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

**Date:** **Monday 17 to Thursday 20 June**  
**Monday 24 to Thursday 27 June and**  
**Monday 1 to Thursday 4 July 2024**  
(Note: not all days may be required)

**Time:** **9.30am**

**Meeting Room:** **North Lounge (17-20 June) and South Lounge (24-27 June and 1-4 July)**

**Venue:** **North Harbour Stadium, Stadium Road, Albany**

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**HEARING REPORT: VOL 8 – COPIES OF  
SUBMISSIONS: NOR 12 & NOR 13**

**THIRTEEN NOTICES OF REQUIREMENT FOR THE  
NORTH PROJECT**

**TE TUPU NGATAHI - SUPPORTING GROWTH  
ALLIANCE**

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**COMMISSIONERS**

**Chairperson** **Richard Blakey (Chairperson)**  
**Commissioners** **Mark Farnsworth**  
**Vaughan Smith**

**Chayla Walker**  
**KAITOHUTOHU WHAKAWĀTANGA**  
**HEARINGS ADVISOR**

Telephone: 098902009 or 027 2315937  
Email: [chayla.walker@aucklandcouncil.govt.nz](mailto:chayla.walker@aucklandcouncil.govt.nz)  
Website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

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**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.

**THIRTEEN NOTIFIED NOTICE OF REQUIREMENTS TO THE AUCKLAND COUNCIL  
UNITARY PLAN BY TE TUPU NGATAHI - SUPPORTING GROWTH ALLIANCE**

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Andrew Wilkinson, Planner

Reporting on thirteen proposed Notice of Requirements for the North project.

**REQUIRING AUTHORITY:** TE TUPU NGATAHI - SUPPORTING GROWTH ALLIANCE

The 13 NoRs are:

**NOR1 - NORTH: NEW RAPID TRANSIT CORRIDOR, INCLUDING A WALKING AND CYCLING PATH – WAKA KOTAHI (NZTA)**

Notice of requirement lodged by Waka Kotahi (New Zealand Transport Agency) for a designation for a new Rapid Transit Corridor between Albany Bus Station and Milldale, via Dairy Flat, including a cycleway and/or shared path.

**NOR2 – NORTH: NEW RAPID TRANSIT STATION AT MILLDALE – WAKA KOTAHI (NZTA)**

Notice of requirement lodged by Waka Kotahi for a designation for a new Rapid Transit Station in Milldale, including transport interchange facilities and active mode facilities.

**NOR3 – NORTH: NEW RAPID TRANSIT STATION AT PINE VALLEY ROAD – WAKA KOTAHI (NZTA)**

Notice of requirement lodged by Waka Kotahi (New Zealand Transport Agency) for a designation for a new rapid transit station at Pine Valley Road, Dairy Flat, including transport interchange facilities, active mode facilities and park and ride facilities.

**NOR4 – NORTH: STATE HIGHWAY 1 IMPROVEMENTS – ALBANY TO ŌREWA AND ALTERATIONS TO EXISTING DESIGNATIONS 6751, 6760, 6759, 6761 – WAKA KOTAHI (NZTA)**

Notice of requirement lodged by Waka Kotahi to alter Designations 6751 State Highway 1 - Albany, 6759 State Highway 1 – Silverdale, 6760 State Highway 1 – Redvale to Silverdale, and 6761 State Highway 1 – Silverdale to Puhoi for State Highway 1 improvements from Albany to Ōrewa.

**NOR5 – NORTH: NEW STATE HIGHWAY 1 CROSSING AT DAIRY STREAM – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities and State Highway 1 motorway overbridge in the vicinity of Dairy Stream, between Top Road in Dairy Flat and East Coast Road in Stillwater.

**NOR6 – NORTH: NEW CONNECTION BETWEEN MILLDALE AND GRAND DRIVE, ŌREWA – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities between Wainui Road in Milldale and Grand Drive in Upper Ōrewa.

**NOR7 – NORTH: UPGRADE TO PINE VALLEY ROAD – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Pine Valley Road in Dairy Flat to an urban arterial corridor with active mode facilities between Argent Lane and the rural-urban boundary.

**NOR8 – NORTH: UPGRADE TO DAIRY FLAT HIGHWAY BETWEEN SILVERDALE AND DAIRY FLAT – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Dairy Flat Highway to an urban arterial corridor with active mode facilities between Silverdale Interchange and Durey Road in Dairy Flat.

**NOR9 – NORTH: UPGRADE TO DAIRY FLAT HIGHWAY BETWEEN DAIRY FLAT AND ALBANY – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Dairy Flat Highway between Durey Road in Dairy Flat and Albany village, including active mode facilities and safety improvements.

**NOR10 – NORTH: UPGRADE TO WAINUI ROAD – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for an upgrade to Wainui Road to an urban arterial corridor with active mode facilities, between Lysnar Road in Wainui, and the State Highway 1 northbound Wainui Road offramp.

**NOR11 – NORTH: NEW CONNECTION BETWEEN DAIRY FLAT HIGHWAY AND WILKS ROAD – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for a new urban arterial corridor with active mode facilities between Dairy Flat Highway (at the intersection of Kahikatea Flat Road) and Wilks Road in Dairy Flat.

**NOR12 – NORTH: UPGRADE AND EXTENSION TO BAWDEN ROAD – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for for an upgrade and extension to Bawden Road to an urban arterial corridor active mode facilities, between Dairy Flat Highway and State Highway 1.

**NOR13 – NORTH: UPGRADE TO EAST COAST ROAD BETWEEN SILVERDALE AND REDVALE – AUCKLAND TRANSPORT (AT)**

Notice of requirement lodged by Auckland Transport for a designation for an upgrade to East Coast Road to an urban arterial corridor with active mode facilities, between Hibiscus Coast Highway in Silverdale and the Ō Mahurangi Penlink (Redvale) Interchange.

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Page 254	North Shore Aero Club Incorporated
Page 273	Tavern Road ECR Ltd
Page 343	Telecommunications Submitters
Page 362	Dongming Qin
Page 364	The Hibiscus Trust, and Auckland Memorial Park and Cemetery Limited
Page 445	Maria Walker-Kinnell
Page 448	Homes of Choice
Page 450	Lingyan (Clara) Zhao
Page 459	ACGR Old Pine Limited
Page 462	Snowplanet Limited
Page 491	Fulton Hogan Land Development Limited
Page 497	Benjamin White
Page 504	Maureen Patricia and Geoffrey Alan White
Page 506	Mr Shane Charlton & Mrs Katie Charlton
Page 509	Sam White
Page 511	Te Tāhuhu o te Mātauranga Ministry of Education
Page 527	Fletcher Development Limited
Page 535	Watercare Services Limited
Page 543	Weiti Green Limited
Page 556	Andrew Nigel Philipps Kay
Page 559	Penelope Mary Smalley-Oldfield







**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1018] Notice of Requirement online submission - Sabrina Chae  
**Date:** Wednesday, 29 November 2023 2:00:38 pm

---

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

**Contact details**

Full name of submitter: Sabrina Chae

Organisation name: Jejung Family Trust

Full name of your agent:

Email address: nwchae1@gmail.com

Contact phone number:

Postal address:  
209/40 Library Lane  
Albany  
Auckland 0632

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

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 upgrade and extension to Bawden Road will be beneficial to the community



I or we seek the following recommendation or decision from Auckland Council:  
Rapid transit Corridor and stations will make transport easier

Submission date: 29 November 2023

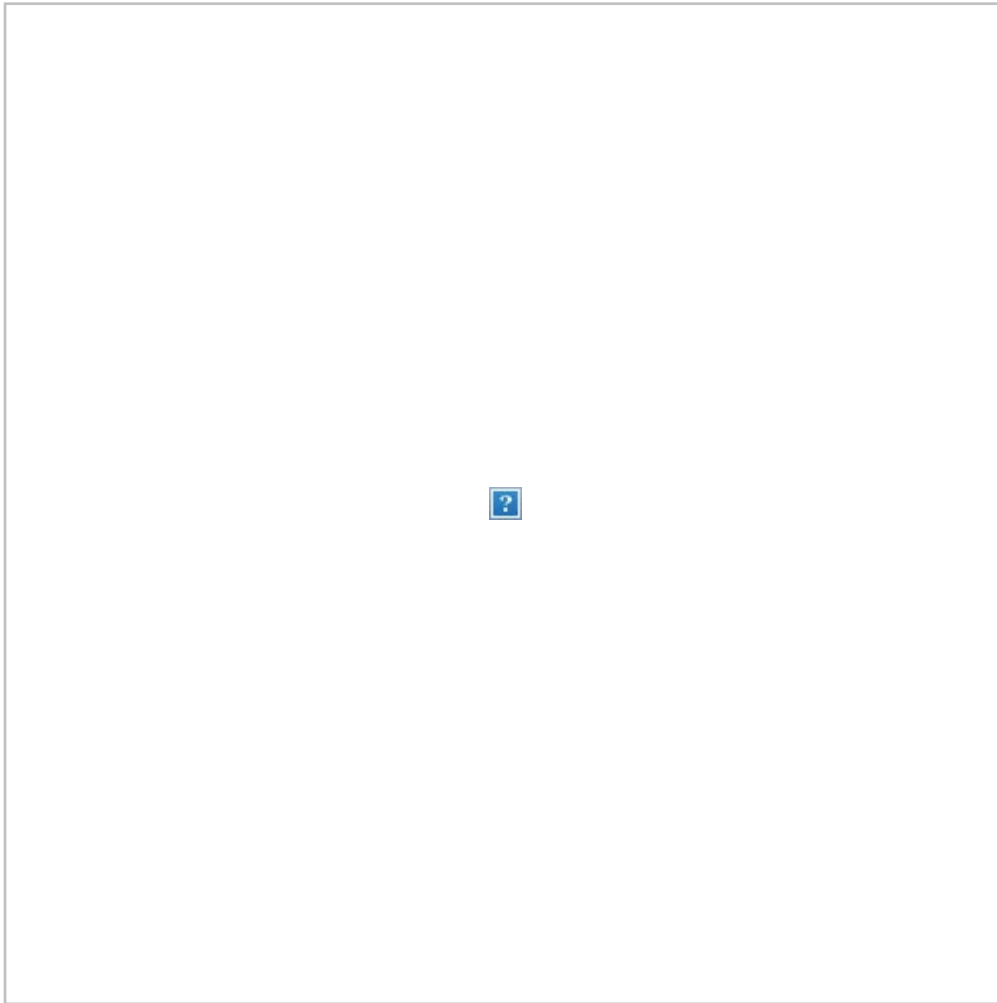
**Attend a hearing**

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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1036] Notice of Requirement online submission - Loreen Annette Ozolins  
**Date:** Monday, 4 December 2023 11:00:36 pm

---

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

**Contact details**

Full name of submitter: Loreen Annette Ozolins

Organisation name:

Full name of your agent:

Email address: Lozolin@gmail.com

Contact phone number: 02102265791

Postal address:  
25 Oregon Park  
Dairy Flat  
Auckland 0792

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

The specific provisions that my submission relates to are:

I have received a notice of requirements that a portion of my land on the corner of Bawden Road and Oregon Park will be taken for future road widening of Bawden 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:

The entire development of Dairy Flat which includes the Bawden Road widening is not until 2050. Normally the NOR is issued 3-5 years prior to actual start of development. However, this NOR is premature and excessive at over 25 years ahead of when the actual start of development will be. This significantly disadvantages us as the land owners if we choose to sell prior to this time.

2.1

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

That the NOR be pushed back and re-released in 2045, when it is within that 3-5 year timeframe. Anything sooner is just excessive and disadvantages the landowners significantly for no reason.

