Sandspit Road was going to be subject to full acquisition – see attached communications within Attachment 1. See snip from Property Boundaries and Schedules plan in Figure 3 below:

5.2

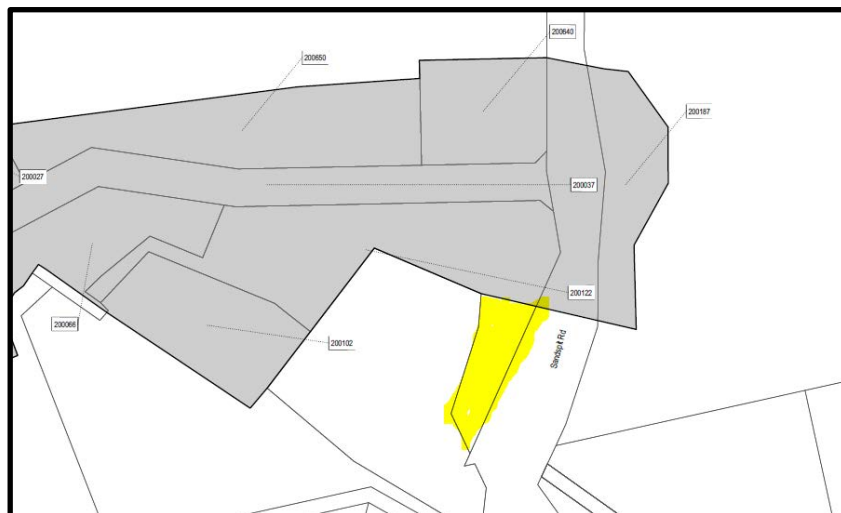


Figure 3: Extent of 163 Sandspit Road subject to designation identified in grey with strip of remaining land identified in yellow

12. This slither of land should form part of the acquisition thus resulting in a full acquisition of this property. This land does not have appropriate access and is at significant risk of natural hazards noting that the entire area is identified on the Auckland Council GeoMaps as being subject to a flood plain and flood prone area – see Figure 4 below. This is a requirement under s106 of the Resource Management Act and while this applies to subdivisions it is considered relevant for the creation of new titles as a result of land acquisition under the Public Works Act. Further, this entire area of land is subject to a Consent Notice which protects the area of natural landscape trees and vegetation – a copy of this consent notice is included within Attachment 2 but also see Figure 5 below.

5.2



Figure 4 – Flood Plain and Flood Prone Areas as identified on Auckland Council GeoMaps (accessed 5 July 2023).

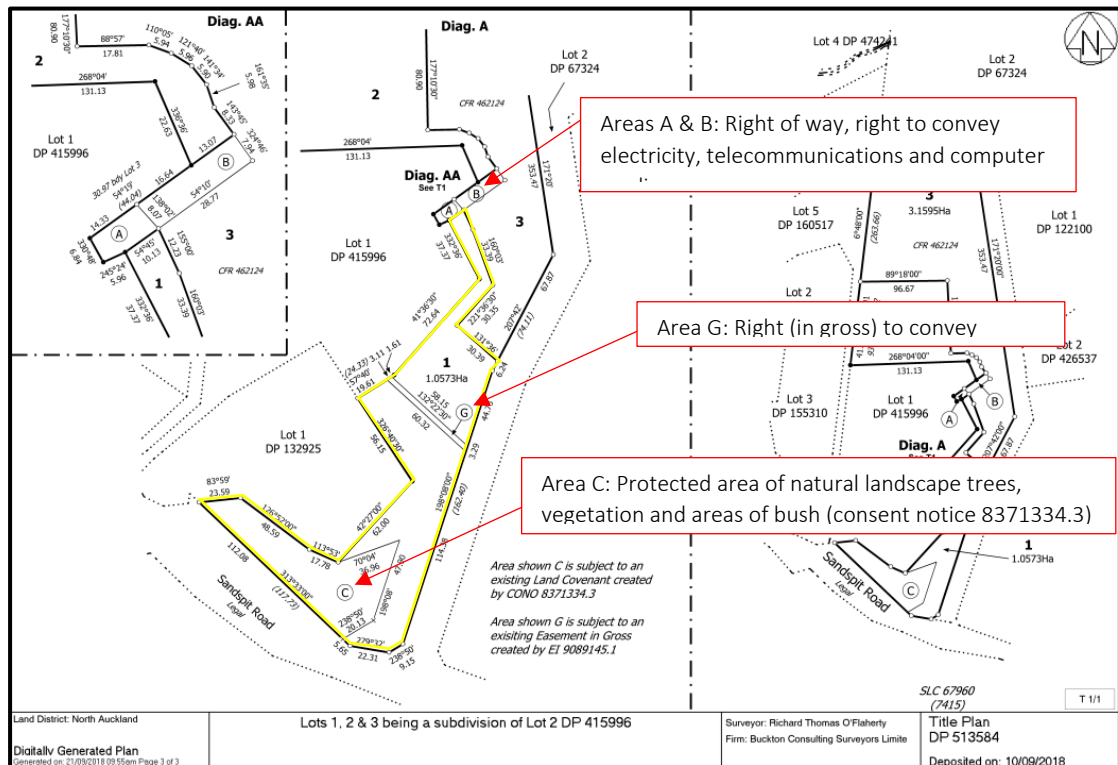


Figure 5 – Annotated title plan for 163 Sandspit Road showing location and easements

13. A lapse period of 25 years is sought by NOR7. The land is currently vacant and the majority of the site is subject to NOR7 thus leaving little ability for the land to be developed for any purpose. This therefore leaves the landowner in a position where there is no point developing the land for any other use than a temporary use; hence the landowner is out of pocket as they need to pay land holding costs without being able to develop the land to be useable or generate an income. Given this situation there should be a requirement for the early and full acquisition of the land by Auckland Transport. It is not acceptable to place blight on the land for up to 25 years and for the landowner to have to wear the cost of holding the land in the meantime.

5.3

14. Auckland Council released the Warkworth Structure Plan in 2019 which sets out a pattern of land uses and the supporting infrastructure network for the Future Urban zoned land around Warkworth. The structure plan identifies 163 Sandspit Road as being zoned Residential - Single House in future as shown in Figure 3 below. The sides of the open watercourse running through the site is identified as a future esplanade reserve (20m) on subdivision. A future greenway route is identified as running alongside the esplanade reserve. Any acquisition of the property will need to be based on the future development potential of the land.

5.4

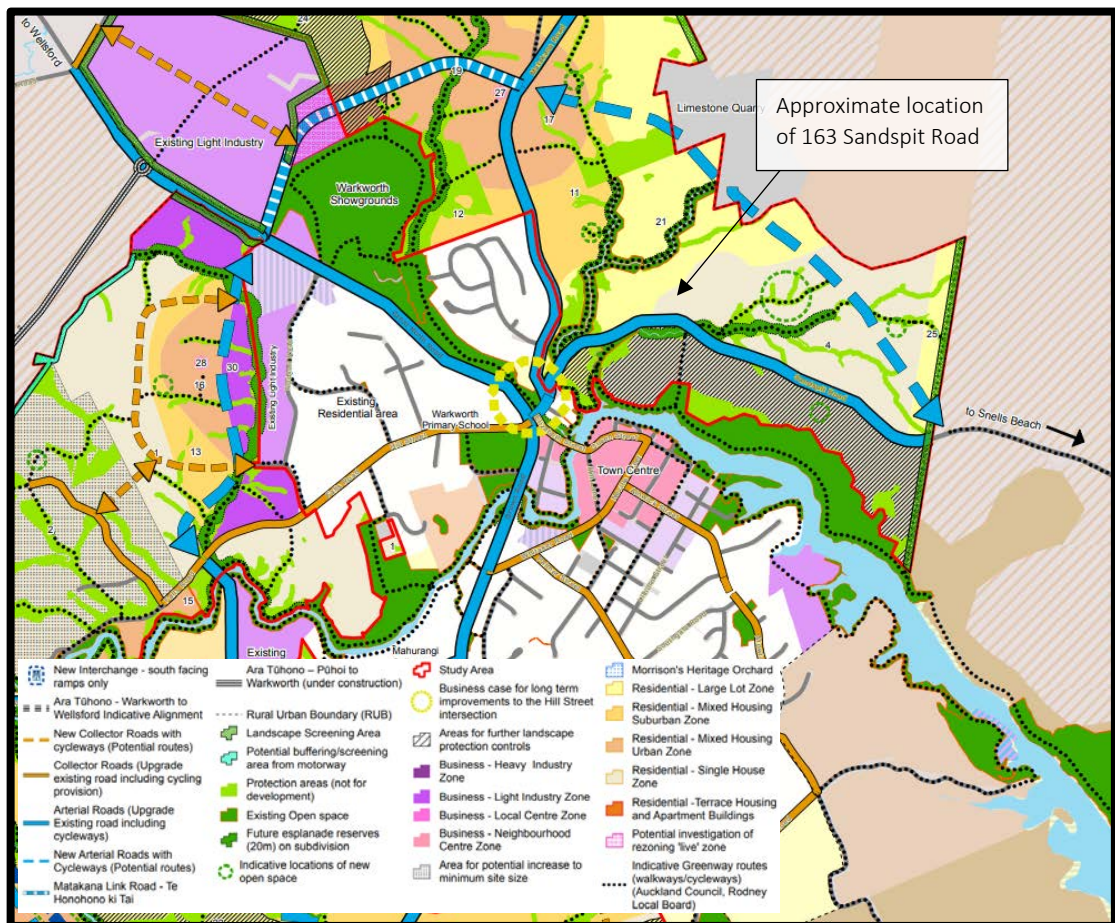


Figure 5 – Warkworth Structure Plan showing future land use pattern for North East of Warkworth

183 Sandspit Road

- 15. NOR7 will provide a two lane urban arterial cross section with separated cycle lanes and footpaths on each side of the corridor.
- 16. The General Arrangement Plan shows how NOR7 affects 183 Sandspit Road – see Figure 5 below:



Figure 5 – Portion of General Arrangement Plan showing how NOR7 affects 183 Sandspit Road

- 17. Appropriate access to the current and future land uses on 183 Sandspit Road will need to be provided for during both construction and operation. The access to the Warkworth Recovery Re:Sort activity must ensure ingress and egress suitable for that activity. 5.5
- 18. The location of the Sandspit Link Road with respect to the zoning of the land is supported. As can be seen in Figure 6 below the road will separate the quarry and 183 Sandspit Road from the larger Future Urban zone area of land to the west thus providing a good buffer to these future urban areas from the quarry and Warkworth Recovery Re:Sort. 5.4

Wider Considerations

- 19. It is understood that each NOR that forms part of the Warkworth NOR requirement package has been packaged to be able to be delivered individually. Where NOR7 connects back into Sandspit Road there appears to be a reliance on NOR5 Sandspit Road Upgrade for this intersection. Surely NOR7 should show an intersection form that would be appropriate for this intersection if Sandspit Road Upgrade had not been undertaken. In fact, in the Assessment of 5.6

Transport Effects it is stated that the project *includes new intersections at Matakana and Sandspit Road respectively*. We would like to see details of the Sandspit Road intersection.

20. If NOR7 is implemented prior to NOR5, has an assessment been undertaken to determine that Sandspit Road is able to handle the extra traffic generated by Sandspit Link Road in its current very degraded state? If not there should be a condition of consent to say that both NOR5 and NOR7 shall be implemented at the same time. 5.7

21. SATURN modelling has been completed on the basis that the Hill Street intersection has been upgraded; this is uncertain and the project has been in discussion for decades. If the NOR is dependent upon this intersection being upgrade then this should be a condition otherwise modelling shall be undertaken to demonstrate effects if the Hill Street intersection has not been upgraded. Further there is a concern that the traffic assessment is based on the SATURN model that itself is based on flawed assumptions that do not reflect the current legislative or policy framework. 5.8

22. Section 5.32 of the Assessment of Traffic Effects covers the Assessment of Construction Effects. Table 5.3 lists sites for consideration within future CTMP; the Quarry site is the only site identified as a site for specific consideration. The Warkworth Recovery Re:Sort operation should be added as a site for specific consideration. It is essential that the Warkworth Resource Recovery operation maintains full and unobstructed access to and from the site during the construction of the Sandspit Road Upgrade project that is fit for purpose (i.e. to accommodate heavy vehicle movements) 5.9

RELIEF SOUGHT

23. Northland Waste Ltd seek the following recommendation or decision from Auckland Council on NOR7 Sandspit Link:
 - a. Seeks evidence that the matters raised above have been full assessed and that the resulting effects are acceptable.
 - b. Northland Waste Ltd seeks that the Requiring Authority demonstrates that all available alternatives have been considered and robustly demonstrates the construction and operation of NOR7 will not result in adverse effects on the existing and future urban form. 5.1-5.9
 - c. Northland Waste Ltd opposes the proposed conditions to the extent that they require amendment and review to address matters raised in the submission. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the Designation conditions to ensure that optimal urban outcomes are achieved.
 - d. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Northland Waste Limited)

Date: 7 July 2023

Address for Service:

Northland Waste Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

Attachment 1 – Comms with Supporting Growth Alliance regarding acquisition of 163 Sandspit Road

Landowner Meeting Record

| PROPERTY DETAILS | | |
|---|--|--|
| SG Reference | Property Owner Name | |
| 100126; 100074 | Northland Waste Limited; Blueskin Holdings Limited | |
| Property Address / Location | | |
| 163 Sandspit Road, 183 Sandspit Road | | |
| Meeting Date/Time | Meeting Location | Meeting Attendees |
| Thursday, 30 March 2023 / 11:00am – 11:45am | ONLINE meeting via Microsoft Teams | Diana Bell Diana@thepc.co.nz andrew.sclater@northlandwaste.co.nz, natehkearins@northlandwaste.co.nz, ray@northlandwaste.co.nz Megan Wheeler (SGA) Leuina Fisiiahi (SGA) |
| Owner(s) Contact Details | | |
| Address: 19 Rewa Road; PO Box 4084 Mobile: 021 422346 (Burnette O'Connor) Email: burnette@thepc.co.nz (Burnette O'Connor) | | |
| Notes/ Specific project queries from residents: | | |
| <ul style="list-style-type: none"> Megan gave background of the Warkworth projects. <p>Expecting growth of 8,000 new homes and an increase in population to around 20-25,000 people . Te Tupu Ngātahi project is working on what infrastructure is needed to support this growth. Referred to the Te Tupu Ngātahi Warkworth Recommended Network Map.</p> <ul style="list-style-type: none"> Purple lines – reallocating/upgrading existing roads (adding walking and cycling). Blue roads – change from rural roads to urbanised road (walking, cycling, footpaths and berms, replacing one way bridge). Green lines are new transport connections . Looking to seek Notices of Requirement to protect the land. There is no funding for any of the projects and the timing for land release– under the Future Urban Land Supply Strategy (FULSS) is between 10-30 years. It is noted that private plan changes can happen at anytime. <p>163 Sandspit</p> <ul style="list-style-type: none"> Stormwater pond is planned for this property. The cross section will include 2 lane road with flush median and walking and cycling paths on both sides, standard AT cross section. | | |

- **ACTION** – is this a full acquisition? There are dark blue lines on the plan *[Post meeting edit this is a full acquisition the blue lines are from designation lines overlapping on both Sandspit Road and Sandspit Link Road]*
- NoR to be lodged in May 2023.
- Land owners can continue to use the land as you would usually but cannot build or make any permanent works when it is designated.
- 3 years before construction starts AT would look at acquiring properties, 10-30 year time frames.
- **ACTION** – Refer to AT property team to explain their entitlements under PWA and process if seeking an early acquisition.

Northland Waste

- Land was bought as residential title. Planned to take a little bit in the corner for safety/visibility of the road and then build residential dwellings on the other side where the pond is.
- Considers that the designation sterilises Northland Waste's ability to use the land.

183 Sandspit Road

- 20-30 year time frame for this project.
- The proposed road misses the site, but it does impact the driveway during construction and will require temporary use of the land to assist construction.
- Access would be maintained to this property during construction.
- Northland Waste's long term plan for this site is to apply for another consent to rezone the land for their use. The road would provide a good buffer between residential and quarry.
- The current site has been zoned as future Urban Zone.

Attachment 2 – Consent Notice

View Instrument Details



Instrument No 8371334.3
Status Registered
Date & Time Lodged 13 December 2011 12:56
Lodged By Stodart, Susan Mary
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers **Land District**
462124 North Auckland

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Susan Mary Stodart as Territorial Authority Representative on 13/12/2011 12:48 PM

*** End of Report ***

IN THE MATTER of a Plan lodged for
Deposit under
Number 415996

Pursuant to Section 221 of the Resource Management Act 1991 THE RODNEY DISTRICT COUNCIL HEREBY GIVES NOTICE that its subdivision consent given in respect of the land in the Second Schedule as shown on Land Transfer Plan 415996 is conditional inter alia upon the compliance on a continuing basis by the Subdivider and the subsequent owners of the land in the Third Schedule hereto with the conditions set forth in the First Schedule hereto.

FIRST SCHEDULE

(riparian margin protection) The area labelled C to be protected on Lot 2 shall be protected in perpetuity to the satisfaction of the Consents Manager.

The owners, or their successors in title for the time being, of the above lots:

- Shall preserve the natural landscape trees, vegetation and areas of bush now thereon within that part of each lot identified as such on the survey plan; and
- Shall not do anything that would prejudice the health of any of such natural landscape trees, vegetation or areas of bush; and
- Shall control all noxious plants and animals within the identified part of each lot; and
- Shall maintain a stock-proof fence as approved by the Council around the perimeter of the identified part of each lot.

The owners shall be deemed not to be in breach of this covenant if any of such trees, vegetation or bush die from fire or natural causes not attributable to any act or default by or on behalf of the owners and for which the owners are responsible. Failure to comply with this condition may result in enforcement action being taken by the Council under the Resource Management Act 1991 to ensure full compliance and the continuing protection of the bush.

The owners shall pay to the Council the fair and reasonable costs incurred by the Council in monitoring this condition at not less than two-yearly intervals, unless required otherwise by a legitimate complaint. The owners will be advised of the costs, assessed under the Council's Schedule of Fees and Charges, as they fall due.

(weed and pest control) The owners for the time being of Lot 2 shall implement the Weed and Pest Control Plan approved under condition 3) b) R40172.

(maintenance plan) The owners for the time being of Lot 2 shall implement the Maintenance Plan approved under condition 3) c) R40172.

(provision of telecommunication services) Future owners of Lot 2 shall be advised that, contrary to district plan provisions, telecommunication connections have not been provided to Lot 2 and if and when such services are required the full cost of providing these services will be met by the owners for the time being.

4.

SECOND SCHEDULE

3.

An estate in fee simple in 6.9755 hectares more or less being Lot 2 DP 132925 comprised in Certificate of Title NA78B/355.

THIRD SCHEDULE

Lot 2 DP 415996 totalling 5.2168 hectares in area.

DATED this 9th day of November 2009.

SIGNED for and on behalf of the
RODNEY DISTRICT COUNCIL



Authorised Officer

SCHEME PLAN: R40172

s221

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.

3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare's plans (ie the carpark at the Warkworth Showgrounds).

3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing.

6.1

3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained.

6.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

6.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR7 New Sandspit Link Road that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

Copy to: Auckland Transport (via email: submissions@supportinggrowth.nz)

SUBMITTER DETAILS

Name of Submitter: Arvida Limited (“Arvida”)

1. Arvida makes this submission on NOR 7 Sandspit Link Road (“NOR 7”) lodged by Auckland Transport (“AT”) the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. Arvida could not gain advantage in trade competition through this submission.
3. Arvida wishes to be heard in support of its submission.

NATURE OF SUBMISSION

4. Arvida owns the land locally known as Paddison Farm. The land is legally described as SECT 19 SO 588806, Lot 2 DP 375478, Lot 3 DP 76450, Lot 4 DP 76450 (“subject site”) and has a land area of approximately 55 hectares. NOR 7 directly traverses the subject site. 7.1

5. Arvida generally supports works intended to improve transport networks within Warkworth by providing a link road to connect Matakana Road and Sandspit Road, which is an important piece of transportation infrastructure for the urban growth and development of Warkworth.

6. However, Arvida opposes NOR 7 as currently proposed on the basis that it will adversely affect the development of the subject site and does not provide for efficient urban outcomes.

7. In particular:
 - a. Arvida opposes the 25-year lapse date sought by AT. 7.1
 - b. Arvida opposes the extent of the works within the subject site shown on the General Arrangement Plan attached to NOR 7. 7.2
 - c. AT has not adequately considered alternatives to NOR 7. 7.2
 - d. NOR 7 does not appropriately address, or provide for, connections to the future local road network. 7.2
 - e. The active mode connections provided for within NOR 7 are not sufficiently designed to integrate with adjoining future urban development. 7.3
 - f. NOR 7 does not adequately provide for consultation with adjacent landowners, developers and other stakeholders to ensure that the design of the NOR 7 works integrate with future urban development of the surrounding area. 7.4

REASONS FOR SUBMISSION

8. NOR 7 (as currently proposed):
 - a. will not promote the sustainable management of the natural and physical resources in Tāmaki Makaurau, and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991; 7.5
 - b. is inconsistent with the NPS UD;
 - c. is inconsistent with other relevant planning documents, including the Auckland Unitary Plan;
 - d. the supporting traffic modelling (SATURN model) is based on potentially outdated land use assumptions that do not reflect the current policy and legislative framework; 7.6
 - e. will not meet the reasonably foreseeable needs of future generations;
 - f. will not enable the social, economic and cultural wellbeing of the people of Tāmaki Makaurau; and 7.5
 - g. does not avoid, remedy or mitigate actual and potential adverse effects on the environment.

9. Without limiting the generality of paragraph 8 above, Arvida opposes NOR 7 because it will result in adverse effects on the subject site that have not been adequately avoided, remedied, or mitigated including: 7.1
 - a. The proposed lapse date of 25 years will unnecessarily blight the subject site for a substantial amount of time. The lapse date does not appropriately take account of the

timing of future urban development of the surrounding area. The timeframe for construction of the road needs to align with the planned urban development of the surrounding future urban zoned land area. This will ensure full connectivity and alignment between local roads, collector, and arterial roads, and enable better urban outcomes. Urban development of the surrounding areas is highly likely to occur sooner than the proposed 25-year lapse date.

7.1

- i. Auckland Council's draft Future Development Strategy proposes the Warkworth North area (containing the subject site and surrounding area) to be *development ready* by 2030+.
 - ii. Arvida is progressing a private plan change and it is highly likely that the land will be developed ahead of 2030+.
 - iii. Other sites in Warkworth North have been recently consented for urban development i.e The Kilns at 34 and 36 Sandspit Road.
 - iv. Other necessary infrastructure is already available or will become available in the near future - water supply capacity and related bulk infrastructure is already available while wastewater infrastructure which will be available circa 2025.
- b. The full extent of NOR 7 proposed over the subject site is not needed. The location of NOR 7 within the subject site means that a portion of the subject site effectively remains as an island (the land located south of NOR 7 to the southern property boundary of the subject site). The impact of the proposed NOR 7 on this portion of the subject site is significant and renders this portion of the subject site, at least, unusable and unviable for forecast urban land uses in the foreseeable future.
- c. Arvida is also concerned that inadequate consideration has been given to alternative sites, routes, and methods for undertaking the works for NOR 7.
- d. Arvida is concerned that the supporting traffic assessment is based on the SATURN model that is itself based on flawed assumptions that do not reflect the current legislative or policy framework.
- e. The proposed extent of NOR 7 and the draft conditions do not appropriately provide for integration with future urban development:
- i. NOR 7 does not adequately consider the future local road network and where and how this will connect with the proposed NOR 7 to enable effective and efficient development of the urban land for the identified residential land uses.
 - ii. Indicative cross corridor active mode connections are shown in NOR 7. While these are supported in principle the locations of these connections need to be better integrated with future urban development.
 - iii. NOR 7 does not adequately provide for engagement with developers of surrounding land within the design of the NOR 7 works. Optimal urban outcomes to create well-functioning urban environments will be achieved by engaging with other groups and developers active in providing connections and land development in this location e.g Matakana Coast Trail Trust, and developers such as The Kilns, Warkworth Ridge, Goatley Holdings and Northland Waste. Working with adjoining developers will provide the opportunity to create consistent earthworks levels and minimise the need for batters and retaining structures. This will assist in creating a higher quality urban environment.

7.2

7.2

7.6

7.2

7.4

RELIEF SOUGHT

10. Arvida seeks that the Council recommends NOR 7 be withdrawn unless amendments are made to:

- a. reduce the extent of NOR 7 within the subject site to address Arvida's concerns, or amend NOR 7 to an alternative route that does not traverse the subject site;
- b. amend the lapse date to ten years;
- c. amend the conditions to provide for consultation with adjacent landowners, developers and other stakeholders within any Urban and Landscape Design Management Plan (or similar);
- d. ensure the technical transportation assessment is informed by modelling based on current and foreseeable land use assumptions;
- e. amend the conditions to address Arvida's concerns, including to provide for, and enable, connections to the future local road network and active mode connections that integrate with the future urban development of the surrounding area; and
- f. such further or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

7.1 and
7.2

7.4

7.6

7.5

Yours sincerely



Burnette O'Connor
Director | Planner
The Planning Collective Limited
(On behalf of Arvida Limited)

Date: 7 July 2023

Address for Service:

Arvida Limited
C/- The Planning Collective Limited
Attn: Burnette O'Connor
PO Box 591
Warkworth
0941
Ph: 021-422-346
Email: burnette@thepec.co.nz

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:859] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 7:00:34 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 7) Warkworth : Sandspit Link

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

8.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:867] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:30:37 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison
Organisation name:
Full name of your agent: Grant Hewison
Email address: grant@granthewison.co.nz
Contact phone number:
Postal address:
PO Box 47188
Auckland
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 7) Warkworth : Sandspit Link
The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

9.1

I or we seek the following recommendation or decision from Auckland Council:
Grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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NOR 8 – ANNOTATED SUBMISSIONS

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification

Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) KERRY & GLENIS CLAYDON

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

12 WYLLIE RD, RD1 WARKWORTH 0981

Telephone: 0211763725 / 0272952997 Email: k.g-claydon@aucklandcouncil.govt.nz
Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

(NoR 8) Warkworth : Wider Western Link -North

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

12 WYLLIE RD, WARKWORTH

My submission is:

- I or we support of the Notice of Requirement
- I or we are neutral to the Notice of Requirement
- I or we oppose to the Notice of Requirement

The reasons for my views are:

WE WANT MORE DETAILS ON THE TIMEFRAME OF THIS PROPOSAL, WHAT FORM ANY LEASE OF OUR PROPERTY WOULD ENTAIL & WE WANT TO ENSURE THAT NO NOTICE OF REQUIREMENT BE APPENDED TO OUR TITLE (AS PER OUR NOTICE OF DISCUSSION IN SUMMARY 16/3/2023)

1.1

PLEASE NOTE THERE IS LIKELY TO BE LIVE AMMUNITION IN THE GROUND AS THIS SITE WAS USED AS A CAMP BY THE AMERICANS IN WW2 (AS MENTIONED IN THE SUMMARY OF DISCUSSIONS)
18/03/2023

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council (give precise details including the general nature of any conditions sought).

WE REQUIRE 1) A DEFINITE TIMEFRAME
2) LEASE DETAILS
3) THAT NOTHING BE APPENDED TO DUCTILE

1.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


Signature of Submitter
(or person authorised to sign on behalf of submitter)

05/07/2023
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:841] Notice of Requirement online submission - Roger Williams
Date: Thursday, 6 July 2023 8:15:38 pm
Attachments: [NOR 8 Submission.pdf](#)

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Roger Williams
Organisation name: One Mahurangi business Association and Warkworth Area Liaison Group
Full name of your agent: Roger Williams
Email address: ropeworth@gmail.com
Contact phone number: 094259127
Postal address:
M502 9 Queen St
Warkworth
0910

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 8) Warkworth : Wider Western Link -North
The specific provisions that my submission relates to are:
All of Warkworth

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:
We want to see Alternative Road NOR2 considered and link with NOR8

2.1

I or we seek the following recommendation or decision from Auckland Council:
Revise details

Submission date: 6 July 2023

Supporting documents
NOR 8 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

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NOR- 8 – Outer Western Link Road

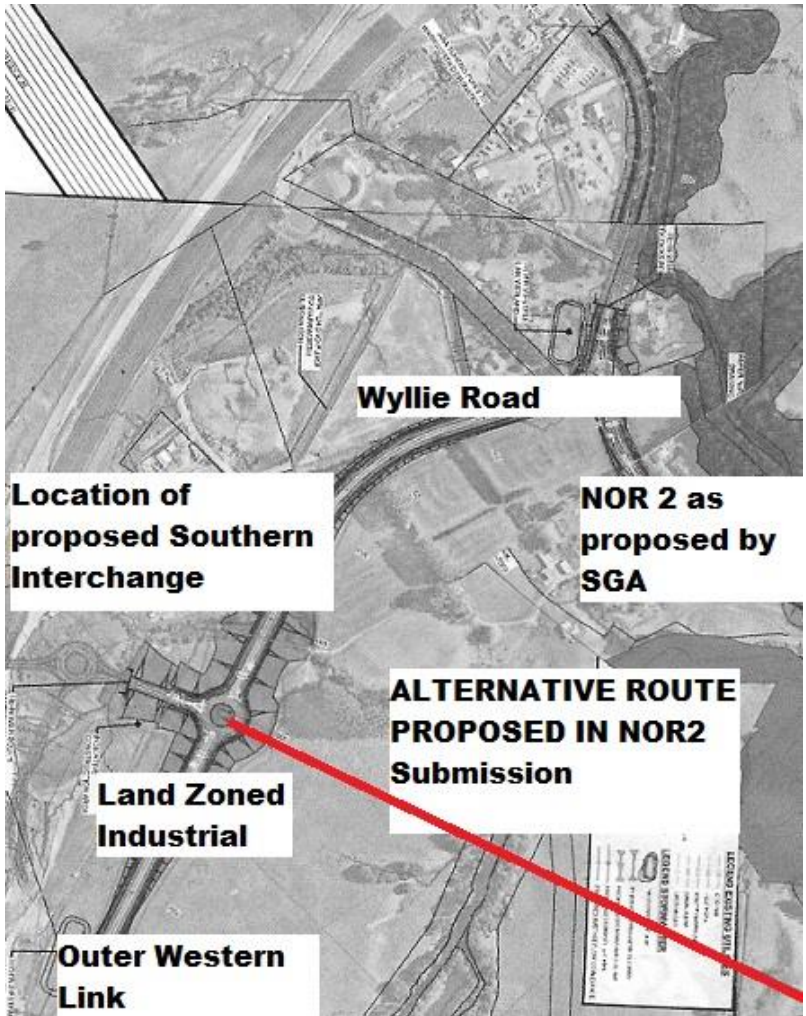
General NOR Issues

This submission has been prepared on behalf of the One Mahurangi Business Association and the Warkworth Area Liaison Group (a group formed to bring the opinions of Residents and Ratepayers from the wider Warkworth Area together to provide a single voice).

1. We support, in principle, the need for establishing NORs for future designations to allow rational development of roading infrastructure to enable future growth of Warkworth.
2. We stress the importance of creating a resilient Network that can serve the needs of Warkworth and the wider Warkworth district.
3. Many of the NOR proposals disregard the disruption caused by the construction and the consequent loss of service. For works to be carried out a limited operational Network has to be in place. Major works (especially bridges) are proposed to be built on the existing alignment with no apparent alternative route. 2.2
4. The NORs shown are generous in plan area and the area include additional works beyond the highway such as detention wetlands and areas to allocated for construction purposes. While these areas will be needed there may be alternatives available that may be more acceptable to the affected landowners. Wherever possible the NOR should be reduced to the bare minimum to minimize alienating the land. 2.3
5. Land designated by the NOR process may not required for decades. The Draft Auckland Development Strategy, currently out for consultation, threatens to extend the construction delay for 20 years or more. Holding off the land purchase indefinitely is not tolerable. In many cases the scope of works indicated is so generous that it would be unlikely to be fundable within the foreseeable future. 2.4
6. The NOR should not preclude all land improvement and approved developments. Reasonable improvements by landowners should be included in eventual compensation agreements. 2.5
7. It was noted that traffic modelling in the Assessment of Traffic Effects were substantial lower (sometimes half the volume) of that given by SGA in 2019. We still have disagreement with Auckland Council over the persons per residential unit being used in Warkworth being considerably lower than anywhere else in the Auckland area. The variance in Traffic modelling data needs to be resolved. 2.6
8. Consultation by SGA should include community organisations such as Warkworth Area Liaison Group and One Mahurangi Business Association as they have shown themselves to be responsible representatives of the community with extensive knowledge and considerable expertise in engineering and planning matters with their members. This consultation has not been carried out. 2.7

NOR- 8 – Outer Western Link Road -Specific Issues

1. This land is important to Warkworth as it offers the most suitable flat land for industrial development. The Land Development Strategy states that the '**Development of Warkworth must bring jobs and homes closer together**'. The sooner it is available the less the need to commute to North Shore. 2.1
2. The southern connection to the motorway is all important because it reduces the distance to travel to the current end of the motorway and back by 7 km from this point.
3. The alternative to NOR 2 presented above reduces the distance to Warkworth by 500 metres without increasing the cost.





THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR8 Wider Western Link Road - North that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: The Wynyard Family (C/- Simon Wynyard)

1. The submitter makes this submission on NOR8 Wider Western Link Road - North (“NOR8”) lodged by Auckland Transport (“AT”) to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The submitter could not gain advantage in trade competition through this submission.
3. The submitter **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

OVERVIEW OF LOT 4 DP 473567

1. This submission relates to the land legally described as Lot 4 DP 473567 (“**subject site**”). This land is owned by John Wynyard. The Wynyard Family represents the wider Wynyard family members including Simon Wynyard, Susan Wynyard and Matthew Wynyard, all of who have a vested interest in this land.
2. The subject site comprises of 26.9 hectares and is presently used for rural activities including horticulture and grazing. The site is bound by Woodcocks Road to the north, Wylie Road to the west and the Mahurangi River to the east. The Northern Motorway runs through the south-western corner of the site. An aerial image of the subject site is provided in Figure 1 overleaf.

3.1

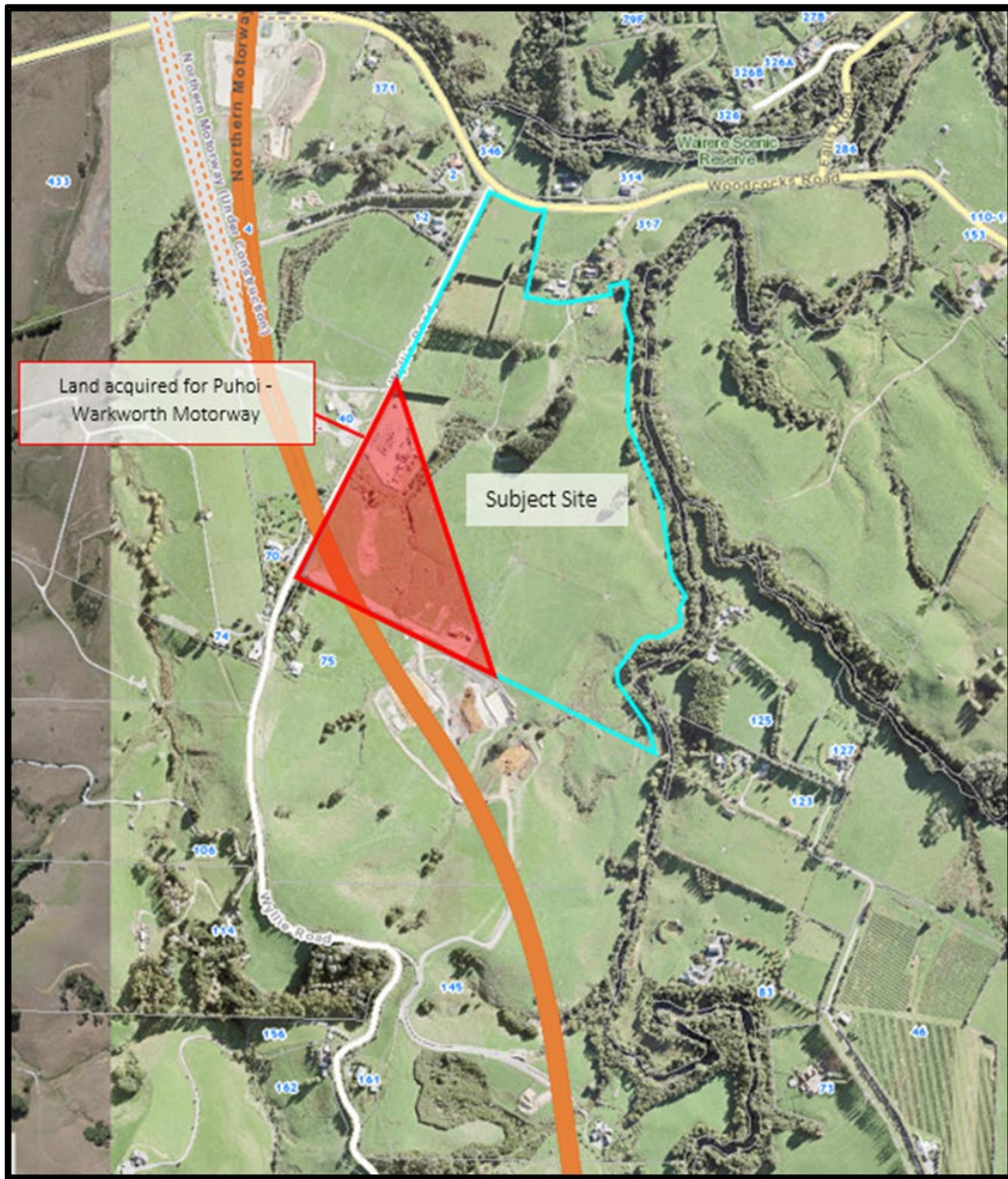


Figure 1 - Aerial image of Lot 4 DP (source: AUP-OP Maps, June 2023)

3. The subject site is zoned Future Urban under the Auckland Unitary Plan (Operative in Part) (“AUP-OP”) as shown in Figure 2 overleaf. There is a portion of Rural Production zoned land under the designation for the Tūhono-Pūhoi to Warkworth Northern Motorway. This land was acquired for that roading project. The recently opened motorway is located to the west of the subject site.

