

Email from WSP dated 29 April confirming RC application be processed separately

Hi Russell,

As previously confirmed to Auckland Council, NZTA seeks for the Notice of Requirement (NOR) and Regional Resource Consent (RC) application to be progressed separately, on the basis that, subject to the s.92 responses, that the RC application did not require notification. It is our understanding that all s.92 requests have now been addressed.

WSP issued a Memo to Auckland Council on 23 April that outlined which technical assessments and plans related to the NOR and RC application. This memo also provided the final s.92 response, which related to erosion and sediment control matters.

At the landscape specialist meeting on 23 April, WSP sought further clarification on what the AEE addendum was and its purpose, as it was explained to Auckland Council we had provided the technical assessment list & drawing register within the Memo response.

At the meeting, Council made a distinction from it being purely a list to assist the notification decision reporting, but that it would be to support a submissions process whereby the addendum would make it clear to submitters what they could submit on and what matters were out of scope. As this addendum appears to be more about assisting a potential notification process and less to do with council processing and decision on notification, we are of the view that the list provided in the Memo is adequate for this stage of the process.

Based on previous examples, it is not unusual for NZTA to lodge a single AEE to support both an NoR and RC application. This aims to avoid duplication of works and supports an understanding of the project in its entirety. The statutory matters which are relevant to the NOR and RC application are set out within the AEE. In the case of Bombay CVSC application, the statutory matters relevant to the NOR are set out in Part A of the application, and sections 9.1 and 9.8 of the AEE. The matters relevant to the resource consents are set out in Part B of the application and sections 9.1. and 9.9 of the AEE.

As Council are aware, the statutory process requires the consent authority to make a recommendation of the NOR and a decision on the resource consent, it is not necessary to have a separate AEE document to enable this process to happen, as the statutory considerations are clear.

A recent NZTA example includes the SH16 Stage 2 Safety Improvements project, which saw the provision of a single AEE and combined package of documents being submitted to support both a NOR and resource consent application. The processing of the resource consents and NOR were split without the need to repackage lodged documentation. The resource consents were granted without notification, the NOR is currently on hold (at the request of Waka Kotahi due to funding considerations) and will likely be limited notified once processing resumes.

As all information requests have now been responded to, Auckland Council has all the information it requires to continue with the processing of both the NOR and resource consent applications.

Kind regards,
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