Submission date: 4 December 2023

**Attend a hearing**

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

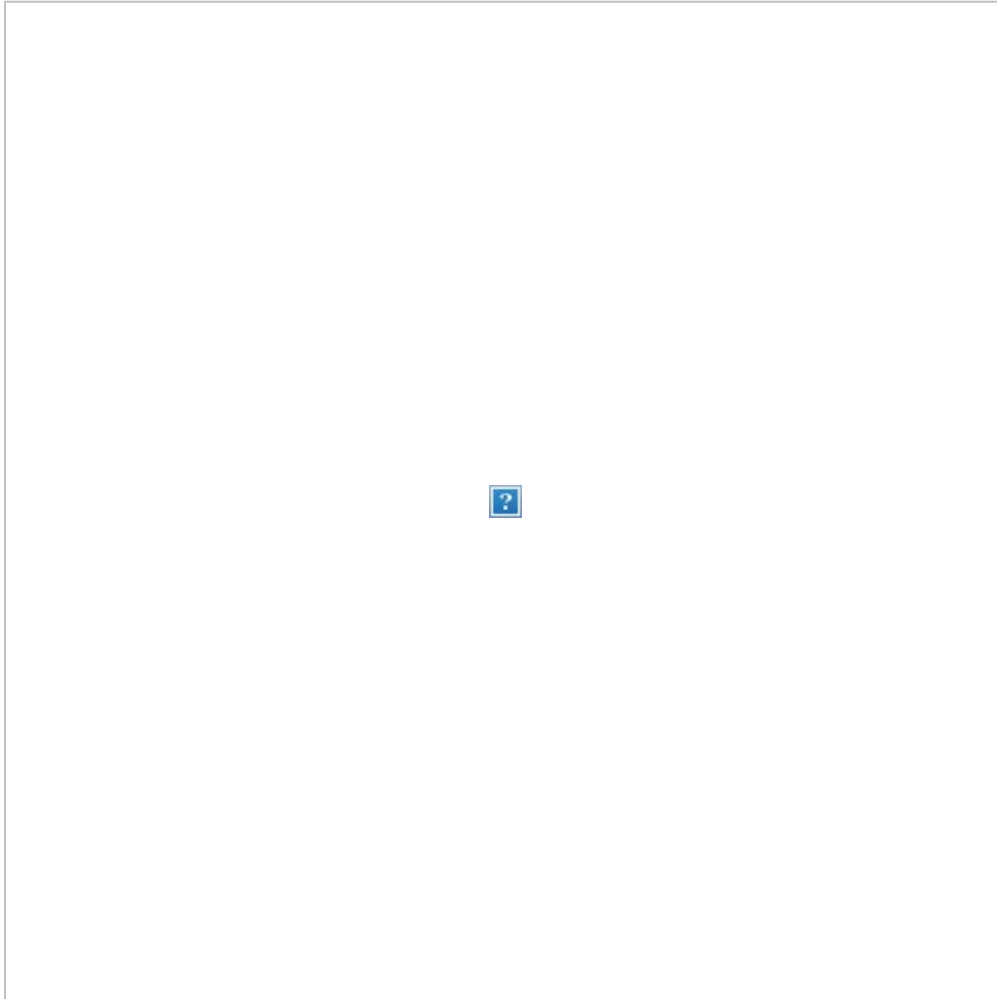
Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1038] Notice of Requirement online submission - XIAOCHUAN DU  
**Date:** Tuesday, 5 December 2023 10:31:03 am

---

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

**Contact details**

Full name of submitter: XIAOCHUAN DU

Organisation name:

Full name of your agent:

Email address: fdtradingbartercard@gmail.com

Contact phone number: 021786689

Postal address:

6 top rd  
dairy flat  
Auckland 0792

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

The specific provisions that my submission relates to are:

6 top rd, dairy flat, Auckland

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 have just spent a lot of money and effort redecorating our house this year, also have spent a lot of money and effort in my garden,shed, playground and my drive way since we own it. We were going to retire in this property, however I will be significantly impacted by the NORS, with the development being pushed out to 2050, I am also very concerned about the long duration of the NORs on my property titles if the final decision approved.

3.1

3.2

I or we seek the following recommendation or decision from Auckland Council:  
we oppose the Notice of Requirement

Submission date: 5 December 2023

**Attend a hearing**

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

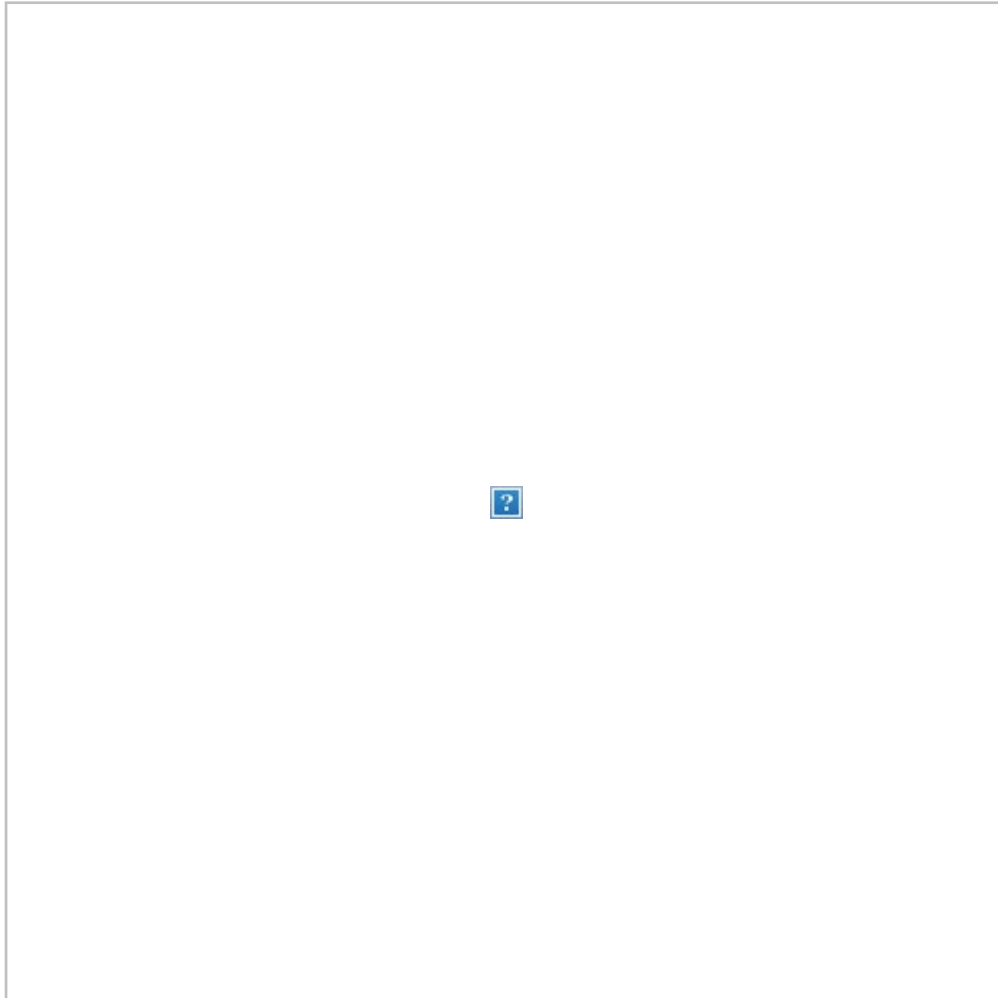
Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**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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## 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

Stephen and Deborah Carrigan

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

Address for service of Submitter

136 Bwden Road, R.D. 2., Albany

Telephone:

210354693

Email:

debzcarrigan@yahoo.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

North: (NoR 12) Upgrade and Extension to Bawden Road

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

Proposed pond at 126 & 136 Bawden Rd

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 encroachment into our property and our neighbour's property to construct a stormwater pond is unnecessary. The impact all on property owners can be minimised by relocating the pond to lie within the proposed designation at 120 Bawden Rd (refer to attached sketch). We consider this alternative location to be entirely feasible from an

**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.

(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).

Amend the proposed designation to occupy a strip no more than 15m deep along our Bawden Rd frontage, which is a sufficient depth to accommodate the proposed widening of Bawden Rd.

- 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)

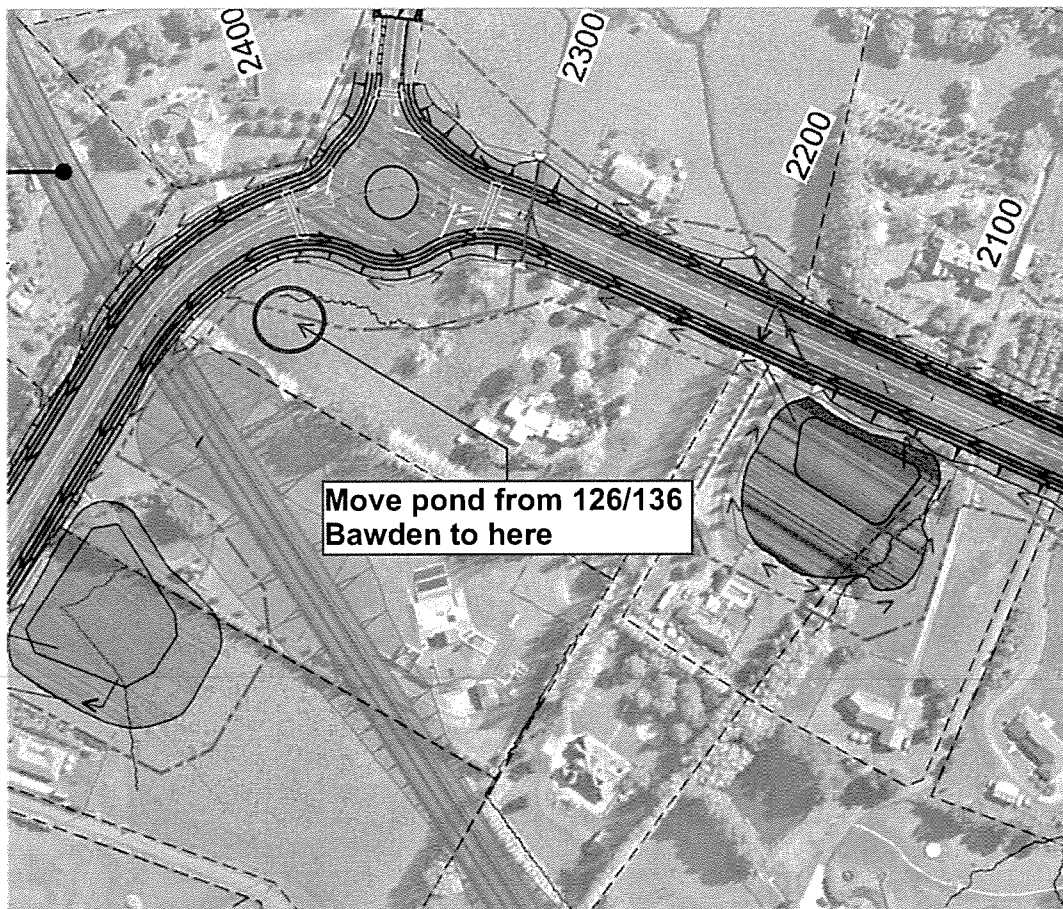
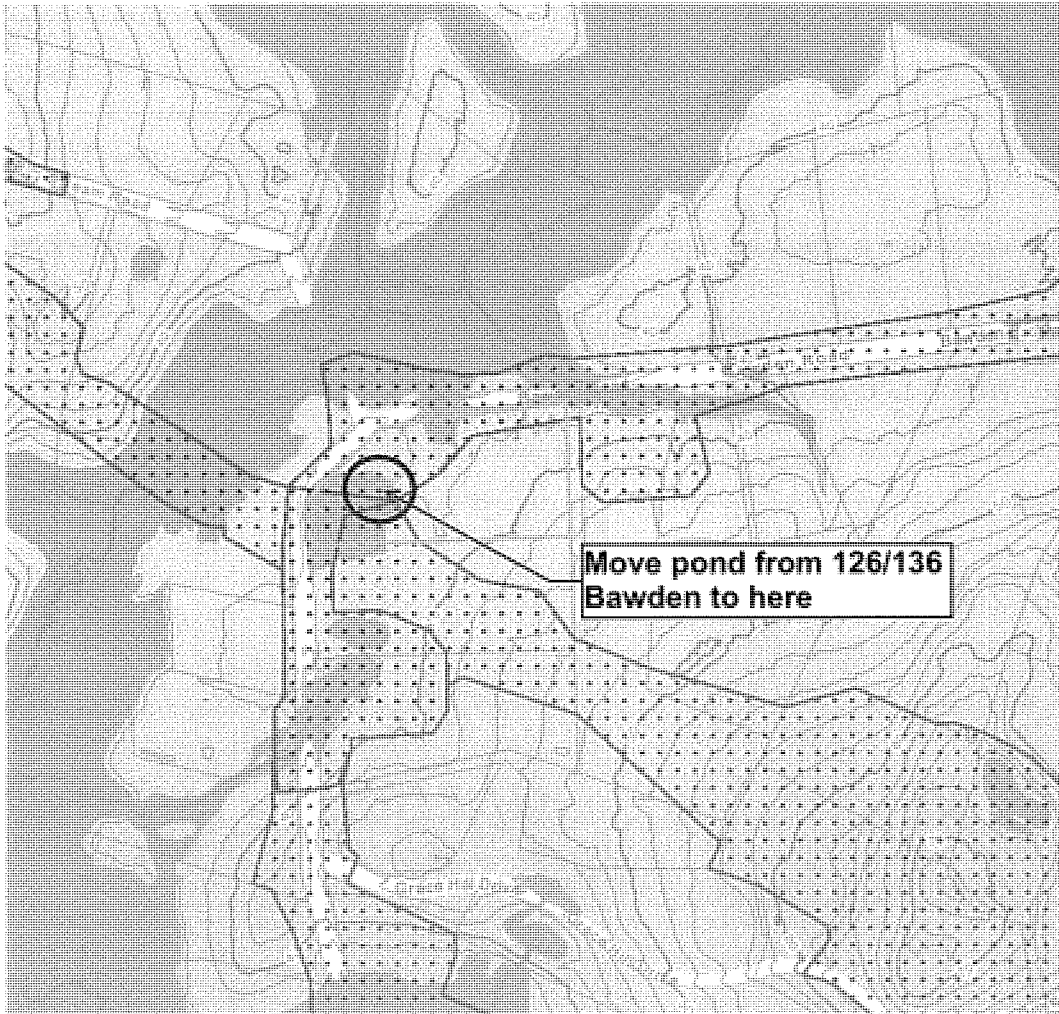
08/12/23.  
 Date

**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.



ADDENDUM

We have resided at 136 Bawden Road for over 22 years and it t has always been our intention to eventually gift the land to our children to build their homes upon. With the NoR 12 being placed on Bawden road now means this will not be possible. It is bad enough losing some of our land to the widening of our road but then the proposed stormwater pond also will encroach on a large portion of our land of which we only have 2.5 acres. This will leave us with very limited options if we decide to sell.