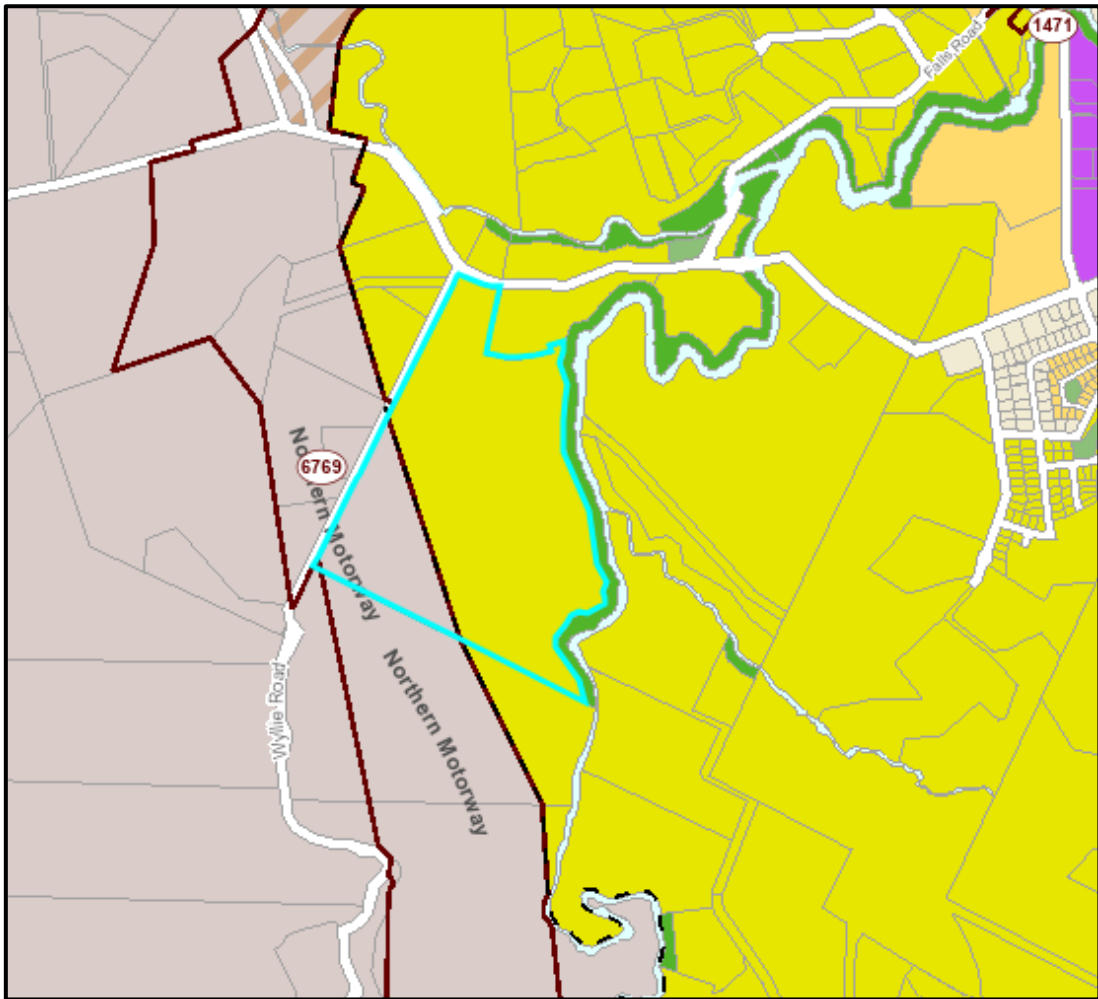


Figure 2 - AUP-OP Planning Maps (source: June 2023)

4. The Warkworth Structure Plan June 2019 (“WSP”) identifies the future zoning of the subject site as Business - Heavy Industry as shown in Figure 3 overleaf. The WSP cites that the future Heavy Industry zoning has been applied to the land due to the proximity of the site to the potential Ara Tūhono-Pūhoi to Warkworth southern interchange (south facing ramps only). The WSP outlines the location as *having excellent access to the regional/national network and avoids the need for industrial traffic heading through residential areas*. The flat nature of the land also tends itself to enabling larger building platforms for heavy industry zoning and land use.

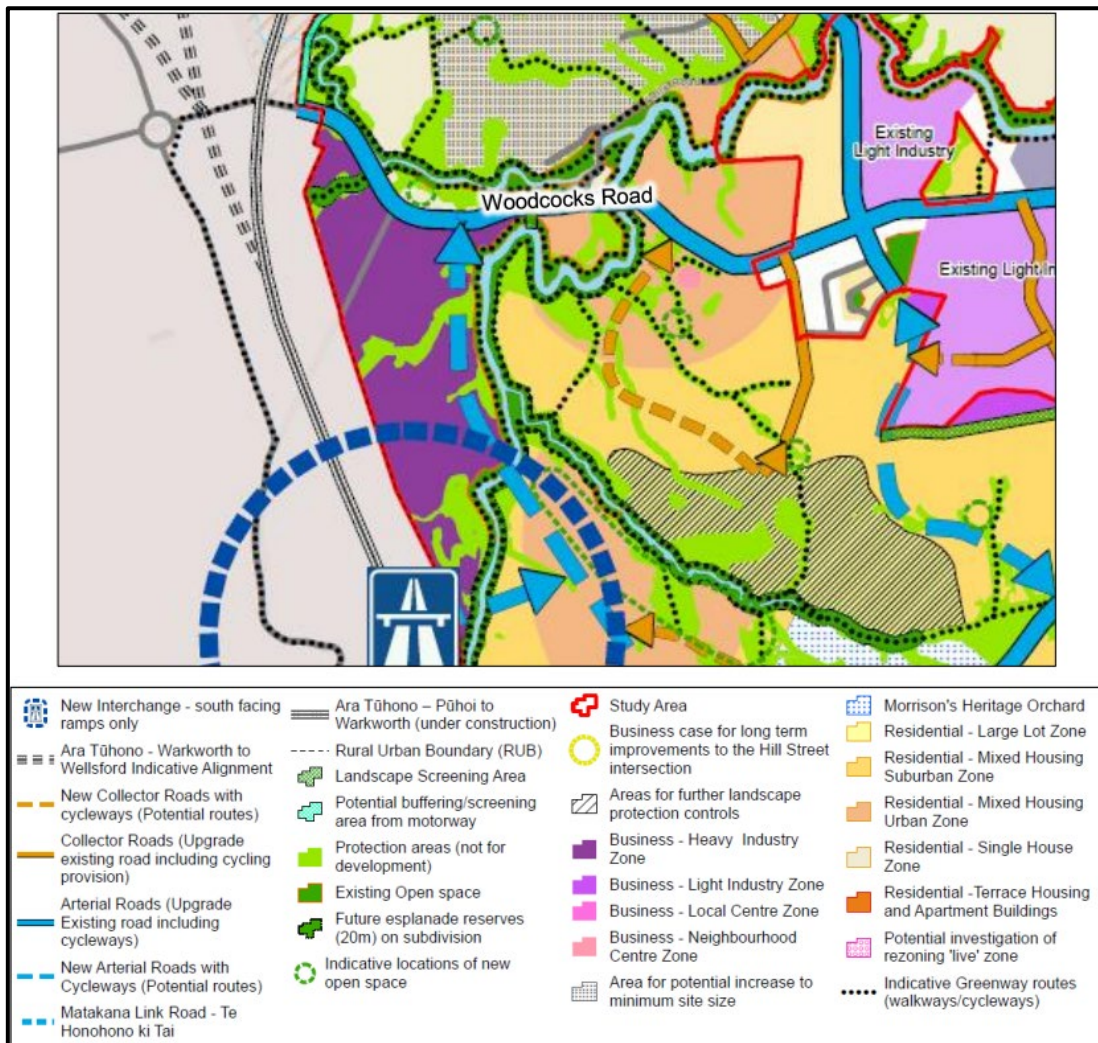


Figure 3 - Additional industrial land identified in south west of Warkworth

5. The subject site is identified within the Auckland Council Future Urban Land Supply Strategy 2017 (“FULSS”) as being scheduled to the ‘development ready’ between 2028 - 2032.¹
6. Auckland Council publicly notified their Consultation Draft Auckland Future Development Strategy 2023-2053 (“FDS”) on 6 June 2023. The FDS delays the development of this future urban land to 2040+. In any event, the subject site is earmarked for urban development at some time in the future and it is the only area of land in or around Warkworth identified for Business - Heavy Industry land use activities. The FDS recommends that the remaining future urban land within Warkworth South be subject to further investigation.

SCOPE OF SUBMISSION

7. This submission relates to NOR8 as a whole.
8. The Submitter has an interest in NOR8 that is greater than the interest of the general public as a significant portion of the subject site will be affected by the proposed designation. Figure 4

¹ Refer to Table 1 of Auckland Council Future Urban Land Supply Strategy 2017. The site is contained within the Warkworth South Future Urban area.

below shows the location of the subject site in relation to the extent of designation and works proposed.

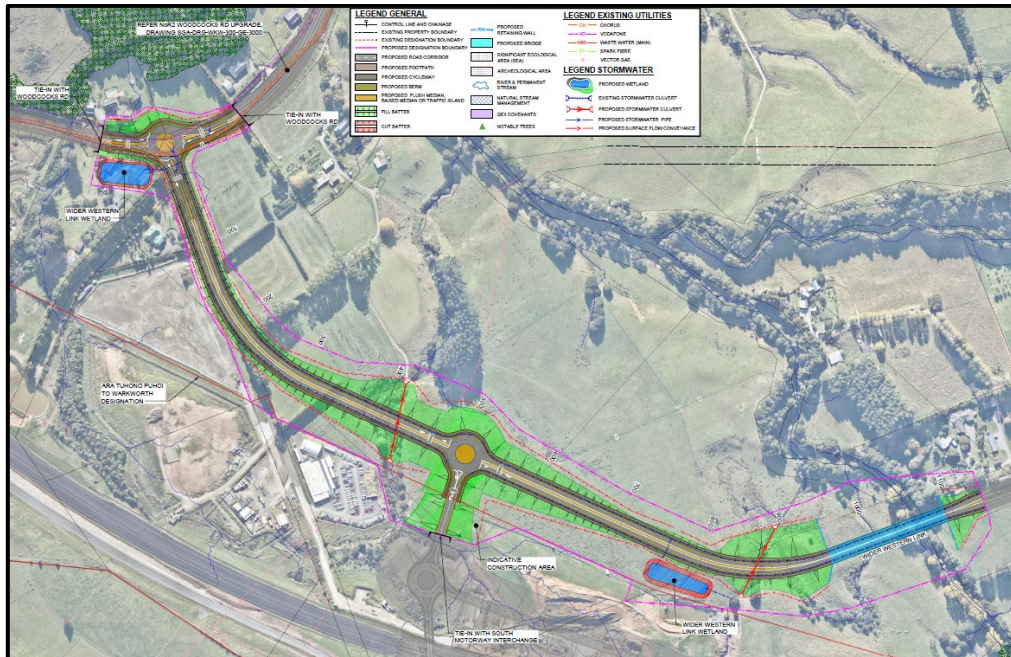


Figure 4 - NOR8 General Arrangement Layout Plan

Location and Extent of Designated Works:

9. The submitter opposes NOR8 as the designated works will:
 - Have significant impacts on the future planned use of the land as Business – Heavy Industry. The remaining land will be inefficient to develop for the purposes of Business – Heavy Industry activities.
 - Disrupt the ability to farm the land in the immediate term and business viability should the designation proceed, and a road be constructed in this location.

10. The purpose of this notice of requirement is to facilitate the planned growth of Warkworth. If the Notice of Requirement is implemented as proposed, it will significantly impact on the only area of land identified within the WSP for Business – Heavy Industry land use activities. The remaining areas of the land would be inefficient to develop for the Business - Heavy Industry activities. This in turn will impact on the ability for a range of employment opportunities to be provided in Warkworth, reduce the necessity of and be contrary to the objectives of the works.

3.1

Assessment of Alternatives:

11. The proposed designation occupies a significant portion of the subject site and is proposed to cross through multiple potential natural wetland areas that have not been identified through the Assessment of Ecological Effects Report. Specifically, there are wetland areas immediately north of the proposed roundabout within the south-western corner of the site and immediately north of the bridge proposed within the south-eastern corner of the site.

3.2

12. The notice of requirement does not adequately demonstrate that alternatives have been considered and discounted for robust and valid reasons. The alignment could have considered utilising land within the existing Puhoi to Warkworth designation or the Crown Land.

3.2

13. Section 4.2.3.3 of the Assessment of Transport Effects outlines that:

4.2.3.3 Ara Tūhono Southern Interchange

An additional motorway interchange with Ara Tūhono was identified by the Warkworth Detailed Business Case. This interchange provides south facing ramps to the Ara Tūhono motorway. The interchange provides additional access to the proposed industrial area in the southern growth area.

The proposed interchange has the opportunity to redistribute traffic across the Warkworth network, and as such commentary has been provided for each NOR below on the potential traffic effects with the Southern Interchange in place and without this infrastructure in place.

The southern interchange is not included within the Warkworth Package as concept designs indicate that sufficient land is available within existing Waka Kotahi designation and/or Waka Kotahi owned land.

Consideration should be given to whether the Wider Western Link Road could have been accommodated within the designation also or whether the Waka Kotahi designation could have been altered to enable the Wider Western Link Road to be located residual on crown land. The areas of Crown Land are shown in Figure 5 below.

3.2

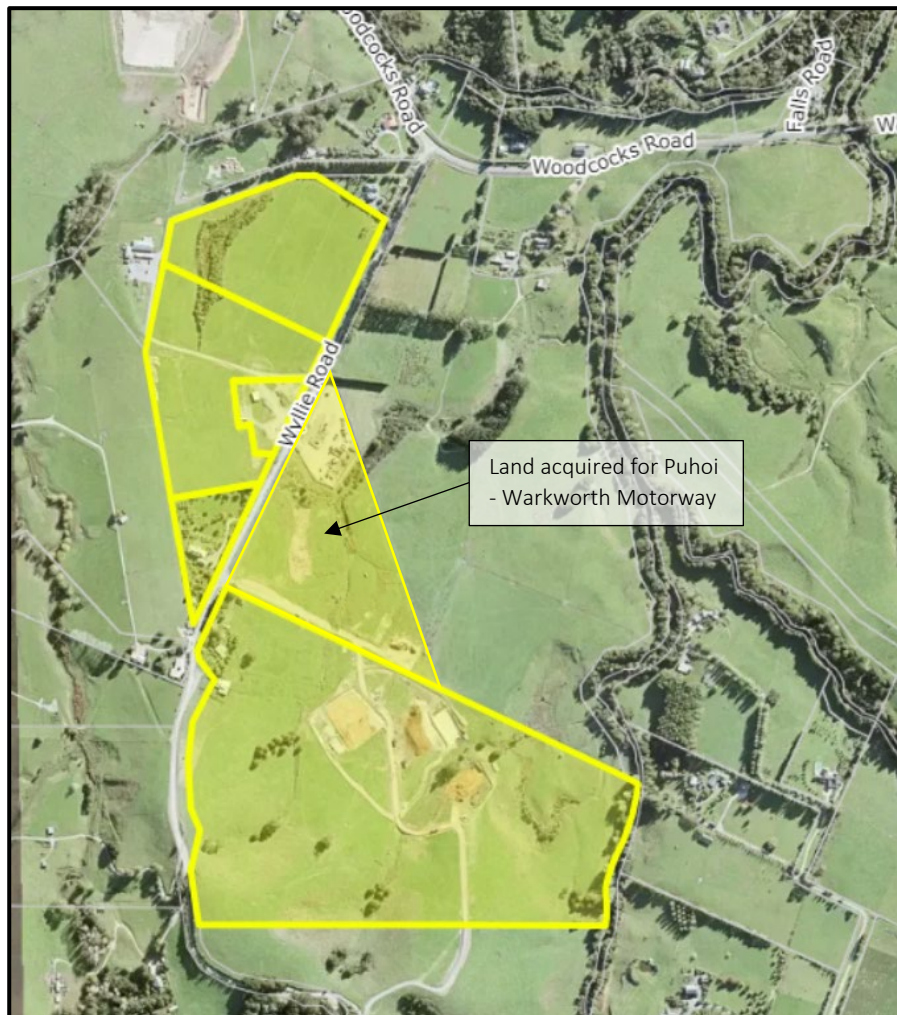


Figure 5 - Map identifying Crown Land in yellow (source: GRIP Maps, June 2023)

14. Alternative methods of protecting the route should also have been considered given the approach signalled by the FDS including, via the district plan or inclusion of the project in the relevant planning policy/strategy. 3.2
15. Amongst other matters, the alternatives assessment has not adequately assessed the importance of land for Business - Heavy Industry land use activities in the ability to sustainably develop Warkworth.

Reasonable Necessity for Roading Project:

16. The Assessment of Environmental Effects provided outlines that: 3.3

“The key objective of Te Tupu Ngātahi is to protect land for future implementation of the required strategic transport corridors / infrastructure. As a form of route protection, designations will identify and appropriately protect the land necessary to enable the future construction, operation and maintenance of these required transport corridors / infrastructure.

A designation is important as it provides certainty for the requiring authority that it can implement the work. It also provides property owners, businesses and the community with increased certainty regarding future infrastructure, so they can make informed decisions. It can also significantly reduce long-term costs for local and central government and enable more effective land use and transport outcomes.”

The NOR applications have been made on the basis of the population growth identified and planned for in the FULSS. This does not consider the proposed FDS which creates a level of uncertainty as to whether the southern transport upgrades are needed as there is uncertainty around whether the Future Urban zoned land within Warkworth South will be retained. 3.3

17. The information does not demonstrate whether the road or designation is reasonably necessary to achieve the objectives of the Notice of Requirement. If the land at Warkworth South (as identified in the FDS) is no longer Future Urban and is not developed within the timeframes identified in the proposed lapse period sought.
18. If this outcome occurs, then the Wider Western Link Road and interchange may not be in the optimal location to service the transport needs of Warkworth. The interchange for the Warkworth to Wellsford motorway to the west of Woodcocks and Carran Road may be able to be used and this could be a more efficient outcome, at least in the next 20 – 30 years. 3.3
19. Alternatively, if urban development does occur, this Notice of Requirement will significantly impact on the only area of land identified within the WSP for Business - Heavy Industry land use activities, which will impact on the ability for a range of employment opportunities to be provided in Warkworth, reduce the necessity and be contrary to the objectives of the project. 3.3
20. Furthermore, the suite of WW NOR applications do not propose to designate the entirety of the Wider Western Link Road. The Assessment of Environmental Effects states that it is anticipated that this section of the Wider Western Link Road will be developed via a plan change -

Waimanawa (Warkworth South). Heavy reliance is placed on the property owners within the Plan Change area to deliver the remaining portion of the Wider Link Road. The Waimanawa Plan Change is not yet accepted for processing by Auckland Council, therefore the Plan Change and whether or not it will be approved is highly uncertain. If this Plan Change is unsuccessful the submitter's land will be unnecessarily blighted for the foreseeable future by the proposed designation.

3.3

Lapse Period Sought:

21. The submitter opposes the proposed lapse period of 20 years as this creates uncertainty for future planning of the subject site. Any future use or development of the subject site will be constrained as prior written approval will be required from the requiring authority. The site forms an integral piece of land for the tie in of the Wider Western Link Road to Woodcocks Road to be implemented. Therefore, the likelihood of being able to obtain prior approval to develop the land, particularly for the use identified in the WSP would be highly unlikely.

3.4

Limited Access Road Status:

22. The Notice of Requirement implies the Wider Western Link Road and Woodcocks Road will become Limited Access Corridor. Woodcocks Road is currently identified as an arterial road in the AUP-OP Planning Map, meaning that the site frontage is subject to a Vehicle Access Restriction. This will mean the subject site will front both limited access roads and there are no options to access the subject site via a collector road. Suitable, safe and efficient access needs to be maintained to the sites as part of the designated works.

3.5

Proposed Designation Conditions:

23. Condition 9 of the proposed designation conditions requires an Urban and Landscape Design Management Plan ("UDLMP") to be prepared and submitted to Auckland Council. Sub-section (d) of the condition requires the UDLMP to detail how the project is designed to:

3.6

- i. *Integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;*
- ii. *Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;*
- iii. *Promotes inclusive access (where appropriate); and*
- iv. *Promotes a sense of personal safety by aligning with best practice guidelines, such as:*
 - a) *Crime Prevention Through Environmental Design (CPTED) principles;*
 - b) *Safety in Design (SID) requirements; and*
 - c) *Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.*

24. It is recommended that condition 9 be amended to require evidence of consultation with adjoining land owners, developers and other stakeholders to be provided within the UDLMP. It is likely that other changes will also be required to be designation conditions to ensure that

3.6

optimal urban outcomes are achieved. This submission includes scope to enable a full review and input to the designation conditions.

Policy Assessment:

25. On the basis of the above, the Notice of Requirement is not in keeping with the relevant provisions of the National Policy Statement - Urban Development or the AUP-OP Regional Policy Statement. The proposal is also inconsistent with, and potentially contrary to the relevant objectives and policies of the Unitary Plan. The designated works do not seek to align the planning, funding and delivery of the transportation projects in an integrated manner that facilitates urban growth and good urban outcomes.

3.7

26. The proposal does not represent sound resource management outcomes because it will potentially compromise the ability to efficiently provide for employment opportunities and required heavy business activities in the planned Warkworth urban area.

RELIEF SOUGHT

27. The Wynyard Family seeks that Auckland Council recommends refusal of NOR8.

28. Any other relief or amendments as considered appropriate and necessary to address the concerns raised in this submission.

Yours sincerely



Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of the Wynyard Family)

Date: 07 July 2023

Address for Service:

Wynyard Family, represented by Simon Wynyard
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-713
Email: Jessica@thepc.co.nz / Burnette@thepc.co.nz



THE PLANNING
COLLECTIVE

Form 21

Submission on requirement for designation NOR8 Wider Western Link Road - North that is subject to notification

Section 169 of the Resource Management Act 1991

To: Auckland Council (via email: unitaryplan@aucklandcouncil.govt.nz)

SUBMITTER DETAILS

Name of Submitter: John Wynyard

1. The submitter makes this submission on NOR8 Wider Western Link Road - North ("NOR8") lodged by Auckland Transport ("AT") to the Auckland Unitary Plan - Operative in Part in accordance with Section 169 of the Resource Management Act 1991 (RMA) as follows.
2. The submitter could not gain advantage in trade competition through this submission.
3. The submitter **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

OVERVIEW OF LOT 4 DP 473567

5. This submission relates to the land legally described as Lot 4 DP 473567 ("**subject site**"). The submitter has an interest in the subject site that is greater than the public generally as John Wynyard owns and farms the subject land.
6. The subject site comprises of 26.9 hectares and is presently used for rural activities including horticulture and grazing. The site is bound by Woodcocks Road to the north, Wylie Road to the west and the Mahurangi River to the east. The Northern Motorway runs through the south-western corner of the site. An aerial image of the subject site is provided in Figure 1 overleaf.

4.1

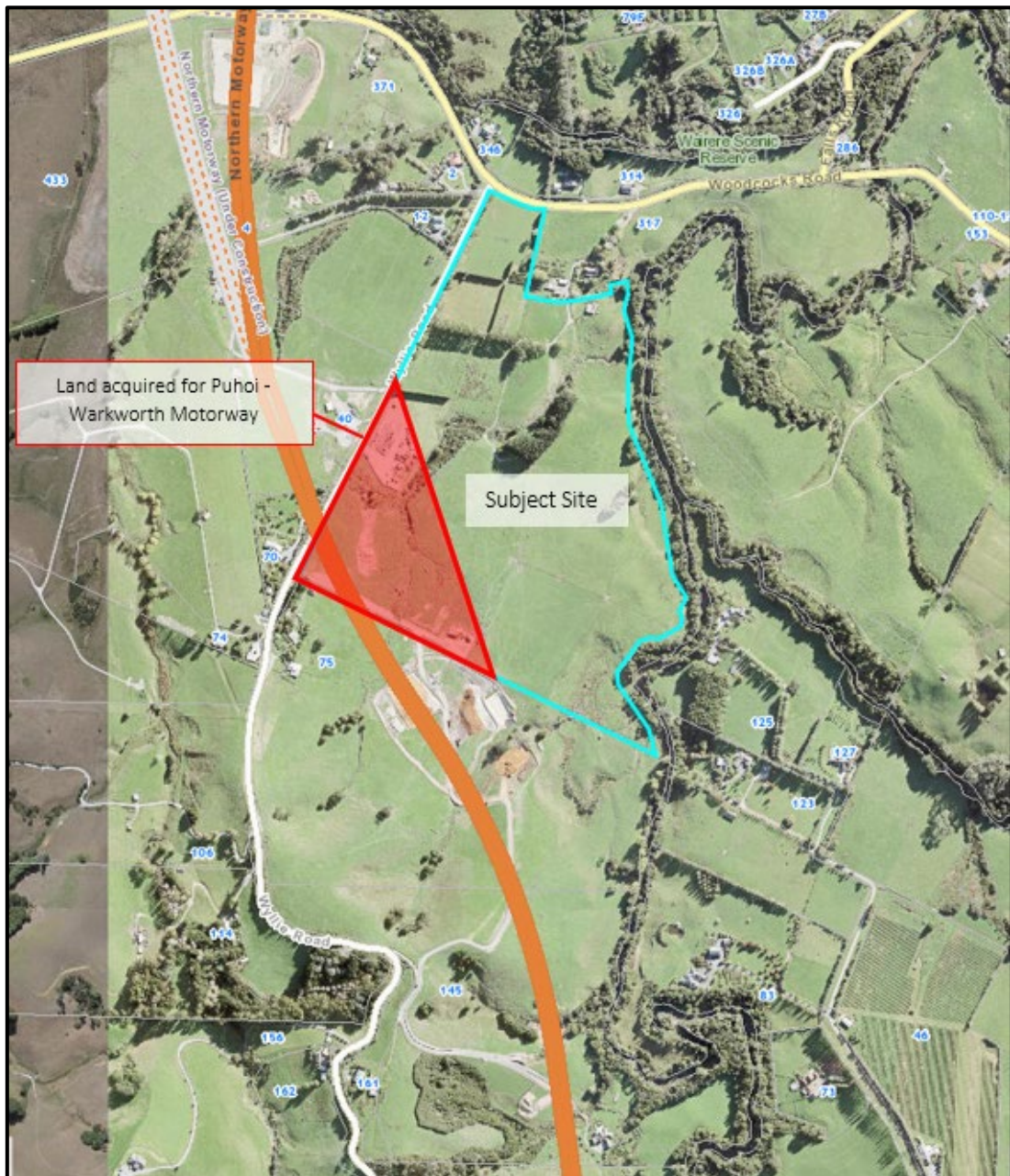


Figure 1 - Aerial image of Lot 4 DP (source: AUP-OP Maps, June 2023)

7. The subject site is zoned Future Urban under the Auckland Unitary Plan (Operative in Part) (“AUP-OP”) as shown in Figure 2 overleaf. There is a portion of Rural Production zoned land under the designation for the Tūhono-Pūhoi to Warkworth Northern Motorway. This land was acquired for that roading project. The recently-opened motorway is located to the west of the subject site.

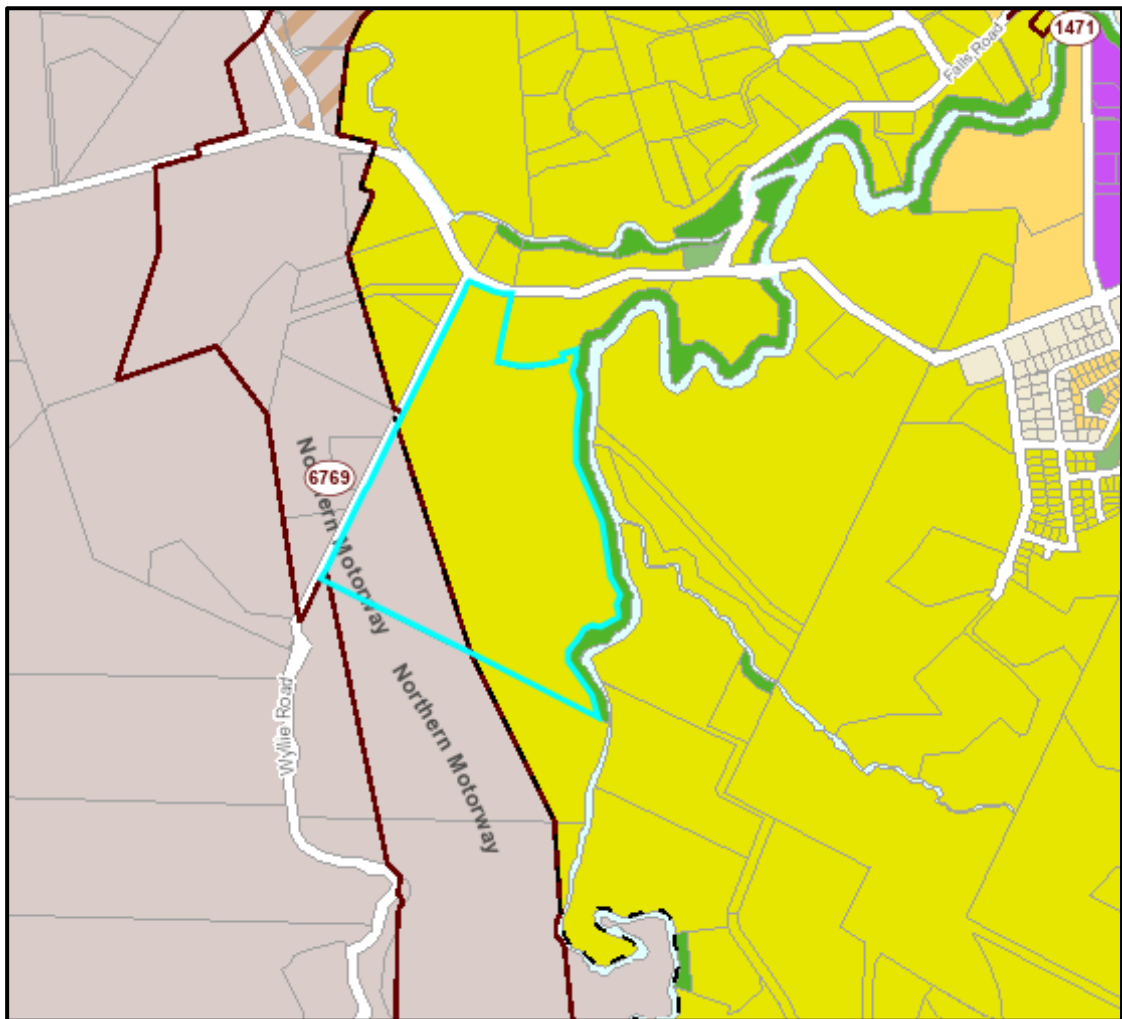


Figure 2 - AUP-OP Planning Maps (source: June 2023)

8. The Warkworth Structure Plan June 2019 (“WSP”) identifies the future zoning of the subject site as Business - Heavy Industry as shown in Figure 3 overleaf. The WSP cites that the future Heavy Industry zoning has been applied to the land due to the proximity of the site to the potential Ara Tūhono-Pūhoi to Warkworth southern interchange (south facing ramps only). The WSP outlines the location as having excellent access to the regional/national network and avoids the need for industrial traffic heading through residential areas. The flat nature of the land also tends itself to enabling larger building platforms for heavy industry zoning and land use.

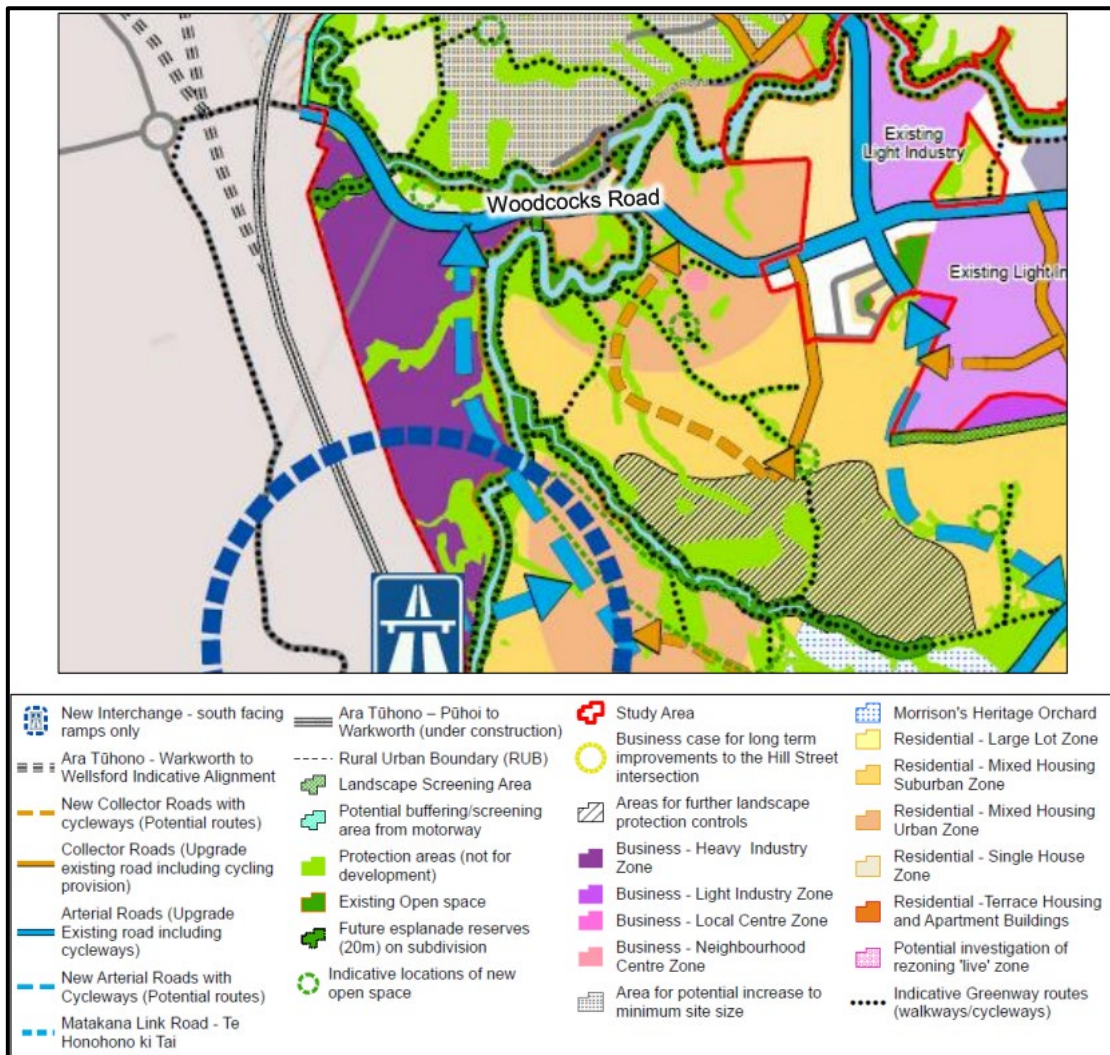


Figure 3 - Additional industrial land identified in south west of Warkworth

9. The subject site is identified within the Auckland Council Future Urban Land Supply Strategy 2017 (“FULSS”) as being scheduled to the ‘development ready’ between 2028 - 2032.¹
10. Auckland Council publicly notified their Consultation Draft Auckland Future Development Strategy 2023-2053 (“FDS”) on 6 June 2023. The FDS delays the development of this future urban land to 2040+. In any event, the subject site is earmarked for urban development at some time in the future and it is the only area of land in or around Warkworth identified for Business - Heavy Industry land use activities. The FDS recommends that the remaining future urban land within Warkworth South be subject to further investigation.

SCOPE OF SUBMISSION

11. This submission relates to NOR8 as a whole.
12. John Wynyard has an interest in NOR8 that is greater than the interest of the general public as a significant portion of their site will be affected by the proposed designation. Figure 4 overleaf

¹ Refer to Table 1 of Auckland Council Future Urban Land Supply Strategy 2017. The site is contained within the Warkworth South Future Urban area.

shows the location of the subject site in relation to the extent of designation boundary and works proposed.

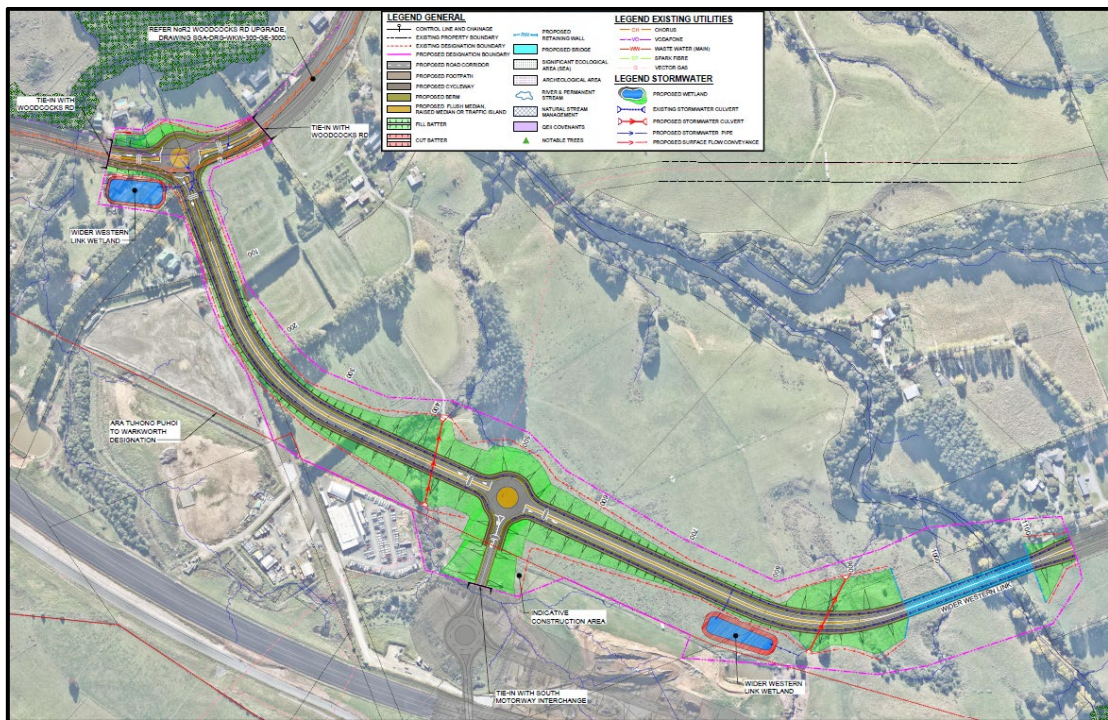


Figure 4 - NOR8 General Arrangement Layout Plan

Location and Extent of Designated Works:

13. John Wynyard opposes NOR8 as the designated works will disrupt the ability to farm the land and business viability should the designation proceed, and a road be constructed in this location. 4.1

14. The purpose of this notice of requirement is to facilitate the planned growth of Warkworth. If the Notice of Requirement is implemented as proposed, it will significantly impact on the only area of land identified within the WSP for Business – Heavy Industry land use activities. The remaining areas of the land would be inefficient to develop for the Business - Heavy Industry activities. This in turn will impact on the ability for a range of employment opportunities to be provided in Warkworth, reduce the necessity of and be contrary to the objectives of the works.

Assessment of Alternatives:

15. The proposed designation occupies a significant portion of the subject site and is proposed to cross through multiple potential natural wetland areas that have not been identified through the Assessment of Ecological Effects Report. Specifically, there are wetland areas immediately north of the proposed roundabout within the south-western corner of the site and immediately north of the bridge proposed within the south-eastern corner of the site. 4.2

16. The notice of requirement does not adequately demonstrate that existing alternatives have been considered and discounted for robust and valid reasons. The alignment could have considered utilising land within the existing Puhoi to Warkworth designation or the Crown Land.

4.2

17. Section 4.2.3.3 of the Assessment of Transport Effects outlines that:

4.2.3.3 Ara Tūhono Southern Interchange

An additional motorway interchange with Ara Tūhono was identified by the Warkworth Detailed Business Case. This interchange provides south facing ramps to the Ara Tūhono motorway. The interchange provides additional access to the proposed industrial area in the southern growth area.

The proposed interchange has the opportunity to redistribute traffic across the Warkworth network, and as such commentary has been provided for each NOR below on the potential traffic effects with the Southern Interchange in place and without this infrastructure in place.

The southern interchange is not included within the Warkworth Package as concept designs indicate that sufficient land is available within existing Waka Kotahi designation and/or Waka Kotahi owned land.

Consideration should be given to whether the Wider Western Link Road could have been accommodated within the designation also or whether the Waka Kotahi designation could have been altered to enable the Wider Western Link Road to be located residual on crown land. The areas of Crown Land are shown in Figure 5 below.

4.2

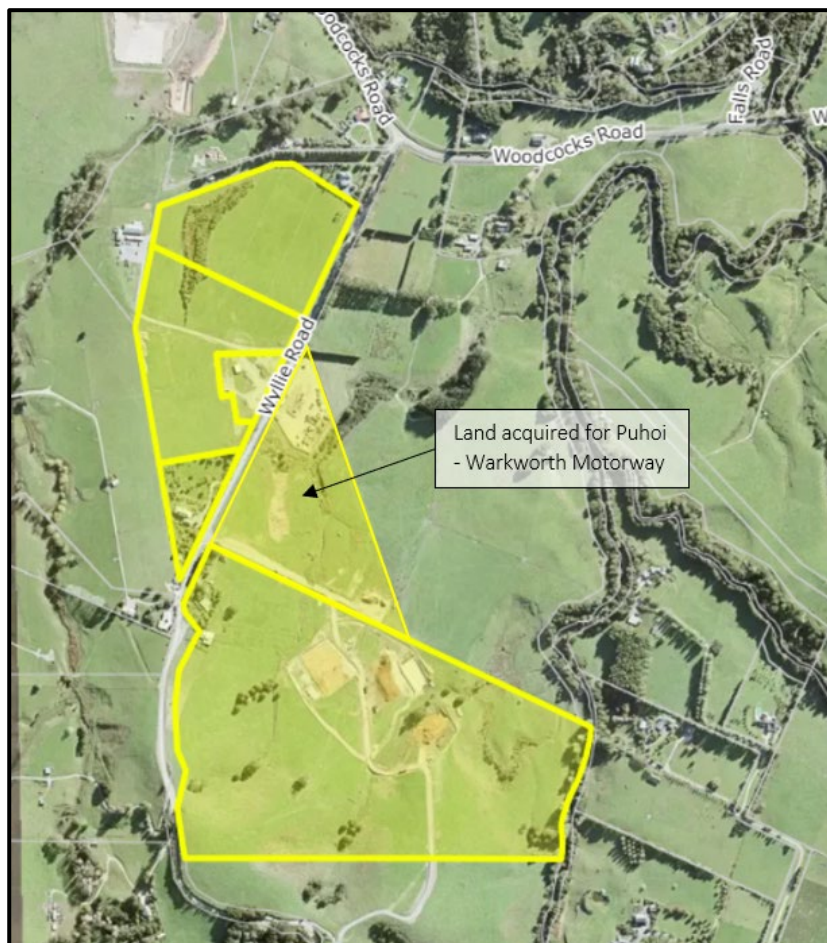


Figure 5 - Map identifying Crown Land in yellow (source: GRIP Maps, June 2023)

18. Alternative methods of protecting the route should also have been considered given the approach signalled by the FDS including, via the district plan or inclusion of the project in the relevant planning policy/strategy.

4.2

19. Amongst other matters, the alternatives assessment has not adequately assessed the importance of land for Business - Heavy Industry land use activities in the ability to sustainably develop Warkworth.

Reasonable Necessity for Roading Project:

20. The Assessment of Environmental Effects provided outlines that:

4.3

“The key objective of Te Tupu Ngātahi is to protect land for future implementation of the required strategic transport corridors / infrastructure. As a form of route protection, designations will identify and appropriately protect the land necessary to enable the future construction, operation and maintenance of these required transport corridors / infrastructure.

A designation is important as it provides certainty for the requiring authority that it can implement the work. It also provides property owners, businesses and the community with increased certainty regarding future infrastructure, so they can make informed decisions. It can also significantly reduce long-term costs for local and central government and enable more effective land use and transport outcomes.”

The NOR applications have been made on the basis of the population growth identified and planned for in the FULSS. This does not consider the proposed FDS which creates a level of uncertainty as to whether the southern transport upgrades are needed as there is uncertainty around whether the Future Urban zoned land within Warkworth South will be retained.

4.3

21. The information does not demonstrate whether the road or designation is reasonably necessary to achieve the objectives of the Notice of Requirement. If the land at Warkworth South (as identified in the FDS) is no longer Future Urban and is not developed within the timeframes identified in the proposed lapse period sought.

22. If this outcome occurs, then the Wider Western Link Road and interchange may not be in the optimal location to service the transport needs of Warkworth. The interchange for the Warkworth to Wellsford motorway to the west of Woodcocks and Carran Road may be able to be used and this could be a more efficient outcome, at least in the next 20 – 30 years.

4.3

23. Alternatively, if urban development does occur, this Notice of Requirement will significantly impact on the only area of land identified within the WSP for Business - Heavy Industry land use activities, which will impact on the ability for a range of employment opportunities to be provided in Warkworth, reduce the necessity and be contrary to the objectives of the project.

24. Furthermore, the suite of WW NOR applications do not propose to designate the entirety of the Wider Western Link Road. The Assessment of Environmental Effects states that it is anticipated that this section of the Wider Western Link Road will be developed via a plan change -

4.3

Waimanawa (Warkworth South). Heavy reliance is placed on the property owners within the Plan Change area to deliver the remaining portion of the Wider Link Road. The Waimanawa Plan Change is not yet accepted for processing by Auckland Council, therefore the Plan Change and whether or not it will be approved is highly uncertain. If this Plan Change is unsuccessful the submitter's land will be unnecessarily blighted for the foreseeable future by the proposed designation.

4.3

Lapse Period Sought:

25. The proposed lapse period of 20 years creates uncertainty for future planning of the subject site.

4.4

26. Any future use or development of the subject site will be constrained as prior written approval will be required from the requiring authority. The site forms an integral piece of land for the tie in of the Wider Western Link Road to Woodcocks Road to be implemented. Therefore, the likelihood of being able to obtain prior approval to develop the land, particularly for the use identified in the WSP would be highly unlikely.

Limited Access Road Status:

27. The Notice of Requirement implies the Wider Western Link Road and Woodcocks Road will become Limited Access Corridor. Woodcocks Road is currently identified as an arterial road in the AUP-OP Planning Map, meaning that the site frontage is subject to a Vehicle Access Restriction. This will mean the subject site will front both limited access roads and there are no options to access the subject site via a collector road. Suitable, safe and efficient access needs to be maintained to the sites as part of the designated works. Without adequate alternative access being provided, parts of the land will become unusable for farming.

4.5

Proposed Designation Conditions:

28. Condition 9 of the proposed designation conditions requires an Urban and Landscape Design Management Plan ("UDLMP") to be prepared and submitted to Auckland Council. Sub-section (d) of the condition requires the UDLMP to detail how the project is designed to:

4.6

- i. *Integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;*
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 - b) *Safety in Design (SID) requirements; and*
 - c) *Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.*

29. It is recommended that condition 9 be amended to require evidence of consultation with adjoining land owners, developers and other stakeholders to be provided within the UDLMP. It is likely that other changes will also be required to be designation conditions to ensure that optimal urban outcomes are achieved. This submission includes scope to enable a full review and input to the designation conditions.

Policy Assessment:

30. On the basis of the above, the Notice of Requirement is not in keeping with the relevant provisions of the National Policy Statement - Urban Development or the AUP-OP Regional Policy Statement. The proposal is also inconsistent with, and potentially contrary to the relevant objectives and policies of the Unitary Plan. The designated works do not seek to align the planning, funding and delivery of the transportation projects in an integrated manner that facilitates urban growth and good urban outcomes.

4.7

31. The proposal does not represent sound resource management outcomes because it will potentially compromise the ability to efficiently provide for employment opportunities and required heavy business activities in the planned Warkworth urban area.

RELIEF SOUGHT

32. John Wynyard seeks that Auckland Council recommends refusal of NOR8.

33. Any other relief or amendments as considered appropriate and necessary to address the concerns raised in this submission.

Yours sincerely



Jessica Andrews
Planner
The Planning Collective Limited
(On behalf of the John Wynyard)
Date: 07 July 2023

Address for Service:

John Wynyard
C/- The Planning Collective Limited
Attn: Jessica Andrews
PO Box 591
Warkworth
0941
Ph: 021-422-713
Email: Jessica@thepc.co.nz / Burnette@thepc.co.nz

Submission on the Notices of Requirement for the Warkworth Package lodged by Auckland Transport as a requiring authority under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the Warkworth Package

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: Mark Bishop
Regulatory & Policy Manager
Watercare Services Ltd
Private Bag 92 521
Victoria St West
AUCKLAND 1142
Phone: 022 010 6301

DATE: 7 July 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the eight NoRs for the Warkworth Package lodged by Auckland Transport ("**AT**") as a requiring authority under the Resource Management Act 1991.
- 1.2 Watercare neither supports nor opposes the NoR applications (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("**LGA**") and are wholly owned by Auckland Council.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.6 million people in the Auckland region.

- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²
- 2.6 With specific reference to development of Warkworth, along with the transport authorities, Watercare needs to provide for the foreseeable future needs of a population of around 30,000 people. This is approximately six times the present population. New and upgraded infrastructure will be needed, sequentially in all areas of Warkworth as this population grows and new areas are developed. It is likely this infrastructure will be delivered through a mixture of Watercare and private developers.

3. SUBMISSION POINTS AND RELIEF SOUGHT

- 3.1 This is a submission on all the NoRs that were lodged on 12 May 2023 and publicly notified on 9 June 2023.
- 3.2 Watercare recognises the aim of the NoRs is to seek to designate land for future strategic transport corridors and associated infrastructure as part of the Te Tupu Ngātahi Supporting Growth Programme to enable the future construction, operation and maintenance of transport infrastructure in Warkworth.
- 3.3 The specific NoR's referred to in this submission are:
- (a) **NoR 1 - Northern Public Transport Hub and Western Link** - New northern public transport hub and associated facilities including a park and ride at the corner of State Highway 1 (SH1) and the new Western Link – North. New urban arterial cross-section with active mode facilities between the intersection of SH1 and Te Honohono ki Tai (Matakana Link Road) to the proposed bridge crossing, enabling a connection for development in the Warkworth Northern Precinct as provided for in the Warkworth North Precinct;
 - (b) **NoR 2 - Woodcocks Road – West** - Upgrade of the existing Woodcocks Road corridor between Mansel Drive and Ara Tūhono (Puhoi to Warkworth) to an urban arterial cross-section with active mode facilities;
 - (c) **NoR 3 - State Highway 1 – South Upgrade** - Upgrade of the existing SH1 corridor between Fairwater Road and the southern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

- (d) **NoR 4 - Matakana Road Upgrade** - Upgrade of the existing Matakana Road corridor between the Hill Street intersection and the northern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (e) **NoR 5 - Sandspit Road Upgrade** - Upgrade of the existing Sandspit Road corridor between the Hill Street intersection and the eastern Rural Urban Boundary to an urban arterial cross-section with active mode facilities;
- (f) **NoR 6 - Western Link – South** - New urban arterial cross-section with active mode facilities between the intersection of SH1 and McKinney Road and Evelyn Street;
- (g) **NoR 7 - Sandspit Link** - New urban arterial cross-section with active mode facilities between the intersection of Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road; and
- (h) **NoR 8 - Wider Western Link - North** - New urban arterial cross-section with active mode facilities between Woodcocks Road and the Mahurangi River.

- 3.4 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any recommendation and decision made responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare’s ability to provide water and wastewater services now and in the future. Watercare has interests in all of the eight NoRs.
- 3.5 Watercare acknowledges that AT has been proactive in engaging with Watercare during the development of these NoRs. Watercare is also a part of ongoing discussions with the Supporting Growth Alliance, and is aware of the preceding ‘future urban land use strategy’ project work. However, some developments have previously been undertaken that have impacted Watercare’s plans (ie the carpark at the Warkworth Showgrounds).
- 3.6 Watercare seeks to ensure that a live and continual process is provided by AT in developing the NoRs, which recognises that asset management and construction plans are constantly being updated and amended. Watercare supports collaboration across infrastructure entities on the development (or redevelopment) of urban environments, including the sharing of information, data and commercial models. Collaboration could also include the need for shared utility corridors, potential cost shared delivery of opportunistic works and engagement on timing and asset phasing. 5.1
- 3.7 Watercare seeks early and ongoing engagement from AT for its planning and construction works relating to the NoRs including prior to detailed design and during construction. Early and fulsome consultation with Watercare, along with other infrastructure providers (such as relevant developers) can enable opportunities to plan and future proof the delivery of assets including the consideration of cost-shared delivery models. Time is required to consider opportunities to collectively plan and future proof the delivery of assets. This also includes providing sufficient time for any necessary “Works Over” Applications and Approvals, in compliance with the *Water Supply and Wastewater Network Bylaw 2015* to be sought and obtained. 5.1

4. RECOMMENDATIONS SOUGHT

4.1 Watercare seeks that Auckland Council recommend:

- (a) amendments to the NoRs, including by way of conditions to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above;
- (b) amendments to the NoRs to ensure that AT is to engage with Watercare, along with other infrastructure providers (such as relevant developers), in a timely manner that enables the consideration of cost-shared delivery models; and
- (c) such further relief or consequential amendments as considered appropriate and necessary to address the concerns as set out above.

5.1

4.2 Watercare wishes to be heard in support of its submission.



Mark Bourne
Chief Operations Officer
Watercare Services Limited



7 July 2023

File ref: AUP Warkworth NoR 8

Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

SUBMISSION ON THE NOTICE OF REQUIREMENT FOR THE WARKWORTH NETWORK - NOR 8 – WIDER WESTERN LINK, BY THE REQUIRING AUTHORITY: AUCKLAND TRANSPORT

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The focus for HNZPT is for the identification, protection, preservation, and conservation of historic heritage (HNZPTA) and advocate that historic heritage is fully considered in accordance with section 6(f) of the Resource Management Act 1991 (RMA).
4. HNZPT supports the purpose of planning for a well-functioning urban environment through the protection of integrated transport networks to support the expected future growth needs.
5. HNZPT has reviewed the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' prepared for the eight NoRs that form the suite of NoRs for the Warkworth Network.
6. Section 22 Engagement, in the Assessment of Environmental Effects (AEE), sets out the engagement undertaken for the Warkworth NoR Network. While extensive, HNZPT was not included. If there had been engagement, HNZPT would have had the opportunity to provide feedback and guidance relating to the historic heritage of the place.
7. Nevertheless, since notification, the Te Tupu Ngatahi Supporting Growth have engaged with HNZPT. This engagement has enabled the parties to further understand the intent of the draft conditions being proposed through the full suite of NoRs notified or presently being prepared.
8. There is also now greater understanding with the intended mechanisms to ensure the protection of historic heritage, and mitigation to manage any adverse effects resulting from the physical construction of the Network through the Outline Plan of Works process in the future.



The specific parts of the Notice of Requirement that Heritage New Zealand's submission relates to are:

9. The following proposed conditions:
 - Condition 6 Outline Plan
 - Condition 7 Management Plans
 - Condition 8 Cultural Advisory Report
 - Condition 9 Urban and Landscape Design Management Plan (ULDMP)
 - Condition 14 Cultural Monitoring Plan
 - Condition 20 Historic Heritage Management Plan (HHMP)
10. HNZPT is a submitter to the NoRs for the Airport to Botany Network and the North-West Network. Part of both sets of NoRs, HNZPT have raised concerns over the wording and the potential conflation of the roles under the RMA and the HNZPTA in the protection of archaeology. HNZPT has had post submission discussions with Te Tupu Ngatahi Supporting Growth and reviewed the s.42a report and Te Tupa Ngatahi's evidence for the Airport to Botany NoRs. As a result, HNZPT considers clarity has now been expressed on the intent and application of the HHMP condition, along with the acknowledgement of the historic heritage requirements under both acts and how those will be managed.
11. HNZPT can now support of the general intent and application of the HHMP.
12. HNZPT also considers Te Tupa Ngatahi's suggestion of replacing the term 'accidental' with 'unexpected' within the text of the HHMP (in their Airport to Botany evidence) assists in removing the conflation potential between the requirements under the HNZPTA and what can be managed via the Accidental Discovery Protocol Rule (E11.6.1) under the Auckland Unitary Plan (AUP).
13. The requirement for an Archaeological Authority to be obtained in accordance with the HNZPTA does not mitigate the effects of the NoR identified under the RMA. It is a separate statutory obligation before any physical works undertaken to construct the proposed Warkworth Network commence. While obtaining an Archaeological Authority does not mitigate the effects on the heritage values by the NoRs it does ensure the archaeological of the area is fully assessed, formally documented, and monitored. Through the HHMP, the provision of historic heritage interpretation, public awareness and similar remedies mitigate the effects of the construction of the Network.
14. HNZPT is supportive of the recommendations outlined in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' being implemented.

Heritage New Zealand Pouhere Taonga supports the Notice of Requirement (NoR 8).

The reasons for Heritage New Zealand's position are as follows:

15. The consideration, management, and mitigation of effects from the purpose of the designation on the historic heritage values of the place are required to ensure effects are appropriately mitigated.
16. There should be no duplication of the archaeological authority processes under the HNZPTA 2014.



17. The recommendations set out in the May 2023 'Warkworth Assessment of Archaeological and Heritage Effects' are appropriate.
18. HNZPT is supportive of the proposed amendments to the wording of the HHMP through the evidence recently circulated for the Airport to Botany Network NoR hearing in removing the conflation potential between the requirements under the HNZPTA and the RMA. 6.1

Heritage New Zealand seeks the following decision from Council:

19. The approval of NoR 8, with the amendment of the wording of the Historic Heritage Management Plan (HHMP) condition to read (amendments shown by underlining and ~~struckthrough~~):

Historic Heritage Management Plan (HHMP) 6.1

- a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.
- b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:
- i. any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;
 - ii. methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;
 - iii. known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;
 - iv. any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded (such as in the NZAA SRS (ArchSite) and/or the Auckland Council's CHI index);
 - v. roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;
 - vi. specific areas to be investigated, monitored, and recorded to the extent these are directly affected by the Project;
 - vii. the proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings and standing structures) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;
 - viii. methods to acknowledge cultural values identified through the Mana Whenua Partnership Forum [Condition ##] and Urban and Landscape Design Management Plan [Condition ##] where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;



- ix. methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to:
 - a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access.
 - x. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and
 - xi. training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to **accidental unexpected** discoveries and the AUP Accidental Discovery Rule (E11.6.1). The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified and Experienced Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under [Condition ##]).
- c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation, **building and standing structure recording**, and monitoring), shall be submitted to the Manager within 12 months of completion.

Accidental Discoveries Advice Note:

The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP.

20. Heritage New Zealand wishes to be heard in support of their submission.

21. If others make a similar submission, HNZPT will consider presenting a joint case with them at a hearing.

Yours sincerely

BHParslow

Acting Director Northern Region

Address for service: Alice Morris
amorris@heritage.org.nz
PO Box 105 291
Auckland City 1143

Cc: Auckland Transport
submissions@supportinggrowth.nz

**SUBMISSION ON NOTICE OF REQUIREMENT FOR A DESIGNATION THAT IS SUBJECT TO
PUBLIC NOTIFICATION UNDER SECTION 168 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council (**Council**)

Name: KA Waimanawa Limited Partnership, Christine and William Endean, and Stepping Towards Far Limited (jointly **The Submitters**)

Submission on: Notice of requirement from Auckland Transport: NoR 8 Warkworth: Wider Western Link – North, for a designation for a new urban arterial corridor with active mode facilities between Woodcocks Road and the Mahurangi River (**NoR 8**).

Introduction

1. KA Waimanawa Limited Partnership is the owner of 1723 and 1711 State Highway 1 (**SH1**), Warkworth:
 - (a) 1723 SH1 is land within the footprint of the proposed designation¹; and
 - (b) 1711 SH1 is near the footprint of the proposed designation.
2. Stepping Towards Far Limited is the developer of land at 1738 SH 1, Warkworth, which is within the proposed designation.²
3. Christine and William Endean are the owners of 123 Valerie Close, Warkworth, which is within the footprint of the proposed designation.³
4. KA Waimanawa Limited Partnership and Stepping Towards Far Limited are the requestors of the proposed Warkworth South Private Plan Change (**Private Plan Change**). The Private Plan Change:
 - (a) seeks to rezone approximately 159ha of Future Urban and Rural – Rural Production zoned land in Warkworth to a mix of residential, business, open space and rural zones through the introduction of two new precincts – Waimanawa and Morrison Heritage Orchard;
 - (b) provides for the alignment of the Wider Western Link Road (**WWLR**) as it traverses through the Private Plan Change land and intersects with SH1; and
 - (c) was lodged with Auckland Council on 24 January 2023 and is expected to be notified within the next 2 months.

7.1

1 1723 SH1, Warkworth is listed in the Schedule of Directly Affected Properties in Form 18, Attachment B.
 2 1738 SH1, Warkworth is listed in the Schedule of Directly Affected Properties in Form 18, Attachment B.
 3 123 Valerie Clos, Warwkorth is listed in the Schedule of Directly Affected Properties in Form 18, Attachment B.

5. The Submitters will be affected by NoR 8, particularly by the proposed location of the SH1 intersection because it is marginally inconsistent with the alignment of the WWLR provided for in the Private Plan Change. The proposed intersection between the existing SH1 and the WWLR is included within both NOR 3 and NOR 8. The Submitters repeat and adopt for NOR 8 all points made in its submission on NOR 3.
6. The Submitters could not gain an advantage in trade competition through this submission.

Scope of submission

7. This submission relates to NoR 8 in its entirety but particularly to the eastern portion of NoR 8 that provides for the proposed SH1 intersection with the WWLR.⁴

Nature of submission

8. The Submitters support the western portion of the proposed designation that provides for part of the WWLR from Woodcocks Road to the Mahurangi River. 7.1
9. The Submitters support the eastern portion of the proposed designation, provided that:
 - (a) the location and spatial extent of the proposed SH1 intersection with WWLR is modified by shifting the proposed designation boundary marginally north, as shown in the diagram in Attachment 1; and
 - (b) conditions are imposed that ensure the adverse effects on the Submitters are addressed, including by identifying the extent of land required for permanent operation of the road and for temporary construction works. In particular, the post construction road boundary should be as shown on the NOR plan. It should exclude the residual land required for construction which should remain in private land ownership.

Reasons for submission

10. The western portion of the proposed designation (and where it crosses the headwaters of the Mahurangi River) is supported because it provides an appropriate alignment for the WWLR and will connect with the WWLR provided for in the Private Plan Change. The WWLR is required to manage Warkworth’s growth in general accordance with the Warkworth Structure Plan and to provide in part the future connection to any long-term future southern on-ramps on the Ara Tuhono - Puhoi to Warkworth Motorway. 7.2
11. The eastern portion of the proposed designation is opposed because the location and spatial extent of the intersection if confirmed as currently proposed: 7.3
 - (a) will not promote the sustainable management of the natural and physical resources and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991;
 - (b) does not promote the efficient use and development of resources;

4 NoR 8 “ties-in” with NoR 3 Warkworth: State Highway 1 (SH1) – South Upgrade at this location.

- (c) is inconsistent with other relevant planning documents, including the Auckland Unitary Plan (Operative in Part);
- (d) is not reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
- (e) does not avoid, remedy or mitigate actual and potential adverse effects on the environment.
12. Without limiting the generality of the above reasons, the specific reasons for the submission are as follows:
- (a) The location of the intersection does not represent an efficient use of land because:
- (i) the spatial extent of the intersection exceeds the land required for the proposed works;
 - (ii) the resultant alignment of the WWLR over the Private Plan Change land will reduce the amount of usable land for the local town centre area and potentially for the transportation hub; and
 - (iii) the resultant alignment of the WWLR over the Private Plan Change land will create a segregated strip of potentially undevelopable residential land north of the WWLR.
- (b) The location of the intersection and resultant alignment of the WWLR has the potential to create reverse sensitivity effects on the adjoining Morrison Orchard if this residual land is developed for residential use or another sensitive land use.
- (c) The location of the intersection will have adverse ecological effects on a natural wetland, which is located on 1738 SH 1, Warkworth to the immediate southeast of the proposed Intersection.
- (d) The Submitter's preferred alignment of the WWLR was developed as a result of an intensive master planning process and will create fewer adverse effects than the alignment resulting from the proposed designation.
- (e) To date, the Supporting Growth justification for the location of the intersection and alignment of the WWLR is to ensure a 10m setback from a stream located on 1711 SH1. However, a sufficient setback is provided by the location of the WWLR in the Private Plan Change.
- (f) A further Supporting Growth justification for the location of the intersection and alignment of the WWLR is that it will avoid adverse effects on a "natural" wetland within the property at 1711 SH1. However, the wetland is not subject to a covenant and is a constructed wetland for the purposes of the National Policy Statement on Freshwater Management 2020 (NPS FM) and therefore is not protected by the NPS FM.

7.3

7.3

Recommendation sought

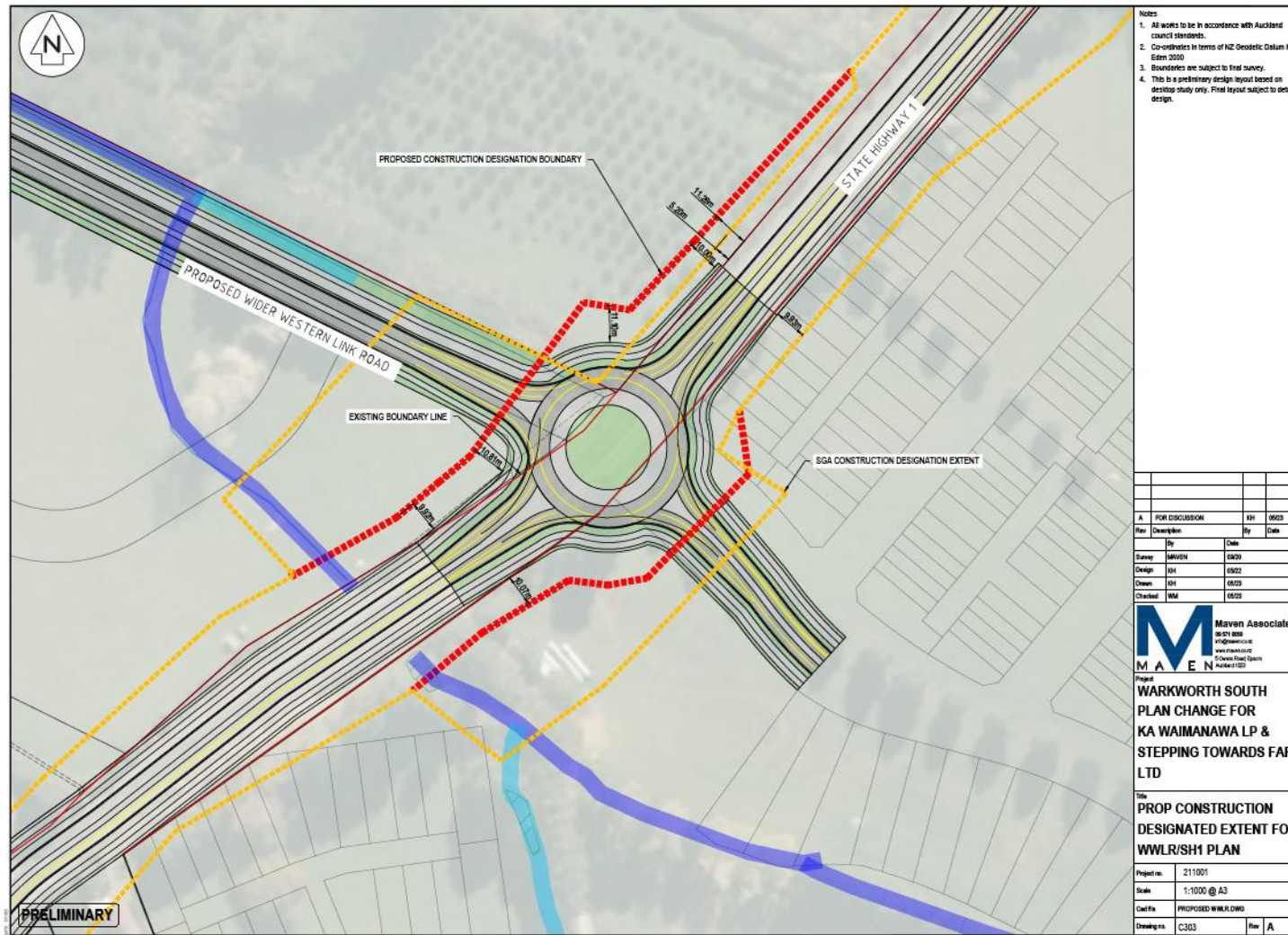
13. The relief sought by the Submitters is that the Council recommends that:
- (a) The western portion of NoR 8 is confirmed. 7.1 and 7.2
 - (b) The eastern portion of NoR 8:
 - (i) is modified by amending the location and spatial extent of the proposed SH1 intersection designation boundary as shown in the diagram in Attachment 1; and 7.3
 - (ii) has conditions imposed that ensure the adverse effects on the Submitters are addressed, including by identifying the extent of land required for permanent operation of the road and for temporary construction works. In particular any land required for future construction works should remain outside the notice of requirement and remain within private landownership.
 - (c) Such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.
14. The Submitters wish to be heard in support of this submission.
15. If others make a similar submission, the Submitters will consider presenting a joint case with them at any hearing.
16. The Submitters have also lodged a submission on NoR 3 Warkworth: State Highway 1 – South Upgrade, which “ties-in” with NoR 8 at the location of the SH1 intersection.

KA WAIMANAWA LIMITED PARTNERSHIP, CHRISTINE AND WILLIAM ENDEAN AND STEPPING TOWARDS FAR LIMITED by its solicitors and authorised agents Simpson Grierson:



| | |
|-----------------------------|---|
| Signature: | _____ Bill Loutit/Felicity Wach |
| Date: | 7 July 2023 |
| Address for Service: | C/- Felicity Wach Simpson Grierson Barristers and Solicitors Level 27 88 Shortland Street Private Bag 92518 AUCKLAND 1141 |
| Telephone: | +64 9 977 5306 |
| Email: | felicity.wach@simpsongrierson.com |

ATTACHMENT 1 – The Submitters preferred location and extent of the Wider Western Link Road and SH1 intersection shown in red





FORM 21

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification under Section 168A, 169, 181, 189A, 190 and 195A of the Resource Management Act 1991.

To: Te Tupu Ngātahi – Supporting Growth Alliance (‘Te Tupu Ngātahi’)

Name of submitter: **Te Tāhuhu o te Mātauranga | Ministry of Education (‘the Ministry’)**

Address for service: Eden 5, Level 3/12-18
Normanby Road
Mount Eden
Auckland 1011

Attention: Gemma Hayes

Phone: +649 638 0294

Email: gemma.hayes@education.govt.nz

This is a submission on four of Te Tupu Ngātahi’s Notice of Requirement in Warkworth, Woodcocks Road – West Upgrade (NoR 2), State Highway 1- South Upgrade (NoR 3), Wider Western Link – North (NoR 8) and Western Link - South (NoR 6) Auckland Transport

Background

The Ministry is the Government’s lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government’s goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact existing and future educational facilities and assets the Auckland region.

The Ministry of Education’s submission is:

Under the Resource Management Act 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

Through its delivery partner, Te Tupu Ngātaihi, Auckland Transport has lodged eight Notices of Requirement (NoR) to designate land for future strategic transport corridors in Warkworth (the Project). These designations enable the future construction, operation and maintenance of transport infrastructure to support anticipated growth in Warkworth over the next 40 years. The location of each NoR in relation to and the Ministry’s assets is shown in Figure 1.

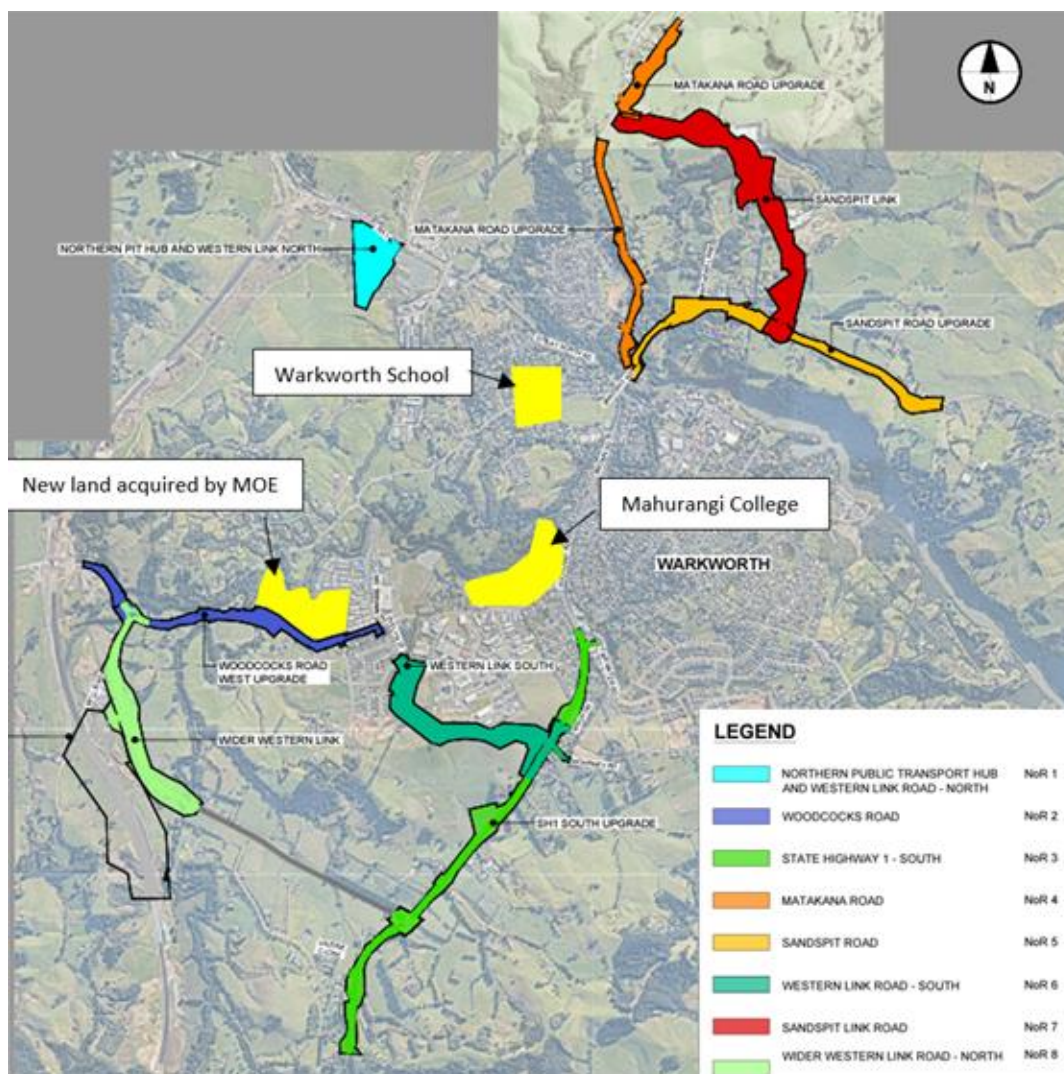


Figure 1: Project Overview - Location of Eight NoRs in relation to the Ministry of Education's School Network

The Ministry broadly supports the Project’s aim to enable better active modes of transportation and support a resilient and integrated transport network. With regard to the Ministry’s property portfolio, Mahurangi College and a site at 100 -138 Woodcocks Road, which the Ministry have acquired for a future primary and secondary school (the Ministry’s site), are within the Project area. Both Mahurangi College and the Ministry’s site have the potential to be affected by the Project.