□.2

Recent communication with Te Tupu Ngatahi (supporting growth) informs us that these projects are not currently funded therefore if we intend on selling our land now and there is no market interest due to the NoR placement then where does this leave us?. Do then have to wait for 20 years for funding by AT to eventually be accepted.? We are semi-retired and need more certainty with decision making for our future plans. This restriction on our property for such a long period of time has created a significant stressor in our lives, and with no certainty if or when the rapid transit scheme will be commenced.

□.2

□.3

We propose that Urban planning for Dairy Flat be addressed first before any decisions are made on the location of the RTC. We feel 120 Bawden road will fit inside the designated zone as an alternative option to using 126-136 Bawden Road.



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  
*Section 169 of Resource Management Act 1991*

To: Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland 1142

Name of submitter: Lachlan Sloan

This is a submission on a notice of requirement from Auckland Transport for a designation (the **notice of requirement**).

The relevant designation is **North: (NoR 12) Upgrade and Extension to Bawden Road**.

The site to which the designation applies that is subject to this submission is 126 Bawden Road, Dairy Flat, Auckland.

Mr Sloan is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

Mr Sloan 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.

The specific parts of the notice of requirement that Mr Sloan's submission relates to are:

- (a) The proposed widening of Bawden Road affecting 126 Bawden Rd.
- (b) The proposed location and footprint of a stormwater pond on 126 Bawden Rd.
- (c) Whether adequate consideration has been given to alternatives.
- (d) Whether the adverse effects on Mr Sloan could be avoided, remedied or mitigated by designating less of the land at 126 Bawden Rd.

Mr Sloan and his family own 126 Bawden Rd, where they reside in their home towards the south of the section. The notice of requirement proposes to designate approximately 7,374m<sup>2</sup> of their 10,573m<sup>2</sup> property (70%), the majority of which is required to accommodate the proposed stormwater pond.

**Appendix 1** contains an aerial photograph of the property overlain by the proposed designation, road widening and stormwater pond, supplied by Auckland Transport.

**Submission**

Mr Sloan opposes the notice of requirement in its current form because it would not:

- (a) Promote the sustainable management of natural and physical resources, including enabling people and communities to provide for their health and safety, and their social, economic and cultural well-being. □1
- (b) Promote the efficient use and development of physical resources. □1
- (c) Maintain and enhance amenity values. □2
- (d) Ensure consistency with good resource management practice. □1

Without derogating from the generality of the above, the specific reasons for Mr Sloan’s opposition include the matters set out below.

*Significant effects on Mr Sloan’s property*

The loss of 70% of Mr Sloan’s property will significantly impact his use and enjoyment of his land. These effects include:

- (a) The remnant of Mr Sloan’s land will be so small as to have limited opportunity for any rural or productive activities. □3
- (b) The outlook and amenity of Mr Sloan’s property will be significantly changed by the proximity of the stormwater pond to their home. □2
- (c) Maintenance activities in relation to the stormwater pond will intrude on the privacy and quiet previously enjoyed. □3
- (d) The presence of a large stormwater pond is likely to attract water-borne nuisances such as mosquitos. □□

*Assessment of alternatives*

Given the significant impacts on Mr Sloan, the requiring authority is required to give adequate consideration to alternative sites, routes or methods of undertaking its work.

Alternative ways of managing the stormwater could include piping it under Bawden Rd to be collected lower in the catchment (as at present), reducing the footprint of the stormwater pond, or sharing the burden of the stormwater detention more equitably between landowners in the catchment.

*Reasonable necessity*

Particular regard must also be given to whether the work and designation are reasonably necessary for achieving the requiring authority’s objectives.

This should include whether it is reasonably necessary to significantly alter stormwater management in 126 Bawden Rd’s catchment in order to achieve the requiring authority’s transportation-related objectives.

In Mr Sloan’s experience there has never been a need for a stormwater pond of the size proposed, even during the heavy rain events of summer 2023. If the infrastructure conveying stormwater under Bawden Rd to the lower catchment were upgraded, the large stormwater pond proposed would be unnecessary.



**Relief**

Mr Sloan seeks the following recommendation from the territorial authority:

- (a) Withdraw the requirement; or
- (b) Modify the requirement so that it does not provide for a stormwater pond on 126 Bawden Rd; and
- (c) Reduce the area of land at 126 Bawden Rd that is designated as far as possible.

Mr Sloan wishes to be heard in support of his submission.

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



.....  
Brandon Watts  
On behalf of Lachlan Sloan

Date: 8 December 2023

Electronic address for service of submitter: brandon.watts@mc.co.nz

Telephone: (09) 336 7500

Postal address: Meredith Connell, PO Box 90 750 Victoria Street West, Auckland 1010

Contact person: Brandon Watts, Senior Associate

Appendix 1



**LEGEND**

	Your Property		Earthworks		Station Footprint		Cycleway
	Indicative area of your property within draft designation boundary		Verge		Road Corridor		Verge Material/Median
			Bridge		Footpath		Stormwater Wetland/Attenuation Device/ Swale

Owner ID:302817  
 Title No: 36577  
 126 Bawden Road  
**NOR 12 - Upgrade and Extension to Bawden Road**  
 Date : 26/05/2023

**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 the proposed designation may also include areas to enable temporary construction works to take place

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.

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 North Area 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.



**From:** [Vine Trustee](#)  
**To:** [Unitary Plan](#); [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz)  
**Subject:** Submission - Strong Opposition to Auckland Transport Notice of Requirement 12 - 54 Bawden Road, Dairy Flat, Auckland  
**Date:** Saturday, 9 December 2023 7:52:21 pm

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Dear Sir/Madam

We trust this email finds you well.

We are writing to express our deep concern and strong opposition to Auckland Transport's recent decision to acquire our property at 54 Bawden Road, Dairy Flat, Auckland, for a road extension. Our family have resided on this property for nearly 10 years, and it is not merely a residence; it is the heartbeat of our family, our livelihood, and a cherished legacy.

Our property, spanning approximately 1.6140 hectares, is more than just a piece of land; it's a home, a farm, and the source of our family's sustenance. **The swimming pool, tennis court, playground and a standalone warehouse are not just structures; they are integral to our daily life and business operations. The thriving farm, with its diverse animals and fruitful agriculture, is not just a livelihood; it represents years of dedication and an investment in a sustainable lifestyle.**

The proposed acquisition poses a grave threat to our family for several compelling reasons:

1. Economic Impact

Our land isn't just a plot; it's the foundation of our family's economic stability. Losing it wouldn't just mean finding a new home; it endangers the very existence of our business. The income from our property isn't mere currency; it's the result of years of hard work, strategic investment, and a commitment to securing a prosperous future for our family. The potential loss jeopardizes not only our residence but the very foundation of our economic security. The repercussions could extend beyond financial setbacks, inflicting lasting economic hardships on multiple generations.



2. Livelihood and Agriculture:

The vibrant tapestry of our farm, with its animals and thriving agriculture, encapsulates more than just a source of income. It is a testament to years of hard work, unwavering dedication, and considerable investment in building a sustainable lifestyle on this land. The potential disruption caused by the acquisition transcends financial loss; it threatens the very essence of our livelihood. Beyond the immediate economic implications, the farm embodies our family's resilience and commitment to fostering a sustainable way of life. The loss of this land would not only impact our present but erase the tangible



and intangible investments made in cultivating a heritage and traditions meant to be passed down to future generations.

### 3. Business Operations

The warehouse nestled on our property is not merely a structure; it is the nerve center of our business operations. Its location and ample space are tailored to the unique needs of our enterprise, providing indispensable storage crucial to our daily functions. The potential loss of this space is not a mere inconvenience; it is a direct threat to the normal operations of our business. The implications extend beyond a simple rearrangement of storage logistics; it would necessitate the search for alternative storage solutions, incurring additional costs and introducing unnecessary logistical challenges. This disruption in our business operations would not only impact our family's economic stability but also ripple through the broader community, affecting the livelihoods of those employed within our enterprise. The acquisition threat, therefore, not only jeopardizes our residence but puts into jeopardy the livelihoods of those dependent on the smooth functioning of our business.



### 4. Family Heritage

Our property is not just where we live; it's where four generations of our family have called home. **Our older grandparents, 80 years of age, have spent a significant part of their lives on this land. Our children were born and have grown up on this land. It's not just a residence; it's a cherished family heritage asset, where memories have been created, traditions upheld, and family bonds strengthened over the years.**



### 5. Health Considerations

The decision to purchase this property a decade ago was driven, in part, by the health considerations of our grandparents. Their fundamental health conditions necessitate a living environment that is natural and conducive to their well-being. Doctors have recommended this setting to reduce the risk of adverse impacts on their health and maintain their conditions without deterioration. The proposed acquisition directly threatens the crucial aspect of our family's overall health and quality of life.



### 6. Loss of Property Value Increase

Beyond the immediate impacts, the road extension project is likely to increase property values in the area once completed. However, if Auckland Transport acquires our property, we lose the opportunity to benefit from this increase. Retaining the property until the project is finished allows us to enjoy the rise in property value that our neighbours would undoubtedly experience.



In light of these concerns, we kindly request a reconsideration of the decision to acquire our property. We urge Auckland Transport to explore alternative options that do not involve the displacement of long-standing residents and the disruption of established businesses.

We are open to further discussions and negotiations to find a resolution that satisfies both Auckland Transport's needs and the well-being of our family. We appreciate your attention to this matter and look forward to a prompt and positive resolution.

Kind regards

The Vine Family Trust

**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1069] Notice of Requirement online submission - The Vine Family Trust  
**Date:** Saturday, 9 December 2023 8:00:13 pm

---

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

**Contact details**

Full name of submitter: The Vine Family Trust

Organisation name: The Vine Family Trust

Full name of your agent:

Email address: [vinetrustee@gmail.com](mailto:vinetrustee@gmail.com)

Contact phone number: 0211076733

Postal address:  
54 Bawden Road  
Dairy Flat  
Auckland 0632

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

The specific provisions that my submission relates to are:  
54 Bawden Road, Dairy Flat, Auckland

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 are writing to express our deep concern and strong opposition to Auckland Transport's recent decision to acquire our property at 54 Bawden Road, Dairy Flat, Auckland, for a road extension. Our family have resided on this property for nearly 10 years, and it is not merely a residence; it is the heartbeat of our family, our livelihood, and a cherished legacy. Our property, spanning approximately 1.6140 hectares, is more than just a piece of land; it's a home, a farm, and the source of our family's sustenance. The swimming pool, tennis court, playground and a standalone warehouse are not just structures; they are integral to our daily life and business operations. The thriving farm, with its diverse animals and fruitful agriculture, is not just a livelihood; it represents years of dedication and an investment in a sustainable lifestyle. The proposed acquisition poses a grave threat to our family for several compelling reasons: 1. Economic Impact Our land isn't just a plot; it's the foundation of our family's economic stability. Losing it wouldn't just mean finding a new home; it endangers the very existence of our business. The income from our property isn't mere currency; it's the result of years of hard work, strategic investment, and a commitment to securing a prosperous future for our family. The potential loss jeopardizes not only our residence but the very foundation of our economic security. The repercussions could extend beyond financial setbacks, inflicting lasting economic hardships on multiple generations. 2. Livelihood and Agriculture: The vibrant tapestry of our farm, with its animals and thriving agriculture, encapsulates more than just a source of income. It is a testament to years of hard work, unwavering dedication, and considerable investment in building a sustainable lifestyle on this land. The potential disruption caused by the acquisition transcends financial loss; it threatens the very essence of our livelihood. Beyond the immediate economic implications, the farm embodies our family's resilience and commitment to fostering a sustainable way of life. The loss of this land would not only impact our present but erase the tangible and intangible investments made in cultivating a heritage and traditions meant to be passed down to future generations. 3. Business Operations The warehouse nestled on our property is not merely a structure; it is the nerve center of our business operations. Its location and ample

space are tailored to the unique needs of our enterprise, providing indispensable storage crucial to our daily functions. The potential loss of this space is not a mere inconvenience; it is a direct threat to the normal operations of our business. The implications extend beyond a simple rearrangement of storage logistics; it would necessitate the search for alternative storage solutions, incurring additional costs and introducing unnecessary logistical challenges. This disruption in our business operations would not only impact our family's economic stability but also ripple through the broader community, affecting the livelihoods of those employed within our enterprise. The acquisition threat, therefore, not only jeopardizes our residence but puts into jeopardy the livelihoods of those dependent on the smooth functioning of our business.

4. Family Heritage Our property is not just where we live; it's where four generations of our family have called home. Our older grandparents, 80 years of age, have spent a significant part of their lives on this land. Our children were born and have grown up on this land. It's not just a residence; it's a cherished family heritage asset, where memories have been created, traditions upheld, and family bonds strengthened over the years.

5. Health Considerations The decision to purchase this property a decade ago was driven, in part, by the health considerations of our grandparents. Their fundamental health conditions necessitate a living environment that is natural and conducive to their well-being. Doctors have recommended this setting to reduce the risk of adverse impacts on their health and maintain their conditions without deterioration. The proposed acquisition directly threatens the crucial aspect of our family's overall health and quality of life.

6. Loss of Property Value Increase Beyond the immediate impacts, the road extension project is likely to increase property values in the area once completed. However, if Auckland Transport acquires our property, we lose the opportunity to benefit from this increase. Retaining the property until the project is finished allows us to enjoy the rise in property value that our neighbours would undoubtedly experience. In light of these concerns, we kindly request a reconsideration of the decision to acquire our property. We urge Auckland Transport to explore alternative options that do not involve the displacement of long-standing residents and the disruption of established businesses. We are open to further discussions and negotiations to find a resolution that satisfies both Auckland Transport's needs and the well-being of our family. We appreciate your attention to this matter and look forward to a prompt and positive resolution.

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

In light of these concerns, we kindly request a reconsideration of the decision to acquire our property. We urge Auckland Transport to explore alternative options that do not involve the displacement of long-standing residents and the disruption of established businesses. We are open to further discussions and negotiations to find a resolution that satisfies both Auckland Transport's needs and the well-being of our family. We appreciate your attention to this matter and look forward to a prompt and positive resolution.

Submission date: 9 December 2023

### **Attend a hearing**

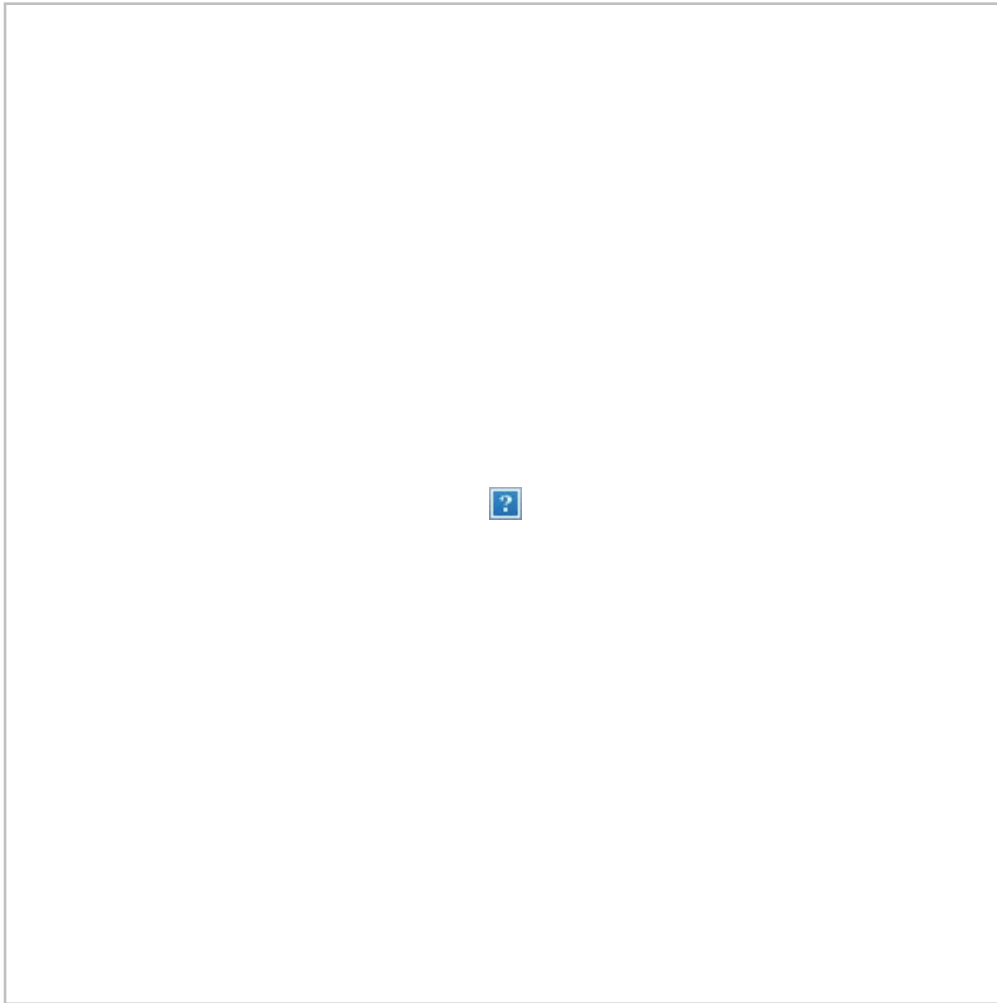
Do you wish to be heard in support of your submission? Yes

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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1074] Notice of Requirement online submission - James Richard Davies and Johanne Kahlenberg  
**Date:** Sunday, 10 December 2023 5:30:16 pm

---

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

**Contact details**

Full name of submitter: James Richard Davies and Johanne Kahlenberg

Organisation name:

Full name of your agent:

Email address: jimdavies@xtra.co.nz

Contact phone number: 0274943143

Postal address:  
215 Bawden Road  
Dairy Flat  
auckland 0792

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

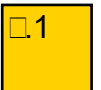
The specific provisions that my submission relates to are:

Lot 9 DP 121953 215 Bawden Road Dairy Flat The NoR on part of our land to construct Stormwater Wetland accumulation

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:

As the time lag of the project could be up to 30 years away the AT/WK are effectively land banking a substantial part of our property with no payment now. In the meantime we will still have to pay rates on that said part of the property thus reducing the total value of our property should we wish to sell with this NoR in place.



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

The relief we request is for the withdrawal of Notice of Requirement until such a time as the project is fully funded and able to proceed.

Submission date: 10 December 2023

**Attend a hearing**

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

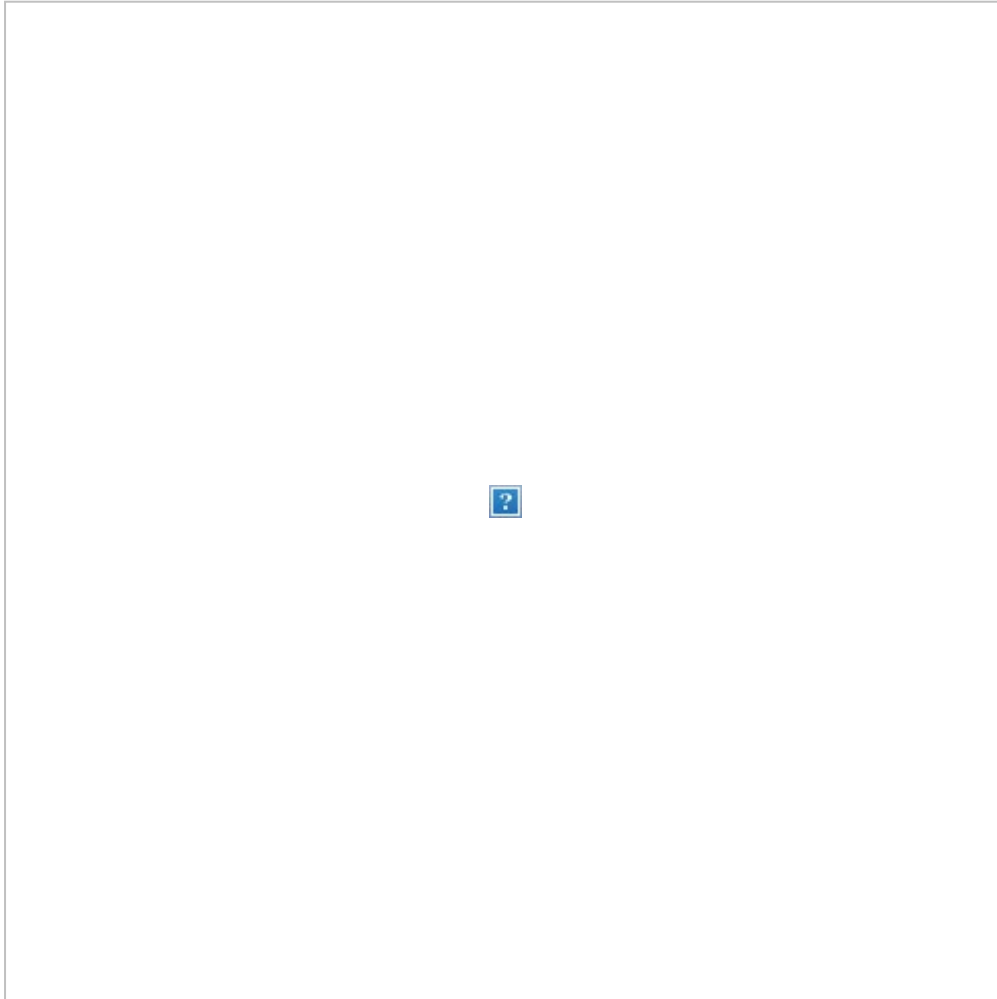
Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1088] Notice of Requirement online submission - Brian Harold Taylor and Noeleen Elizabeth Taylor  
**Date:** Monday, 11 December 2023 12:01:10 pm

---

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

**Contact details**

Full name of submitter: Brian Harold Taylor and Noeleen Elizabeth Taylor

Organisation name: Top No.2 Trust

Full name of your agent:

Email address: [albnaygrove@gmail.com](mailto:albnaygrove@gmail.com)

Contact phone number: 0275680601

Postal address:  
34 Top Road RD 2 Albany  
Dairy Flat  
Auckland 0792

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

The specific provisions that my submission relates to are:

The proposal to take a significant portion of the eastern part of the property and a portion of the western part at 34 Top Road Dairy Flat for Bawden Road extension

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:

A designation on a property title for a project about which the indicative timeframe is 10-30 years is totally inappropriate as it gives no certainty and no options for elderly owners such as ourselves in need of relocation for health reasons. The presence of such spurious long-term notices on the property title significantly diminishes the value of the property and its attractiveness to a broad range of potential lifestyle purchasers.



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

We seek a decision from Auckland Council to refuse the NoR unless and until the acquiring authority can confirm they are in funds and ready to proceed with the project for which the NoR is issued and are ready to acquire the relevant property

Submission date: 11 December 2023

**Attend a hearing**

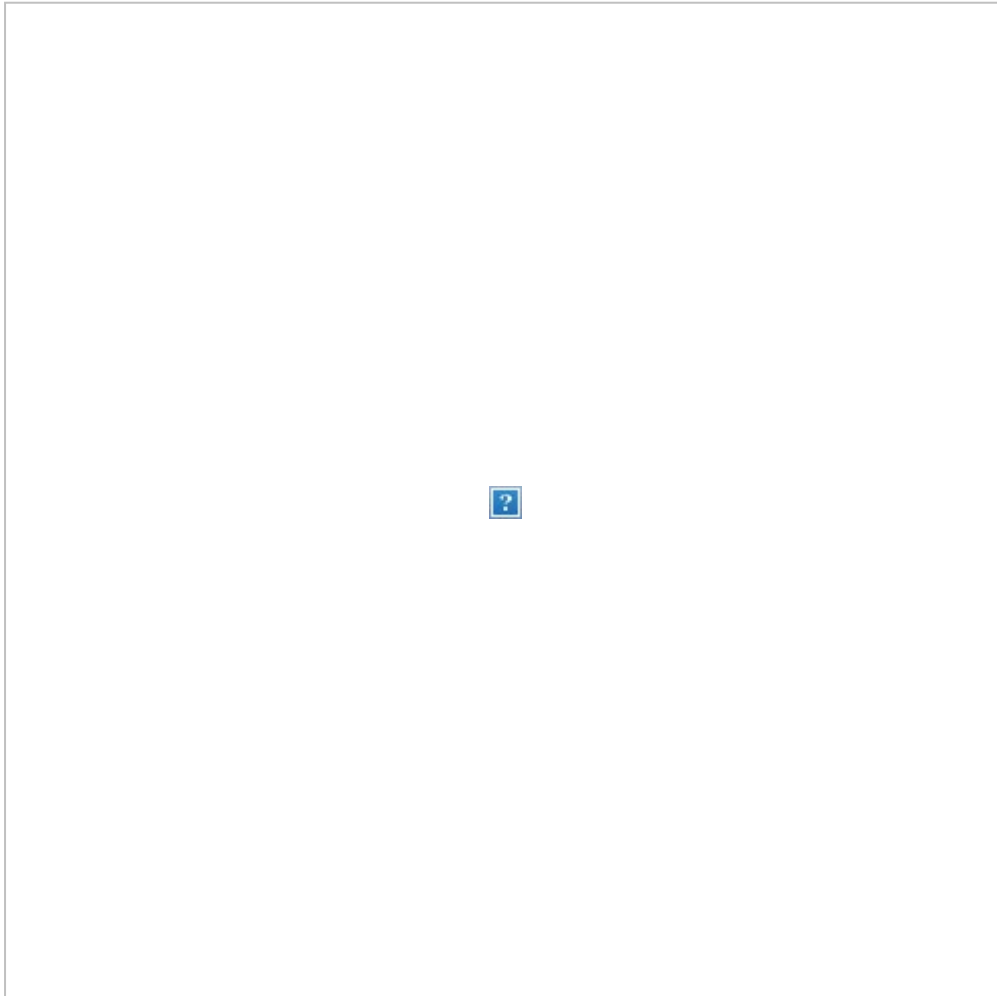
Do you wish to be heard in support of your submission? Yes