The Ministry seeks to appropriately address and manage construction-related effects and the on-going potential effects the projects may have on the operation and management of the schools, particularly for NoR 2, NoR 6, and NoR 8. Additionally, there is a designation overlap of NoR 2 with the Ministry’s site (see Figure 2) that the Ministry wish to address. The Ministry is also investigating a possible school site South of Warkworth, and therefore are also submitting on NoR 3, and the potential effects this NoR may have on the provision of safe access to any future school site in this area. The Ministry’s specific concerns are outlined below.

8.1

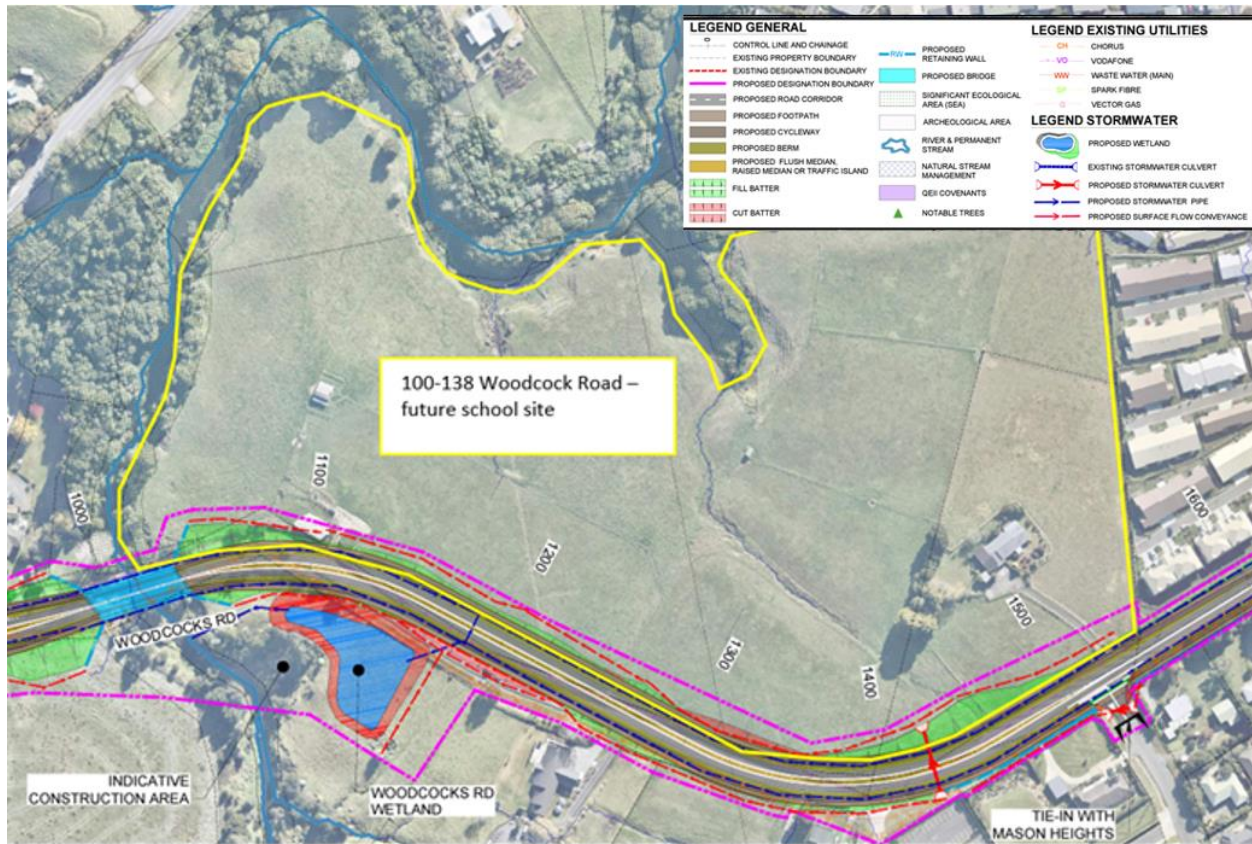


Figure 2: Proposed works in proximity to the Ministry’s site at 100-138 Woodcocks Road (Future school site is outlined in yellow)

Walking and cycling provisions

The Ministry strongly supports the provision of separated walking and cycle facilities that will provide safe access to the current and future wider school network. Encouraging mode shift will provide significant health benefits for students and staff, reducing traffic generation at pick-up and drop-off times. Schools should be well serviced by safe and accessible pedestrian and cycling links as well as public transportation facilities, and it is considered that the proposed upgrades will provide adequate cycling and walking infrastructure to the schools in Warkworth.

Regarding NoR 2, the Ministry requests the inclusion of a pedestrian crossing outside the Ministry's site once the schools have been established. This will ensure students can safely cross Woodcocks Road. We understand Auckland Transport do not have detailed design plans, but the Ministry seeks reassurance that it will be provided for in the subsequent Project implementation.

Notice of Requirement 2 (NoR 2)

The key features of NoR 2 include road widening (two-lanes and a flush median) and a bi-directional cycleway and pedestrian pathway. An indicative cross section for works on Woodcocks Road is shown in Figure 3.



Figure 3: Woodcocks Road Indicative Cross-Section

The proposed NoR 2 designation boundary overlaps with the Ministry's site (see Figure 2) by up to 20 metres in depth. Overall, Auckland Transport propose to acquire 6,350m² of the Ministry's land. This will mainly consist of the walking and cycling facilities and surface water flow conveyance channels. The Ministry's concerns with NoR 2 are outlined below.

Safe site access on Woodcocks Road

The Ministry considers that further thought should be given to the layout of the NoR 2 prior to project implementation. The current proposed arrangement requires the acquisition of a significant portion of the Ministry's site.

The current proposed road alignment moves north into the Ministry site in order to provide for clear sightlines to the existing and proposed bridge. Further consideration should be given to an alternative arrangement that shifts the alignment of the bridge. A suggested consideration is provided below (Figure 4). This would improve sightlines for the anticipated access points to the school site, and potentially reduce the need to acquire land within the school site. In discussions with Auckland Transport/SGA they indicated the location of the SW pond has not yet been determined and could possibly be located elsewhere in the vicinity.

The Ministry would like to work with Auckland Transport to consider an alternative road layout that would remove this curve and straighten the road. This would improve the overall safety of the road by enhancing sightlines and providing a safer road environment for all road users.



Figure 4: Suggested alternative road layout

Speed Limit

The NoR 2 proposes a 50km/h speed limit from Falls Road in the west to Mansel Drive in the east. As a school will be established in this location, the Ministry considers that the speed should be reconsidered to align with safer speed implementation that is currently being undertaken by Auckland Transport. The Ministry considers that a 30km/h speed should be implemented either with a variable speed limit or a permanent speed limit. Given that Mahurangi College is also located along Woodcocks Road, the variable speed limit should apply from the Falls Road intersection to the intersection of Woodcocks Road and Auckland Road adjacent to Mahurangi College.

Construction noise and vibration

If the future schools are operative before the construction of the proposed works, the schools may be affected by construction noise and vibration. Under proposed condition 16, Auckland Transport is required to develop a Construction Noise and Vibration Management Plan (CNVMP) before construction commences. The Ministry requests that the Ministry and the future schools are engaged with regarding any potential construction noise and vibration impacts. In addition, the Ministry requests that any construction activities that will significantly exceed the permitted noise and/or vibration levels are undertaken outside of exam periods to minimise disruptions to students' learning.

8.1

Access to the future schools the Ministry's site

The Project has allowed space for a flush median down the centre of Woodcocks Road as part of the proposed works (see Figure 3). The Ministry supports the inclusion of a standard, flat flush median outside the Ministry's site to enable appropriate queuing space for cars entering the school grounds. For the avoidance of doubt, the Ministry does not support any solid median that prevents flexibility in manoeuvring to and from the Ministry's site.

Overall, the Ministry wishes to work with Auckland Transport on the detailed design to suitably integrate works with school access. The Ministry notes visibility constraints due to horizontal bends and vertical gradients on Woodcocks Road (particularly at the eastern end of the school), which create complications in designing a safe access point to the future schools. The bridge appears to be a fixed point which determines the future road layout and the Ministry requests that Auckland Transport collaborate with the Ministry during the various design phases of the road to ensure the bridge and approach road to the west of the Ministry site incorporates existing or proposed entrances, and ensures safe and adequate access to our site.

Designation boundary overlap

The Ministry supports the proposed condition 3, which requires the Requiring Authority to review the physical extent of the designation and pull it back after construction.

When the Ministry develops the site, it will undertake earthworks to prepare the site for development. The development of the school site may result in earthworks by Auckland Transport not being required. The earthworks undertaken by the Ministry will change the gradient and interface on the school site with the road, and the existing levels that inform the extent of the NoR and the estimated earthworks may no longer apply. The Ministry requests recognition in the condition that earthworks on the school site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks, then the NoR boundaries can be revised.

The Ministry requests that if the Ministry finish the earthworks required by Auckland Transport, Auckland Transport roll back the designation earlier. The relief sought is outlined below.

NoR3

In NoR 3, a roundabout is proposed along the urban arterial. The Ministry is investigating a possible school site to serve this future urban area. The school may be located on either side of the urban arterial, but the likely catchment will be all of this new urban area, with students required to cross this arterial to access the school sites by active modes. The school site may be some distance from the arterial so may not be able to support safe crossing by kea or other supervision.

The Ministry supports signalised intersections over roundabouts to connect these urban areas across the arterial, as this provides a safer environment for students to access the school. Signalised intersections can better manage the safe movement (active modes) of people and vehicles. These deliver on and align with government policy to support well-functioning urban environments as well as thriving communities.

All NoRs

Construction traffic effects

Mahurangi College is located at the corner of Woodcocks Road and Auckland Road. The College will potentially be affected by an increased volume of heavy vehicles using Woodcocks Road to access the construction area of NoR2, NoR3, NoR6 and NoR8. This is a traffic safety concern for students walking and cycling to school at peak pick-up and drop-off times.

Proposed condition 15 requires the preparation of a Construction Traffic Management Plan (CTMP) prior to the start of construction. The Ministry supports the inclusion of this condition but requests minor alterations to the condition to include details on how all heavy construction vehicles will avoid schools (and any new schools established before construction commences) during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school. The Ministry also request that truck drivers are briefed on maintaining safe speeds around schools.

8.1

Stakeholder engagement

The Ministry supports the establishment of a Stakeholder Communication and Engagement Management Plan (SCEMP) as a proposed condition. The Ministry considers that the Ministry, Mahurangi College, and future schools are all key stakeholders in this Project and specific engagement with all parties is required to manage construction effects on the schools.

8.2

Decision sought

The Ministry is neutral on NoR 2, NoR 3, NoR 6 and NoR 8, however if the consent authority is minded to confirm the Notice of Requirement, the Ministry requests the following relief and any consequential amendments required to give effect to the matters raised in this submission.

The Ministry requests further engagement with Auckland Transport over the alignment of the road, to work together to determine if another layout may better provide for the use of the Ministry site, while still achieving the intended outcomes of the Project.



Conditions

The Ministry seeks the following relief for the condition below on NoR 2, NoR 3, NoR 6 and NoR 8 additions are underlined:

8.2

1. The Ministry seeks the following relief for the proposed SCEMP condition (condition 12):

(a) A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:

- i. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);
- ii. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;
- iii. methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;
- iv. methods for engaging with the Ministry of Education (MoE), Mahurangi College and the future schools located at 100-138 Woodcocks Road . The MoE and Schools must be contacted ten working days prior to the start of any construction within 100 metres of the school boundary. Contact details of the construction manager must be shared with MoE Mahurangi College and and the future schools located at 100-138 Woodcocks Road (should the school have any safety concerns during construction).
- v. a list of stakeholders, organisations (such as community facilities) and businesses and persons who will be engaged and communicated with;
- vi. Identification of the properties whose owners will be engaged with;
- vii. methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and surrounding businesses and residential communities;

8.2

(b) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.

8.2

(c) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days prior to the Start of Construction for a Stage of Work.



2. The Ministry seeks the following relief for the proposed CTMP condition (condition 15):

8.1

- (a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work
- (b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:
 - i. methods to manage the effects of temporary traffic management activities on traffic;
 - ii. measures to ensure the safety of all transport users;
 - iii. the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;
 - iv. How heavy vehicles will avoid travelling past the schools listed in the table below during peak before-school and after-school travel times during term time. Engagement should be undertaken with the schools prior to construction to confirm the restricted times still reflect the school's peak before-school and after-school travel times. It is noted that new schools could establish around the project area before construction commences. Any new school on an identified construction route must be engaged with and added to the table below. Heavy vehicle movements must avoid these new schools at their peak before-school and after-school travel times.

8.1

| <u>School</u> | <u>Address</u> | <u>Roads vehicles are restricted from</u> | <u>Timeframe restrictions</u> |
|---|------------------------------------|---|--|
| <u>Mahurangi College</u> | <u>2 Woodcocks Road, Warkworth</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>8.15am – 9am and 3pm – 3.30pm.</u> |
| <u>Future Schools located at 100-138 Woodcocks Road</u> | <u>100-138 Woodcocks Road</u> | <u>Woodcocks Road (between State Highway One and Auckland Road)</u> | <u>If the School is operational Auckland Transport must undertake engagement with the School to determine an appropriate time restriction.</u> |

- v. Details of how truck drivers will be briefed on the importance of slowing down and adhering to established speed limits when driving past both schools, and to look out for school children and reversing vehicles at all times.
- vi. Details of consultation (including outcomes agreed) with the applicant, Mahurangi College and the future School located at 100-138 Woodcocks Road with regard to maintaining the safety of school students during construction. Details of all safety measures and interventions will be documented in the Construction Traffic Management Plan.

8.1

...

The Ministry request the following changes to NoR 2 only:

- 3. The Outline Plan shall include a pedestrian crossing outside the Ministry's future school site at 100 - 138 Woodcocks Road as part of the Project implementation if the designation of this site has been given effect to.
- 4. The Ministry seeks the following relief for the proposed CNVMP condition:
 - (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.
 - (b) A CNVMP shall be implemented during the Stage of Work to which it relates.
 - (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 16 and 17 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:
 - i. Description of the works and anticipated equipment/processes;
 - ...
 - xiv. If noise is to significantly exceed the permitted noise levels outside the school(s) located on 100-138 Woodcocks Road, engagement must be undertaken with them to determine appropriate mitigation message and ensure all noise activities are undertaken outside of exam and important class schedules.
- 5. The Ministry seeks the following relief for the proposed designation review condition (condition 3):
 - (a) The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable following Completion of Construction the Requiring Authority shall:



- i. review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project (including where physical works of approved roading infrastructure have been undertaken by other parties); and
- ii. give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above .

Should you wish to discuss any aspect of this feedback, please do not hesitate to contact the undersigned.

The Ministry wishes to be heard in support of its feedback.

Gemma Hayes

Ministry of Education

Date: 7 July 2023

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:860] Notice of Requirement online submission - Rebecca Greenslade and Lynna Deng
Date: Friday, 7 July 2023 7:00:36 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Rebecca Greenslade and Lynna Deng

Organisation name: Equal Justice Project

Full name of your agent:

Email address: rgre311@aucklanduni.ac.nz

Contact phone number: 021 131 4734

Postal address:

C/O University of Auckland Faculty of Law Private Bag 92019 Auckland Mail

Auckland

Auckland 1142

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: (NoR 8) Warkworth : Wider Western Link -North

The specific provisions that my submission relates to are:

We are submitting on the whole of the application

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:

We support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region's greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes' patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland's youth, environment, resources, and future. We would like to ask for consideration of intergenerational equity in the making of this decision.

9.1

I or we seek the following recommendation or decision from Auckland Council:

We ask that the NoRs be granted.

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

[The Matariki Festival 2023 is on 11 to 22 July.](#)



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:868] Notice of Requirement online submission - Dr Grant Hewison
Date: Friday, 7 July 2023 7:30:40 pm

The following customer has submitted a Notice of Requirement online submission.

Contact details

Full name of submitter: Dr Grant Hewison
Organisation name:
Full name of your agent: Grant Hewison
Email address: grant@granthewison.co.nz
Contact phone number:
Postal address:
PO Box 47188
Auckland
Auckland 1011

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: (NoR 8) Warkworth : Wider Western Link -North
The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
I support the NoRs because they will reduce greenhouse gas emissions from transport. Transport accounts for 43.6% of the Auckland region’s greenhouse gas emissions, with 86% of these emissions arising from road transport. An important mitigation response to this issue is achieving modal shift from private motor vehicle use to increases in both public and transport modes’ patronage. The NoRs respond to the effects of climate change and the reduction of greenhouse gas emissions by providing improved reliability for public transport and high quality walking and cycling facilities. The NoRs respond to the effects of climate change through the provision of replanting that, when delivered, will contribute to reducing urban heat island effects. The NoRs seek to reduce carbon emissions from transport infrastructure, particularly in the context of vehicle kilometres travelled (VKT), and seek to ensure both existing and new transport infrastructure can adapt and be resilient to the effects of climate change. The decision in this matter will directly impact Auckland’s youth, environment, resources, and future. I would like to ask for consideration of intergenerational equity in the making of this decision.

10.1

I or we seek the following recommendation or decision from Auckland Council:
Grant the NoR

Submission date: 7 July 2023

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

The Matariki Festival 2023 is on 11 to 22 July.



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APPENDIX 5

RODNEY LOCAL BOARD VIEWS

Please refer to the below Rodney Local Board 16 August Business Meeting Resolution:

Resolution number RD/2023/121

MOVED by Member M Carmichael, seconded by Member I Wagstaff:

That the Rodney Local Board:

- a) **whakarite / support the eight Notices of Requirement for the Warkworth Road Network subject to the following feedback:**
- i) **NOR's should be held back until the Future Development Strategy and review is completed**
 - ii) **consultation and liaison with One Mahurangi Transport and Infrastructure Forum is highly recommended**
 - iii) **Warkworth has many flood plain areas which need to be considered**
 - iv) **suggest all routes need to be assessed in this context**

NOR 1: Northern Public Transport Hub & Western Link – North (2028-2033)

- v) **suggest an earlier construction of this to alleviate parking issues within Warkworth**

NOR 6: Western Link – South (2028-2033)

- vi) **express concern regarding the route of this due to it encroaching into the location of a future medical facility and industrial zone.**

NOR 7: Sandspit Link (2038-2043)

- vii) **express concern that the route impacts on existing houses.**

NOR 8: Wider Western Link – North (2033-2038)

- viii) **prefer the route around Wylie Road is investigated**
- b) **kopou / appoint local board Member M Carmichael to speak to the local board views at a hearing on the Notices of Requirement for the Warkworth Road Network**
- c) **tautapa / delegate authority to the chairperson of Rodney Local Board to make a replacement appointment in the event the local board member appointed in resolution b) is unable to attend the Notices of Requirements hearing**

A division was called for, voting on which was as follows:

| <u>For</u> | <u>Against</u> | <u>Abstained</u> |
|-------------------------------|----------------------|-------------------|
| Member M Carmichael | Chairperson B Bailey | Member T Holdgate |
| Deputy Chairperson L Johnston | Member M Dennis | Member C Smith |
| Member I Wagstaff | | |
| Member G Wishart | | |

The motion was declared CARRIED by 4 votes to 2.

CARRIED

APPENDIX 6

CULTURAL ASSESSMENT FOR TE TUPU NGĀTAHI PUHINUI WARKWORTH

Cultural Assessment for Te Tupu Ngātahi Puhinui Warkworth

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|--|
| 1 | Ngāti Manuhiri do not oppose the proposal on the condition that the proposal will be in general accordance with the recommendations in this report and the proposed application to lodge a Notice of Requirement. We desire notice of the outcome of the application and the final designation conditions. | Te Tupu Ngātahi will continue engagement with Ngāti Manuhiri throughout the notice of requirement process and provide notice of the outcome of the Warkworth Notices of Requirement (NoRs). |
| 2 | As a matter of spiritual integrity, avoid all permanent streams and wetlands, provide a 100m setback from streams and wetlands and revegetate these buffer zones. | <p>The alignment and designs of the new and existing corridors were refined through the options assessment process, to avoid, and where that was not practicable to do so, minimise, effects on all permanent streams and wetlands. Ngāti Manuhiri (and other Mana whenua) were involved in the options assessment process through the Te Tupu Ngātahi Manawhenua forum.</p> <p>Refer to the Warkworth Assessment of Alternatives Section 6 for further detail on this process.</p> <p>An Ecological Management Plan (EMP), which covers district plan ecological matters is proposed for each NoR.</p> <p>Regional consent matters will be assessed in the future at the time which regional consents are sought, following the detailed design phase. As part of the EMP condition works should be undertaken in compliance with conditions of any regional resource consents, It is anticipated that these consents will specifically address any works associated with streams and wetlands.</p> <p>Depending on the potential effects of the Warkworth Package the regional consents for the Project may include the following monitoring and management plans:</p> |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|--|
| | | <p>(a) Stream and/or wetland restoration plans;</p> <p>(b) Vegetation restoration plans; and</p> <p>(c) Fauna management plans (e.g. avifauna, herpetofauna, bats).</p> <p>It should also be noted that the Cultural Monitoring Plan (to be prepared in collaboration with Manawhenua) for the NoRs, is proposed to align with the requirements of regional resource consents for the Project which require monitoring during Construction Works (this is set out as an advice note on the NoR Condition).</p> |
| 3 | Require formalisation of stream reserves/easements including covenants in favour of Ngāti Manuhiri regarding access and engagement. | This is beyond the scope of Te Tupu Ngātahi Programme and the NoRs being sought. Continued partnership with Manawhenua is important, and this matter can be raised through future discussions. |
| 4 | Land within the designation that Auckland Transport wishes to dispose of in future to first be offered to Ngāti Manuhiri Settlement Trust. | This is beyond the scope of Te Tupu Ngātahi Programme and the NoRs being sought. Continued partnership with Manawhenua is important, and this matter can be raised through future discussions. |
| 5 | All costs such as; ceremonies associated with upholding Ngāti Manuhiri tikanga and spiritual wellbeing (e.g., groundbreaking blessings), future monitoring, site visits, design elements, consultation and/or meetings by Ngāti Manuhiri and representatives are to be met by developer or appropriate entity. | This is beyond the scope of Te Tupu Ngātahi Programme and the NoRs being sought. Continued partnership with Manawhenua is important, and this matter can be raised and considered in future discussions during detailed design and implementation stages of the Warkworth Package. |
| 6 | Ensuring that the cumulative effects of activities and development upon Ngāti Manuhiri and taonga are fully recognised and mitigated or compensated for. | The Cultural Advisory Report condition provides an opportunity for Manawhenua to prepare a report that assists in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the project, to inform their management and protection as part of the project. |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|---|---|
| | | This will support the conservation, interpretation and education regarding taonga within the Study Area. |
| 7 | Work with Ngāti Manuhiri on cultural design incorporation and interventions, such as ensuring inter- and intra- cultural site visibility and settings are maintained, undertaking place naming and educational, physical (artistic) interpretation | <p>The Urban and Landscape Design Management Plan (ULDMP) condition requires that Manawhenua are invited to participate in the development of the ULDMP to provide input into relevant cultural landscape and design matters including how desired outcomes for the management of potential effects on cultural sites, landscapes and values can be reflected. Any cultural design features incorporated in the design as an outcome of this process would be implemented as part of the project. This will provide the opportunity to recognise the cultural landscape.</p> <p>The Cultural Advisory Report condition invites Manawhenua to identify and nominate traditional names. It is noted that there may be additional statutory processes outside the scope of the NoR that need to be completed before names can be confirmed.</p> <p><i>Ngāti Manuhiri Comment:</i></p> <p><i>As part of consideration of cultural design incorporation and interventions, consider opportunities for utilising locally sourced plants for native plantings.</i></p> |
| 8 | <p>Cultural Responsiveness to be a measure that enters making and tendering of contracts.</p> <p>Ngāti Manuhiri is to be informed about potential opportunities for education, work experience or employment, commercial investment and tender for re-vegetation contracts.</p> | This is beyond the scope of the Te Tupu Ngātahi programme, and the NoRs being sought. However, continued partnership with Manawhenua is important, and this matter can be raised and considered in future discussions with Auckland Council and Te Tupu Ngātahi being the facilitator of these conversations and considerations. |
| 9 | Inclusion of affordable housing of all residential types. | This is beyond the scope of the Te Tupu Ngātahi programme, and the NoRs being sought. However, continued partnership with Manawhenua is important, and this matter can be raised and considered in future discussions with Auckland Council and Te Tupu Ngātahi being the facilitator of these conversations and considerations. |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|---|--|
| 10 | Contractors to attend a cultural induction with Ngāti Manuhiri prior to works commencing, and to be familiar with Accidental Discovery Protocols. | <p>The Cultural Monitoring Plan is to be prepared in collaboration with Manawhenua. It will identify methods for undertaking cultural monitoring to assist with the management of cultural effects during construction works.</p> <p><i>Ngāti Manuhiri Comment:</i></p> <p><i>Include information on management of identified objects, including retention of objects on the site and working with Ngāti Manuhiri to identify designated area on site.</i></p> |
| 11 | Safe, contiguous cycleways and pedestrian connections throughout the township. | <p>The option assessment and design process has implemented safe and contiguous cycleways and pedestrian connections relevant to each proposed NoR.</p> <p>The ULDMMP condition requires that Manawhenua are invited to participate in the development of the ULDMMP to provide input into relevant cultural landscape and design matters. This includes providing input into developed design concepts, principles for walking and cycling facilities, and landscape and urban design details which cover pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/cycle bridges or underpasses.</p> |
| 12 | The volume of earthworks is to be minimised where possible, with excavated material being retained on site where possible. Ngāti Manuhiri are to be advised if contaminated soils are discovered to discuss remediation or removal. | <p>The ULDMMP condition requires that Manawhenua are invited to participate in the development of the ULDMMP to provide input into relevant cultural landscape and design matters including appropriate spoil disposal sites.</p> <p>The Historic Heritage Management Plan (HHMP), also required as a condition of each NoR, will be prepared in consultation with Manawhenua. This requires consultation with Manawhenua on heritage matters, with Manawhenua also involved in the management and monitoring of heritage and archaeological matters during construction.</p> <p>The Cultural Advisory Report condition provides an opportunity for Manawhenua to prepare a report that identifies cultural matters and principles that should be considered in the development of management plans and the Cultural Monitoring Plan condition. This will provide the requirement for Ngāti Manuhiri to be advised if contaminated soils are discovered to discuss remediation or removal.</p> |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|---|--|
| 13 | Areas of land disturbance to be stabilised as soon as reasonably possible to reduce erosion potential, and revegetation is supported where possible. | Earthworks and soil management as a result of land disturbance will be appropriately managed as part of the Construction Environmental Management Plan (CEMP) and any future regional and NES consent requirements. |
| 14 | Ngāti Manuhiri to be contacted 10 days before earthworks commence to ensure a cultural monitor will be on-site for topsoil stripping. | The Cultural Monitoring Plan is to be prepared in collaboration with Manawhenua. It will identify methods for undertaking cultural monitoring to assist with the management of cultural effects during construction works. |
| 15 | Robust, environmentally sustainable sediment control measures to be in place for earthworks to the highest standards, and available to be inspected by Ngāti Manuhiri prior to bulk earthworks. Earthworks should also take place during the prescribed earthworks season, and spill kits should be present during earthworks and construction. | <p>The CEMP will be prepared prior to the start of construction for a stage of work. It will set out the management of procedures and construction measures to be undertaken to, avoid, remedy or mitigate any adverse effects associated with the construction works including methods for sustainable sediment control.</p> <p>The Cultural Monitoring Plan to be prepared in collaboration with Manawhenua will identify methods for undertaking cultural monitoring to assist with the management of cultural effects during construction works, including soil disturbance.</p> |
| 16 | Loss of vegetation is to be fully mitigated using appropriate native plants with overall enhancement of the environment. | <p>Vegetation removal is provided for under the AUP: OP for district plan matters. An EMP, which covers district plan ecological matters is proposed for each NoR. As part of the EMP condition works should be undertaken in compliance with conditions of any regional resource consents.</p> <p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans to mitigate loss of vegetation where appropriate :</p> <ul style="list-style-type: none"> (a) Stream and/or wetland restoration plans; (b) Vegetation restoration plans; and (c) Fauna management plans (eg avifauna, herpetofauna, bats). <p>The ULDM condition requires that Manawhenua are invited to participate in the development of the ULDM to provide input into relevant cultural landscape and design matters. This includes any</p> |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|---|---|
| | | <p>planting requirements under the Tree Management Plan condition and integration of any planting requirements required by conditions of any resource consents for the project.</p> <p>The ULDMP condition also includes the requirement for a planting programme which includes detailed specifications on plant sourcing and the use of eco-sourced species when replanting which will contribute to the overall enhancement of the environment.</p> <p><i>Ngāti Manuhiri Comment:</i></p> <p><i>Consider opportunities for utilising locally sourced plants for native plantings.</i></p> |
| 17 | Recognition and support from government, local authorities, and the community that Ngāti Manuhiri are Mana Whenua with customary title/rights to the waterways. | This is beyond the scope of the Te Tupu Ngātahi programme, and the NoRs being sought. However, continued partnership with Manawhenua is important, and this matter can be raised and considered in future discussions with Auckland Council and Te Tupu Ngātahi being the facilitator of these conversations and considerations. |
| 18 | Ngāti Manuhiri prefer bridging or the use of arch culverts when required to cross waterways. Fish passage throughout waterways is to be maintained including the removal of fish passage barriers or provision of fish passage devices. | <p>Matters associated with fish passage and crossing of waterways is a regional plan matter that will be confirmed at the detailed design and regional consenting stage. The Warkworth NoR Package is only seeking designations for the eight NoRs prepared at this time, and therefore only district plan matters are being assessed. Regional consents will be sought in the future to authorise regional matters associated with the final design.</p> <p><i>Ngāti Manuhiri Comment:</i></p> <p><i>Consideration opportunities for of the use of traditional methods to provide for fish passage e.g. the use of flax and natural fibres</i></p> |
| 19 | Spiritual and cultural concepts are to be recognised in water management, including recognising waterways as a food source and protecting and enhancing food production capacity should be a high priority. | The Cultural Advisory Report condition provides an opportunity for Manawhenua to prepare a report that identifies cultural matters and principles that should be considered in the development of management plans including spiritual and cultural concepts of water management and the Cultural |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|---|
| | | <p>Monitoring Plan condition. This will inform water management and support the conservation and protection of waterways within the Study Area.</p> <p>An Ecological Management Plan (EMP), which covers district plan ecological matters is proposed for each NoR. As part of the EMP condition measures should be undertaken in compliance with conditions of any regional resource consents.</p> <p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <ul style="list-style-type: none"> (a) Stream and/or wetland restoration plans; (b) Vegetation restoration plans; and (c) Fauna management plans (eg avifauna, herpetofauna, bats). |
| 20 | <p>All stormwater runoff should be treated to the highest of standards prior to discharge into a waterbody in adherence with water sensitive design guidelines and installation of Stormwater360 littorals throughout the roading network.</p> | <p>Sufficient space has been provided within the proposed designation(s) to provide for the relevant stormwater infrastructure. Stormwater management measures, including the treatment of stormwater runoff, is a regional plan matter that will be confirmed at the detailed design and regional consenting stage.</p> <p>The CEMP will be prepared prior to the start of construction for a stage of work. It will set out the management of procedures and construction measures to be undertaken to, avoid, remedy or mitigate any adverse effects associated to the construction works.</p> |
| 21 | <p>The use/promotion of pervious surfaces and water capture/re-use is encouraged where appropriate.</p> | <p>Manawhenua will be engaged in the development of the ULDMP, in order to provide input into relevant cultural landscape and design matters to manage potential effects on cultural sites, landscapes and values. This extends to the landscape and urban design details, which are within the scope of the NoR.</p> <p>The ULDMP is also to be prepared in accordance with Auckland Transport’s Urban Roads and Streets Design Guide, which specifically references stormwater integration and management in</p> |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|---|--|
| | | design. Stormwater management measures are a regional plan matter that will be confirmed at the detailed design and regional consenting stage. |
| 22 | Building within floodplains or flood prone areas should not be permitted. | <p>Where possible floodplains have been avoided or impacts reduced in the option development and assessment phase. Refer to the Warkworth Assessment of Alternatives Section 6.</p> <p>The Flood Hazard condition requires the project be designed to achieve flood risk outcomes including no new flood prone areas and no increase in flood levels for existing authorised habitable floors that are already subject to flooding.</p> |
| 23 | Instream water quality and biodiversity should be assessed and monitored prior, during and post construction works. | <p>The Cultural Monitoring Plan, required as a condition of the proposed designations, prepared in collaboration with Manawhenua will identify methods for undertaking cultural monitoring to assist with the management of cultural effects during construction works.</p> <p>At the start of detailed design for a Project, an updated ecological survey shall be undertaken by a Suitably Qualified Person as required by the Pre-Construction Ecological Survey. The purpose of the survey is to inform the detailed design of the ecological management plan by:</p> <ul style="list-style-type: none"> (i) Confirming whether the species of value within the Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present; (ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. <p>An EMP, which covers district plan ecological matters is proposed for each NoR. As part of the EMP condition measures should be undertaken in compliance with conditions of any regional resource consents.</p> |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|--|
| | | <p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <ul style="list-style-type: none"> a) Stream and/or wetland restoration plans; b) Vegetation restoration plans; and c) (c) Fauna management plans (eg avifauna, herpetofauna, bats). |
| 24 | <p>Protocols to minimise excessive equipment discharges of contaminants to air and dust suppressions methods to be in place during earthworks. Sediment laden runoff from dust suppressant activities should be managed so it does not enter receiving environment.</p> | <p>The CEMP will be prepared prior to the start of construction for a stage of work. It will set out the management of procedures and construction measures to be undertaken to, avoid, remedy or mitigate any adverse effects associated to the construction works including methods for controlling dust and equipment discharges of contaminants to air.</p> |
| 25 | <p>Consideration of the cumulative effects of air discharges through planning for sustainable public transport modes, electric car charging spaces, restrictions on light industry discharges and regulating/monitoring of indoor domestic fires.</p> | <p>The Warkworth package provides for sustainable modes of transport through the provision walking and cycling facilities on all NoRs being sought and a Public Transport hub to facilitate the sustainable movement of people.</p> <p>The ULDM condition requires that Manawhenua are invited to participate in the development of the ULDM to provide input into relevant cultural landscape and design matters including developed design concepts which cover principles for walking and cycling facilities and public transport.</p> <p>Restrictions on light industry discharges and regulating/monitoring of indoor domestic fires is beyond the scope of the Te Tupu Ngātahi programme, and the NoRs being sought.</p> |
| 26 | <p>Protection and enhancement of natural habitats and ecosystems including bush, riparian zones and waterbodies by preferentially avoiding native vegetation, natural waterways and flow paths, replacing wetland habitats where necessary and increasing riparian margins above the minimum requirements.</p> | <p>The protection of natural habitats and ecosystems has been an important consideration and was considered throughout the option assessment stage, with emphasis on avoidance where possible in the first instance. Where potential impacts have been unavoidable, these will be considered further at the detailed design stage and addressed through the ULDM and EMP conditions. As required specific effects e.g. on vegetation or riparian areas, will be addressed as part of the regional consenting process.</p> |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|--|
| | | <p>The ULDMP condition requires that Manawhenua are invited to participate in the development of the ULDMP to provide input into relevant cultural landscape and design matters including planting details and maintenance requirements such as identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan condition (where practicable, mature trees and native vegetation should be retained); planting of stormwater wetlands.</p> <p>An EMP, which covers district plan ecological matters is proposed for each NoR. As part of the EMP condition measures should be undertaken in compliance with conditions of any regional resource consents.</p> <p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <ul style="list-style-type: none"> (a) Stream and/or wetland restoration plans; (b) Vegetation restoration plans; and (c) Fauna management plans (eg avifauna, herpetofauna, bats). |
| 27 | Mitigations for potential habitat loss should include infill planting of native flowering and fruiting trees and plants, removal of exotic weeds and ongoing pest control. | <p>The ULDMP condition requires that Manawhenua are invited to participate in the development of the ULDMP to provide input into relevant cultural landscape and design matters including a planting programme detailing specifications for weed control and clearance; pest animal management (to support plant establishment); and plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.</p> <p>An EMP, which covers district plan ecological matters is proposed for each NoR. As part of the EMP condition measures should be undertaken in compliance with conditions of any regional resource consents.</p> <p>The Cultural Advisory Report condition provides an opportunity for Manawhenua to prepare a report that identifies cultural matters and principles that should be considered in the development of</p> |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|---|
| | | management plans and the Cultural Monitoring Plan condition. This will inform mitigation for potential habitat loss within the Study Area. |
| 28 | Assurance that all heavy machinery used on site has not recently been used in areas known to have Kauri Dieback Disease, or that this equipment has been thoroughly cleaned and all relevant Kauri dieback protocols are abided by. | The CEMP will be prepared prior to the start of construction for a stage of work. It will set out the management of procedures and construction measures to be undertaken to, avoid, remedy or mitigate any adverse effects associated to the construction works. |
| 29 | A full assessment of all existing native biodiversity, resident or transient, within affected habitats/ecosystems for each development stage, including birds, bats, reptiles, invertebrates, fish and plants as a baseline measure for the health and capacity and to inform future monitoring. | <p>At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person as required by the Pre-Construction Ecological Survey. The purpose of the survey is to inform the detailed design of the ecological management plan.</p> <p>It should also be noted that the Cultural Monitoring Plan for the NoRs, is proposed to align with the requirements of regional resource consents for the Project which require monitoring during Construction Works (this is set out as an advice note on the NoR Condition).</p> |
| 30 | All new reserves to have a pest management plan, and the imposition of a connected, comprehensive network of pest control linking all vegetated areas. Consideration of cat-free subdivisions and/or promotion of environmental community groups through reserve management plans. | This is beyond the scope of the Te Tupu Ngātahi programme, and the NoRs being sought as the Warkworth Package has not resulted in the creation of new reserves and/or developments, with the Project limited to transport infrastructure associated with future urban growth areas. |
| 31 | Opportunities to include cultural resources such as flax/ rongoā in re-vegetation plans, and also working to implement the maramataka (lunar calendar) when planning planting days and translocation of taonga species. | The Cultural Advisory Report condition provides an opportunity for Manawhenua to prepare a report that identifies cultural matters and principles that should be considered in the development of management plans, including the EMP, ULDMP and the Cultural Monitoring Plan condition. This will inform opportunities to include cultural resources in re-vegetation plans where required and implement maramataka (lunar calendar) when planning planting days and translocation of taonga species. |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|---|
| | | <p>An Ecological Management Plan (EMP), which covers district plan ecological matters is proposed for each NoR. As part of the EMP condition measures should be undertaken in compliance with conditions of any regional resource consents.</p> <p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <ul style="list-style-type: none"> (a) Stream and/or wetland restoration plans; (b) Vegetation restoration plans; and (c) Fauna management plans (eg avifauna, herpetofauna, bats). |
| 32 | <p>Enhancement and protection of ecological corridors as mitigation for works where appropriate including native bush corridors, planted bush pockets/reserves and translocation of species.</p> | <p>The enhancement and protection of ecological corridors will be dealt with as appropriate through regional consenting and the conditions outlined below as relevant to the Project area.</p> <p>The ULDMP condition requires that Manawhenua are invited to participate in the development of the ULDMP to provide input into relevant cultural landscape and design matters including planting design details within the Study Area.</p> <p>An Ecological Management Plan (EMP), which covers district plan ecological matters is proposed for each NoR. As part of the EMP condition measures should be undertaken in compliance with conditions of any regional resource consents.</p> <p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <ul style="list-style-type: none"> (a) Stream and/or wetland restoration plans; (b) Vegetation restoration plans; and (c) Fauna management plans (eg avifauna, herpetofauna, bats). |

| No. | Ngāti Manuhiri Recommendation | Te Tupu Ngātahi Response |
|-----|--|---|
| 33 | Working hours to be between 8am and 5pm to prevent noise pollution and impacts of tangata (people) and taonga species. | <p>A Construction Noise and Vibration Management Plan (CNVMP) will be prepared prior to the start of construction for a stage of work to which it relates and will address hours of operation, including the time construction activities would occur. This is supported by the Construction Noise and Vibration Assessment which recommends managing times of construction activities to avoid night works, and majority of the works to be undertaken between 7am – 6pm Monday to Saturday and 6am – 8pm Monday to Sunday during summer earthworks season. These recommendations reflect criteria outlined in the AUP:OP and NZS 6803 (Acoustics – Construction Noise).</p> <p>A Cultural Monitoring Plan is to be prepared in collaboration with Manawhenua. It will identify methods for undertaking cultural monitoring to assist with the management of cultural effects during construction works.</p> <p>A CEMP will also be prepared prior to the start of construction for a stage of work. It will set out the management of procedures and construction measures to be undertaken to, avoid, remedy or mitigate any adverse effects associated to the construction works, including the construction works programmes, the staging approach, and the proposed hours of work.</p> <p><i>Ngāti Manuhiri Comment:</i></p> <p><i>Consider wider impacts than direct impacts such as potential for echo through valleys.</i></p> |

APPENDIX 7

NOTICES OF REQUIREMENT – RECOMMENDED CONDITIONS

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

S42A Report Recommended Amendments - Strikethrough for ~~Deletion~~ and **Bold/Underline** for Additions

NOR 1 – Recommended Conditions

| | |
|-----------------------------------|---|
| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>Between the intersection of SH1 and Te Honohono ki Tai to a proposed bridge crossing on Western Link North. .</u> |
| <u>Lapse Date</u> | <u>10 years</u> |

Purpose

Construction, operation and maintenance of a public transport hub and a transport corridor.