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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1089] Notice of Requirement online submission - Lisa Scott  
**Date:** Monday, 11 December 2023 12:16:19 pm  
**Attachments:** [HarrisonGrierson.pdf](#)

---

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

**Contact details**

Full name of submitter: Lisa Scott  
Organisation name:  
Full name of your agent:  
Email address: lisajanemartin@hotmail.com  
Contact phone number: 02102494893  
Postal address:  
79 Sunrise Avenue  
Murrays Bay  
Auckland 0630

**Submission details**

Name of requiring authority: Auckland Transport  
The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road  
The specific provisions that my submission relates to are:  
This submission relates to the property Lot 3, Top Road, Dairy Flat (Lot 3 DP 397704, CT 390186)  
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 area required under the NOR 12 has a significant adverse effect on the use of the property. The land required under NOR12 encompasses the area that was recommended as the building site for a dwelling. The underlying geology of the property is Onerahi Chaos Breccia and the site stability of the area below the recommended building site is medium to high risk. To build elsewhere on the property will present a significant stability risk. This information is set out in a report prepared by Harrison Grierson Consultants Ltd in March 2005 when the original subdivision of Truro Downs was being consented. The NOR 12 will prevent the construction of a dwelling on the property and the reality is that the property will be unuseable for constructing a dwelling. The remaining part of the property is not well suited for construction due to the underlying geology. This will likely affect the future sale and desirability of the remaining land. The property is our only asset and it was our intention to sell the property and finance a home with the proceeds. It is expected that the property will be difficult to sell now that the recommended building site is required under the notice and cannot be built upon. It is viewed that the timeframe for the project to commence is unreasonable. It is understood that there is no funding for the project and that it may take between 10 and 30 years to commence. This timeframe unreasonable. The NOR 12 will affect our ability to sell the property for fair market value in an unnotified state. Until the land is acquired we are required to pay rates on a property that is effectively unbuildable and unusable. The NOR 12 effectively enables the Auckland Transport and Waka Kotahi NZ Transport Agency to guarantee and reserve land without compensating property owners until an unknown date. This is unreasonable.



I or we seek the following recommendation or decision from Auckland Council:  
The project should be given sufficient funding to enable Auckland Transport and Waka Kotahi NZ Transport Agency to purchase the required land from property owners who will be significantly adversely affected by the project at fair market value. It is unreasonable to given no timeframe or

detail of how affected property owners can be compensated both now or in the near future.

Submission date: 11 December 2023

Supporting documents  
HarrisonGrierson.pdf

**Attend a hearing**

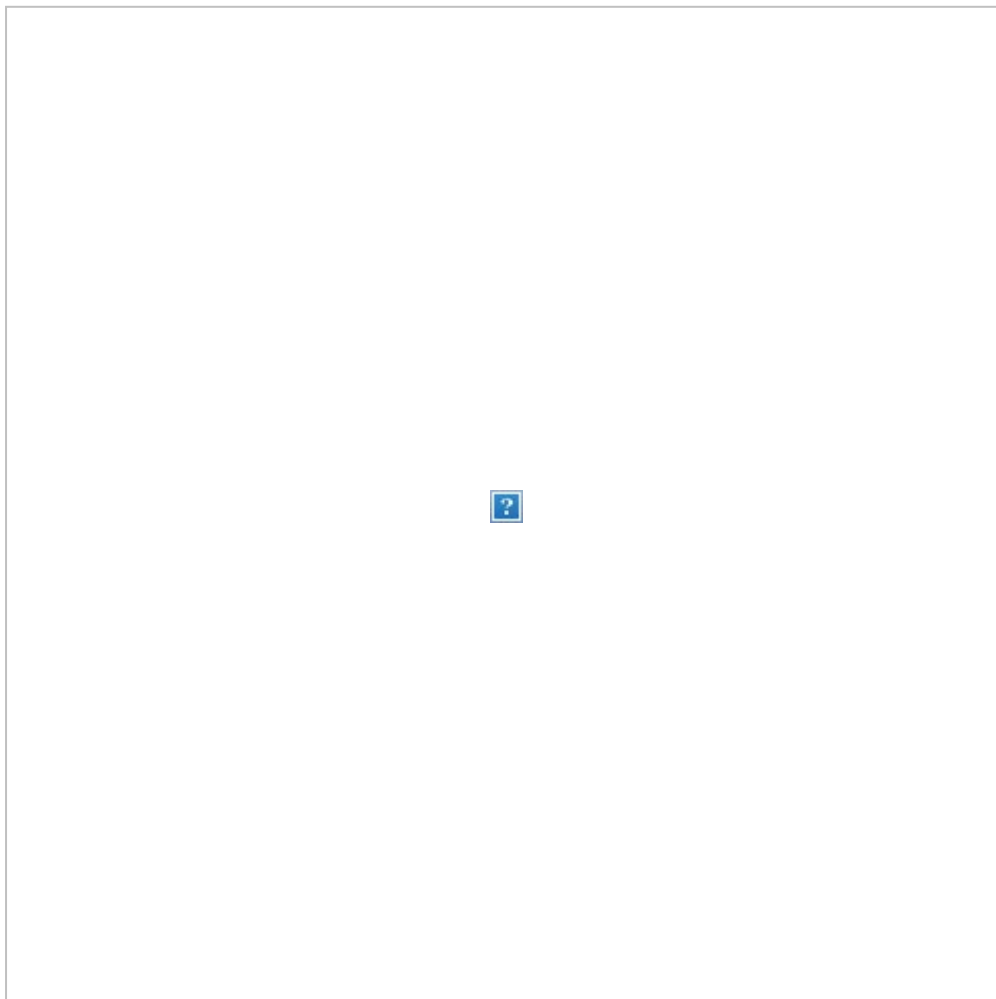
Do you wish to be heard in support of your submission? Yes

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

**Declaration**

I accept and agree that:

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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.

25 Oregon Park  
Dairy Flat  
Auckland 0792

Auckland Council  
Unitary Plan  
Private bag 92300  
Auckland 1142

(By email to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz))

Attention: John Duguid – Manager, Plans & Places

**Re – NOR 12 Upgrade and Extension to Bawden Rd**

Dear Auckland Council team

I am making this submission in relation to the proposed Notice of Requirements 12 for the alteration of existing designations to protect specific areas of land from being used in a way that would prevent the undertaking of proposed public works.

I will keep this submission as brief as possible as I can imagine the total of all submissions makes voluminous reading. Please refer to document **12\_nnor12\_general\_arrangement\_plan** which is the PDF of the Supporting Growth Programme North – General Arrangement Layout Plan, Upgrade and Extension to Bawden Rd (NoR 12)

I refer you to the plan detail of the tie in to Oregon Park and the bridge over the open farm ditch that crosses Bawden Rd and cuts through our property to Dairy Stream. In relation to our property there will be a fill Batter shown as a green solid area – to raise Bawden Rd and Oregon park to future proof against localized flooding during extreme deluges. However, the proposed NoR for 25 Oregon Park extends materially beyond this Fill Batter into our property – proposing to cover 4,104 square metres, i.e. just over an acre. We have been told during the consultation process that the additional land, beyond what is necessary for the Fill Batter shown in green, is for a lay down yard or general yard during the construction process. I would respectfully submit that a lay down or general construction yard is not a public work but a construction convenience.

It is my submission that the NoR 12 for 25 Oregon Park should be limited to what is reasonably necessary for the Fill Batter only, and that once the detailed planning and construction contracts have been let, then at that time the interested parties should come and talk to me with a view to entering into a lease arrangement for the preparation, use and remediation of the lay down area. To change the designation now for the full 4,104 square metres proposed is an unreasonable overreach of the NoR process.

Of further note is storm water management which is a major issue for the Dairy Stream catchment. There is an open farm ditch through our property that channels stormwater through our property to Dairy Stream. On 18<sup>th</sup> November 1996 the owner of 35 Oregon Park was issued a resource consent (consent number 9511309 attached) to raise the level of the property for the purpose of filling within a flood plain to build a horse arena and tennis. One of the resource consent conditions was that:

10.2



*The Consent holder shall not fill within ten metres of the centre line of Dairy Stream or the tributary entering the property from Bawden Rd, and shall not undertake any works in the stream bed without further consent from the Auckland Regional Council.*

When these earthworks were undertaken the tributary entering the property from Bawden Rd (what I refer to as the open farm ditch) was filled with an undersize drainage culvert inserted to connect the drainage from 25 Oregon Park to Dairy Stream. This culvert was buried and the tributary was filled in creating an earth dam. Once the works were completed, instead of building a horse arena and tennis court the land was sold to the owner's daughter and a house was built.

10.1

Obviously, this damming of the tributary was in violation of a specific condition of Consent 9511309. But despite raising the issue with Auckland Regional Council and Auckland Council – and despite numerous site visits and correspondence from back in the early 2,000's (correspondence available upon request) the consent violation was never remediated and continues to be a storm water dam and choke point to this day. The storm water management plan must address this damming to ensure the adequate flow during heavy downpours, otherwise the valley will continue to flood.

10.2

Thank you for taking the time to read my submission, I would like to present my submission at the public hearings.

If you need any further information, please do not hesitate to contact me at [bruceturn@gmail.com](mailto:bruceturn@gmail.com) or +64 21 127 4641.

Yours sincerely

Bruce Turner

Attachment: **Consent 9511309**

# FILE

## AUCKLAND REGIONAL COUNCIL

### RESOURCE CONSENT

Granted Pursuant to the Resource Management Act 1991

#### CONSENT NO. 9511309

**CONSENT HOLDER:** E C Wilson.

**CONDITIONS OF CONSENT:**

Date of Expiration of Permit: 31 December 2031.

Purpose of Consent: To divert surface water by filling within the flood plain.

Works: Filling within a flood plain to form a horse arena and tennis court.

Legal description of land on which works are to be undertaken: Lot 1, DP 138474.

Site Location: 35 Oregon Park, Dairy Flat.

Territorial Authority: Rodney District Council.

Map Reference: NZMS 260 R10 588 024.

#### STANDARD CONDITIONS OF CONSENT:

1. That the servants or agents of the Auckland Regional Council shall be permitted access to the relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
2. That the Auckland Regional Council may at any time on the giving of not less than 3 months notice in writing serve notice on the consent holder of its intention to review, under section 128 of the Resource Management Act, any of the conditions of this consent for any of the following purposes:
  - i. To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - ii. To require a discharge permit holder to adopt the best practicable option to remove or reduce any adverse effect on the environment; or
  - iii. To deal with any other adverse effect on the environment on which the exercise of the consent may have an influence.
3. The resource consent holder shall pay to the Auckland Regional Council any administrative charge fixed in accordance with s.36(1) of the Resource Management Act 1991, or any additional charge required pursuant to s.36(3) of the Resource Management Act 1991, payable in respect of this resource consent.