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
|---|--|
| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. |

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| | (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |
| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 23. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EMP | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |
| HNZPT | Heritage New Zealand Pouhere Taonga. |

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| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |
| Identified Biodiversity Area | Means an area or areas <u>of features</u> of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |
| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact |

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| | for persons wanting information about the Project or affected by the Construction Works. |
| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> . |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
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| 1. | <p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1:</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p> |
| 2. | <p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been</p> |

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| | <p>established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| <p>3.</p> | <p>Designation Review</p> <ul style="list-style-type: none"> (a) The Requiring Authority shall within 6 months of Completion of Construction or Aas soon as otherwise practicable: <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| <p>4.</p> | <p>Lapse</p> <ul style="list-style-type: none"> (a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 10 years from the date on which it is included in the AUP. |
| <p>5.</p> | <p>Network Utility Operators <u>and Council</u> (Section 176 Approval)</p> <ul style="list-style-type: none"> (a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council</u> with existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities: <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; (ii) minor renewal works to existing network utilities <u>and/or parks facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or park facility</u> operations; |

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| | <ul style="list-style-type: none"> (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities <u>and/or parks facilities</u> in the same location with the same or similar effects as the existing utility <u>and/or park facility</u>. <p><u>(b)</u> To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| 6. | <p>Outline Plan</p> <ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. (b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project. (c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include: <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| 7. | <p>Management Plans</p> <ul style="list-style-type: none"> (a) Any management plan shall: <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> a. Been incorporated; and |

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| | <p>b. Where not incorporated, the reasons why.</p> <p>(v) Be submitted <u>to Council for certification</u>, as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules.</p> <p>(vi) Once finalised <u>certified</u>, uploaded to the Project website or equivalent virtual information source.</p> <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <p>(i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation.</p> <p>(ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process.</p> <p>(iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;</p> <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information <u>certification</u>.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.</u></p> |
| 8. | <p>Cultural Advisory Report</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> <p><u>New (b)</u> The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection.</p> <p><u>New (c)</u> To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> |

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| | <ul style="list-style-type: none"> (i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project; (ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values; (iii) Identifies traditional cultural practices within the area that may be impacted by the Project; (iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15. (vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making. <p>(b) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(c) Conditions 8(b) and (c) above will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works. |
| <p>9.</p> | <p>Urban and Landscape Design Management Plan (ULDMP)</p> <ul style="list-style-type: none"> (a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u> (b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of recommendations with RA on practicality of implementation) may be reflected in the ULDMP. <p><u>New (c)</u> The objectives s of the ULDMP(s) is <u>are</u> to:</p> |

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| | <p>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban, <u>or future urban</u> context; and</p> <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes <u>to the experience of</u> a quality urban environment <u>for people and communities</u>.</p> <p><u>New (d) The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation's Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Auckland Transport's Urban Roads and Streets Design Guide;</p> <p>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</p> <p>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</p> <p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p><u>(vi) The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u></p> <p><u>(vii) Auckland Unitary Plan Chapter I553 Warkworth North Precinct.</u></p> <p>(d) To achieve the objectives, the ULDMP(s) shall provide details of how the project:</p> <p>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones, <u>and reserves land</u>;</p> <p>(ii) Provides appropriate <u>safe</u> walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses <u>(including the cemetery adjacent to SH1)</u>, public transport infrastructure and walking and cycling connections <u>to the immediate neighbourhoods and wider community</u>;</p> <p>(iii) Promotes inclusive access (where appropriate); and</p> |
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| | <p>(iv) Promotes a sense of personal <u>and public</u> safety by aligning with best practice guidelines, such as:</p> <ul style="list-style-type: none"> a. Crime Prevention Through Environmental Design (CPTED) principles; b. Safety in Design (SID) requirements; and c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. <p><u>New (v) If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p>(e) The ULDMP(s) shall include:</p> <ul style="list-style-type: none"> (i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals; (ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and (iii) Landscape and urban design details – that cover the following: <ul style="list-style-type: none"> a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses <u>and existing roads (including slip lanes)</u>, benching, spoil disposal sites, median width and treatment, roadside width and treatment; b. Roadside elements – such as lighting, fencing, wayfinding and signage; c. architectural and landscape treatment of all major structures, including bridges and retaining walls; d. Architectural and landscape treatment of noise barriers; e. Landscape treatment of permanent stormwater control wetlands and swales; f. Integration of passenger transport; g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; h. Historic heritage places with reference to the HHMP (Condition 21); and i. Re-instatement of construction and site compound areas, driveways, accessways and fences and. |
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| | <p><u>j. Provision for extensive tree planting within areas of large car parking spaces in order to mitigate adverse landscape effects.</u></p> <p>(f) The ULDMP shall also include the following planting details and maintenance requirements:</p> <p>(i) planting design details including:</p> <ul style="list-style-type: none">a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained;b. Street trees, shrubs and ground cover suitable for the location;c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones and esplanade reserves;d. planting of stormwater wetlands;e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24);f. Integration of any planting requirements required by conditions of any resource consents for the project; andg. Re-instatement planting of construction and site compound areas as appropriate. <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <ul style="list-style-type: none">a. Weed control and clearance;b. Pest animal management (to support plant establishment);c. Ground preparation (top soiling and decompaction);d. Mulching; ande. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species. <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of "road widening". Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes</i></p> |
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| | <i>applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i> |
| | <p>Flood Hazard</p> <p>For the purpose of Condition 10:</p> <p>(a) ARI – means Average Recurrence Interval</p> <p>(b) AEP – Annual Exceedance Probability</p> <p>(c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.</p> <p>(d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u></p> <p>(e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.</p> <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| 10. | <p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <p>(i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm, and no new habitable floor flooding, within the designation or upstream or downstream of the designation;</u></p> <p>(ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm, within the designation or upstream or downstream of the designation;</u></p> <p>(iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility</u></p> |

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| | <p><u>structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation:</u></p> <p>(iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation:</u></p> <p>(v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, <u>rural</u> or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling;</p> <p>(vi) <u>no loss in conveyance function of flood plains and overland flow paths:</u></p> <p>(vii) no new flood prone areas; and</p> <p>(viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be undertaken for the 50%, 20%, 10% and 1% AEP events. The method of classifying the flood hazard must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u></p> <p>(b) Compliance with this condition <u>(a) above</u> shall be demonstrated in the Outline Plan. <u>The Outline Plan</u>, which shall include flood modelling of the pre-Project and post-Project <u>in a 1% AEP 100-year AR1</u> flood levels (for Maximum Probable Development land use and including climate change). <u>When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with</u> Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can <u>adequately demonstrate compliance with the condition.</u></p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood</u></p> |
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| | <p><u>modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u></p> <p><u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| <p>11.</p> | <p>Existing property access</p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p> |
| <p>12.</p> | <p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>New (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p>New (c) To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths,</u> minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there is less risk of flood events, methods for rainfall monitoring and actions to respond to warnings of heavy rain, this shall be developed by a suitably qualified and experienced person;</u> |

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| | <ul style="list-style-type: none"> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required. |
| <p>13.</p> | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for Certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; (v) Identification of the properties whose owners will be engaged <u>and communicated</u> with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and |

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| | <p>(viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</p> <p>(b) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days certification 6 months prior to the Start of Construction for a Stage of Work.</p> |
| 14. | <p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (ix) The date, time and nature of the complaint; (x) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (xi) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (xii) The outcome of the investigation into the complaint; (xiii) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p> |
| 15. | <p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (xiv) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (xv) Requirements and protocols for cultural inductions for contractors and subcontractors; (xvi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; |

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| | <p>(xvii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and</p> <p>(xviii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol</p> <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| <p>16.</p> | <p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p>To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, on existing roads; (vi) methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be; (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site |

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| | <p>exit points and the timely removal of any material deposited or spilled on public roads;</p> <p>(viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services);</p> <p>(ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;</p> <p>(x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.</p> <p><u>(c) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place;</u></p> <p><u>(d) Members of the public and stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of that Plan.</u></p> | | | | | | | | | | | | | | | | | | | | | |
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| 17. | <p>Construction Noise Standards</p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p>Table 17.1: Construction noise standards</p> <table border="1" data-bbox="263 1384 986 1680"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq(15min)}</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> </tbody> </table> | Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | Occupied activity sensitive to noise | | | | Weekday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 65 dB | 80 dB | 2000h - 0630h | 45 dB | 75 dB |
| Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | | | | | | | | | | | | | | | | | | | |
| Occupied activity sensitive to noise | | | | | | | | | | | | | | | | | | | | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 65 dB | 80 dB | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | |

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| | Saturday | 0630h - 0730h | 55 dB | 75 dB |
| | | 0730h - 1800h | 70 dB | 85 dB |
| | | 1800h - 2000h | 45 dB | 75 dB |
| | | 2000h - 0630h | 45 dB | 75 dB |
| | Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB |
| | | 0730h - 1800h | 55 dB | 85 dB |
| | | 1800h - 2000h | 45 dB | 75 dB |
| | | 2000h - 0630h | 45 dB | 75 dB |
| Other occupied buildings | | | | |
| All | 0730h – 1800h | 70 dB | | |
| | 1800h – 0730h | 75 dB | | |

(b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply.

18. Construction Vibration Standards

(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.

Table CNV2 Construction vibration criteria

| Receiver | Details | Category A | Category B |
|--|---------------------------|---|------------------------|
| Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv |
| | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv |
| Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv |
| All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | |

~~*Category A criteria adopted from Rule E25.6.30.1 of the AUP~~

~~**Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime~~

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| | (b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 19(c)((x)), then the methodology in Condition 20 shall apply |
| 19. | <p>Construction Noise and Vibration Management Plan (CNVMP)</p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities would occur; (iii) The construction noise and vibration standards for the project; (iv) Identification of receivers where noise and vibration standards apply; (v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far <u>as</u> practicable; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; (vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) Contact details of the Project Liaison Person; (ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be |

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| | <p>implemented and consultation requirements with owners and occupiers of affected sites.</p> <p>(xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 19(c)(x)).</p> <p>(xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels.</p> <p>(xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration.</p> <p>(xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented.</p> <p>(xv) Requirements for review and update of the CNVMP</p> |
| <p>20.</p> | <p>Schedule to a CNVMP</p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <p>(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:</p> <p>a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, or</p> <p>b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days.</p> <p>(ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage—and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <p>(i) Construction activity location, start and finish dates;</p> <p>(ii) The nearest neighbours to the construction activity;</p> |

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| | <ul style="list-style-type: none"> (iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance; (iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why; (v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vi) Location, times and types of monitoring; <p>(c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p> |
| <p>21.</p> | <p>Historic Heritage Management Plan (HHMP)</p> <ul style="list-style-type: none"> (a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u> (b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design; (iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; |

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| | <ul style="list-style-type: none"> (iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded; (v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project; (vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version; (viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so; (ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Project Works as far as practicable. These methods shall include, but are not limited to: <ul style="list-style-type: none"> a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access; b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and c. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15. |
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| | <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Accidental Discoveries</p> <p>Advice Note:</p> <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for “Accidental Discovery” as they relate to both contaminated soils and heritage items.</i></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i></p> |
| <p>22.</p> | <p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <p>(i) <u>Identifying species of value in the works area, including but not limited to, Cconfirming whether the species of value within the previously Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present;</u></p> <p>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 24 <u>23 a or b</u> for these areas (Confirmed Biodiversity Areas).</p> |
| <p>23. a</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> |

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| | <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <ol style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pিপits), methods to minimise adverse effects on Threatened or At-Risk birds. d. Details of grass maintenance if Pipit are present. <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ol style="list-style-type: none"> (i) <i>Stream and/or wetland restoration plans;</i> (ii) <i>Vegetation restoration plans; and</i> (iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| <p>23b</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <ol style="list-style-type: none"> (i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds: <ol style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable. |

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| | <ul style="list-style-type: none"> b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds c. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity; d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include: <ul style="list-style-type: none"> i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person. iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). v. Minimising light spill from construction areas into Wetlands e. Details on any mitigation required to address any potential operational disturbance <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> |
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| | <p>(i) Stream and/or wetland restoration plans;</p> <p>(ii) Vegetation restoration plans; and</p> <p>(iii) Fauna management plans (eg avifauna, herpetofauna, bats).</p> |
| 24. | <p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p>New (c) The NUMP shall include methods to:</p> <p>(i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</p> <p>(ii) Protect and where necessary, relocate existing network utilities</p> <p>(iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area;</p> <p>(iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines;</p> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| 25. | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> |

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| | <p><u>New (b) The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented, where:</p> <p>(i) The volume of traffic exceeds 10,000 vehicles per day; or</p> <p>(ii) The road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or</p> <p>(iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or</p> <p>(iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools.</p> <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 25(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 26 to 37:</p> <p>(a) Building-Modification Mitigation – has the same meaning as in NZS 6806;</p> <p>(b) Design year has the same meaning as in NZS 6806;</p> <p>(c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;</p> <p>(d) Habitable Space – has the same meaning as in NZS 6806;</p> <p>(e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>;</p> <p>(f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C);</p> <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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| | <p>(i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>;</p> <p>(j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 0; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p> |
| 26. | <p>The Noise Criteria Categories identified in <i>Schedule XX: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 26 to 37 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p> |
| 27. | <p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule XX PPFs Noise Criteria Categories</i>.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 0 may be (or be part of) the Selected Mitigation Option(s).</p> |
| 28. | <p>Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i>, taking into account the Selected Mitigation Options.</p> |
| 29. | <p>If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.</p> |
| 30. | <p>The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction.</p> |
| 31. | <p>Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation</p> |

Commented [VW1]: Conditions 26-37 on NoR 1 are required to be further amended to reflect NoR 1 assessment performance criteria - as recommended in s42A report.

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| | might be required to achieve 40 dB $L_{Aeq(24h)}$ inside Habitable Spaces ('Category C Buildings'). |
| 32. | Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope. |
| 33. | For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 32 above if: <ul style="list-style-type: none"> (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 32 above (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |
| 34. | Subject to Condition 33 above, within six months of the assessment undertaken in accordance with Conditions 32 and 33, the Requiring Authority shall write to the owner of each Category C Building advising: <ul style="list-style-type: none"> (a) If Building-Modification Mitigation is required to achieve 40 dB $L_{Aeq(24h)}$ inside habitable spaces; and (b) The options available for Building-Modification Mitigation to the building, if required; and (c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available. |
| 35. | Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner. |

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| 36. | Subject to Condition 34, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 36 if: The Requiring Authority has completed Building Modification Mitigation to the building; or (a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or (b) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 34 (including where the owner did not respond within that period); or (c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. |
| 37. | The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable |

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NOR 2 – Recommended Conditions

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| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>The existing rural section of the Woodcocks Road corridor from the interchange with Te Ara Tūhono (Puhoi to Warkworth) motorway in the west to the Mansel Drive intersection in the east .</u> |
| <u>Lapse Date</u> | <u>10 years</u> |

Purpose

The construction, operation and maintenance of a transport corridor.

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
|---|--|
| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a-material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. |

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| | (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |
| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EMP | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |
| HNZPT | Heritage New Zealand Pouhere Taonga. |

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| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |
| Identified Biodiversity Area | Means an area or areas <u>of features</u> of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |
| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact |

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| | for persons wanting information about the Project or affected by the Construction Works. |
| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads.</i> |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
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| 1. | Activity in General Accordance with Plans and Information (a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1: (b) Where there is inconsistency between: (i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail; (ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail. |
| 2. | Project Information (a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been |

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| | <p>established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| <p>3.</p> | <p>Designation Review</p> <ul style="list-style-type: none"> (a) The Requiring Authority shall within 6 months of Completion of Construction or Aas soon as otherwise practicable: <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| <p>4.</p> | <p>Lapse</p> <ul style="list-style-type: none"> (a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 45 10 years from the date on which it is included in the AUP. |
| <p>5.</p> | <p>Network Utility Operators (Section 176 Approval)</p> <ul style="list-style-type: none"> (a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council with</u> existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities: <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; (ii) minor renewal works to existing network utilities <u>and/or park facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or park facility</u> operations; (iii) minor works such as new service connections; and |

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| | <p>(iv) the upgrade and replacement of existing network utilities and/or park facilities in the same location with the same or similar effects as the existing utility and/or park facility.</p> <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| <p>6.</p> | <p>Outline Plan</p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</p> <p>(c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:</p> <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| <p>7.</p> | <p>Management Plans</p> <p>(a) Any management plan shall:</p> <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> a. Been incorporated; and b. Where not incorporated, the reasons why. |

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| | <p>(v) Be submitted to Council for certification as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules.</p> <p>(vi) Once finalised certified, uploaded to the Project website or equivalent virtual information source.</p> <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <p>(i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation.</p> <p>(ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process.</p> <p>(iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;</p> <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information certification.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.</u></p> |
| 8. | <p>Cultural Advisory Report</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> <p><u>New (b)</u> The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection.</p> <p><u>New (c)</u> To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> <p>(i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project;</p> |

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| | <ul style="list-style-type: none"> (ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values; (iii) Identifies traditional cultural practices within the area that may be impacted by the Project; (iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15. (vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making. <p>(b) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(c) Conditions 8(b) and (c) above will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works. |
| <p>9.</p> | <p>Urban and Landscape Design Management Plan (ULDMP)</p> <ul style="list-style-type: none"> (a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification</u>. (b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of recommendations with RA on practicality of implementation) may be reflected in the ULDMP. <p><u>New (c)</u> The objective of the ULDMP(s) is to:</p> <ul style="list-style-type: none"> (i) Enable integration of the Project's permanent works into the surrounding landscape and urban, <u>or future urban</u> context; and |

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| | <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes <u>to the experience of a quality urban environment for people and communities.</u></p> <p><u>New (d) The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation’s Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none"> (i) Auckland Transport’s Urban Roads and Streets Design Guide; (ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; (iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and (v) Auckland’s Urban Ngahere (Forest) Strategy or any subsequent updated version. <u>(vi) The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u> <p>(d) To achieve the objectives, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none"> (i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones, <u>and reserves land;</u> (ii) Provides appropriate <u>safe</u> walking and cycling connectivity <u>and facilities</u> to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections <u>to the immediate neighbourhood and wider community (including but not limited to walking and cycling facilities along Woodcocks Road east of Mansel Drive and Evelyn Street);</u> (iii) Promotes inclusive access (where appropriate); and (iv) Promotes a sense of personal <u>and public</u> safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> a. Crime Prevention Through Environmental Design (CPTED) principles; |
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| | <p>b. Safety in Design (SID) requirements; and</p> <p>c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</p> <p><u>(v) Provides a road alignment that enhances the safe and efficient operation of any proposed school access on the northern side of Woodcocks Road and minimise the extent of encroachment within 100 to 138 Woodcocks Road.</u></p> <p>New (e) <u>If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p>(e) The ULDMP(s) shall include:</p> <p>(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</p> <p>(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and</p> <p>(iii) Landscape and urban design details – that cover the following:</p> <p>a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</p> <p>b. Roadside elements – such as lighting, fencing, wayfinding and signage;</p> <p>c. architectural and landscape treatment of all major structures, including bridges and retaining walls;</p> <p>d. Architectural and landscape treatment of noise barriers;</p> <p>e. Landscape treatment of permanent stormwater control wetlands and swales;</p> <p>f. Integration of passenger transport;</p> <p>g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</p> <p>h. Historic heritage places with reference to the HHMP (Condition 21); and</p> <p>i. Re-instatement of construction and site compound areas, driveways, accessways and fences.</p> <p><u>j. Treatment of the access to any proposed new school at 100-138 Woodcocks Road for vehicles, pedestrians and cyclists.</u></p> |
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| | <p style="text-align: center;"><u>and measures to manage the safe and efficient operation of Woodcocks Road at school start and finish times.</u></p> <p><u>(iv) Details to confirm protection of existing riparian vegetation and the restoration of stream/river environments; and landscape design approach consistency with the ecological requirements under conditions 22-24.</u></p> <p>(f) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none"> (i) planting design details including: <ul style="list-style-type: none"> a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained; b. Street trees, shrubs and ground cover suitable for the location; c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones and esplanade reserves; d. planting of stormwater wetlands; e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24); f. Integration of any planting requirements required by conditions of any resource consents for the project; and g. Re-instatement planting of construction and site compound areas as appropriate. (ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and (iii) Detailed specifications relating to the following: <ul style="list-style-type: none"> a. Weed control and clearance; b. Pest animal management (to support plant establishment); c. Ground preparation (top soiling and decompaction); d. Mulching; and e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species. <p><u>Advice Note:</u></p> |
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Commented [VW1]: S42A Report recommendation - This condition should be further amended to reflect the 2:1 ratio and m2 area recommended for mitigation planting with regard to protected tree or groups of tree removal.

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs.
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| | <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p> |
| | <p>Flood Hazard</p> <p>For the purpose of Condition 10: Error! Reference source not found.</p> <p>(a) ARI – means Average Recurrence Interval</p> <p>(b) AEP – Annual Exceedance Probability</p> <p>(c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.</p> <p>(d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u></p> <p>(e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.</p> <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| 10. | <p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <p>(i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm, and no new habitable floor flooding, within the designation or upstream or downstream of the designation;</u></p> <p>(ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm.</u></p> |

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| | <p><u>within the designation or upstream or downstream of the designation:</u></p> <p>(iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation:</u></p> <p>(iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation:</u></p> <p>(v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, rural or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling;</p> <p>(vi) <u>no loss in conveyance function of flood plains and overland flow paths:</u></p> <p>(vii) no new flood prone areas; and</p> <p>(viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be undertaken for the 50%, 20%, 10% and 1% AEP events. The method of classifying the flood hazard must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u></p> <p>(a) Compliance with this condition <u>(a) above</u> shall be demonstrated in the Outline Plan. <u>The Outline Plan, which shall include flood modelling of the pre-Project and post-Project in a 1% AEP 400-year ARI flood levels (for Maximum Probable Development land use and including climate change). When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with</u> Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can <u>adequately demonstrate compliance with the condition.</u></p> <p>(b) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or</p> |
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| | <p>varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u></p> <p><u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| <p>11.</p> | <p>Existing property access</p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p> |
| <p>12.</p> | <p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>New (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p>New (c) To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths,</u> minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there</u> |

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| | <p><u>is less risk of flood events, methods for rainfall monitoring and actions to respond to warnings of heavy rain, this shall be developed by a suitably qualified and experienced person;</u></p> <ul style="list-style-type: none"> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required. |
| <p>13.</p> | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged <u>and communicated</u> with; (v) Identification of the properties whose owners will be engaged with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working |

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| | <p>hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and</p> <p>(viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</p> <p>(b) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days certification 6 months prior to the Start of Construction for a Stage of Work.</p> |
| <p>14.</p> | <p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <p>(ix) The date, time and nature of the complaint;</p> <p>(x) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);</p> <p>(xi) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;</p> <p>(xii) The outcome of the investigation into the complaint;</p> <p>(xiii) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.</p> <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p> |
| <p>15.</p> | <p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <p>(xiv) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua;</p> <p>(xv) Requirements and protocols for cultural inductions for contractors and subcontractors;</p> |

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| | <p>(xvi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works;</p> <p>(xvii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and</p> <p>(xviii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol</p> <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| <p>16.</p> | <p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work and submitted to the Manager for certification.</p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p>To achieve this objective, the CTMP shall include:</p> <p>(i) methods to manage the effects of temporary traffic management activities on traffic;</p> <p>(ii) measures to ensure the safety of all transport users;</p> <p>(iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools (including but not limited to any proposed new school at 100-138 Woodcocks Road and Mahurangi College) or to manage traffic congestion;</p> <p>(iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;</p> <p>(v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, on existing roads;</p> |

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| | <p>(vi) methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be;</p> <p>(vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;</p> <p>(viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services);</p> <p>(ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;</p> <p>(x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.</p> <p><u>(c) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place);</u></p> |
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17.

Construction Noise Standards

(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:

Table 17.1: Construction noise standards

| Day of week | Time period | L _{Aeq} (15min) | L _{AFmax} |
|---|---------------|--------------------------|--------------------|
| Occupied activity sensitive to noise | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB |
| | 0730h - 1800h | 70 dB | 85 dB |
| | 1800h - 2000h | 65 dB | 80 dB |
| | 2000h - 0630h | 45 dB | 75 dB |

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| | Saturday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | |
|--|---|---|------------------------|-------|----------|---------|------------|------------|--|--------------------------|-------------|------------------------|-----------------------|-----------|-----------|--------------------------|-----------------------|-----------|-----------|---------------------|---------------------------|---|--|
| | | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | |
| | | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | |
| | | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | |
| | Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | |
| | | 0730h - 1800h | 55 dB | 85 dB | | | | | | | | | | | | | | | | | | | |
| | | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | |
| | | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | |
| | Other occupied buildings | | | | | | | | | | | | | | | | | | | | | | |
| | All | 0730h – 1800h | 70 dB | | | | | | | | | | | | | | | | | | | | |
| 1800h – 0730h | | 75 dB | | | | | | | | | | | | | | | | | | | | | |
| (b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply. | | | | | | | | | | | | | | | | | | | | | | | |
| 18. | Construction Vibration Standards | | | | | | | | | | | | | | | | | | | | | | |
| (a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable. | | | | | | | | | | | | | | | | | | | | | | | |
| Table CNV2 Construction vibration criteria | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A</th> <th>Category B</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied Activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>21mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td><u>At all other times</u></td> <td colspan="2"><u>Tables 1 and 3 of DIN4150-3:1999</u></td> </tr> </tbody> </table> | | | | | Receiver | Details | Category A | Category B | Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | |
| Receiver | Details | Category A | Category B | | | | | | | | | | | | | | | | | | | | |
| Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | | | | | | | | | | | | | | | | | | | | |
| | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | | | | |
| Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | | | | |
| All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | | | | | | | | | | | | | | | | | | | | | |
| <i>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</i> | | | | | | | | | | | | | | | | | | | | | | | |
| <i>**Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</i> | | | | | | | | | | | | | | | | | | | | | | | |
| (b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 19(c)((x)), then the methodology in Condition 20 shall apply | | | | | | | | | | | | | | | | | | | | | | | |

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| 19. | <p>Construction Noise and Vibration Management Plan (CNVMP)</p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work and submitted to the Manager for certification.</p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities would occur; (iii) The construction noise and vibration standards for the project; (iv) Identification of receivers where noise and vibration standards apply; (v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far as practicable; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; (vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) Contact details of the Project Liaison Person; (ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at |
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| | <p>the time of the CNVMP to determine the area specific management controls Condition 19(c)((x)).</p> <p>(xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels;</p> <p>(xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration.</p> <p>(xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented</p> <p>(xv) Requirements for review and update of the CNVMP</p> |
| <p>20.</p> | <p>Schedule to a CNVMP</p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <p>(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:</p> <p>a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, or</p> <p>b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days.</p> <p>(ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage—and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <p>(i) Construction activity location, start and finish dates;</p> <p>(ii) The nearest neighbours to the construction activity;</p> <p>(iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance;</p> <p>(iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;</p> |

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| | <p>(v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and</p> <p>(vi) Location, times and types of monitoring;</p> <p>(c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p> |
| <p>21.</p> | <p>Historic Heritage Management Plan (HHMP)</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <p>(i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;</p> <p>(ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design;</p> <p>(iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;</p> <p>(iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded;</p> <p>(v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;</p> |

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| | <p>(vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;</p> <p>(vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;</p> <p>(viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</p> <p>(ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Project Works as far as practicable. These methods shall include, but are not limited to:</p> <ul style="list-style-type: none"> a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access; b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and c. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15. <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Accidental Discoveries</p> <p>Advice Note:</p> <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for "Accidental Discovery" as they relate to both contaminated soils and heritage items.</i></p> |
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Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs.
 S42A Report Recommended Amendments - Strikethrough for Deletion and **Bold/Underline**
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| | <i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i> |
| 22. | <p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <p>(i) <u>Identifying species of value in the works area, including but not limited to</u> Cconfirming whether the species of value within the <u>previously</u> Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present;</p> <p>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 23 <u>a, b or c</u> for these areas (Confirmed Biodiversity Areas).</p> |
| 23. a | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of long tail bats, the EMP may include:</p> <p>a. measures to minimise, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats.</p> <p>b. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;</p> |

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| | <p>c. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;</p> <p>d. details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include</p> <p>(i) identification of areas and timeframes for establishment of advance restoration / mitigation planting (including suitable indigenous or exotic trees or artificial alternatives) taking into account land ownership, accessibility and the timing of available funding</p> <p>(ii) Details of measures to manage the effects of light spill on bat connectivity as far as practicable.</p> <p>e. Where mitigation to minimise effects is not practicable, details of any offsetting proposed.</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p>(i) <i>Stream and/or wetland restoration plans;</i></p> <p>(ii) <i>Vegetation restoration plans; and</i></p> <p>(iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></p> |
| 23b | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work and submitted to the Manager for certification.</p> <p>New (b) The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p>New (c) The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <p>a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable;</p> |

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| | <ul style="list-style-type: none"> b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds. d. Details of grass maintenance if Pipit are present. <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> (i) <i>Stream and/or wetland restoration plans;</i> (ii) <i>Vegetation restoration plans; and</i> (iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| 23c | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>New (b) The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p>New (c) The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <ul style="list-style-type: none"> (i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds: <ul style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable. b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds c. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be |

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| | <p>repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;</p> <p>d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include:</p> <ul style="list-style-type: none"> i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person. iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). v. Minimising light spill from construction areas into Wetlands <p>e. Details on any mitigation required to address any potential operational disturbance</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> (i) <i>Stream and/or wetland restoration plans;</i> (ii) <i>Vegetation restoration plans; and</i> (iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| <p>24.</p> | <p>Tree Management Plan</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a Tree Management Plan shall be prepared <u>and submitted to the Manager for certification.</u></p> |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs. S42A Report Recommended Amendments - Strikethrough for Deletion and **Bold/Underline** for Additions

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| | <p>New (b) The objective of the Tree Management Plan is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023</u>.</p> <p>(b) The Tree Management Plan shall:</p> <ul style="list-style-type: none"> (i) confirm that the trees listed in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023</u> still exist; and (ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree listed in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023</u>. This may include: <ul style="list-style-type: none"> a. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 9); b. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and c. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards. (iii) demonstrate how the tree management measures (outlined in A – C above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees. |
| <p>25.</p> | <p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p>New (c) The NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) Protect and where necessary, relocate existing network utilities (iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; (iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; |

Commented [VW2]: s42A Report recommendation - this condition should be further amended to reflect the 2:1 ratio and m2 area recommended for mitigation planting.

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs.
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| | <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| 26. | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP-OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p><u>New (b) The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented, where:</p> <p>(i) The volume of traffic exceeds 10,000 vehicles per day; or</p> <p>(ii) The road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or</p> <p>(iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or</p> <p>(iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools.</p> <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 26(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 27 to 38:</p> |

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| | <p>(a) Building-Modification Mitigation – has the same meaning as in NZS 6806;</p> <p>(b) Design year has the same meaning as in NZS 6806;</p> <p>(c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;</p> <p>(d) Habitable Space – has the same meaning as in NZS 6806;</p> <p>(e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>;</p> <p>(f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C);</p> <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>;</p> <p>(j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 0; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p> |
| 27. | <p>The Noise Criteria Categories identified in <i>Schedule XX: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 27 to 38 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p> |
| 28. | <p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule XX PPFs Noise Criteria Categories</i>.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 0 may be (or be part of) the Selected Mitigation Option(s).</p> |

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| 29. | Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i> , taking into account the Selected Mitigation Options. |
| 30. | If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation. |
| 31. | The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction. |
| 32. | Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB L _{Aeq(24h)} inside Habitable Spaces ('Category C Buildings'). |
| 33. | Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope. |
| 34. | <p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 33 above if:</p> <ul style="list-style-type: none"> (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 33 above (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |
| 35. | Subject to Condition 34 above, within six months of the assessment undertaken in accordance with Conditions 33 and 34, the Requiring Authority shall write to the owner of each Category C Building advising: |

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| | <p>(a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and</p> <p>(b) The options available for Building-Modification Mitigation to the building, if required; and</p> <p>(c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.</p> |
| 36. | Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner. |
| 37. | <p>Subject to Condition 34, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 37 if:</p> <p>The Requiring Authority has completed Building Modification Mitigation to the building; or</p> <p>(a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or</p> <p>(b) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 35 (including where the owner did not respond within that period); or</p> <p>(c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> |
| 38. | The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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NOR 3 – Recommended Conditions

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| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>State Highway 1 (SH1) between Fairwater Road and Warkworth’s southern Rural Urban Boundary</u> |
| <u>Lapse Date</u> | <u>10 years</u> |

Purpose

Construction, operation and maintenance of an upgrade to State Highway 1 between Fairwater Road and Warkworth’s southern Rural Urban Boundary to an urban arterial corridor with cycle lanes and footpaths.

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
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| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a-material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. |

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| | (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |
| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EMP | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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| HNZPT | Heritage New Zealand Pouhere Taonga. |
| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |
| Identified Biodiversity Area | Means an area or areas <u>of features</u> of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |

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| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works. |
| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> . |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
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| 1. | <p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1:</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p> |
| 2. | <p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is</p> |

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| | <p>included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| <p>3.</p> | <p>Designation Review</p> <p>(a) The Requiring Authority shall within 6 months of Completion of Construction or Aas soon as otherwise practicable:</p> <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| <p>4.</p> | <p>Lapse</p> <p>(a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 1510 years from the date on which it is included in the AUP.</p> |
| <p>5.</p> | <p>Network Utility Operators <u>and Council</u> (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council</u> with existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; |

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| | <ul style="list-style-type: none"> (ii) minor renewal works to existing network utilities <u>and/or parks facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or park facility</u> operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities <u>and/or parks facilities</u> in the same location with the same or similar effects as the existing utility <u>and/or park facility</u>. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| <p>6.</p> | <p>Outline Plan</p> <ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. (b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project. (c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include: <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| <p>7.</p> | <p>Management Plans</p> <ul style="list-style-type: none"> (a) Any management plan shall: <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. |

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| | <p>(iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have:</p> <p>a. Been incorporated; and</p> <p>b. Where not incorporated, the reasons why.</p> <p>(v) Be submitted <u>to Council for certification</u>. as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules.</p> <p>(vi) Once finalised <u>certified</u>, uploaded to the Project website or equivalent virtual information source.</p> <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <p>(i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation.</p> <p>(ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process.</p> <p>(iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;</p> <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information <u>certification</u>.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992</u></p> |
| 8. | <p>Cultural Advisory Report</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> |

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| | <p><u>New (b)</u> The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection.</p> <p><u>New (c)</u> To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> <ul style="list-style-type: none"> (i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project; (ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values; (iii) Identifies traditional cultural practices within the area that may be impacted by the Project; (iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15. (vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making. <p>(b) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(c) Conditions 8(b) and (c) above will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works. |
| 9. | <p>Urban and Landscape Design Management Plan (ULDMP)</p> <p>(a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u></p> |

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| | <p>(b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of recommendations with RA on practicality of implementation) may be reflected in the ULDMP.</p> <p><u>New (c)</u> The objective of the ULDMP(s) <u>are</u> is to:</p> <ul style="list-style-type: none">(i) Enable integration of the Project's permanent works into the surrounding landscape and urban, <u>or future urban</u> context; and(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to <u>the experience of</u> a quality urban environment <u>for people and communities</u>. <p><u>New (d)</u> <u>The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation's Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none">(i) Auckland Transport's Urban Roads and Streets Design Guide;(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.(vi) <u>The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u> <p>(d) To achieve the objective, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none">(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and |
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| | <p>density of built form), natural environment, landscape character and open space zones <u>and reserves land</u>;</p> <p>(ii) Provides appropriate <u>safe</u> walking and cycling connectivity <u>and facilities</u> to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections <u>to the immediate neighbourhoods and wider community (including but not limited to walking and cycling facilities along SH1 north of Fairwater Road)</u>;</p> <p>(iii) Promotes inclusive access (where appropriate); and</p> <p>(iv) Promotes a sense of personal <u>and public</u> safety by aligning with best practice guidelines, such as:</p> <ol style="list-style-type: none">Crime Prevention Through Environmental Design (CPTED) principles;Safety in Design (SID) requirements; andMaintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. <p><u>New (e) If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p>(e) The ULDMP(s) shall include:</p> <ol style="list-style-type: none">A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;Developed design concepts, including principles for walking and cycling facilities and public transport; andLandscape and urban design details – that cover the following:<ol style="list-style-type: none">Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses <u>and existing roads (including slip lanes)</u>, benching, spoil disposal sites, median width and treatment, roadside width and treatment;Roadside elements – such as lighting, fencing, wayfinding and signage;architectural and landscape treatment of all major structures, including bridges and retaining walls;Architectural and landscape treatment of noise barriers; |
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| | <ul style="list-style-type: none"> e. Landscape treatment of permanent stormwater control wetlands and swales; f. Integration of passenger transport; g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; h. Historic heritage places with reference to the HHMP (Condition 0); and i. Re-instatement of construction and site compound areas, driveways, accessways and fences. <p><u>(j) Confirmation as to how the avoidance of adverse landscape effects on the landscape character and values of the Morrison’s heritage orchard has been achieved through design of retaining walls; and</u></p> <p><u>(k) Location and extent of areas of proposed restoration / revegetation.</u></p> <p>(f) The ULDM shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none"> (i) planting design details including: <ul style="list-style-type: none"> a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained; b. Street trees, shrubs and ground cover suitable for the location; c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones <u>and esplanade reserves</u>; d. planting of stormwater wetlands; e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24); f. Integration of any planting requirements required by conditions of any resource consents for the project; and g. Re-instatement planting of construction and site compound areas as appropriate. |
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| | <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <ol style="list-style-type: none"> a. Weed control and clearance; b. Pest animal management (to support plant establishment); c. Ground preparation (top soiling and decompaction); d. Mulching; and e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species. <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p> |
| | <p><u>Flood Hazard</u></p> <p>For the purpose of Condition 0:</p> <ol style="list-style-type: none"> (a) ARI – means Average Recurrence Interval (b) AEP – Annual Exceedance Probability (c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage. (d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u> (e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes. |

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| | <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| <p>10.</p> | <p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <ul style="list-style-type: none"> (i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm. and no new habitable floor flooding, within the designation or upstream or downstream of the designation;</u> (ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm. within the designation or upstream or downstream of the designation;</u> (iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation;</u> (iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation;</u> (v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, <u>rural</u> or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling; (vi) <u>no loss in conveyance function of flood plains and overland flow paths;</u> (vii) no new flood prone areas; and (viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be undertaken for the 50%, 20%, 10% and 1% AEP events. The method of classifying the flood</u> |

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| | <p><u>hazard must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u></p> <p>(a) Compliance with this condition <u>(a) above</u> shall be demonstrated in the Outline Plan. <u>The Outline Plan</u>, which shall include flood modelling of the pre-Project and post-Project in a 1% AEP 100-year ARI flood levels (for Maximum Probable Development land use and including climate change). <u>When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can adequately demonstrate compliance with the condition.</u></p> <p>(b) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u></p> <p><u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| <p>11.</p> | <p>Existing property access</p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p> |
| <p>12.</p> | <p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid,</p> |

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| | <p>remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths</u>, minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there is less risk of flood events, methods for rainfall monitoring and</u> actions to respond to warnings of heavy rain, <u>this shall be developed by a suitably qualified and experienced person;</u> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required. |
| 13. | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <ul style="list-style-type: none"> (a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> |

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| | <p>prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for Certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; (v) Identification of the properties whose owners will be engaged with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and (viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. <p>(b) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days <u>certification 6 months</u> prior to the Start of Construction for a Stage of Work.</p> |
| 14. | <p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (i) The date, time and nature of the complaint; |

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| | <ul style="list-style-type: none"> (ii) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (iii) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (iv) The outcome of the investigation into the complaint; (v) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p> |
| <p>15.</p> | <p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (ix) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (x) Requirements and protocols for cultural inductions for contractors and subcontractors; (xi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (xii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (xiii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a</p> |

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| | <p>standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| <p>16.</p> | <p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p><u>New (c)</u> To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, on existing roads; (vi) methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be; (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads; (viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services); <u>(ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;</u> |

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| | <p>(x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.</p> <p><u>(c) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place);</u></p> <p><u>(d) Members of the public and stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of that Plan.</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|-------------------------|--------------------|-------------------------|--------------------|---|--|--|--|---------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|----------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|----------------------------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|
| 17. | <p>Construction Noise Standards</p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p>Table 17.1: Construction noise standards</p> <table border="1" data-bbox="347 1131 1311 1973"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq(15min)}</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> </tbody> </table> | Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | Occupied activity sensitive to noise | | | | Weekday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 65 dB | 80 dB | 2000h - 0630h | 45 dB | 75 dB | Saturday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB | Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | 0730h - 1800h | 55 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB |
| Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Occupied activity sensitive to noise | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 65 dB | 80 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Saturday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 55 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | Other occupied buildings | | |
| All | 0730h – 1800h | 70 dB | |
| | 1800h – 0730h | 75 dB | |
| | (b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply. | | |
| 18. | Construction Vibration Standards | | |
| | (a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable. | | |
| | Table CNV2 Construction vibration criteria | | |
| | Receiver | Details | Category A |
| | Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv |
| | | Daytime 0630h - 2000h | 2mm/s ppv |
| | Other occupied buildings | Daytime 0630h - 2000h | 5mm/s ppv |
| | All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> |
| | <i>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</i> | | |
| | <i>**Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</i> | | |
| | (b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 19(c)((x)), then the methodology in Condition 20 shall apply | | |
| 19. | Construction Noise and Vibration Management Plan (CNVMP) | | |
| | (a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u> | | |
| | (b) A CNVMP shall be implemented during the Stage of Work to which it relates. | | |
| | (c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the | | |

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| | <p>management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none">(i) Description of the works and anticipated equipment/processes;(ii) Hours of operation, including times and days when construction activities would occur;(iii) The construction noise and vibration standards for the project;(iv) Identification of receivers where noise and vibration standards apply;(v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far <u>as</u> practicable;(vi) Methods and frequency for monitoring and reporting on construction noise and vibration;(vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints.(viii) Contact details of the Project Liaison Person;(ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;(x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites.(xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 19(c)((x)). |
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| | <p>(xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels;</p> <p>(xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration.</p> <p>(xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented</p> <p>(xv) Requirements for review and update of the CNVMP</p> |
| <p>20.</p> | <p>Schedule to a CNVMP</p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <p>(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:</p> <p>a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, or</p> <p>b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days.</p> <p>(ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage—and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <p>(i) Construction activity location, start and finish dates;</p> <p>(ii) The nearest neighbours to the construction activity;</p> <p>(iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance;</p> <p>(iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;</p> |

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| | <p>(v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and</p> <p>(vi) Location, times and types of monitoring;</p> <p>(c) The Schedule shall be submitted to the Manager Council for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p> |
| <p>21.</p> | <p>Historic Heritage Management Plan (HHMP)</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <p>(i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;</p> <p>(ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design;</p> <p>(iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;</p> <p>(iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded;</p> <p>(v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage</p> |

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| | <p>and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;</p> <p>(vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;</p> <p>(vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;</p> <p>(viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</p> <p>(ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Project Works as far as practicable. These methods shall include, but are not limited to:</p> <ul style="list-style-type: none">a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access;b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; andc. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15. <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> |
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| | <p>Accidental Discoveries</p> <p>Advice Note:</p> <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for “Accidental Discovery” as they relate to both contaminated soils and heritage items.</i></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i></p> |
| <p>22.</p> | <p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <p>(i) <u>Identifying species of value in the works area, including but not limited to</u> Cconfirming whether the species of value within the Identified Biodiversity Areas recorded in the <u>previously Identified Biodiversity Area Schedule [2]</u> are still present;</p> <p>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 23 <u>a, b or c</u> for these areas (Confirmed Biodiversity Areas).</p> |
| <p>23. a</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>New (b) The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of long tail bats, the EMP may include:</p> |

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| | <p>a. measures to minimise, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats.</p> <p>b. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;</p> <p>c. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;</p> <p>d. details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include</p> <p style="padding-left: 40px;">(i) identification of areas and timeframes for establishment of advance restoration / mitigation planting (including suitable indigenous or exotic trees or artificial alternatives) taking into account land ownership, accessibility and the timing of available funding</p> <p style="padding-left: 40px;">(ii) Details of measures to manage the effects of light spill on bat connectivity as far as practicable.</p> <p>e. Where mitigation to minimise effects is not practicable, details of any offsetting proposed.</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p style="padding-left: 40px;">(i) <i>Stream and/or wetland restoration plans;</i></p> <p style="padding-left: 40px;">(ii) <i>Vegetation restoration plans; and</i></p> <p style="padding-left: 40px;">(iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></p> |
| 23b | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> |

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| | <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <p>a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable;</p> <p>b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and</p> <p>c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds.</p> <p>d. Details of grass maintenance if Pipit are present.</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p>(i) <i>Stream and/or wetland restoration plans;</i></p> <p>(ii) <i>Vegetation restoration plans; and</i></p> <p>(iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></p> |
| 23c | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> |

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| | <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds:</p> <ul style="list-style-type: none">a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable.b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birdsc. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include:<ul style="list-style-type: none">i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; andiii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person.iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). |
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| | <p>v. Minimising light spill from construction areas into Wetlands</p> <p>e. Details on any mitigation required to address any potential operational disturbance</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p>(i) Stream and/or wetland restoration plans;</p> <p>(ii) Vegetation restoration plans; and</p> <p>(iii) Fauna management plans (eg avifauna, herpetofauna, bats).</p> |
| <p>24.</p> | <p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</p> <p>(i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</p> <p>(ii) Protect and where necessary, relocate existing network utilities</p> <p>(iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area;</p> <p>(iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines;</p> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> |

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| | <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| <p>25.</p> | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p><u>New (b) The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented. where:</p> <p>(i) The volume of traffic exceeds 10,000 vehicles per day; or</p> <p>(ii) The road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or</p> <p>(iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or</p> <p>(iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools.</p> <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 25(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 26 to 37:</p> <p>(a) Building-Modification Mitigation – has the same meaning as in NZS 6806;</p> |

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| | <p>(b) Design year has the same meaning as in NZS 6806;</p> <p>(c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;</p> <p>(d) Habitable Space – has the same meaning as in NZS 6806;</p> <p>(e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>;</p> <p>(f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C);</p> <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>;</p> <p>(j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 0; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p> |
| <p>26.</p> | <p>The Noise Criteria Categories identified in <i>Schedule XX: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 26 to 37 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p> |
| <p>27.</p> | <p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule XX PPFs Noise Criteria Categories</i>.</p> |

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| | For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 0 may be (or be part of) the Selected Mitigation Option(s). |
| 28. | Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i> , taking into account the Selected Mitigation Options. |
| 29. | If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation. |
| 30. | The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction. |
| 31. | Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB $L_{Aeq(24h)}$ inside Habitable Spaces ('Category C Buildings'). |
| 32. | Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope. |
| 33. | For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 32 above if: <ul style="list-style-type: none"> (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 32 above (including where the owner did not respond within that period); or |

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| | <p>(d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |
| 34. | <p>Subject to Condition 33 above, within six months of the assessment undertaken in accordance with Conditions 32 and 33, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <p>(a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and</p> <p>(b) The options available for Building-Modification Mitigation to the building, if required; and</p> <p>(c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.</p> |
| 35. | <p>Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.</p> |
| 36. | <p>Subject to Condition 34, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 36 if:</p> <p>The Requiring Authority has completed Building Modification Mitigation to the building; or</p> <p>(a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or</p> <p>(b) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 35 (including where the owner did not respond within that period); or</p> <p>(c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> |
| 37. | <p>The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable</p> |

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NOR 4 – Recommended Conditions

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| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>Matakana Road, between the Hill Street intersection to the edge of Warkworth's northern Rural Urban Boundary</u> |
| <u>Lapse Date</u> | <u>10 years</u> |

Purpose

Construction, operation and maintenance of an upgrade to provide for an urban arterial corridor with active mode facilities.

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
|---|--|
| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. |

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| | (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |
| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EMP | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |
| HNZPT | Heritage New Zealand Pouhere Taonga. |
| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |

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| Identified Biodiversity Area | Means an area or areas <u>of features</u> of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |
| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact |

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| | for persons wanting information about the Project or affected by the Construction Works. |
| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> . |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
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| 1. | <p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1:</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p> |
| 2. | <p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has</p> |

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| | <p>been established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| <p>3.</p> | <p>Designation Review</p> <ul style="list-style-type: none"> (a) The Requiring Authority shall within 6 months of Completion of Construction or Aas soon as otherwise practicable: <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| <p>4.</p> | <p>Lapse</p> <ul style="list-style-type: none"> (a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 45 10 years from the date on which it is included in the AUP. |
| <p>5.</p> | <p>Network Utility Operators (Section 176 Approval) Network Utility Operators <u>and Council</u> (Section 176 Approval)</p> <ul style="list-style-type: none"> (a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council</u> with existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities: <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; |

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| | <ul style="list-style-type: none"> (ii) minor renewal works to existing network utilities <u>and/or parks facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or park facility</u> operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities <u>and/or parks facilities</u> in the same location with the same or similar effects as the existing utility <u>and/or park facility</u>. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| <p>6.</p> | <p>Outline Plan</p> <ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. Error! Reference source not found.Error! Reference source not found.Error! Reference source not found. (b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project. (c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include: <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| <p>7.</p> | <p>Management Plans</p> <ul style="list-style-type: none"> (a) Any management plan shall: <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. |

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| | <p>(iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have:</p> <ul style="list-style-type: none"> a. Been incorporated; and b. Where not incorporated, the reasons why. <p>(v) Be submitted <u>to Council for certification</u>, as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules.</p> <p>(vi) Once finalised <u>certified</u>, uploaded to the Project website or equivalent virtual information source.</p> <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <ul style="list-style-type: none"> (i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation. (ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process. (iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information <u>certification</u>.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.</u></p> |
| 8. | <p>Cultural Advisory Report</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> |

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| <p>9.</p> | <p>Urban and Landscape Design Management Plan (ULDMP)</p> <p>(a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u></p> <p>(b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of recommendations with RA on practicality of implementation) may be reflected in the ULDMP.</p> <p><u>New (c)</u> The objectives of the ULDMP(s) is <u>are</u> to:</p> <ul style="list-style-type: none">(i) Enable integration of the Project's permanent works into the surrounding landscape and urban <u>or future urban</u> context; and(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes <u>to the experience of</u> a quality urban environment <u>for people and communities.</u> <p><u>New (d)</u> <u>The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation's Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none">(i) Auckland Transport's Urban Roads and Streets Design Guide;(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.(vi) <u>The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u>(vii) <u>Auckland Unitary Plan Chapter I552 Warkworth Clayden Road Precinct.</u> |
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| | <p>(d) To achieve the objectives, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none"> (i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones and reserves land; (ii) Provides appropriate safe walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections <u>to the immediate neighbourhoods and wider community</u>; (iii) Promotes inclusive access (where appropriate); and (iv) Promotes a sense of personal and public safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> a. Crime Prevention Through Environmental Design (CPTED) principles; b. Safety in Design (SID) requirements; and c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. <p><u>New (e) If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p>(e) The ULDMP(s) shall include:</p> <ul style="list-style-type: none"> (i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals; (ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and (iii) Landscape and urban design details – that cover the following: <ul style="list-style-type: none"> a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment; b. Roadside elements – such as lighting, fencing, wayfinding and signage; |
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| | <ul style="list-style-type: none"> c. architectural and landscape treatment of all major structures, including bridges and retaining walls; d. Architectural and landscape treatment of noise barriers; e. Landscape treatment of permanent stormwater control wetlands and swales; f. Integration of passenger transport; g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; h. Historic heritage places with reference to the HHMP (Condition 21); and i. Re-instatement of construction and site compound areas, driveways, accessways and fences; <u>and</u> <p><u>(j) Specific planting required in locations to establish as visual mitigation of the roading infrastructure when viewed from dwellings on adjacent properties.</u></p> <p>(f) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none"> (i) planting design details including: <ul style="list-style-type: none"> a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained; b. Street trees, shrubs and ground cover suitable for the location; c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones <u>and esplanade reserves</u> ; d. planting of stormwater wetlands; e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24); f. Integration of any planting requirements required by conditions of any resource consents for the project; and g. Re-instatement planting of construction and site compound areas as appropriate. |
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| | <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <ul style="list-style-type: none"> a. Weed control and clearance; b. Pest animal management (to support plant establishment); c. Ground preparation (top soiling and decompaction); d. Mulching; and e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species. <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of "road widening". Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p> |
| | <p><u>Flood Hazard</u></p> <p>For the purpose of Condition Error! Reference source not found.:</p> <ul style="list-style-type: none"> (a) ARI – means Average Recurrence Interval (b) AEP – Annual Exceedance Probability (c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage. (d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u> (e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes. |

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| | <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| <p>10.</p> | <p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <ul style="list-style-type: none"> (i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm, and no new habitable floor flooding, within the designation or upstream or downstream of the designation;</u> (ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm, within the designation or upstream or downstream of the designation;</u> (iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation;</u> (iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation;</u> (v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, <u>rural</u> or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling; (vi) <u>no loss in conveyance function of flood plains and overland flow paths;</u> (vii) no new flood prone areas; and (viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be undertaken for the 50%, 20%, 10% and 1% AEP events. The method of classifying the flood hazard</u> |

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| | <p><u>must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u></p> <p>(b) Compliance with this condition (a) above shall be demonstrated in the Outline Plan. <u>The Outline Plan, which shall include flood modelling of the pre-Project and post-Project in a 1% AEP 100-year ARI flood levels (for Maximum Probable Development land use and including climate change). <u>When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can adequately demonstrate compliance with the condition.</u></u></p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u> <u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| <p>11.</p> | <p>Existing property access</p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p> |
| <p><u>XX</u> <u>New</u> <u>Condition</u></p> | <p><u>Excavation in proximity to existing dwellings or accessways</u></p> <p><u>Where the ground surface profile within 20 m horizontal distance from a dwelling or accessway which exists at the time the Outline Plan is submitted is proposed to be cut to 1V:5H or steeper by the project, the requiring authority shall consult with the directly affected property owner regarding the required changes. The Outline Plan shall demonstrate how a safe ground surface profile, that does not adversely</u></p> |

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| | <u>affect the existing dwelling or accessway, will be provided, unless otherwise agreed with the affected property owner.</u> |
| 12. | <p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths,</u> minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there is less risk of flood events, methods for rainfall monitoring and</u> actions to respond to warnings of heavy rain, <u>this shall be developed by a suitably qualified and experienced person;</u> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; |

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| | <p>(xii) procedures for responding to complaints about Construction Works; and</p> <p>(xiii) methods for amending and updating the CEMP as required.</p> |
| <p>13.</p> | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for Certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; (v) Identification of the properties whose owners will be engaged <u>and communicated</u> with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and (viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. |

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| | (b) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days <u>certification 6 months</u> prior to the Start of Construction for a Stage of Work. |
| 14. | <p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (ix) The date, time and nature of the complaint; (x) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (xi) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (xii) The outcome of the investigation into the complaint; (xiii) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p> |
| 15. | <p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (xiv) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (xv) Requirements and protocols for cultural inductions for contractors and subcontractors; (xvi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; |

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| | <p>(xvii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and</p> <p>(xviii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol</p> <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| <p>16.</p> | <p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p>New (c) To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, on existing roads; (vi) methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be; (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at |

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| | <p>site exit points and the timely removal of any material deposited or spilled on public roads;</p> <p>(viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services);</p> <p>(ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;</p> <p>(x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.</p> <p><u>(c) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place);</u></p> <p><u>(d) Members of the public and stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of that Plan.</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|-------------------------|--------------------|-------------------------|--------------------|---|--|--|--|---------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|----------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|
| 17. | <p>Construction Noise Standards</p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p>Table 17.1: Construction noise standards</p> <table border="1" data-bbox="300 1375 1024 1809"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq(15min)}</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="3">Saturday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> </tbody> </table> | Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | Occupied activity sensitive to noise | | | | Weekday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 65 dB | 80 dB | 2000h - 0630h | 45 dB | 75 dB | Saturday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB |
| Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Occupied activity sensitive to noise | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 65 dB | 80 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Saturday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | | 2000h - 0630h | 45 dB | 75 dB |
| Sunday and Public Holidays | | 0630h - 0730h | 45 dB | 75 dB |
| | | 0730h - 1800h | 55 dB | 85 dB |
| | | 1800h - 2000h | 45 dB | 75 dB |
| | | 2000h - 0630h | 45 dB | 75 dB |
| Other occupied buildings | | | | |
| All | | 0730h – 1800h | 70 dB | |
| | | 1800h – 0730h | 75 dB | |
| (b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply. | | | | |
| 18. | Construction Vibration Standards | | | |
| (a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable. | | | | |
| Table CNV2 Construction vibration criteria | | | | |
| | Receiver | Details | Category A | Category B |
| | Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv |
| | | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv |
| | Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv |
| | All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | |
| <i>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</i> | | | | |
| <i>**Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</i> | | | | |
| (b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as | | | | |

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| | <p>required by Condition 19(c)((x)), then the methodology in Condition 20 shall apply</p> |
| <p>19.</p> | <p>Construction Noise and Vibration Management Plan (CNVMP)</p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities would occur; (iii) The construction noise and vibration standards for the project; (iv) Identification of receivers where noise and vibration standards apply; (v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far <u>as</u> practicable; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; |

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| | <ul style="list-style-type: none"> (vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) Contact details of the Project Liaison Person; (ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 19(c)((x)). (xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels; (xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration. (xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented (xv) Requirements for review and update of the CNVMP |
| <p>20.</p> | <p>Schedule to a CNVMP</p> <ul style="list-style-type: none"> (a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when: <ul style="list-style-type: none"> (i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed: |

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| | <ul style="list-style-type: none"> a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, or b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18. (b) The objective of the Schedule is to set out the Best Practicable Option measures to manage-and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as: <ul style="list-style-type: none"> (i) Construction activity location, start and finish dates; (ii) The nearest neighbours to the construction activity; (iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance; (iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why; (v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vi) Location, times and types of monitoring; (c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP. (d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account. |
| 21. | <p>Historic Heritage Management Plan (HHMP)</p> <ul style="list-style-type: none"> (a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u> |

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| | <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design; (iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded; (v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project; (vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version; (viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so; (ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during |
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Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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| | <p>Construction Project Works as far as practicable. These methods shall include, but are not limited to:</p> <ul style="list-style-type: none"> a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access; b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and c. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15. <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Accidental Discoveries</p> <p>Advice Note:</p> <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for “Accidental Discovery” as they relate to both contaminated soils and heritage items.</i></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i></p> |
| 22. | <p>Pre-Construction Ecological Survey</p> <ul style="list-style-type: none"> (a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by: <ul style="list-style-type: none"> (i) <u>Identifying species of value in the works area, including but not limited to,</u> Confirming whether the species of value within the <u>previously</u> Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present; |

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| | <p>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 23 <u>a, b or c</u> for these areas (Confirmed Biodiversity Areas).</p> |
| <p>23. a</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work.</p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (d)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of long tail bats, the EMP may include:</p> <ul style="list-style-type: none"> a. measures to minimise, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats. b. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable; c. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats; d. details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include <ul style="list-style-type: none"> (i) identification of areas and timeframes for establishment of advance restoration / mitigation planting (including suitable indigenous or exotic trees or artificial alternatives) taking into account land ownership, accessibility and the timing of available funding |

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| | <p>(ii) Details of measures to manage the effects of light spill on bat connectivity as far as practicable.</p> <p>e. Where mitigation to minimise effects is not practicable, details of any offsetting proposed.</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p>(i) <i>Stream and/or wetland restoration plans;</i></p> <p>(ii) <i>Vegetation restoration plans; and</i></p> <p>(iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></p> |
| 23b | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <p>a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable;</p> <p>b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and</p> <p>c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds.</p> <p>d. Details of grass maintenance if Pipit are present.</p> |

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| | <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> (i) <i>Stream and/or wetland restoration plans;</i> (ii) <i>Vegetation restoration plans; and</i> (iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| <p>23c</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <ul style="list-style-type: none"> (i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds: <ul style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable. b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds c. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity; d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include: |

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| | <ul style="list-style-type: none"> i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person. iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). v. Minimising light spill from construction areas into Wetlands <p>e. Details on any mitigation required to address any potential operational disturbance</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> (i) Stream and/or wetland restoration plans; (ii) Vegetation restoration plans; and (iii) Fauna management plans (eg avifauna, herpetofauna, bats). |
| 24. | <p>Tree Management Plan</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a Tree Management Plan shall be prepared <u>and submitted to the Manager for certification.</u></p> |

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| | <p>New (b) The objective of the Tree Management Plan is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023.</u></p> <p>(b) The Tree Management Plan shall:</p> <ul style="list-style-type: none"> (i) confirm that the trees listed in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023</u> still exist; and (ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree listed in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023.</u> This may include: <ul style="list-style-type: none"> a. planting to replace trees that require removal (with reference to the ULDM planting design details in Condition 9); b. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and c. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards. (iii) demonstrate how the tree management measures (outlined in A – C above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees. |
| <p>25.</p> | <p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p>New (c) The NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) Protect and where necessary, relocate existing network utilities (iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; (iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New |

Commented [VW1]: s42A Report recommendation - this condition should be further amended to reflect the 2:1 ratio and m2 area recommended for mitigation planting.

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| | <p>Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines;</p> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| 26. | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p><u>New (b) The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented, where:</p> <ul style="list-style-type: none"> (i) The volume of traffic exceeds 10,000 vehicles per day; or (ii) The road is subject to high wear and tear (such as cul-de-sac heads, roundabouts and main road intersections); or (iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 26(b)(i) – (iv) are not met by the road or a section of it and therefore</p> |

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| | <p>where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 27 to 38:</p> <p>(a) Building-Modification Mitigation – has the same meaning as in NZS 6806;</p> <p>(b) Design year has the same meaning as in NZS 6806;</p> <p>(c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;</p> <p>(d) Habitable Space – has the same meaning as in NZS 6806;</p> <p>(e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>;</p> <p>(f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C);</p> <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>;</p> <p>(j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition Error! Reference source not found.; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p> |
| 27. | <p>The Noise Criteria Categories identified in <i>Schedule XX: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 27 to 38 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> |

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| | <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p> |
| 28. | <p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule XX PPFs Noise Criteria Categories</i>.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 26 may be (or be part of) the Selected Mitigation Option(s).</p> |
| 29. | <p>Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i>, taking into account the Selected Mitigation Options.</p> |
| 30. | <p>If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.</p> |
| 31. | <p>The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction.</p> |
| 32. | <p>Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB $L_{Aeq(24h)}$ inside Habitable Spaces ('Category C Buildings').</p> |
| 33. | <p>Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.</p> |
| 34. | <p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 33 above if:</p> |

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| | <p>(a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or</p> <p>(b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or</p> <p>(c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 33 above (including where the owner did not respond within that period); or</p> <p>(d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |
| 35. | <p>Subject to Condition 34 above, within six months of the assessment undertaken in accordance with Conditions 33 and 34, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <p>(a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and</p> <p>(b) The options available for Building-Modification Mitigation to the building, if required; and</p> <p>(c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.</p> |
| 36. | <p>Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.</p> |
| 37. | <p>Subject to Condition 34, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 37 if:</p> <p>The Requiring Authority has completed Building Modification Mitigation to the building; or</p> <p>(a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or</p> <p>(b) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the</p> |

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| | date of the Requiring Authority's letter sent in accordance with Condition 35 (including where the owner did not respond within that period); or (c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. |
| 38. | The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable |

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NOR 5 – Recommended Conditions

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| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>Sandspit Road between the Hill Street intersection to the eastern edge of the Warkworth’s Rural Urban Boundary</u> |
| <u>Lapse Date</u> | <u>15 years</u> |

Purpose

The construction, operation and maintenance of a transport corridor of an upgrade to

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
|---|--|
| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |

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| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EMP | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |
| HNZPT | Heritage New Zealand Pouhere Taonga. |
| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |
| Identified Biodiversity Area | Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological |

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| | effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |
| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works. |

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| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> . |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
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| 1. | <p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1:</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p> |
| 2. | <p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been established. The project website or virtual information source shall include these conditions and shall provide information on:</p> |

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| | <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| 3. | <p>Designation Review</p> <ul style="list-style-type: none"> (a) The Requiring Authority shall within 6 months of Completion of Construction or Aas soon as otherwise practicable: <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| 4. | <p>Lapse</p> <ul style="list-style-type: none"> (a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 25 15 years from the date on which it is included in the AUP. |
| 5. | <p>Network Utility Operators (Section 176 Approval)</p> <ul style="list-style-type: none"> (a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council</u> with existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities: <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; (ii) minor renewal works to existing network utilities <u>and/or parks facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or parks facilities</u> operations; (iii) minor works such as new service connections; and |

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| | <p>(iv) the upgrade and replacement of existing network utilities <u>and/or parks facilities</u> in the same location with the same or similar effects as the existing utility <u>and/or parks facility</u>.</p> <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| <p>6.</p> | <p>Outline Plan</p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</p> <p>(c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:</p> <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| <p>7.</p> | <p>Management Plans</p> <p>(a) Any management plan shall:</p> <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> a. Been incorporated; and b. Where not incorporated, the reasons why. |

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| | <p>(v) Be submitted <u>to Council for certification</u>, as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules.</p> <p>(vi) Once finalised <u>certified</u>, uploaded to the Project website or equivalent virtual information source.</p> <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <p>(i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation.</p> <p>(ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process.</p> <p>(iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;</p> <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information <u>certification</u>.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.</u></p> |
| 8. | <p>Cultural Advisory Report</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> <p><u>New (b)</u> The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection.</p> <p><u>New (c)</u> To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> |

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| | <ul style="list-style-type: none"> (i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project; (ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values; (iii) Identifies traditional cultural practices within the area that may be impacted by the Project; (iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15. (vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making. <p>(b) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(c) Conditions 8(b) and (c) above will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works. |
| <p>9.</p> | <p>Urban and Landscape Design Management Plan (ULDMP)</p> <ul style="list-style-type: none"> (a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u> (b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of |

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| | <p>recommendations with RA on practicality of implementation) may be reflected in the ULDMP.</p> <p><u>New (c)</u> The objectives of the ULDMP(s) is <u>are</u> to:</p> <ul style="list-style-type: none"> (i) Enable integration of the Project's permanent works into the surrounding landscape and urban, <u>or future urban</u> context; and (ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes <u>to the experience of</u> to a quality urban environment <u>for people and communities</u>. <p><u>New (d)</u> <u>The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation's Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none"> (i) Auckland Transport's Urban Roads and Streets Design Guide; (ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version; (iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version; (iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and (v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version. (vi) <u>The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u> <p>(d) To achieve the objectives, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none"> (i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones <u>and reserves land</u>; (ii) Provides appropriate <u>safe</u> walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections <u>to the immediate neighbourhoods and wider community</u>; (iii) Promotes inclusive access (where appropriate); and |
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| | <p>(iv) Promotes a sense of personal <u>and public</u> safety by aligning with best practice guidelines, such as:</p> <ul style="list-style-type: none"> a. Crime Prevention Through Environmental Design (CPTED) principles; b. Safety in Design (SID) requirements; and c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. <p><u>New (v) If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p>(e) The ULDMP(s) shall include:</p> <ul style="list-style-type: none"> (i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals; (ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and (iii) Landscape and urban design details – that cover the following: <ul style="list-style-type: none"> a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses <u>and existing roads (including slip lanes)</u>, benching, spoil disposal sites, median width and treatment, roadside width and treatment; b. Roadside elements – such as lighting, fencing, wayfinding and signage; c. architectural and landscape treatment of all major structures, including bridges and retaining walls; d. Architectural and landscape treatment of noise barriers; e. Landscape treatment of permanent stormwater control wetlands and swales; f. Integration of passenger transport; g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; h. Historic heritage places with reference to the HHMP (Condition 21); and |
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| | <p>i. Re-instatement of construction and site compound areas, driveways, accessways and fences.</p> <p><u>(iv) Details to confirm protection of existing riparian vegetation and the restoration of stream/river environments; and landscape design approach consistency with the ecological requirements under conditions 22-24.</u></p> <p>(f) The ULDM shall also include the following planting details and maintenance requirements:</p> <p>(i) planting design details including:</p> <p>a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained;</p> <p>b. Street trees, shrubs and ground cover suitable for the location;</p> <p>c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones <u>and esplanade reserves</u>;</p> <p>d. planting of stormwater wetlands;</p> <p>e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24);</p> <p>f. Integration of any planting requirements required by conditions of any resource consents for the project; and</p> <p>g. Re-instatement planting of construction and site compound areas as appropriate.</p> <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <p>a. Weed control and clearance;</p> <p>b. Pest animal management (to support plant establishment);</p> <p>c. Ground preparation (top soiling and decompaction);</p> <p>d. Mulching; and</p> <p>e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.</p> |
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| | <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p> |
| | <p><u>Flood Hazard</u></p> <p>For the purpose of Condition 0:</p> <p>(a) ARI – means Average Recurrence Interval</p> <p>(b) AEP – Annual Exceedance Probability</p> <p>(c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.</p> <p>(d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u></p> <p>(e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.</p> <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| <p>10.</p> | <p><u>Flood Hazard</u></p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <p>(i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm, and no new habitable</u></p> |

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| | <p><u>floor flooding, within the designation or upstream or downstream of the designation:</u></p> <p>(ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm, within the designation or upstream or downstream of the designation:</u></p> <p>(iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation:</u></p> <p>(iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation:</u></p> <p>(v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, <u>rural</u> or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling;</p> <p>(vi) <u>no loss in conveyance function of flood plains and overland flow paths:</u></p> <p>(vii) no new flood prone areas; and</p> <p>(viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be undertaken for the 50%, 20%, 10% and 1% AEP events. The method of classifying the flood hazard must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u></p> <p>(b) Compliance with this condition <u>(a) above</u> shall be demonstrated in the Outline Plan. <u>The Outline Plan</u>, which shall include flood modelling of the pre-Project and post-Project <u>in a 1% AEP 400-year ARI</u> flood levels (for Maximum Probable Development land use and including climate change). <u>When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with</u></p> |
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| | <p>Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can <u>adequately demonstrate compliance with the condition.</u></p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u> <u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| 11. | <p><u>Existing property access</u></p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p> |
| XX New Condition | <p><u>Excavation in proximity to existing dwellings or accessways</u></p> <p>Where the ground surface profile within 20 m horizontal distance from a dwelling or accessway which exists at the time the Outline Plan is submitted is proposed to be cut to 1V:5H or steeper by the project, the requiring authority shall consult with the directly affected property owner regarding the required changes. The Outline Plan shall demonstrate how a safe ground surface profile, that does not adversely affect the existing dwelling or accessway, will be provided, unless otherwise agreed with the affected property owner.</p> |
| 12. | <p><u>Construction Environmental Management Plan (CEMP)</u></p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the CEMP shall include:</p> |

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| | <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths</u>, minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there is less risk of flood events, methods for rainfall monitoring and</u> actions to respond to warnings of heavy rain, <u>this shall be developed by a suitably qualified and experienced person;</u> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required. |
| 13. | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for Certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and</p> |

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| | <p>occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; (v) Identification of the properties whose owners will be engaged <u>and communicated</u> with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and (viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. <p>(b) <u>Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days certification 6 months prior to the Start of Construction for a Stage of Work.</u></p> |
| <p>14.</p> | <p>Complaints Register</p> <ul style="list-style-type: none"> (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include: <ul style="list-style-type: none"> (ix) The date, time and nature of the complaint; (x) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (xi) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; |

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| | <p>(xii) The outcome of the investigation into the complaint;</p> <p>(xiii) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.</p> <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p> |
| 15. | <p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <p>(xiv) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua;</p> <p>(xv) Requirements and protocols for cultural inductions for contractors and subcontractors;</p> <p>(xvi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works;</p> <p>(xvii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and</p> <p>(xviii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol</p> <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| 16. | Construction Traffic Management Plan (CTMP) |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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| | <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification</u>.</p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p><u>New (c)</u> To achieve this objective, the CTMP shall include:</p> <p>(i) methods to manage the effects of temporary traffic management activities on traffic;</p> <p>(ii) measures to ensure the safety of all transport users;</p> <p>(iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion;</p> <p>(iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;</p> <p>(v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, on existing roads;</p> <p>(vi) methods to maintain vehicle access to property and/or private roads <u>(including the quarry, recycling centre (should they remain in existence) and to other properties with an existing access from Sandspit Road at the proposed Sandspit Link Road intersection)</u> where practicable, or to provide alternative access arrangements when it will not be;</p> <p>(vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;</p> <p>(viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services);</p> <p><u>(ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;</u></p> <p><u>(x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</u></p> |
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| | <p>(xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.</p> <p><u>(d) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place;</u></p> <p><u>(e) Members of the public and stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of that Plan</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|--------------------------|--------------------|--------------------------|--------------------|---|--|--|--|---------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|----------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|----------------------------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------------------------|--|--|--|-----|---------------|-------|--|---------------|-------|--|
| 17. | <p>Construction Noise Standards</p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p>Table 17.1: Construction noise standards</p> <table border="1" data-bbox="300 994 1027 1767"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq}(15min)</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td colspan="4">Other occupied buildings</td> </tr> <tr> <td rowspan="2">All</td> <td>0730h – 1800h</td> <td>70 dB</td> <td></td> </tr> <tr> <td>1800h – 0730h</td> <td>75 dB</td> <td></td> </tr> </tbody> </table> | Day of week | Time period | L _{Aeq} (15min) | L _{AFmax} | Occupied activity sensitive to noise | | | | Weekday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 65 dB | 80 dB | 2000h - 0630h | 45 dB | 75 dB | Saturday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB | Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | 0730h - 1800h | 55 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB | Other occupied buildings | | | | All | 0730h – 1800h | 70 dB | | 1800h – 0730h | 75 dB | |
| Day of week | Time period | L _{Aeq} (15min) | L _{AFmax} | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Occupied activity sensitive to noise | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 65 dB | 80 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Saturday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 55 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other occupied buildings | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| All | 0730h – 1800h | 70 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h – 0730h | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | (b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply. | | | | | | | | | | | | | | | | | | | |
|--|--|---|------------------------|------------|------------|--|--------------------------|-------------|------------------------|-----------------------|-----------|-----------|--------------------------|-----------------------|-----------|-----------|---------------------|---------------------------|---|--|
| 18. | <p>Construction Vibration Standards</p> <p>(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> <p>Table CNV2 Construction vibration criteria</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A</th> <th>Category B</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied Activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>21mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td><u>At all other times</u></td> <td colspan="2"><u>Tables 1 and 3 of DIN4150-3:1999</u></td> </tr> </tbody> </table> <p><i>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</i></p> <p><i>**Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</i></p> <p>(b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 19(c)(x), then the methodology in Condition 20 shall apply</p> | Receiver | Details | Category A | Category B | Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | |
| Receiver | Details | Category A | Category B | | | | | | | | | | | | | | | | | |
| Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | | | | | | | | | | | | | | | | | |
| | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | |
| Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | |
| All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | | | | | | | | | | | | | | | | | | |
| 19. | <p>Construction Noise and Vibration Management Plan (CNVMP)</p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> | | | | | | | | | | | | | | | | | | | |

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| | <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities would occur; (iii) The construction noise and vibration standards for the project; (iv) Identification of receivers where noise and vibration standards apply; (v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far <u>as</u> practicable; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; (vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) Contact details of the Project Liaison Person; (ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 19(c)((x)). <u>(xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels;</u> <u>(xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any</u> |
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| | <p>cosmetic or structural damage has occurred as a result of construction vibration.</p> <p>(xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented</p> <p>(xv) Requirements for review and update of the CNVMP</p> |
| <p>20.</p> | <p>Schedule to a CNVMP</p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <p>(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:</p> <p>a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, or</p> <p>b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days.</p> <p>(ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage-and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <p>(i) Construction activity location, start and finish dates;</p> <p>(ii) The nearest neighbours to the construction activity;</p> <p>(iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance;</p> <p>(iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;</p> <p>(v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and</p> <p>(vi) Location, times and types of monitoring;</p> |

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| | <p>(c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p> |
| <p>21.</p> | <p>Historic Heritage Management Plan (HHMP)</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design; (iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded; (v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; |

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| | <p>(vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;</p> <p>(vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;</p> <p>(viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</p> <p>(ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Project Works as far as practicable. These methods shall include, but are not limited to:</p> <ul style="list-style-type: none"> a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access; b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and c. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15. <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p><i>Accidental Discoveries</i></p> <p><i>Advice Note:</i></p> |
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| | <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for "Accidental Discovery" as they relate to both contaminated soils and heritage items.</i></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i></p> |
| 22. | <p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <p>(i) <u>Identifying species of value in the works area, including but not limited to,</u> Cconfirming whether the species of value within the <u>previously</u> Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present;</p> <p>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition <u>23a, b or c</u> for these areas (Confirmed Biodiversity Areas).</p> |
| 23. a | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of long tail bats, the EMP may include:</p> <p>a. measures to minimise, disturbance from construction activities within the vicinity of any active long tail bat roosts</p> |

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| | <p>(including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats.</p> <ul style="list-style-type: none"> b. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable; c. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats; d. details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include <ul style="list-style-type: none"> (i) identification of areas and timeframes for establishment of advance restoration / mitigation planting (including suitable indigenous or exotic trees or artificial alternatives) taking into account land ownership, accessibility and the timing of available funding (ii) Details of measures to manage the effects of light spill on bat connectivity as far as practicable. e. Where mitigation to minimise effects is not practicable, details of any offsetting proposed. <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> (i) <i>Stream and/or wetland restoration plans;</i> (ii) <i>Vegetation restoration plans; and</i> (iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| <p>23b</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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| | <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <ol style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds. d. Details of grass maintenance if Pipit are present. <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ol style="list-style-type: none"> (i) <i>Stream and/or wetland restoration plans;</i> (ii) <i>Vegetation restoration plans; and</i> (iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| 23c | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds:</p> |

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| | <ul style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable. b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds c. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity; d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include: <ul style="list-style-type: none"> i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person. iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). v. Minimising light spill from construction areas into Wetlands |
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| | <p>e. Details on any mitigation required to address any potential operational disturbance</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p>(i) <i>Stream and/or wetland restoration plans;</i></p> <p>(ii) <i>Vegetation restoration plans; and</i></p> <p>(iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></p> |
| <p>24.</p> | <p>Tree Management Plan</p> <p>(a) Prior to the Start of Construction for a Stage of Work, a Tree Management Plan shall be prepared <u>and submitted to the Manager for certification.</u></p> <p>New (b) The objective of the Tree Management Plan is to avoid, remedy or mitigate effects of construction activities on trees identified in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023.</u></p> <p>(b) The Tree Management Plan shall:</p> <p>(i) confirm that the trees listed in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023</u> still exist; and</p> <p>(ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree listed in Schedule 3 <u>Appendix A of the Assessment of Arboricultural Effects dated May 2023.</u> This may include:</p> <p>a. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 9);</p> <p>b. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and</p> <p>c. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.</p> <p>(iii) demonstrate how the tree management measures (outlined in A – C above) are consistent with conditions of any resource</p> |

Commented [VW1]: s42A Report recommendation - this condition should be further amended to reflect the 2:1 ratio and m2 area recommended for mitigation planting.

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| | consents granted for the project in relation to managing construction effects on trees. |
| 25. | <p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work and submitted to the Manager for certification.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) Protect and where necessary, relocate existing network utilities (iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; (iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| 26. | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP-OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> |

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| | <p><u>New (b) The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where:</p> <ul style="list-style-type: none"> (i) The volume of traffic exceeds 10,000 vehicles per day; or (ii) The road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or (iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 26(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 27 to 38:</p> <ul style="list-style-type: none"> (a) Building-Modification Mitigation – has the same meaning as in NZS 6806; (b) Design year has the same meaning as in NZS 6806; (c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed; (d) Habitable Space – has the same meaning as in NZS 6806; (e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>; (f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C); |

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| | <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>;</p> <p>(j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 0; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p> |
| 27. | <p>The Noise Criteria Categories identified in <i>Schedule XX: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 27 to 38 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p> |
| 28. | <p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule XX PPFs Noise Criteria Categories</i>.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 0 may be (or be part of) the Selected Mitigation Option(s).</p> |
| 29. | <p>Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i>, taking into account the Selected Mitigation Options.</p> |
| 30. | <p>If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.</p> |
| 31. | <p>The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces,</p> |

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| | which shall be implemented within twelve months of completion of construction. |
| 32. | Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB $L_{Aeq(24h)}$ inside Habitable Spaces ('Category C Buildings'). |
| 33. | Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope. |
| 34. | <p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 33 above if:</p> <ul style="list-style-type: none"> (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 33 above (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |
| 35. | <p>Subject to Condition 34 above, within six months of the assessment undertaken in accordance with Conditions 33 and 34, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <ul style="list-style-type: none"> (a) If Building-Modification Mitigation is required to achieve 40 dB $L_{Aeq(24h)}$ inside habitable spaces; and (b) The options available for Building-Modification Mitigation to the building, if required; and (c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for |

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| | Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available. |
| 36. | Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner. |
| 37. | Subject to Condition 36, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 37 if: The Requiring Authority has completed Building Modification Mitigation to the building; or (a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or (b) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 35 (including where the owner did not respond within that period); or (c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. |
| 38. | The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable |

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NOR 6 – Recommended Conditions

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| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>Between the intersection of SH1 and McKinney Road and Evelyn Street.</u> |
| <u>Lapse Date</u> | <u>10 years</u> |

Purpose

Construction, operation and maintenance of a new urban arterial corridor with active mode facilities

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
|---|--|
| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. |

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| | (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |
| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EMP | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |
| HNZPT | Heritage New Zealand Pouhere Taonga. |
| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |

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| Identified Biodiversity Area | Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |
| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact |

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| | for persons wanting information about the Project or affected by the Construction Works. |
| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> . |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
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| 1. | <p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1:</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p> |
| 2. | <p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been</p> |

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| | <p>established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| <p>3.</p> | <p>Designation Review</p> <ul style="list-style-type: none"> (a) The Requiring Authority shall within 6 months of Completion of Construction or Aas soon as otherwise practicable: <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| <p>4.</p> | <p>Lapse</p> <ul style="list-style-type: none"> (a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 10 years from the date on which it is included in the AUP. |
| <p>5.</p> | <p>Network Utility Operators and Council (Section 176 Approval)</p> <ul style="list-style-type: none"> (a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council</u> with existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities: <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; (ii) minor renewal works to existing network utilities <u>and/or parks facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or park facility</u> operations; |

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| | <ul style="list-style-type: none"> (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities <u>and/or parks facilities</u> in the same location with the same or similar effects as the existing utility <u>and/or park facility</u>. <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| <p>6.</p> | <p>Outline Plan</p> <ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. (b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project. (c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include: <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| <p>7.</p> | <p>Management Plans</p> <ul style="list-style-type: none"> (a) Any management plan shall: <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> a. Been incorporated; and b. Where not incorporated, the reasons why. |

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| | <p>(v) Be submitted <u>to Council for certification</u>, as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules.</p> <p>(vi) Once finalised <u>certified</u>, uploaded to the Project website or equivalent virtual information source.</p> <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <p>(i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation.</p> <p>(ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process.</p> <p>(iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;</p> <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information <u>certification</u>.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.</u></p> |
| 8. | <p>Cultural Advisory Report</p> <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> <p><u>New (b)</u> The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection.</p> <p><u>New (c)</u> To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> |

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| | <ul style="list-style-type: none"> (i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project; (ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values; (iii) Identifies traditional cultural practices within the area that may be impacted by the Project; (iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15. (vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making. <p>(b) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(c) Conditions 8(b) and (c) above will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works. |
| <p>9.</p> | <p>Urban and Landscape Design Management Plan (ULDMP)</p> <ul style="list-style-type: none"> (a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u> (b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of recommendations with RA on practicality of implementation) may be reflected in the ULDMP. <p><u>New (c)</u> The objectives of the ULDMP(s) is <u>are</u> to:</p> |

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| | <p>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban, <u>or future urban</u> context; and</p> <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes <u>to the experience of</u> a quality urban environment <u>for people and communities.</u></p> <p><u>New (d) The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation's Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Auckland Transport's Urban Roads and Streets Design Guide;</p> <p>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</p> <p>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; <u>and</u></p> <p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p><u>(vi) The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u></p> <p>(d) To achieve the objectives, the ULDMP(s) shall provide details of how the project:</p> <p>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones, <u>and reserves land;</u></p> <p>(ii) Provides appropriate <u>safe</u> walking and cycling connectivity <u>and facilities</u> to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections <u>(including but not limited to walking and cycling facilities along Evelyn Street between the western end of the Western Link South and Woodcocks Road) to the immediate neighbourhoods and wider community</u></p> <p>(iii) Promotes inclusive access (where appropriate); and</p> |
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| | <p>(iv) Promotes a sense of personal <u>and public</u> safety by aligning with best practice guidelines, such as:</p> <ul style="list-style-type: none">a. Crime Prevention Through Environmental Design (CPTED) principles;b. Safety in Design (SID) requirements; andc. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. <p><u>New (v) If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p><u>New (vi) Provides for the safety of cyclists along Evelyn Street, and for the safe and efficient operation of the Woodcocks Road / Evelyn Street / Mansel Drive intersection.</u></p> <p>(e) The ULDMP(s) shall include:</p> <ul style="list-style-type: none">(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and(iii) Landscape and urban design details – that cover the following:<ul style="list-style-type: none">a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;b. Roadside elements – such as lighting, fencing, wayfinding and signage;c. architectural and landscape treatment of all major structures, including bridges and retaining walls;d. Architectural and landscape treatment of noise barriers;e. Landscape treatment of permanent stormwater control wetlands and swales;f. Integration of passenger transport;g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;h. Historic heritage places with reference to the HHMP (Condition 21); and |
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| | <ul style="list-style-type: none">i. Re-instatement of construction and site compound areas, driveways, accessways and fences;<u>j. Upgrades to Evelyn Street and to Woodcocks Road / Evelyn Street / Mansel Drive intersection for the safe and efficient operation for all modes; and</u><u>k. Provision for extensive tree planting within areas of large car parking spaces in order to mitigate adverse landscape effects.</u> <p>(f) The ULDM shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none">(i) planting design details including:<ul style="list-style-type: none">a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained;b. Street trees, shrubs and ground cover suitable for the location;c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones <u>and esplanade reserves</u>;d. planting of stormwater wetlands;e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24);f. Integration of any planting requirements required by conditions of any resource consents for the project; andg. Re-instatement planting of construction and site compound areas as appropriate.(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and(iii) Detailed specifications relating to the following:<ul style="list-style-type: none">a. Weed control and clearance;b. Pest animal management (to support plant establishment);c. Ground preparation (top soiling and decompaction);d. Mulching; and |
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| | <p>e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.</p> <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p> |
| | <p><u>Flood Hazard</u></p> <p>For the purpose of Condition 10:</p> <p>(a) ARI – means Average Recurrence Interval</p> <p>(b) AEP – Annual Exceedance Probability</p> <p>(c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.</p> <p>(d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u></p> <p>(e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.</p> <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| 10. | <p><u>Flood Hazard</u></p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <p>(i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm. and no new habitable floor</u></p> |

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| | <p><u>flooding, within the designation or upstream or downstream of the designation:</u></p> <ul style="list-style-type: none">(ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm, within the designation or upstream or downstream of the designation:</u>(iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation:</u>(iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation:</u>(v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, rural or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling;(vi) <u>no loss in conveyance function of flood plains and overland flow paths:</u>(vii) no new flood prone areas; and(viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be undertaken for the 50%, 20%, 10% and 1% AEP events. The method of classifying the flood hazard must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u> <p>(b) Compliance with this condition <u>(a) above</u> shall be demonstrated in the Outline Plan. <u>The Outline Plan</u>, which shall include flood modelling of the pre-Project and post-Project <u>in a 1% AEP 100 year ARI</u> flood levels (for Maximum Probable Development land use and including climate change). <u>When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with</u> Auckland Council Healthy Waters (or its equivalent) for</p> |
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| | <p>review and confirmation that it can <u>adequately demonstrate compliance with the condition.</u></p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u></p> <p><u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| <p>11.</p> | <p>Existing property access</p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p> |
| <p>12.</p> | <p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; |

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| | <ul style="list-style-type: none"> (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths</u>, minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there is less risk of flood events, methods for rainfall monitoring and actions to respond to warnings of heavy rain, this shall be developed by a suitably qualified and experienced person;</u> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required. |
| <p>13.</p> | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for Certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; |

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| | <ul style="list-style-type: none"> (v) Identification of the properties whose owners will be engaged <u>and communicated</u> with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and (viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. <p>(b) Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days <u>certification 6 months</u> prior to the Start of Construction for a Stage of Work.</p> |
| <p>14.</p> | <p>Complaints Register</p> <ul style="list-style-type: none"> (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include: <ul style="list-style-type: none"> (ix) The date, time and nature of the complaint; (x) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (xi) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (xii) The outcome of the investigation into the complaint; (xiii) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. (b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made. |
| <p>15.</p> | <p>Cultural Monitoring Plan</p> |

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| | <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (xiv) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (xv) Requirements and protocols for cultural inductions for contractors and subcontractors; (xvi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (xvii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (xviii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| <p>16.</p> | <p>Construction Traffic Management Plan (CTMP)</p> <ul style="list-style-type: none"> (a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u> (b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. <p><u>New (c)</u> To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; |

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| | <ul style="list-style-type: none"> (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, on existing roads; (vi) methods to maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be; (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads; (viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services); (ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version; (x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and (xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded. <p><u>(c) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place;</u></p> <p><u>(d) Members of the public and stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of that Plan.</u></p> |
| 17. | Construction Noise Standards |

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(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:

Table 17.1: Construction noise standards

| Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} |
|---|---------------|-------------------------|--------------------|
| Occupied activity sensitive to noise | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB |
| | 0730h - 1800h | 70 dB | 85 dB |
| | 1800h - 2000h | 65 dB | 80 dB |
| | 2000h - 0630h | 45 dB | 75 dB |
| Saturday | 0630h - 0730h | 55 dB | 75 dB |
| | 0730h - 1800h | 70 dB | 85 dB |
| | 1800h - 2000h | 45 dB | 75 dB |
| | 2000h - 0630h | 45 dB | 75 dB |
| Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB |
| | 0730h - 1800h | 55 dB | 85 dB |
| | 1800h - 2000h | 45 dB | 75 dB |
| | 2000h - 0630h | 45 dB | 75 dB |
| Other occupied buildings | | | |
| All | 0730h – 1800h | 70 dB | |
| | 1800h – 0730h | 75 dB | |

(b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply.

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| 18. | <p>Construction Vibration Standards</p> <p>(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> <p>Table CNV2 Construction vibration criteria</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A</th> <th>Category B</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied Activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>21mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td><u>At all other times</u></td> <td colspan="2"><u>Tables 1 and 3 of DIN4150-3:1999</u></td> </tr> </tbody> </table> <p>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</p> <p>**Category B criteria based on DIN 4150 3:1999 building damage criteria for daytime</p> <p>(b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 19(c)(x)), then the methodology in Condition 20 shall apply</p> | Receiver | Details | Category A | Category B | Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | |
|--|--|---|------------------------|------------|------------|--|-----------------------------|-------------|------------------------|-----------------------|-----------|-----------|--------------------------|-----------------------|-----------|-----------|---------------------|---------------------------|---|--|
| Receiver | Details | Category A | Category B | | | | | | | | | | | | | | | | | |
| Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | | | | | | | | | | | | | | | | | |
| | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | |
| Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | |
| All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | | | | | | | | | | | | | | | | | | |
| 19. | <p>Construction Noise and Vibration Management Plan (CNVMP)</p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none"> (i) Description of the works and anticipated equipment/processes; (ii) Hours of operation, including times and days when construction activities would occur; | | | | | | | | | | | | | | | | | | | |

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| | <ul style="list-style-type: none"> (iii) The construction noise and vibration standards for the project; (iv) Identification of receivers where noise and vibration standards apply; (v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far as practicable; (vi) Methods and frequency for monitoring and reporting on construction noise and vibration; (vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints. (viii) Contact details of the Project Liaison Person; (ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; (x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. (xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 19(c)((x)). (xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels. (xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration. (xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented. (xv) Requirements for review and update of the CNVMP |
| 20. | Schedule to a CNVMP |

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| | <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <ul style="list-style-type: none">(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed:<ul style="list-style-type: none">a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, orb. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days.(ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18. <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage—and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <ul style="list-style-type: none">(i) Construction activity location, start and finish dates;(ii) The nearest neighbours to the construction activity;(iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance;(iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;(v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and(vi) Location, times and types of monitoring; <p>(c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and</p> |
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| | <p>occupiers, and how consultation outcomes have and have not been taken into account.</p> |
| <p>21.</p> | <p>Historic Heritage Management Plan (HHMP)</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design; (iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded; (v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project; (vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version; (viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so; |

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| | <p>(ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Project Works as far as practicable. These methods shall include, but are not limited to:</p> <ul style="list-style-type: none"> a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access; b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and c. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15. <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p><i>Accidental Discoveries</i></p> <p><i>Advice Note:</i></p> <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for “Accidental Discovery” as they relate to both contaminated soils and heritage items.</i></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i></p> |
| <p>22.</p> | <p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <ul style="list-style-type: none"> (i) <u>Identifying species of value in the works area, including but not limited to,</u> Cconfirming whether the species of value within the <u>previously</u> Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present; (ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to |

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| | <p>implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 23 <u>a or b</u> for these areas (Confirmed Biodiversity Areas).</p> |
| <p>23.a</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <ol style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds. d. Details of grass maintenance if Pipit are present. <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ol style="list-style-type: none"> (i) <i>Stream and/or wetland restoration plans;</i> (ii) <i>Vegetation restoration plans; and</i> |

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| | (iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| 23b | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds:</p> <ol style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable. b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds c. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity; d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include: <ol style="list-style-type: none"> i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and |

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| | <ul style="list-style-type: none"> iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person. iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). v. Minimising light spill from construction areas into Wetlands <p>e. Details on any mitigation required to address any potential operational disturbance</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> (i) Stream and/or wetland restoration plans; (ii) Vegetation restoration plans; and (iii) Fauna management plans (eg avifauna, herpetofauna, bats). |
| <p>24.</p> | <p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p>New (c) The NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) Protect and where necessary, relocate existing network utilities (iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; (iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> |

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| | <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| <p>25.</p> | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP-OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p><u>New (b) The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented, where:</p> <p>(i) The volume of traffic exceeds 10,000 vehicles per day; or</p> <p>(ii) The road is subject to high wear and tear (such as cul-de-sac heads, roundabouts and main road intersections); or</p> <p>(iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or</p> <p>(iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools.</p> <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 25(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 26 to 37:</p> <p>(a) Building-Modification Mitigation – has the same meaning as in NZS 6806;</p> |

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| | <p>(b) Design year has the same meaning as in NZS 6806;</p> <p>(c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;</p> <p>(d) Habitable Space – has the same meaning as in NZS 6806;</p> <p>(e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>;</p> <p>(f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C);</p> <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>;</p> <p>(j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 0; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p> |
| <p>26.</p> | <p>The Noise Criteria Categories identified in <i>Schedule XX: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 26 to 37 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p> |
| <p>27.</p> | <p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule XX PPFs Noise Criteria Categories</i>.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 0 may be (or be part of) the Selected Mitigation Option(s).</p> |

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| 28. | Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i> , taking into account the Selected Mitigation Options. |
| 29. | If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation. |
| 30. | The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction. |
| 31. | Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB L _{Aeq(24h)} inside Habitable Spaces ('Category C Buildings'). |
| 32. | Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope. |
| 33. | <p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 32 above if:</p> <ul style="list-style-type: none"> (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 32 above (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |

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| <p>34.</p> | <p>Subject to Condition 33 above, within six months of the assessment undertaken in accordance with Conditions 32 and 33, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <ul style="list-style-type: none"> (a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and (b) The options available for Building-Modification Mitigation to the building, if required; and (c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available. |
| <p>35.</p> | <p>Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.</p> |
| <p>36.</p> | <p>Subject to Condition 34, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 36 if:</p> <p>The Requiring Authority has completed Building Modification Mitigation to the building; or</p> <ul style="list-style-type: none"> (a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or (b) The building owner did not accept the Requiring Authority’s offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority’s letter sent in accordance with Condition 34 (including where the owner did not respond within that period); or (c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. |
| <p>37.</p> | <p>The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable</p> |

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NOR 7 – Recommended Conditions

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| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>Between the intersection of the Matakana Road and Te Honohono ki Tai (Matakana Link Road) and Sandspit Road</u> |
| <u>Lapse Date</u> | <u>10 years</u> |

Purpose

Construction, operation and maintenance of a new urban arterial corridor with active mode facilities

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
|---|--|
| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. |

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| | (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |
| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EMP | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |
| HNZPT | Heritage New Zealand Pouhere Taonga. |
| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |

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| Identified Biodiversity Area | Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |
| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact |

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| | for persons wanting information about the Project or affected by the Construction Works. |
| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> . |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
|-----|--|
| 1. | <p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works with</p> <p>(b) in the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1:</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p> |
| 2. | <p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has</p> |

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| | <p>been established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| <p>3.</p> | <p>Designation Review</p> <ul style="list-style-type: none"> (a) The Requiring Authority shall within 6 months of Completion of Construction or A as soon as otherwise practicable: <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| <p>4.</p> | <p>Lapse</p> <ul style="list-style-type: none"> (a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 10 years from the date on which it is included in the AUP. |
| <p>5.</p> | <p>Network Utility Operators <u>and Council</u> (Section 176 Approval)</p> <ul style="list-style-type: none"> (a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council</u> with existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities: <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; |

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| | <ul style="list-style-type: none"> (ii) minor renewal works to existing network utilities <u>and/or parks facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or park facility</u> operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities <u>and/or parks facilities</u> in the same location with the same or similar effects as the existing utility <u>and/or park facility</u>. <p><u>(b)</u> To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| <p>6.</p> | <p>Outline Plan</p> <ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. Error! Reference source not found.Error! Reference source not found.Error! Reference source not found. (b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project. (c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include: <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| <p>7.</p> | <p>Management Plans</p> <ul style="list-style-type: none"> (a) Any management plan shall: <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); |

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| | <ul style="list-style-type: none"> (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> a. Been incorporated; and b. Where not incorporated, the reasons why. (v) Be submitted <u>to Council for certification</u>, as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules. (vi) Once finalised <u>certified</u>, uploaded to the Project website or equivalent virtual information source. <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <ul style="list-style-type: none"> (i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation. (ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process. (iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information <u>certification</u>.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.</u></p> |
| 8. | Cultural Advisory Report |

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| | <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> <p><u>New (b)</u> The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection.</p> <p><u>New (c)</u> To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> <ul style="list-style-type: none"> (i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project; (ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values; (iii) Identifies traditional cultural practices within the area that may be impacted by the Project; (iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area; (v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15. (vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making. <p>(b) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(c) Conditions 8 (b) and (c) above will cease to apply if:</p> <ul style="list-style-type: none"> (i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and (ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works. |
| 9. | Urban and Landscape Design Management Plan (ULDMP) |

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| | <p>(a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u></p> <p>(b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of recommendations with RA on practicality of implementation) may be reflected in the ULDMP.</p> <p><u>New (c)</u> The objectives of the ULDMP(s) is <u>are</u> to:</p> <p>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban, <u>or future urban</u> context; and</p> <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes <u>to the experience of</u> a quality urban environment <u>for people and communities.</u></p> <p><u>New (d)</u> <u>The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation's Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Auckland Transport's Urban Roads and Streets Design Guide;</p> <p>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</p> <p>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; <u>and</u></p> <p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p><u>(vi) The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u></p> <p>(d) To achieve the objectives, the ULDMP(s) shall provide details of how the project:</p> <p>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or</p> |
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| | <p>proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones, <u>and reserves land;</u></p> <p>(ii) Provides appropriate <u>safe</u> walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses (<u>including the cemetery adjacent to SH1</u>), public transport infrastructure and walking and cycling connections <u>to the immediate neighbourhoods and wider community;</u></p> <p>(iii) Promotes inclusive access (where appropriate); and</p> <p>(iv) Promotes a sense of personal <u>and public</u> safety by aligning with best practice guidelines, such as:</p> <ul style="list-style-type: none">a. Crime Prevention Through Environmental Design (CPTED) principles;b. Safety in Design (SID) requirements; andc. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. <p><u>New (v) In the event of the Sandspit Link Road progressing before upgrades to Sandspit Road, provides an appropriate safe and efficient between the Sandspit Link Road and Sandspit Road that minimises abortive works for any future upgrade to Sandspit Road.</u></p> <p><u>New (vi) If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p>(e) The ULDMP(s) shall include:</p> <ul style="list-style-type: none">(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and(iii) Landscape and urban design details – that cover the following:<ul style="list-style-type: none">a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment; |
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| | <ul style="list-style-type: none">b. Roadside elements – such as lighting, fencing, wayfinding and signage;c. architectural and landscape treatment of all major structures, including bridges and retaining walls;d. Architectural and landscape treatment of noise barriers;e. Landscape treatment of permanent stormwater control wetlands and swales;f. Integration of passenger transport;g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;h. Historic heritage places with reference to the HHMP (Condition 21); andi. Re-instatement of construction and site compound areas, driveways, accessways and fences <u>and-</u><u>j. Provision for extensive tree planting within areas of large car parking spaces in order to mitigate adverse landscape effects.</u> <p>(f) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none">(i) planting design details including:<ul style="list-style-type: none">a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained;b. Street trees, shrubs and ground cover suitable for the location;c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones <u>and esplanade reserves</u>;d. planting of stormwater wetlands;e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24);f. Integration of any planting requirements required by conditions of any resource consents for the project; andg. Re-instatement planting of construction and site compound areas as appropriate. |
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| | <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <ol style="list-style-type: none"> a. Weed control and clearance; b. Pest animal management (to support plant establishment); c. Ground preparation (top soiling and decompaction); d. Mulching; and e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species. <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p> |
| | <p><u>Flood Hazard</u></p> <p>For the purpose of Condition 10:</p> <ol style="list-style-type: none"> (a) ARI – means Average Recurrence Interval (b) AEP – Annual Exceedance Probability (c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage. (d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u> (e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if |

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| | <p>the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.</p> <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| <p>10.</p> | <p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <ul style="list-style-type: none"> (i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm, and no new habitable floor flooding, within the designation or upstream or downstream of the designation;</u> (ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm, within the designation or upstream or downstream of the designation;</u> (iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation;</u> (iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation;</u> (v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, <u>rural</u> or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling; (vi) <u>no loss in conveyance function of flood plains and overland flow paths;</u> (vii) no new flood prone areas; and (viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be undertaken for the 50%, 20%, 10% and 1%</u> |

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| | <p><u>AEP events. The method of classifying the flood hazard must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u></p> <p>(b) Compliance with this condition <u>(a) above</u> shall be demonstrated in the Outline Plan. <u>The Outline Plan</u>, which shall include flood modelling of the pre-Project and post-Project <u>in a 1% AEP 100 year ARI</u> flood levels (for Maximum Probable Development land use and including climate change). <u>When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with</u> Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can <u>adequately demonstrate compliance with the condition.</u></p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u></p> <p><u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| <p>11.</p> | <p><u>Existing property access</u></p> <p><u>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</u></p> |
| <p><u>XX</u></p> <p><u>New Condition</u></p> | <p><u>Excavation in proximity to existing dwellings or accessways</u></p> <p><u>Where the ground surface profile within 20 m horizontal distance from a dwelling or accessway which exists at the time the Outline Plan is submitted is proposed to be cut to 1V:5H or steeper by the project, the requiring authority shall consult with the directly affected property owner regarding the required changes. The Outline Plan shall demonstrate how a safe ground surface profile, that does not adversely affect the existing</u></p> |

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| | <p><u>dwelling or accessway, will be provided, unless otherwise agreed with the affected property owner.</u></p> |
| <p>12.</p> | <p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths,</u> minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there is less risk of flood events, methods for rainfall monitoring and</u> actions to respond to warnings of heavy rain, <u>this shall be developed by a suitably qualified and experienced person;</u> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; |

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| | <p>(xii) procedures for responding to complaints about Construction Works; and</p> <p>(xiii) methods for amending and updating the CEMP as required.</p> |
| <p>13.</p> | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <p>(a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for Certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; (v) Identification of the properties whose owners will be engaged <u>and communicated</u> with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and (viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. <p>(b) <u>Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days certification 6 months</u> prior to the Start of Construction for a Stage of Work.</p> |

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| <p>14.</p> | <p>Complaints Register</p> <p>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:</p> <ul style="list-style-type: none"> (ix) The date, time and nature of the complaint; (x) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); (xi) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (xii) The outcome of the investigation into the complaint; (xiii) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p> |
| <p>15.</p> | <p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (xiv) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (xv) Requirements and protocols for cultural inductions for contractors and subcontractors; (xvi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (xvii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (xviii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol |

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| | <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| <p>16.</p> | <p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p><u>New (c)</u> To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, <u>on existing roads;</u> (vi) methods to maintain <u>vehicle</u> access to property and/or private roads <u>(including the quarry, recycling centre (should they be in existence at that point in time) and to other properties with an existing access from Sandspit Road)</u> where practicable, or to provide alternative access arrangements when it will not be; (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads; |

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| | <p>(viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services);</p> <p>(ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;</p> <p>(x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.</p> <p><u>(c) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place;</u></p> <p><u>(d) Members of the public and stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of that Plan.</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|-------------------------|--------------------|-------------------------|--------------------|---|--|--|--|---------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|----------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|---------------|-------|-------|
| 17. | <p>Construction Noise Standards</p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p>Table 17.1: Construction noise standards</p> <table border="1" data-bbox="395 1375 1275 1993"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq(15min)}</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> </tbody> </table> | Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | Occupied activity sensitive to noise | | | | Weekday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 65 dB | 80 dB | 2000h - 0630h | 45 dB | 75 dB | Saturday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB |
| Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Occupied activity sensitive to noise | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 65 dB | 80 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Saturday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <table border="1"> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td colspan="4">Other occupied buildings</td> </tr> <tr> <td rowspan="2">All</td> <td>0730h – 1800h</td> <td>70 dB</td> <td></td> </tr> <tr> <td>1800h – 0730h</td> <td>75 dB</td> <td></td> </tr> </table> <p>(b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply.</p> | Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | 0730h - 1800h | 55 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB | Other occupied buildings | | | | All | 0730h – 1800h | 70 dB | | 1800h – 0730h | 75 dB | |
|--|---|---|------------------------|------------|------------|--|-----------------------------|-------------|------------------------|-----------------------|-----------|---------------|--------------------------|-----------------------|---------------------------------|-----------|---------------------|---------------------------|---|---------------|-------|--|---------------|-------|--|
| Sunday and Public Holidays | 0630h - 0730h | | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | | 55 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | |
| Other occupied buildings | | | | | | | | | | | | | | | | | | | | | | | | | |
| All | 0730h – 1800h | 70 dB | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h – 0730h | 75 dB | | | | | | | | | | | | | | | | | | | | | | | |
| 18. | <p>Construction Vibration Standards</p> <p>(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> <p>Table CNV2 Construction vibration criteria</p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A</th> <th>Category B</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied Activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>21mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td><u>At all other times</u></td> <td colspan="2"><u>Tables 1 and 3 of DIN4150-3:1999</u></td> </tr> </tbody> </table> <p><i>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</i></p> <p><i>**Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</i></p> <p>(b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 19(c)(x), then the methodology in Condition 20 shall apply</p> | Receiver | Details | Category A | Category B | Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | | | | | | |
| Receiver | Details | Category A | Category B | | | | | | | | | | | | | | | | | | | | | | |
| Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 1mm/s ppv | | | | | | | | | | | | | | | | | | | | | | |
| | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | | | | | | |
| Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | | | | | | |
| All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | | | | | | | | | | | | | | | | | | | | | | | |
| 19. | Construction Noise and Vibration Management Plan (CNVMP) | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 '<i>Acoustics – Construction Noise</i>' (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none">(i) Description of the works and anticipated equipment/processes;(ii) Hours of operation, including times and days when construction activities would occur;(iii) The construction noise and vibration standards for the project;(iv) Identification of receivers where noise and vibration standards apply;(v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far <u>as</u> practicable;(vi) Methods and frequency for monitoring and reporting on construction noise and vibration;(vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints.(viii) Contact details of the Project Liaison Person;(ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;(x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites. |
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| | <p>(xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 19(c)((x)).</p> <p>(xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels.</p> <p>(xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration.</p> <p>(xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented.</p> <p>(xv) Requirements for review and update of the CNVMP</p> |
| <p>20.</p> | <p>Schedule to a CNVMP</p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <p>(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the LAeq criteria is no greater than 5 decibels and does not exceed:</p> <ol style="list-style-type: none"> a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, or b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. <p>(ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 19.</p> <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <ol style="list-style-type: none"> (i) Construction activity location, start and finish dates; (ii) The nearest neighbours to the construction activity; |

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| | <ul style="list-style-type: none"> (iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance; (iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why; (v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vi) Location, times and types of monitoring; <p>(c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p> |
| <p>21.</p> | <p>Historic Heritage Management Plan (HHMP)</p> <ul style="list-style-type: none"> (a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u> (b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design; (iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites |

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| | <p>for which an Archaeological Authority under the HNZPTA will be sought or has been granted;</p> <ul style="list-style-type: none">(iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded;(v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;(vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;(vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;(viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;(ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Project Works as far as practicable. These methods shall include, but are not limited to:<ul style="list-style-type: none">a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access;b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; andc. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of |
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| | <p>Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15.</p> <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Accidental Discoveries</p> <p>Advice Note:</p> <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for “Accidental Discovery” as they relate to both contaminated soils and heritage items.</i></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i></p> |
| <p>22.</p> | <p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <p>(i) <u>Identifying species of value in the works area, including but not limited to,</u> Cconfirming whether the species of value within the <u>previously</u> Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present;</p> <p>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 23 <u>a, b or c</u> for these areas (Confirmed Biodiversity Areas).</p> |
| <p>23. a</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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| | <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of long tail bats, the EMP may include:</p> <ul style="list-style-type: none">a. measures to minimise, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats.b. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;c. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;d. details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include<ul style="list-style-type: none">(i) identification of areas and timeframes for establishment of advance restoration / mitigation planting (including suitable indigenous or exotic trees or artificial alternatives) taking into account land ownership, accessibility and the timing of available funding(ii) Details of measures to manage the effects of light spill on bat connectivity as far as practicable.e. Where mitigation to minimise effects is not practicable, details of any offsetting proposed. <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p><i>Advice Note:</i></p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none">(i) <i>Stream and/or wetland restoration plans;</i>(ii) <i>Vegetation restoration plans; and</i> |
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| | <i>(iii) Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| 23b | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <ol style="list-style-type: none"> a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable; b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds. d. Details of grass maintenance if Pipit are present. <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ol style="list-style-type: none"> <i>(i) Stream and/or wetland restoration plans;</i> <i>(ii) Vegetation restoration plans; and</i> <i>(iii) Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| 23c | Ecological Management Plan (EMP) |

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| | <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds:</p> <ol style="list-style-type: none">a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable.b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birdsc. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include:<ol style="list-style-type: none">i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and |
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| | <ul style="list-style-type: none"> iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person. iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). v. Minimising light spill from construction areas into Wetlands <p>e. Details on any mitigation required to address any potential operational disturbance</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> (i) Stream and/or wetland restoration plans; (ii) Vegetation restoration plans; and (iii) Fauna management plans (eg avifauna, herpetofauna, bats). |
| <p>24.</p> | <p>Network Utility Management Plan (NUMP)</p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</p> <ul style="list-style-type: none"> (i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities; (ii) Protect and where necessary, relocate existing network utilities (iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; (iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines; |

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| | <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| <p>25.</p> | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p><u>New (b) The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where:</p> <p>(i) The volume of traffic exceeds 10,000 vehicles per day; or</p> <p>(ii) The road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or</p> <p>(iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or</p> <p>(iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools.</p> <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 25(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road</p> |

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| | <p>surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 26 to 37:</p> <ul style="list-style-type: none"> (a) Building-Modification Mitigation – has the same meaning as in NZS 6806; (b) Design year has the same meaning as in NZS 6806; (c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed; (d) Habitable Space – has the same meaning as in NZS 6806; (e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>; (f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C); (h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>; (j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition Error! Reference source not found.; and (k) Structural Mitigation – has the same meaning as in NZS 6806. |
| <p>26.</p> | <p>The Noise Criteria Categories identified in <i>Schedule XX: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 26 to 37 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <ul style="list-style-type: none"> (a) The PPF no longer exists; or (b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met. |

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| | Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project. |
| 27. | As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule XX PPFs Noise Criteria Categories</i> . For the avoidance of doubt, the low noise road surface implemented in accordance with Condition Error! Reference source not found. may be (or be part of) the Selected Mitigation Option(s). |
| 28. | Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i> , taking into account the Selected Mitigation Options. |
| 29. | If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation. |
| 30. | The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction. |
| 31. | Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB $L_{Aeq(24h)}$ inside Habitable Spaces ('Category C Buildings'). |
| 32. | Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope. |
| 33. | For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 32 above if: (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or |

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| | <p>(b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or</p> <p>(c) The building owner did not agree to entry within three months of the date of the Requiring Authority’s letter sent in accordance with Condition 32 above (including where the owner did not respond within that period); or</p> <p>(d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |
| <p>34.</p> | <p>Subject to Condition 33 above, within six months of the assessment undertaken in accordance with Conditions 32 and 33, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <p>(a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and</p> <p>(b) The options available for Building-Modification Mitigation to the building, if required; and</p> <p>(c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.</p> |
| <p>35.</p> | <p>Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.</p> |
| <p>36.</p> | <p>Subject to Condition 34, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 36 if:</p> <p>The Requiring Authority has completed Building Modification Mitigation to the building; or</p> <p>(a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or</p> <p>(b) The building owner did not accept the Requiring Authority’s offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority’s letter sent in accordance with Condition 34 (including where the owner did not respond within that period); or</p> <p>(c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> |

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| 37. | The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable |
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NOR 8 – Recommended Conditions

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| <u>Designation Number</u> | <u>XXX</u> |
| <u>Requiring Authority</u> | <u>Auckland Transport</u> |
| <u>Location</u> | <u>Between Woodcocks Road and the Mahurangi River</u> |
| <u>Lapse Date</u> | <u>10 years</u> |

Purpose

Construction, operation and maintenance of a new urban arterial road with active mode facilities.

Conditions

Abbreviations and definitions

| Acronym/Term | Definition |
|---|--|
| Activity sensitive to noise | Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility. |
| AUP | Auckland Unitary Plan. |
| BPO or Best Practicable Option | Has the same meaning as in section 2 of the RMA 1991. |
| CEMP | Construction Environmental Management Plan |
| Certification of material changes to management plans and CNVMP Schedules | Confirmation from the Manager that a-material change to a plan or CNVMP Schedule has been prepared in accordance with the condition to which it relates. A material change to a management plan or CNVMP Schedule shall be deemed certified: (a) where the Requiring Authority has received written confirmation from Council that the material change to the management plan is certified; or (b) ten working days from the submission of the material change to the management plan where no written confirmation of certification has been received. |

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| | (c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received. |
| CNVMP | Construction Noise and Vibration Management Plan |
| CNVMP Schedule or Schedule | A schedule to the CNVMP |
| Completion of Construction | When construction of the Project (or part of the Project) is complete and it is available for use. |
| Confirmed Biodiversity Areas | Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 22. |
| Construction Works | Activities undertaken to construct the Project excluding Enabling Works. |
| Council | Auckland Council |
| CTMP | Construction Traffic Management Plan |
| EM | Ecological Management Plan |
| EIANZ Guidelines | Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 <u>or any updated version.</u> |
| Enabling works | Includes, but is not limited to, the following and similar activities: <ul style="list-style-type: none"> (a) geotechnical investigations (including trial embankments) (b) archaeological site investigations (c) formation of access for geotechnical investigations (d) establishment of site yards, site entrances and fencing (e) constructing and sealing site access roads (f) demolition or removal of buildings and structures (g) relocation of services (h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting) |
| HHMP | Historic Heritage Management Plan |
| HNZPT | Heritage New Zealand Pouhere Taonga. |

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| HNZPTA | Heritage New Zealand Pouhere Taonga Act 2014 |
| Identified Biodiversity Area | Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines. |
| Manager | The Manager – Resource Consents of the Auckland Council, or authorised delegate. |
| Mana Whenua | <p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to) the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ngāti Manuhiri <input type="checkbox"/> Ngāti Maru <input type="checkbox"/> Ngāti Tamatera <input type="checkbox"/> Ngāti Whanaunga <input type="checkbox"/> Te Ākitai Waiohua <input type="checkbox"/> Ngai Tai Ki Tamaki <input type="checkbox"/> Ngāti Whātua o Kaipara <input type="checkbox"/> Ngāti Paoa Trust Board <input type="checkbox"/> Te Kawerau a Maki <input type="checkbox"/> Te Runanga o Ngāti Whātua <input type="checkbox"/> Te Patu Kirikiri <input type="checkbox"/> Ngāti Paoa Iwi Trust. <p>Note: Other iwi and hapu not identified above may have an interest in the Project and should be consulted.</p> |
| Network Utility Operator | Has the same meaning as set out in section 166 of the RMA. |
| NUMP | Network Utilities Management Plan |
| NOR | Notice of Requirement |
| NZAA | New Zealand Archaeological Association |
| Outline Plan | An outline plan prepared in accordance with section 176A of the RMA. |

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| Project Liaison Person | The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works. |
| Protected Premises and Facilities (PPF) | Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> . |
| Requiring Authority | Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport. |
| RMA | Resource Management Act (1991) |
| SCEMP | Stakeholder Communication and Engagement Management Plan |
| Stage of Work | Any physical works that require the development of an Outline Plan. |
| Start of Construction | The time when Construction Works (excluding Enabling Works) start. |
| Suitably Qualified-Person | A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise. |
| ULDMP | Urban and Landscape Design Management Plan |

| No. | Condition |
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| 1. | <p>Activity in General Accordance with Plans and Information</p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in schedule 1:</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p> |
| 2. | <p>Project Information</p> <p>(a) A project website, or equivalent virtual information source, shall be established within 12 months of the date on which this designation is included</p> |

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| | <p>in the AUP. All directly affected owners and occupiers shall be notified in writing once the website or equivalent information source has been established. The project website or virtual information source shall include these conditions and shall provide information on:</p> <ul style="list-style-type: none"> (i) the status of the Project; (ii) anticipated construction timeframes; (iii) contact details for enquiries; (iv) the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation; (v) a subscription service to enable receipt of project updates by email; and (vi) when and how to apply for consent for works in the designation under s176(1)(b) of the RMA. <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p> |
| <p>3.</p> | <p>Designation Review</p> <p>(a) The Requiring Authority shall within 6 months of Completion of Construction or A as soon as otherwise practicable:</p> <ul style="list-style-type: none"> (i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and (ii) give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above. |
| <p>4.</p> | <p>Lapse</p> <p>(a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 <u>10</u> years from the date on which it is included in the AUP.</p> |
| <p>5.</p> | <p>Network Utility Operators <u>and Council</u> (Section 176 Approval)</p> <p>(a) Prior to the start of Construction Works, Network Utility Operators <u>and Auckland Council</u> with existing infrastructure <u>and/or parks facilities</u> located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> (i) operation, maintenance and urgent repair works; |

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| | <ul style="list-style-type: none"> (ii) minor renewal works to existing network utilities <u>and/or parks facilities</u> necessary for the on-going provision or security of supply of network utility <u>and/or park facility</u> operations; (iii) minor works such as new service connections; and (iv) the upgrade and replacement of existing network utilities <u>and/or parks facilities</u> in the same location with the same or similar effects as the existing utility <u>and/or park facility</u>. <p><u>(b)</u> To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p> |
| <p>6.</p> | <p>Outline Plan</p> <ul style="list-style-type: none"> (a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA. Error! Reference source not found.Error! Reference source not found.Error! Reference source not found. (b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project. (c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include: <ul style="list-style-type: none"> (i) Construction Environmental Management Plan; (ii) Construction Traffic Management Plan; (iii) Construction Noise and Vibration Management Plan; (iv) Urban and Landscape Design Management Plan; (v) Historic Heritage Management Plan; (vi) Ecological Management Plan; (vii) Tree Management Plan; and (viii) Network Utilities Management Plan. |
| <p>7.</p> | <p>Management Plans</p> <ul style="list-style-type: none"> (a) Any management plan shall: <ul style="list-style-type: none"> (i) Be prepared and implemented in accordance with the relevant management plan condition; (ii) Be prepared by a Suitably Qualified Person(s); |

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| | <ul style="list-style-type: none"> (iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates. (iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> a. Been incorporated; and b. Where not incorporated, the reasons why. (v) Be submitted <u>to Council for certification</u>, as part of an Outline Plan pursuant to s176A of the RMA, with the exception of SCEMPs and CNVMP Schedules. (vi) Once finalised <u>certified</u>, uploaded to the Project website or equivalent virtual information source. <p>(b) Any management plan developed in accordance with Condition 7 may:</p> <ul style="list-style-type: none"> (i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation. (ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process. (iii) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; <p>(c) Any material changes to the SCEMPs, are to be submitted to the Council for information <u>certification</u>.</p> <p><u>Advice Note:</u></p> <p><u>Certification of the Management Plans, listed above in Condition 6(c), by the council relates only to those aspects of the management plan that are relevant under the Resource Management Act 1991. The certification does not amount to an approval or acceptance of suitability by the council of any elements of the management plan that relate to other legislation, for example, but not limited to, the Building Act 2004, the Heritage New Zealand Pouhere Taonga Act 2014, or the Health and Safety in Employment Act 1992.</u></p> |
| 8. | Cultural Advisory Report |

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| | <p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</p> <p><u>New (b)</u> The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection.</p> <p><u>New (c)</u> To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that:</p> <ul style="list-style-type: none">(i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project;(ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values;(iii) Identifies traditional cultural practices within the area that may be impacted by the Project;(iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area;(v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15.(vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making. <p>(b) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</p> <p>(c) Conditions 8Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.(b) and (c) above will cease to apply if:</p> <ul style="list-style-type: none">(i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least 6 months prior to start of Construction Works; and |
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| | <p>(ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.</p> |
| <p>9.</p> | <p>Urban and Landscape Design Management Plan (ULDMP)</p> <p>(a) A ULDMP shall be prepared <u>in consultation with the Council</u> prior to the Start of Construction for a Stage of Work <u>and submitted to the manager for certification.</u></p> <p>(b) Mana Whenua <u>and Council</u> shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 8 specifically subclause (c) which requires discussion of recommendations with RA on practicality of implementation) may be reflected in the ULDMP.</p> <p><u>New (c)</u> The objectives<u>s</u> of the ULDMP(s) <u>is are</u> to:</p> <p>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban, <u>or future urban</u> context; and</p> <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes <u>to the experience of</u> a quality urban environment <u>for people and communities.</u></p> <p><u>New (d)</u> <u>The ULDMP shall include details of how the recommended outcomes and relevancy of opportunities contained in the Te Tupu Ngātahi Urban Design Evaluation's Outcomes and Opportunities Plan have been considered, included and achieved, in developing the detailed design response.</u></p> <p>(c) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Auckland Transport's Urban Roads and Streets Design Guide;</p> <p>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</p> <p>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; <u>and</u></p> <p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p><u>(vi) The Rodney Greenways Paths and Trails Plan, Pūhoi to Pakiri, May 2017 or any subsequent updated version.</u></p> |

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| | <p>(d) To achieve the objectives, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none">(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones, <u>and reserves land;</u>(ii) Provides appropriate <u>safe</u> walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses (<u>including the cemetery adjacent to SH1</u>), public transport infrastructure and walking and cycling connections <u>to the immediate neighbourhoods and wider community;</u>(iii) Promotes inclusive access (where appropriate); and(iv) Promotes a sense of personal <u>and public</u> safety by aligning with best practice guidelines, such as:<ul style="list-style-type: none">a. Crime Prevention Through Environmental Design (CPTED) principles;b. Safety in Design (SID) requirements; andc. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures. <p><u>New (v) If the project is to be delivered in stages, details shall be provided of how the design will future proof for the delivery of subsequent project stages.</u></p> <p>(e) The ULDMP(s) shall include:</p> <ul style="list-style-type: none">(i) A concept plan – which depicts the overall landscape and urban design concept, and explains the rationale for the landscape and urban design proposals;(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and(iii) Landscape and urban design details – that cover the following:<ul style="list-style-type: none">a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses <u>and existing roads (including slip lanes)</u>, benching, spoil disposal sites, median width and treatment, roadside width and treatment;b. Roadside elements – such as lighting, fencing, wayfinding and signage; |
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| | <ul style="list-style-type: none"> c. architectural and landscape treatment of all major structures, including bridges and retaining walls; d. Architectural and landscape treatment of noise barriers; e. Landscape treatment of permanent stormwater control wetlands and swales; f. Integration of passenger transport; g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses; h. Historic heritage places with reference to the HHMP (Condition 21); and i. Re-instatement of construction and site compound areas, driveways, accessways and fences <u>and</u>. <u>j. Provision for extensive tree planting within areas of large car parking spaces in order to mitigate adverse landscape effects.</u> <p><u>(iv) Details to confirm protection of existing riparian vegetation and the restoration of stream/river environments; and landscape design approach consistency with the ecological requirements under conditions 22-23.</u></p> <p>(f) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ul style="list-style-type: none"> (i) planting design details including: <ul style="list-style-type: none"> a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained; b. Street trees, shrubs and ground cover suitable for the location; c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones <u>and esplanade reserves</u>; d. planting of stormwater wetlands; e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 23) and Tree Management Plan (Condition 24); f. Integration of any planting requirements required by conditions of any resource consents for the project; and |
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| | <p>g. Re-instatement planting of construction and site compound areas as appropriate.</p> <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <p>a. Weed control and clearance;</p> <p>b. Pest animal management (to support plant establishment);</p> <p>c. Ground preparation (top soiling and decompaction);</p> <p>d. Mulching; and</p> <p>e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species.</p> <p><u>Advice Note:</u></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p> |
| | <p><u>Flood Hazard</u></p> <p>For the purpose of Condition 10:</p> <p>(a) ARI – means Average Recurrence Interval</p> <p>(b) AEP – Annual Exceedance Probability</p> <p>(c) Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.</p> <p>(d) Flood prone area – means a potential ponding area that relies on a single culvert for drainage and does not have an overland flow path <u>are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked.</u></p> <p>(e) Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the</p> |

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| | <p>land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.</p> <p>(f) Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).</p> <p>(g) Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p> |
| <p>10.</p> | <p>Flood Hazard</p> <p>(a) The Project shall be designed to achieve the following flood risk outcomes:</p> <ul style="list-style-type: none"> (i) no increase in flood levels <u>in a 1% AEP event</u> for existing authorised habitable floors that are already subject to flooding <u>or have a freeboard of less than 500mm, and no new habitable floor flooding, within the designation or upstream or downstream of the designation;</u> (ii) no more than a 10% reduction in freeboard <u>in a 1% AEP event</u> for existing authorised habitable floors <u>with a freeboard of over 500mm, within the designation or upstream or downstream of the designation;</u> (iii) <u>no increase in flood levels in a 1% AEP for existing community, commercial and industrial building floors, and network utility structures that are already subject to flooding, or have a freeboard of less than 150mm, within the designation or upstream or downstream of the designation;</u> (iv) <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing community, commercial and industrial building floors, and network utility structures with a freeboard of over 150mm, within the designation or upstream or downstream of the designation;</u> (v) no increase in flood level <u>in a 1% AEP event</u> on land zoned for urban, rural or future urban development, <u>within the designation or upstream or downstream of the designation</u> where there is no habitable existing dwelling; (vi) <u>no loss in conveyance function of flood plains and overland flow paths;</u> (vii) no new flood prone areas; and (viii) no more than a 10% average increase of flood hazard (defined as flow depth times velocity) <u>classification</u> for main access <u>for vehicles and pedestrians</u> to authorised habitable dwellings existing at time the Outline Plan is submitted. <u>The assessment of flood hazard must be</u> |

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| | <p><u>undertaken for the 50%, 20%, 10% and 1% AEP events. The method of classifying the flood hazard must be confirmed with Auckland Council Healthy Waters (or its equivalent) prior to the Outline Plan submission.</u></p> <p>(b) Compliance with this condition <u>(a) above</u> shall be demonstrated in the Outline Plan. <u>The Outline Plan</u>, which shall include flood modelling of the pre-Project and post-Project <u>in a 1% AEP 100-year ARI</u> flood levels (for Maximum Probable Development land use and including climate change). <u>When assessing the flood risk for pre and post development, the model detail level should be consistent, and include information on the proposed horizontal and vertical alignments of the road design, and the related stormwater infrastructure. The flood modelling details must be consulted with</u> Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can <u>adequately demonstrate compliance with the condition.</u></p> <p>(c) Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor levels and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome. <u>The flood modelling details must be consulted with Auckland Council Healthy Waters (or its equivalent) during the preparation of the Outline Plan.</u></p> <p><u>Advice Note:</u></p> <p><u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p> |
| <p>11.</p> | <p>Existing property access</p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowner regarding the required changes. The Outline Plan shall demonstrate how safe access will be provided, unless otherwise agreed with the affected landowner.</p> |
| <p>12.</p> | <p>Construction Environmental Management Plan (CEMP)</p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable.</p> |

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| | <p><u>New (c)</u> To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> (i) the roles and responsibilities of staff and contractors; (ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address); (iii) the Construction Works programmes and the staging approach, and the proposed hours of work; (iv) details of the proposed construction yards including temporary screening when adjacent to residential areas, (v) locations of refuelling activities and construction lighting; (vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places; (vii) methods for providing for the health and safety of the general public; (viii) measures to mitigate flood hazard effects such as siting stockpiles out of flood plains, <u>maintaining overland flow paths</u>, minimising obstruction to flood flows, <u>staging and programming to provide new drainage prior to raising road design levels and work when there is less risk of flood events, methods for rainfall monitoring and actions to respond to warnings of heavy rain, this shall be developed by a suitably qualified and experienced person;</u> (ix) procedures for incident management; (x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses; (xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up; (xii) procedures for responding to complaints about Construction Works; and (xiii) methods for amending and updating the CEMP as required. |
| 13. | <p>Stakeholder and Communication and Engagement Management Plan (SCEMP)</p> <ul style="list-style-type: none"> (a) A SCEMP shall be prepared <u>in consultation with stakeholder, community groups or organisations and the Council 18 months</u> prior to the Start of |

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| | <p>Construction for a Stage of Work <u>and submitted to the Manager for Certification.</u></p> <p><u>New (b)</u> The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works.</p> <p><u>New (c)</u> To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> (i) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s); (ii) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works; (iii) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua; (iv) a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with; (v) Identification of the properties whose owners will be engaged <u>and communicated</u> with; (vi) Methods and timing to engage with landowners whose access is directly affected (vii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and (viii) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant. <p>(b) <u>Any SCEMP prepared for a Stage of Work shall be submitted to Council for information ten working days certification 6 months prior to the Start of Construction for a Stage of Work.</u></p> |
| <p>14.</p> | <p>Complaints Register</p> <ul style="list-style-type: none"> (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include: <ul style="list-style-type: none"> (ix) The date, time and nature of the complaint; (x) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous); |

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| | <ul style="list-style-type: none"> (xi) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate; (xii) The outcome of the investigation into the complaint; (xiii) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally. <p>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</p> |
| <p>15.</p> | <p>Cultural Monitoring Plan</p> <p>(a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</p> <p><u>New (b)</u> The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works.</p> <p><u>New (c)</u> The Cultural Monitoring Plan shall include:</p> <ul style="list-style-type: none"> (xiv) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua; (xv) Requirements and protocols for cultural inductions for contractors and subcontractors; (xvi) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works; (xvii) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and (xviii) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol <p>(b) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. This plan may be prepared as a standalone Enabling Works</p> |

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| | <p>Cultural Monitoring Plan or be included in the main Construction Works Cultural Monitoring Plan.</p> <p>Advice Note: <i>Where appropriate, the Cultural Monitoring Plan shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.</i></p> |
| <p>16.</p> | <p>Construction Traffic Management Plan (CTMP)</p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects.</p> <p><u>New (c)</u> To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> (i) methods to manage the effects of temporary traffic management activities on traffic; (ii) measures to ensure the safety of all transport users; (iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools or to manage traffic congestion; (iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; (v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists, <u>on existing roads;</u> (vi) methods to maintain <u>vehicle</u> access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be; (vii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads; (viii) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services); <u>(ix) Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New</u> |

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| | <p>Zealand Guide to Temporary Traffic Management or any subsequent version;</p> <p>(x) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</p> <p>(xi) details of any Travel Demand Management (TDM) measures proposed to be implemented in the event of thresholds identified in (ix) being exceeded.</p> <p><u>(c) Particular consideration is to be given to the Hill Street intersection (being the intersection of State Highway 1, Hill Street, Elizabeth Street, Matakana Road, Sandspit Road and Millstream Place;</u></p> <p><u>(d) Members of the public and stakeholders directly affected by any Construction Traffic Management Plan and adjacent owners and occupiers of land shall be engaged in the preparation of that Plan.</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 17. | <p>Construction Noise Standards</p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p>Table 17.1: Construction noise standards</p> <table border="1" data-bbox="347 1182 1315 2022"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L_{Aeq(15min)}</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td colspan="4">Occupied activity sensitive to noise</td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> </tbody> </table> | Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | Occupied activity sensitive to noise | | | | Weekday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 65 dB | 80 dB | 2000h - 0630h | 45 dB | 75 dB | Saturday | 0630h - 0730h | 55 dB | 75 dB | 0730h - 1800h | 70 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB | Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | 0730h - 1800h | 55 dB | 85 dB | 1800h - 2000h | 45 dB | 75 dB | 2000h - 0630h | 45 dB | 75 dB |
| Day of week | Time period | L _{Aeq(15min)} | L _{AFmax} | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Occupied activity sensitive to noise | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Weekday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 65 dB | 80 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Saturday | 0630h - 0730h | 55 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 70 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sunday and Public Holidays | 0630h - 0730h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0730h - 1800h | 55 dB | 85 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1800h - 2000h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2000h - 0630h | 45 dB | 75 dB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <table border="1" data-bbox="347 286 1315 470"> <tr> <th colspan="4" data-bbox="347 286 1315 349">Other occupied buildings</th> </tr> <tr> <td data-bbox="347 349 526 470" rowspan="2">All</td> <td data-bbox="526 349 756 403">0730h – 1800h</td> <td data-bbox="756 349 1002 403">70 dB</td> <td data-bbox="1002 349 1315 403"></td> </tr> <tr> <td data-bbox="526 403 756 470">1800h – 0730h</td> <td data-bbox="756 403 1002 470">75 dB</td> <td data-bbox="1002 403 1315 470"></td> </tr> </table> <p data-bbox="320 488 1398 600">(b) Where compliance with the noise standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP, then the methodology in Condition 20 shall apply.</p> | Other occupied buildings | | | | All | 0730h – 1800h | 70 dB | | 1800h – 0730h | 75 dB | | | | | | | | | |
|--|---|---|--------------------------------|------------|------------|--|--------------------------|-------------|--------------------------------|-----------------------|-----------|-----------|--------------------------|-----------------------|-----------|-----------|---------------------|---------------------------|---|--|
| Other occupied buildings | | | | | | | | | | | | | | | | | | | | |
| All | 0730h – 1800h | 70 dB | | | | | | | | | | | | | | | | | | |
| | 1800h – 0730h | 75 dB | | | | | | | | | | | | | | | | | | |
| 18. | <p data-bbox="320 622 1398 656">Construction Vibration Standards</p> <p data-bbox="320 678 1398 875">(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in the following table as far as practicable.</p> <p data-bbox="320 898 922 931">Table CNV2 Construction vibration criteria</p> <table border="1" data-bbox="325 954 1394 1368"> <thead> <tr> <th data-bbox="325 954 627 1003">Receiver</th> <th data-bbox="627 954 890 1003">Details</th> <th data-bbox="890 954 1126 1003">Category A</th> <th data-bbox="1126 954 1394 1003">Category B</th> </tr> </thead> <tbody> <tr> <td data-bbox="325 1003 627 1205" rowspan="2">Occupied Activities sensitive to noise</td> <td data-bbox="627 1003 890 1106">Night-time 2000h - 0630h</td> <td data-bbox="890 1003 1126 1106">0.3mm/s ppv</td> <td data-bbox="1126 1003 1394 1106">2<u>1</u>mm/s ppv</td> </tr> <tr> <td data-bbox="627 1106 890 1205">Daytime 0630h - 2000h</td> <td data-bbox="890 1106 1126 1205">2mm/s ppv</td> <td data-bbox="1126 1106 1394 1205">5mm/s ppv</td> </tr> <tr> <td data-bbox="325 1205 627 1308">Other occupied buildings</td> <td data-bbox="627 1205 890 1308">Daytime 0630h - 2000h</td> <td data-bbox="890 1205 1126 1308">2mm/s ppv</td> <td data-bbox="1126 1205 1394 1308">5mm/s ppv</td> </tr> <tr> <td data-bbox="325 1308 627 1368">All other buildings</td> <td data-bbox="627 1308 890 1368"><u>At all other times</u></td> <td colspan="2" data-bbox="890 1308 1394 1368"><u>Tables 1 and 3 of DIN4150-3:1999</u></td> </tr> </tbody> </table> <p data-bbox="320 1373 1137 1406"><i>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</i></p> <p data-bbox="320 1429 1398 1503"><i>**Category B criteria based on DIN 4150 3:1999 building damage criteria for daytime</i></p> <p data-bbox="320 1525 1398 1637">(b) Where compliance with the vibration standards set out in Table [above] is not practicable, and unless otherwise provided for in the CNVMP as required by Condition 19(c)((x)), then the methodology in Condition 20 shall apply</p> | Receiver | Details | Category A | Category B | Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 <u>1</u> mm/s ppv | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | |
| Receiver | Details | Category A | Category B | | | | | | | | | | | | | | | | | |
| Occupied Activities sensitive to noise | Night-time 2000h - 0630h | 0.3mm/s ppv | 2 <u>1</u> mm/s ppv | | | | | | | | | | | | | | | | | |
| | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | |
| Other occupied buildings | Daytime 0630h - 2000h | 2mm/s ppv | 5mm/s ppv | | | | | | | | | | | | | | | | | |
| All other buildings | <u>At all other times</u> | <u>Tables 1 and 3 of DIN4150-3:1999</u> | | | | | | | | | | | | | | | | | | |
| 19. | <p data-bbox="320 1659 1190 1693">Construction Noise and Vibration Management Plan (CNVMP)</p> <p data-bbox="320 1715 1398 1794">(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p data-bbox="320 1816 1398 1850">(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p data-bbox="320 1872 1398 1944">(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of</p> | | | | | | | | | | | | | | | | | | | |

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| | <p>construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable.</p> <p><u>New (d)</u> To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 ‘Acoustics – Construction Noise’ (NZS6803:1999) and shall as a minimum, address the following:</p> <ul style="list-style-type: none">(i) Description of the works and anticipated equipment/processes;(ii) Hours of operation, including times and days when construction activities would occur;(iii) The construction noise and vibration standards for the project;(iv) Identification of receivers where noise and vibration standards apply;(v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far <u>as</u> practicable;(vi) Methods and frequency for monitoring and reporting on construction noise and vibration;(vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints.(viii) Contact details of the Project Liaison Person;(ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;(x) Identification of areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category A or Category B] will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites.(xi) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 17] and/or vibration standards [Condition 18 Category B] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls Condition 19(c)((x)).<u>(xii) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels.</u> |
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| | <p>(xiii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration.</p> <p>(xiv) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that CNVMP, Schedules and the best practicable option for management of effects are being implemented.</p> <p>(xv) Requirements for review and update of the CNVMP</p> |
| <p>20.</p> | <p>Schedule to a CNVMP</p> <p>(a) Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when:</p> <ul style="list-style-type: none"> (i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the L_{Aeq} criteria is no greater than 5 decibels and does not exceed: <ul style="list-style-type: none"> a. 0630 – 2000: 2 period of up to 2 consecutive weeks in any 2 months, or b. 2000 - 0630: 1 period of up to 2 consecutive nights in any 10 days. (ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18. <p>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage—and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:</p> <ul style="list-style-type: none"> (i) Construction activity location, start and finish dates; (ii) The nearest neighbours to the construction activity; (iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance; (iv) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why; (v) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and (vi) Location, times and types of monitoring; |

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| | <p>(c) The Schedule shall be submitted to the Manager for certification at least 5 working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</p> <p>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.</p> |
| <p>21.</p> | <p>Historic Heritage Management Plan (HHMP)</p> <p>(a) A HHMP shall be prepared in consultation with Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable.</p> <p><u>New (c)</u> To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> (i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures; (ii) Methods for the identification and assessment of potential historic built heritage places within the Designation to inform detailed design; (iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted; (iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded; (v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions; (vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project; (vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, |

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| | <p>demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;</p> <p>(viii) Methods to acknowledge cultural values identified through Condition 8 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</p> <p>(ix) Methods for avoiding, remedying or mitigation adverse effects on historic heritage places and sites within the Designation during Construction Project Works as far as practicable. These methods shall include, but are not limited to:</p> <ul style="list-style-type: none">a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access;b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; andc. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to accidental discoveries, the AUP Accidental Discovery Rule (E11.6.1) . The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15. <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p>Accidental Discoveries</p> <p>Advice Note:</p> <p><i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for “Accidental Discovery” as they relate to both contaminated soils and heritage items.</i></p> <p><i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i></p> |
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| <p>22.</p> | <p>Pre-Construction Ecological Survey</p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <p>(i) <u>Identifying species of value in the works area, including but not limited to,</u> Cconfirming whether the species of value within the <u>previously</u> Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule [2]</i> are still present;</p> <p>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</p> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with condition 22(a)(i) and that effects are likely in accordance with condition 22(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 23 <u>a, b or c</u> for these areas (Confirmed Biodiversity Areas).</p> |
| <p>23a.</p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of long tail bats, the EMP may include:</p> <p>a. measures to minimise, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats.</p> <p>b. how the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;</p> <p>c. details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;</p> |

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| | <p>d. details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include</p> <p>(i) identification of areas and timeframes for establishment of advance restoration / mitigation planting (including suitable indigenous or exotic trees or artificial alternatives) taking into account land ownership, accessibility and the timing of available funding</p> <p>(ii) Details of measures to manage the effects of light spill on bat connectivity as far as practicable.</p> <p>e. Where mitigation to minimise effects is not practicable, details of any offsetting proposed.</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p>(i) <i>Stream and/or wetland restoration plans;</i></p> <p>(ii) <i>Vegetation restoration plans; and</i></p> <p>(iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></p> |
| <p><u>23b.</u></p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p><u>New (c)</u> The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk birds (excluding wetland birds):</p> <p>a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable;</p> |

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| | <p>b. Where Pipit are identified as being present, how the timing of any Construction Works shall be undertaken outside of the Pipit bird breeding season (August to February) where practicable; and</p> <p>c. Where works are required within the area identified in the Confirmed Biodiversity Area during the bird breeding season (including Pipits), methods to minimise adverse effects on Threatened or At-Risk birds.</p> <p>d. Details of grass maintenance if Pipit are present.</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <p>(i) <i>Stream and/or wetland restoration plans;</i></p> <p>(ii) <i>Vegetation restoration plans; and</i></p> <p>(iii) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></p> |
| <p><u>23c.</u></p> | <p>Ecological Management Plan (EMP)</p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 22) prior to the Start of Construction for a Stage of Work <u>and submitted to the Manager for certification.</u></p> <p><u>New (b)</u> The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable.</p> <p>New (c) The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <p>(i) If an EMP is required in accordance with condition 22(b) for the presence of threatened or at risk wetland birds:</p> <p>a. How the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable.</p> <p>b. Where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds</p> <p>c. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment</p> |

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| | <p>of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;</p> <p>d. What protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include:</p> <ul style="list-style-type: none"> i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage; ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified and Experienced Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified and Experienced Person; and iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified and Experienced Person. iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area). v. Minimising light spill from construction areas into Wetlands <p>e. Details on any mitigation required to address any potential operational disturbance</p> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p>Advice Note:</p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ul style="list-style-type: none"> <i>(i) Stream and/or wetland restoration plans;</i> <i>(ii) Vegetation restoration plans; and</i> <i>(iii) Fauna management plans (eg avifauna, herpetofauna, bats).</i> |
| <p>24.</p> | <p>Network Utility Management Plan (NUMP)</p> |

Yellow highlights – relate to amendments proposed by SGA post lodgement of the NoRs – referred to in Direction 1.

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| | <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities.</p> <p><u>New (c)</u> The NUMP shall include methods to:</p> <p>(i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</p> <p>(ii) Protect and where necessary, relocate existing network utilities</p> <p>(iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area;</p> <p>(iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines;</p> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) where practicable.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p> |
| 25. | <p>Low Noise Road Surface</p> <p>(a) The following condition only applies where the work is within or adjacent to urban zoning as identified in the nesting tables within the AUP-OP.</p> <p>(b) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p><u>New (b)</u> <u>The road surface shall be designed and implemented to be smooth and even and avoid adverse vibration generated from traffic passing over uneven surfaces.</u></p> <p>(c) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and</p> |

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| | <p>Systems 2013 or any updated version and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented, where:</p> <ul style="list-style-type: none"> (i) The volume of traffic exceeds 10,000 vehicles per day; or (ii) The road is subject to high wear and tear (such as cul de sac heads, roundabouts and main road intersections); or (iii) It is in an industrial or commercial area where there is a high concentration of truck traffic; or (iv) It is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools. <p>(d) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 25(b)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</p> |
| | <p>Traffic Noise</p> <p>For the purposes of Conditions 26 to 37:</p> <ul style="list-style-type: none"> (a) Building-Modification Mitigation – has the same meaning as in NZS 6806; (b) Design year has the same meaning as in NZS 6806; (c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed; (d) Habitable Space – has the same meaning as in NZS 6806; (e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule XX: Identified PPFs Noise Criteria Categories</i>; (f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C); (h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads; (i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in green, orange or red in <i>Schedule XX: PPFs Noise Criteria Categories</i>; (j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with |

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| | <p>NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition Error! Reference source not found.; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p> |
| 26. | <p>The Noise Criteria Categories identified in Schedule XX: PPFs Noise Criteria Categories at each of the PPFs shall be achieved where practicable and subject to Conditions 26 to 37 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p> <p>Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least 10 years after the programmed opening of the Project.</p> |
| 27. | <p>As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on Schedule XX PPFs Noise Criteria Categories.</p> <p>For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 25 may be (or be part of) the Selected Mitigation Option(s).</p> |
| 28. | <p>Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule XX PPFs Noise Criteria Categories</i>, taking into account the Selected Mitigation Options.</p> |
| 29. | <p>If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.</p> |
| 30. | <p>The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction.</p> |
| 31. | <p>Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB $L_{Aeq(24h)}$ inside Habitable Spaces ('Category C Buildings').</p> |
| 32. | <p>Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope.</p> |

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| | <p>If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.</p> |
| 33. | <p>For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 32 above if:</p> <ul style="list-style-type: none"> (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 32 above (including where the owner did not respond within that period); or (d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project. <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p> |
| 34. | <p>Subject to Condition 33 above, within six months of the assessment undertaken in accordance with Conditions 32 and 33, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <ul style="list-style-type: none"> (a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and (b) The options available for Building-Modification Mitigation to the building, if required; and (c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available. |
| 35. | <p>Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.</p> |
| 36. | <p>Subject to Condition 34, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 36 if:</p> <p>The Requiring Authority has completed Building Modification Mitigation to the building; or</p> |

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| | <p>(a) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or</p> <p>(b) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 34 (including where the owner did not respond within that period); or</p> <p>(c) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> |
| 37. | The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable |