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SPECIAL CONDITIONS OF CONSENT:

1. The Consent Holder shall ensure that the final level of the proposed filling within the property is no higher than the adjacent section of the right of way providing access to lots 1 to 5 of DP 138474, as shown in the attached long section.
2. The Consent Holder shall not fill within ten metres of the centre line of the Dairy Stream or the tributary entering the property from Bawden Road, and shall not undertake any works in the stream bed with out further consent from the Auckland Regional Council.
3. The Consent Holder shall batter the fill at a slope of not less than one in four, and shall compact the fill in layers of not greater than 150 mm.
4. The Consent Holder shall mark off and survey the area to be filled prior to the start of the filling operation, and shall advise the Group Manager, Environmental Management, of the area to be filled. Should the area be greater than one hectare then the applicant shall apply for a Land Use Consent: Sediment Control from the Auckland Regional Council.
5. That all "cleanwater" runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthwork areas via a stabilised system, so as to prevent erosion.
6. That no vegetation removal or earthworks be undertaken between April 30 and October 1 in any given year, without the written approval of the Group Manager, Environmental Management, ARC Environment.
7. That all sediment laden runoff from the site shall be treated by sediment control measures constructed and maintained in accordance with Auckland Regional Council Technical Publication No. 2 "Erosion and Sediment Control Guidelines for Earthworks" dated March 1992.
8. That the site shall be stabilised against erosion as soon as practical and in a progressive manner as earthworks are finished over various areas of the site. Revegetation is to be completed by 30 April in the year of the earthworks construction in accordance with measures detailed in the Auckland Regional Council Technical Publication No. 2 "Erosion and Sediment Control Guidelines for Earthworks" dated March 1992, unless a later date is approved in writing by the Group Manager, Environmental Management, ARC Environment at least two weeks before 30 April.
9. That fill shall be restricted to clean fill only. Clean fill is defined as clay, soil, rock, brick or concrete including demolition material (with no more than 5% of timber or materials other than above, as a percentage of any load deposited), free of hazardous wastes, and not subject to biological, physical or chemical breakdown.
10. All uncompacted material shall be kept clear of the stream channel during and after earthworks.
11. Machinery shall be kept clear of the watercourse at all times.
12. The Consent Holder shall ensure that the a clear water way is maintained below the trees that have been planted alongside right of way beside the ford.
13. That a complete set of "as built" plans be submitted to the Group Manager, Environmental Management, within one month of completion of the filling operation.

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7/

**ADVISE NOTES**

Rodney District Council is advised that the filled area is still in the Dairy Stream flood plain and that any proposed building in the flood plain will require an assessment of the effect of the building on the flood plain to determine whether the effect will be minor and whether the construction could have an adverse effect on any other property.

THIS CONSENT HAS BEEN GRANTED BY THE AUCKLAND REGIONAL COUNCIL PURSUANT TO THE RESOURCE MANAGEMENT ACT 1991. PROVIDED THAT THE COUNCIL'S DECISION IS NOT APPEALED THE CONDITIONS STATED ON THIS CONSENT DOCUMENT WILL BECOME EFFECTIVE FROM 13-NOV-1996

K E Connolly  
Group Manager  
Environmental Management  
**ARC ENVIRONMENT**

8

Per:



8

**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1124] Notice of Requirement online submission - Manuhiri Kaitiaki Charitable Trust  
**Date:** Tuesday, 12 December 2023 2:30:10 pm

---

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

#### **Contact details**

Full name of submitter: Manuhiri Kaitiaki Charitable Trust

Organisation name:

Full name of your agent:

Email address: [kaitiaki@ngatimanuhiri.iwi.nz](mailto:kaitiaki@ngatimanuhiri.iwi.nz)

Contact phone number:

Postal address:

PO BOX 117

Warkworth

Auckland 0941

#### **Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

The specific provisions that my submission relates to are:

The Ngāti Manuhiri Settlement Trust, serving as the recognised mana whenua and the mandated iwi authority, holds jurisdiction from Te Ārai to Takapuna, extending its influence over to some of the inner and outer islands of Te Moana Nui ā Toi encompassing coastline, and Mahurangi area. The Manuhiri Kaitiaki Charitable Trust is entrusted with the execution of environmental services and response activities on behalf of the Ngāti Manuhiri Settlement Trust.

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:

Engagement with the Manuhiri Kaitiaki Charitable Trust to oversee projects involving interactions with the taiao from a cultural perspective. This Trust specializes in upholding kaitiakitanga, tikanga, and matauranga values, ensuring a respectful and culturally sensitive approach to such projects. The taiao represents our rich cultural heritage and warrants meticulous care in its interaction with development initiatives. The expertise of the Manuhiri Kaitiaki Charitable Trust will provide invaluable insights, guiding projects to align with cultural protocols and honour indigenous wisdom.

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

By collaborating with the Trust, projects will benefit from a holistic viewpoint that integrates cultural values into decision-making processes. This partnership not only ensures compliance with cultural standards but also enhances project outcomes by embracing diverse perspectives. The Trust's involvement guarantees a harmonious balance between development and cultural preservation, embodying the Council's commitment to cultural inclusivity and sensitivity. We strongly urge the Council to engage the Manuhiri Kaitiaki Charitable Trust for cultural oversight in taiao interfacing projects, ensuring a culturally respectful and sustainable approach to development. Thank you for your attention.

Submission date: 12 December 2023

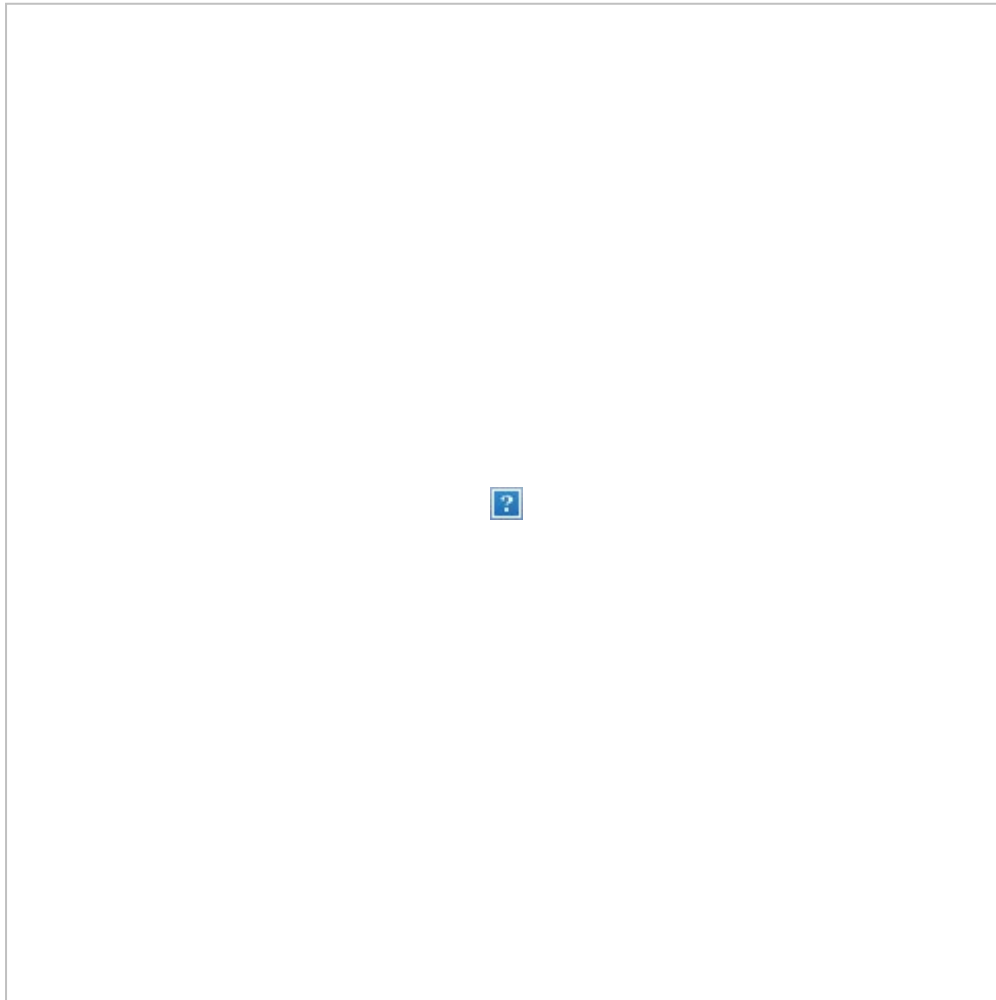
#### **Attend a hearing**

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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1150] Notice of Requirement online submission - Anita Marais  
**Date:** Wednesday, 13 December 2023 11:16:03 am

---

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

**Contact details**

Full name of submitter: Anita Marais  
Organisation name:  
Full name of your agent:  
Email address: anitahenkmara@gmail.com  
Contact phone number: 021705627  
Postal address:  
350 Bawden Rd  
RD 2  
Albany 0792

**Submission details**

Name of requiring authority: Auckland Transport  
The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road  
The specific provisions that my submission relates to are:  
402025, Lot 2 DP 550440, 948893, 350 Bawden Rd, RD 2, Albany

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 subdivided our property and the subdivision went on the market on 10/2/23, with part of this land now being on the NoR. The proposed house site was to be on this section of land due to the proximity to the road, and the vehicle crossing was installed accordingly. A Geotech report had also been done a few years ago to determine whether we could build on this land. We had spent a considerable amount of money to get this land subdivided and on the market; i.e. Development contribution fees, Surveying fees, Planting and fencing the riparian, vehicle crossing, marketing fees, Council Fees, etc, etc, with us now being unable to sell due to the complete road frontage of the property forming part of the NoR. It will now cost us MORE money to build a new vehicle crossing, move the services from the existing vehicle crossing to the new crossing, resurvey and remarket the property, with no guarantee that the property will sell due to the NoR on the road frontage section of land.

12.1

I or we seek the following recommendation or decision from Auckland Council:  
1) We want Council to subdivide the section of land on the NoR off from the rest of the property (Lot 2 to be split into 2 lots (i.e. Lot A and Lot B)), 2) The section of land on the NoR (i.e. Lot A), to be purchased immediately and not wait until the land is needed for construction, and 3) Council or NZTA to build a new Vehicle crossing for the back section of land (i.e. Lot B).

Submission date: 13 December 2023

**Attend a hearing**

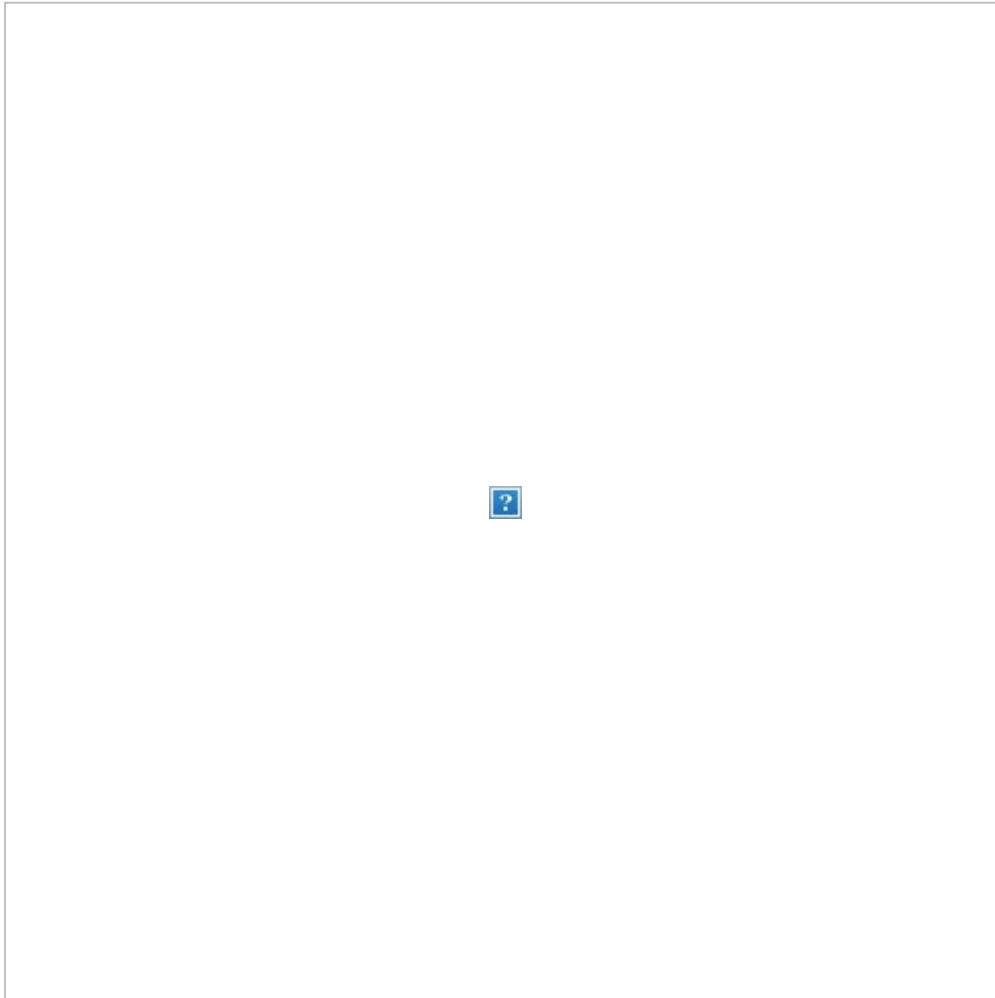
Do you wish to be heard in support of your submission? Yes  
Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

**Declaration**

I accept and agree that:

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- 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

Te Kaitiaki o Tamaki Makaurau

FORM 21

Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

JOHN GREGORY CROSS

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

Address for service of Submitter

64 CROSSBRIDGE RD, DAIRY FLAT

Telephone:

0275 312628

Email:

crossj@axtra.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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:

Refer to attachment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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).

Refer to attachment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 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)

3-12-2023  
 \_\_\_\_\_  
 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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**Attachment to Submission on "North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path", with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

**The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 13.1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council's current vision for the area. 13.1
- Taking account of both the above factors, Auckland Council's current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 13.1
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 13.2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 13.3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of "least regret". 13.□
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR's regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR's to be premature and unjust. 13.2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

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For office use only
Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Michael William Scott STANBRIDGE

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

Address for service of Submitter

49 GRACE HILL DRIVE, RD 2, AIBANY

Telephone:

021 985 635

Email:

mike.stanbridge@Enigma.co.nz

Contact Person: (Name and designation if applicable)

Michael Stanbridge, (self)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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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:


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(continue on a separate sheet if necessary)

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 (or person authorised to sign on behalf of submitter)

5/12/2023  
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 Date

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**Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

**The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 1 □ 1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area. 1 □ 1
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 1 □ 1
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 1 □ 2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 1 □ 3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”. 1 □ □
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust. 1 □ 2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

**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).

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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):

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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

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Auckland 1142

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Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

ANN CATHERINE STANBRIDGE

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

Address for service of Submitter

49 GRACE HILL DRIVE, R.D. 2, ALBANY

Telephone: 021-874436 Email: livebell@xtia.co.nz

Contact Person: (Name and designation if applicable)  
As above.

This is a submission on a notice of requirement:

By: Name of Requiring Authority	Waka Kotahi NZ Transport Agency
For: A new designation or alteration to an existing designation	North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path <b>and also NoR 8 Dairy Flat Rd &amp; NoR 12 Bawden Rd</b>

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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:

Refer to attachment

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(continue on a separate sheet if necessary)

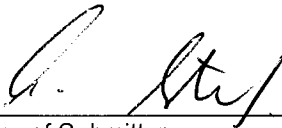
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Refer to attachment

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)

05/12/2023

Date

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**Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

**The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 1 □ 1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area. 1 □ 1
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 1 □ 1
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- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 1 □ 3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”. 1 □ □
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust. 1 □ 2

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FORM 21

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Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

TREVOR MORRISON CHEER

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

Address for service of Submitter

66 BAWDEN ROAD, DAIRY FLAT, AUCKLAND

Telephone:

0274957930

Email:

jmcheer@xtrea.co.nz

Contact Person: (Name and designation if applicable)

TREVOR CHEER.

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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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:

Refer to attachment

(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).

Refer to attachment

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 December 2023

Date

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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



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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

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

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**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 oppose to the Notice of Requirement
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**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).

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- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 1 □ 1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area. 1 □ 1
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 1 □ 1
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 1 □ 2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 1 □ 3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”. 1 □ □
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust. 1 □ 2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### I/we seek the following recommendation or decision from the Council:

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

## **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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) Mark Eduard de Jong

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

#### Address for service of Submitter

226 Bawden Rd

Albany, Auckland 0792

Telephone:

Email:

Contact Person: (Name and designation if applicable)

#### This is a submission on a notice of requirement:

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

#### 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:

Refer to attachment

(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).

Refer to attachment

- 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

Mark de Jong

6/12/2023

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 to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

**The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision.
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area.
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed.
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor.
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence.
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

Mark Jonathan Smitheram

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

Address for service of Submitter

9 Grace Hill Drive

Dairy Flat 0792

Telephone:

Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority	Waka Kotahi NZ Transport Agency
For: A new designation or alteration to an existing designation	North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path <b>and also NoR 8 Dairy Flat Rd &amp; NoR 12 Bawden Rd</b>

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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:

Refer to attachment

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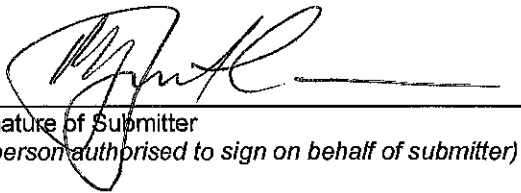
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(continue on a separate sheet if necessary)

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

Refer to attachment

- 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)

December 11, 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 “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of “NoR 8 - Dairy Flat Highway” and “NoR 12 - Bawden Rd”**

**The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 1 □ 1

Whilst the storms in January & February this year highlighted the flooding issues around Dairy Flat, they were certainly not isolated issues. This has been recognised by Council with recent advice that they are considering moving the proposed town centre away from Green Road onto the higher ground of Grace Hills. 1 □ 1

Intensive development of this area would seem at odds with recent requirements on Councils to be more vigilant regarding development in high risk areas. The argument that these risks can be ‘engineered out’ in the future is a flawed one. No matter how good the engineering is, it will never accommodate future weather risks. In addition all governmental agencies (both central & local) are notoriously poor at maintaining the infrastructure required to manage the risk, therefore when it is needed, it doesn’t work. 1 □ 1

- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area. 1 □ 1

That said, it is becoming increasingly likely that intensification will not be required at all in the foreseeable future. The Medium Density Housing Accords provide many times the requirement for Auckland’s future housing requirements & indeed the amount able to be developed in Dairy Flat. 1 □ 1

- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 1 □ 1

- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 1 □ 2

In addition, the route has clearly been designed first & foremost for Light Rail. It is clear that the new government, & indeed Mayor Brown, have no intention whatsoever for Light Rail to go ahead. We think the lessons learnt from the financial debacle of the CLR will sit with both local & central government for decades. 1 □ 2

- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 1 □ 3

- Development of the RTC in Dairy Flat South is environmentally unsafe. We understand some 4,000,000 cubic metres of soil, limestone etc. will need to be removed &/or reinstated to form the corridor. The 1 □ □

carbon footprint of this alone is unconscionable. As a substantial amount of this will be removed from the high points of Grace Hills, there will be significant disruption to my property which borders the construction zone. This will include a very high volume of truck movements, noise, dust & diesel fumes. This disruption will continue for a substantial length of time. There will be NO compensation to us for this disruption as we are technically “unaffected”. But clearly will be affected.

1 □ □

- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed.

1 □ □

1 □ 2

By way of example, our neighbouring property is an undeveloped site which will be designated with an NoR, meaning the house that was intended to be built will now not be built. The owner will have no option than to invoke the compulsory acquisition provisions. It is a high value property, likely to exhaust the annual ‘budget’ for acquisition which we understand to be less than \$3,000,000. The buying entity will then have to take on the responsibilities of ongoing maintenance of the property, covenant compliance & other incorporated society requirements including contributing to the costs of the society and to the ongoing maintenance of the common infrastructure.

1 □ 3

This process effectively forces affected landowners to become ‘land bankers’ on behalf of the NZTA/AT whether we want to not. The landowners bear all the risk & cost of this activity with no ability to be rewarded for taking that risk. If NZTA/AT are so committed to this project then buy the landowners out NOW so that they can move on with their lives.

1 □ 3

Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

Form 21

Submission on requirements for designations

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of submitter:** Aotearoa Towers Group (ATG)  
*Trading as* FortySouth  
Private Bag 92161  
Auckland, 1142

Chorus New Zealand Limited (Chorus)  
PO Box 632  
Wellington

Connexa Limited (Connexa)  
PO Box 91362  
Victoria Street West  
Auckland, 1142

One New Zealand (One NZ) (formally Vodafone New Zealand Ltd)  
Private Bag 92161  
Auckland, 1142

Spark New Zealand Trading Limited (Spark)  
Private Bag 92028  
Auckland, 1010

These parties are making a joint submission and for the purposes of this submission are referred to collectively as the **Telecommunications Submitters**.

**The Proposal:**

This is a submission on the following notices of requirement by Auckland Transport and Waka Kotahi NZ Transport Agency for transport projects between Albany and Orewa in North Auckland:

- North Transport Project NoR 1: North: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)
- North Transport Project NoR 2: North: New Rapid Transit Station at Milldale (Waka Kotahi NZ Transport)
- North Transport Project NoR 3: North: New Rapid Transit Station at Pine Valley Road (Waka Kotahi NZ Transport)
- North Transport Project NoR 4: North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)
- North Transport Project NoR 5: North: New State Highway 1 Crossing at Dairy Stream (Auckland Transport)
- North Transport Project NoR 6: North: New Connection between Milldale and Grand Drive, Orewa (Auckland Transport)
- North Transport Project NoR 7: North: Upgrade to Pine Valley Road (Auckland Transport)
- North Transport Project NoR 8: North: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (Auckland Transport)
- North Transport Project NoR 9: North: Upgrade to Dairy Flat Highway between Dairy Flat and Albany (Auckland Transport)
- North Transport Project NoR 10: North: Upgrade to Wainui Road (Auckland Transport)
- North Transport Project NoR 11: North: New Connection between Dairy Flat Highway and Wilks Road (Auckland Transport)
- North Transport Project NoR 12: North: Upgrade and Extension to Bawden Road (Auckland Transport)
- North Transport Project NoR 13: North: Upgrade to East Coast Road between Silverdale and Redvale (Auckland Transport)

**The Telecommunications Submitters are not trade competitors for the purposes of section 308B of the Resource Management Act 1991.**

**The specific parts of the notice of requirement that this submission relates to are:**

The conditions of the designations that relate to Network Utility Operators and the Land Use Integration Process (LIP).

**The Telecommunications Submitters' submission is that:**

The Telecommunications Submitters have no position on the overall North package of transport projects but seek to ensure that existing and potential future telecommunications infrastructure in the project corridors are adequately addressed.

The Telecommunications Submitters **oppose** the proposed designations unless the matters outlined in this submission are satisfactorily addressed.

The organisations collectively deliver and manage the majority of New Zealand's fixed line/fibre and wireless phone and broadband services in New Zealand. The network utility operators in the telecommunications sector deliver critical lifeline utility services (as per Schedule 1 to the Civil Defence Emergency Management Act 2002) including infrastructure to support emergency services calls. It is also crucial for supporting social and economic wellbeing and measures to reduce travel demand. The services provide opportunities for work from home/remote work solutions through fast internet connections by fibre and/or wireless means which promotes a lower carbon economy.

The equipment used to deliver this is often located in road corridors which act as infrastructure corridors as well as just transport corridors. The works enabled by the proposed designations will affect existing infrastructure that will need to be protected and/or relocated as part of the proposed works. The design and construction of the works should take into account any opportunities for new infrastructure to be installed which is preferable than trying to retrofit necessary telecommunications/ broadband infrastructure later due to disruptions and/ or incompatibility with project design.

**Existing Infrastructure**

A summary of existing infrastructure located in the project footprints is as follows and is outlined in more details viewable in **Appendix A**:

- FortySouth Facility: Telecommunication pole on Loney Track Road crossing above State Highway 1 in NoR 1 (supporting One NZ Network)
- FortySouth Facility: Telecommunication pole off Wilks Road and Aeropark Drive in NoR 4 (supporting One NZ Network)
- Connexa Facility: Telecommunication pole on Silverdale Offramp in NoR 4 (supporting 2degrees Network)

- Connexa Facility: Telecommunication pole off Wilks Road and Aeropark Drive in NoR 4 (supporting 2degrees Network)
- Connexa Facility: Telecommunication pole on 170 East Coast Road in NoR 4 (supporting 2degrees Network)
- Connexa Facility: Telecommunication pole Lonely Track Road in NoR 4 (supporting Spark Network)
- Connexa Facility: Telecommunication pole on Dairy Flat Highway 1700-1616 Route 31 in NoR 8 (supporting Spark Network)
- Connexa Facility: Telecommunication pole on 958 Dairy Flat Highway in NoR 8 (supporting 2degrees Network)
- Chorus has extensive fibre and copper lines networks throughout the project area.
- Mobile operators are progressively rolling out roadside equipment and fibre routes in Auckland roads which may be within project corridors when works proceed.

### **Future Infrastructure Requirements**

Network utility operators need to integrate necessary services into infrastructure projects such as transport projects. This is especially significant for future development with the introduction of advanced technology such as 5G infrastructure, which will be crucial to transport infrastructure. It is most efficient to coordinate any such services with the design and construction of a project, rather than trying to retrofit them at a later date. This process does not always run smoothly. To provide a previous example, Spark, 2degrees and Vodafone (now One NZ) had substantial issues trying to negotiate with the Public Private Partnership (PPP) operator of the Transmission Gully project in the Wellington Region to install services to provide telecommunications coverage. This process proved to be very difficult as there was no requirement to consult and work with relevant network utility operators in the designation conditions, and post completion of the project design and PPP contracting, it proved to be very challenging to try to incorporate necessary telecommunications infrastructure into the design of this project.

Spark achieved a more satisfactory outcome through participation as a submitter in the Auckland East West Link and Warkworth to Wellsford (W2W) project designation conditions where there was a specific obligation for the Requiring Authority to consult with network utility operators as part of the detailed design phase of the project to identify opportunities to enable the development of new network utility including telecommunications infrastructure where practicable to do so<sup>1</sup>. While the Telecommunication

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<sup>1</sup> East West Link Condition NU2, W2W Condition 24A

Submitters are not asking for the exact same outcomes of these examples, it demonstrates mutual benefits with ease of collaboration, communication and cohesive infrastructure development.

This is reflected in more recent times in two separate occasions earlier this year where Auckland Transport and Waka Kotahi agreed to amend their proposed Network Utility Management Plan (NUMP) conditions to involve network utility operators during the design phase, as well as the inclusion of Land Integration Process (LIP) conditions on Auckland Transport designations. Satisfactory conditions in this regard have been agreed with the requiring authorities in the Airport to Botany and Northwest Transport Projects (aside to an equivalent approach to the LIP condition for Waka Kotahi designations). However, those agreed amendments to the NUMP condition have not been carried through to the Albany to Orewa North NoRs.

All NoRs include a NUMP condition in the general conditions (27 for Auckland Transport, and 23 and 25 for Waka Kotahi), which is not the same as the previously and recently agreed upon NUMP condition wording for the other abovementioned projects. The NUMP conditions used in the North project NoRs do not include the updated clause “(d) *the development of the NUMP shall consider opportunities to coordinate future work programmes with other network utility operator(s) **during detailed design** where practicable.*”

Further, Spark on behalf of the Telecommunication Companies has had more recent discussions with SGA representatives on how to have more effective conditions for the various NoRs packages. An SGA representative suggested that design stage is not an actual stage but is instead progressive. Accordingly, further changes to the amended NUMP clause are now sought as follows:

- 20.1 “(d) *the development of the NUMP shall consider opportunities to coordinate future work programmes with other network utility operator(s) **during the further project stages including detailed design** where practicable.*”

This revised wording is proposed to assure the telecommunication companies has the opportunity to be continued to be involved for future project stages.

Whilst there is no direct obligation on the requiring authority to accommodate such works/opportunities, it is reasonable for there to be provisions to ensure the matter is properly considered during the design phase through consultation with network utility operators as it sets appropriate expectations and ensures these opportunities are properly explored. This enables proper consideration of making provision for communications infrastructure that support the function of the roads and/or serves adjacent growth. This

should be a consideration distinct from protecting or relocating existing network utilities affected by the project which has previously been the focus of conditions to manage network utilities.

- 20.2 Whilst the LIP condition on Auckland Transport 's proposed designations now matches changes agreed on the other projects, there is still no equivalent process for the proposed Waka Kotahi designations in this project to ensure the various telecommunications network providers are properly identified and engaged at relevant project stages.

### **Consultation with Telecommunications Network Utility Operators**

Key to the outcomes the Telecommunications Submitters are seeking is to ensure they are adequately consulted by the requiring authorities over effects on their existing infrastructure, as well as being provided the opportunity to discuss any future requirements so this can be considered in the project design.

The Assessment of Environmental Effects (AEE) for each notice sets out the relevant utility providers who have assets within and around the proposed designations and is listed in the Network Utility Effects section. However, none of the Telecommunication Submitters are listed within the affected Utility Providers despite having existing infrastructure within and around the proposed designated boundaries. Spark is mentioned once as having provided written feedback as part of "previous engagement." Therefore, it is a concern that they various interest companies will not be consulted as part of the NUMP development.

Spark and One NZ operate mobile phone/wireless broadband networks that are often located on facilities located in or adjacent to roads, while Chorus operate fixed line assets in roads including fibre. In addition, Spark has sold its fixed mobile asset infrastructure (e.g., their poles) to Connexa who are also acquiring the fixed assets of 2degrees, and similarly One NZ has sold its fixed mobile assets to Aotearoa Towers Group (trading as FortySouth). Accordingly, the operating landscape for telecommunications companies and who may be affected by these projects has become quite complex. Given this complexity, an advice note to the NUMP condition for the Waka Kotahi designations is proposed to provide more clarity on which telecommunications/broadband operators may be affected and to enable an engagement process to be established as the projects advance. This is not required for the Auckland Transport conditions given the LIP condition.

### **Land Use Integration Process (LIP)**



Auckland Transport included a satisfactory LIP condition within their NoR's which are listed below. This reflected their previous requested changes to clause (f) and (f)(iii) and agreed upon for the Airport to Botany and Northwest Projects NoRs.

20.2 However, the following NoR's lodged by Waka Kotahi did not include LIP conditions:

- North Transport Project NoR 1: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)
- North Transport Project NoR 2: North: New Rapid Transit Station at Milldale (Waka Kotahi NZ Transport)
- North Transport Project NoR 3: North: New Rapid Transit Station at Pine Valley Road (Waka Kotahi NZ Transport)
- North Transport Project NoR 4: North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)

The exclusion of LIP conditions creates a potential lack of integration and dialogue between the project teams and existing infrastructure providers such as the Telecommunications Submitters. This may compromise effective collaboration, cohesiveness, and proper exploration of opportunities with regard to future infrastructure requirements being integrated into these projects. The Telecommunication Submitters are seeking relief in the form of satisfactory LIP conditions (equivalent to the Auckland Transport conditions) to be included within the four Waka Kotahi NoRs, or an alternative condition of like effect in regard to addressing the issues raised by the Telecommunications Submitters, or an advice note to the NUMP condition to clearly identify the current major network providers operating fibre and mobile phone/wireless broadband networks.

**The Telecommunications Submitters seeks the following decision from the Requiring Authorities:**

**Amend** the NUMP condition for each notice of requirement, as follows:

**Network Utility Management Plan (NUMP)**

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

***(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:***

***(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; and*
  - (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; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.*
- (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.*
- (d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) during the further project stages including detailed design where practicable.*
- (e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.*
- (f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.*
- (g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner*

20.3 **Add** an advice note to the NUMP condition for the Waka Kotahi designations unless a Land Integration Process (LIP) condition or similar is added in the alternative:

**Advice Note:**

**For the purposes of this condition, relevant telecommunications network utility operators include companies operating both fixed line and wireless services. As at the date of designation these include Aotearoa Towers Group (FortySouth), Chorus New Zealand Limited, Connexa Limited, One New Zealand Limited, Spark New Zealand Trading Limited, Two Degrees Mobile Limited (and any subsequent entity for these network utility operators).**

**Add** a LIP condition equivalent to that proposed for the Auckland Transport designations, or any alternative mechanism ensuring there is a process for the project teams for the Waka Kotahi designations to properly identify and engage with relevant telecommunication network utility operators as part of project design.

**The Telecommunications Submitters do wish to be heard in support of its submission.**

**If others make a similar submission, the Telecommunications Submitters will consider making a joint case with them at the hearing.**



**Signature of submitter**  
**(Chris Horne, authorised agent for the Telecommunications Submitters)**

**Date: 12 December 2023**

**Address for service of submitter:**

Chris Horne

Incite

PO Box 3082

Auckland

**Telephone:** 0274 794 980

**E-mail:** [chris@incite.co.nz](mailto:chris@incite.co.nz)

# Appendix A

## Impacted Telecommunication Facilities

## Telecommunication Sites Impacted

### FortySouth

NoR 1 – North: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)

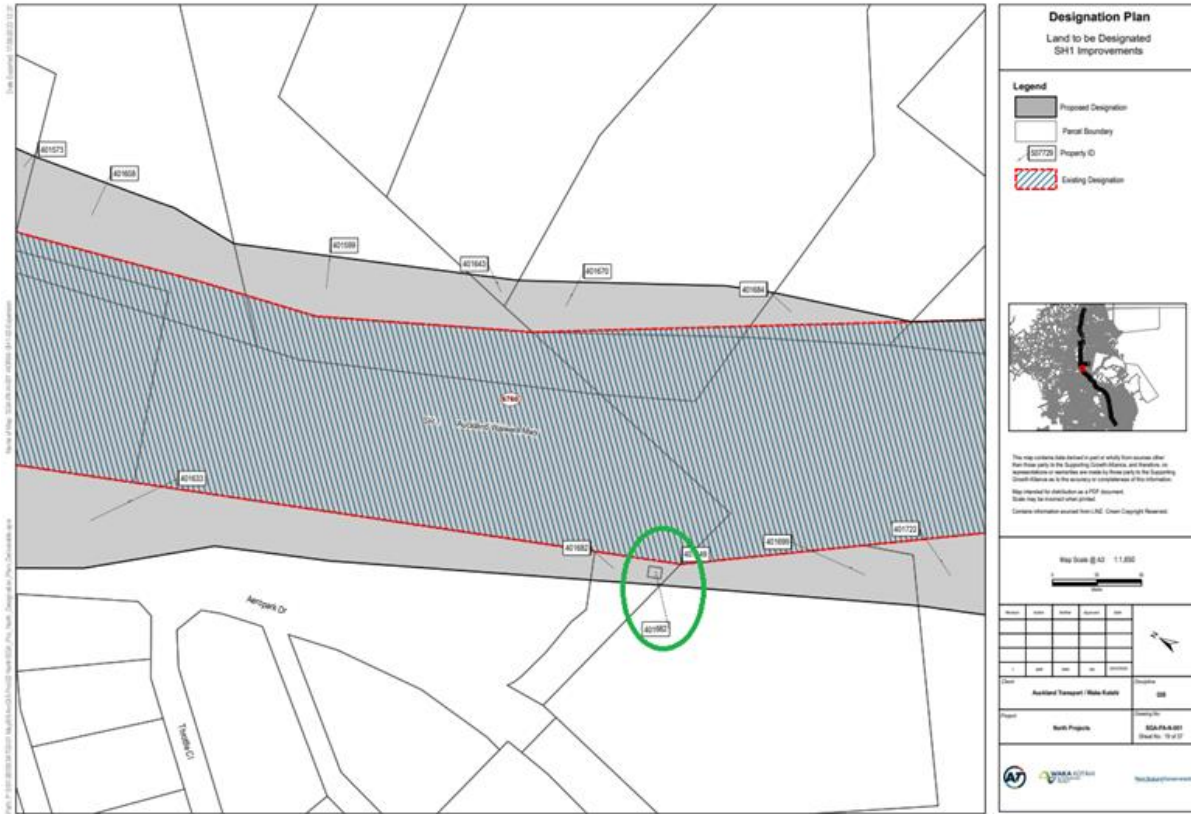
- Pole located on Lonely Track Road Bridge crossing above State Highway 1 (supporting One NZ)



**NoR 4 – North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)**

- Pole located off Wilks Road and Aeropark Drive (supporting One NZ)

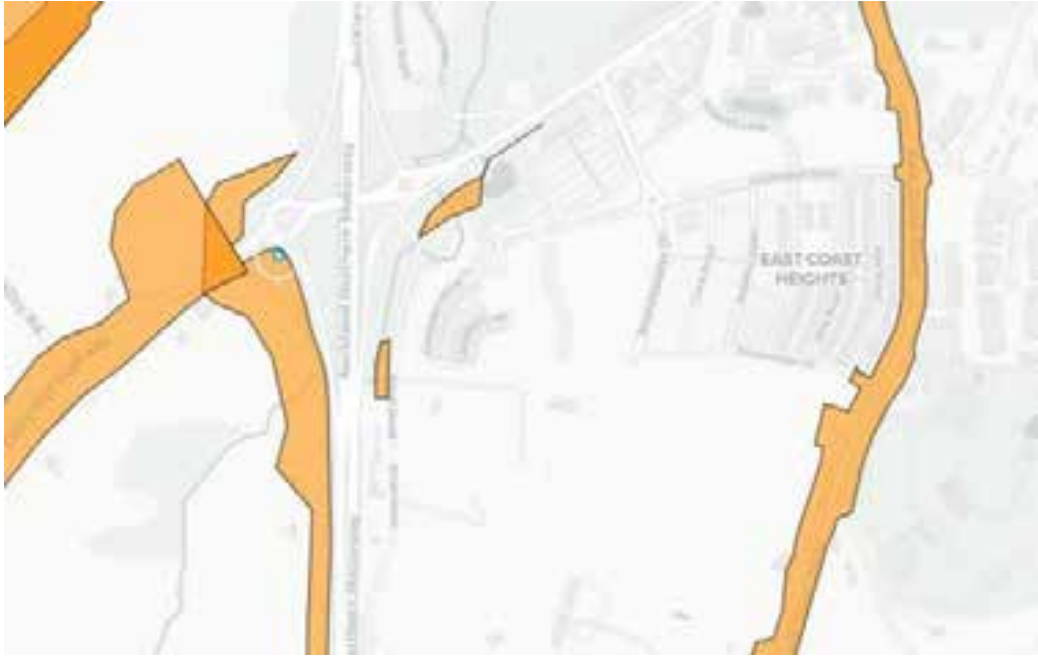




Connexa

**NoR 4 – North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)**

- Telecommunication pole on Silverdale Offramp (supporting 2degrees Network)

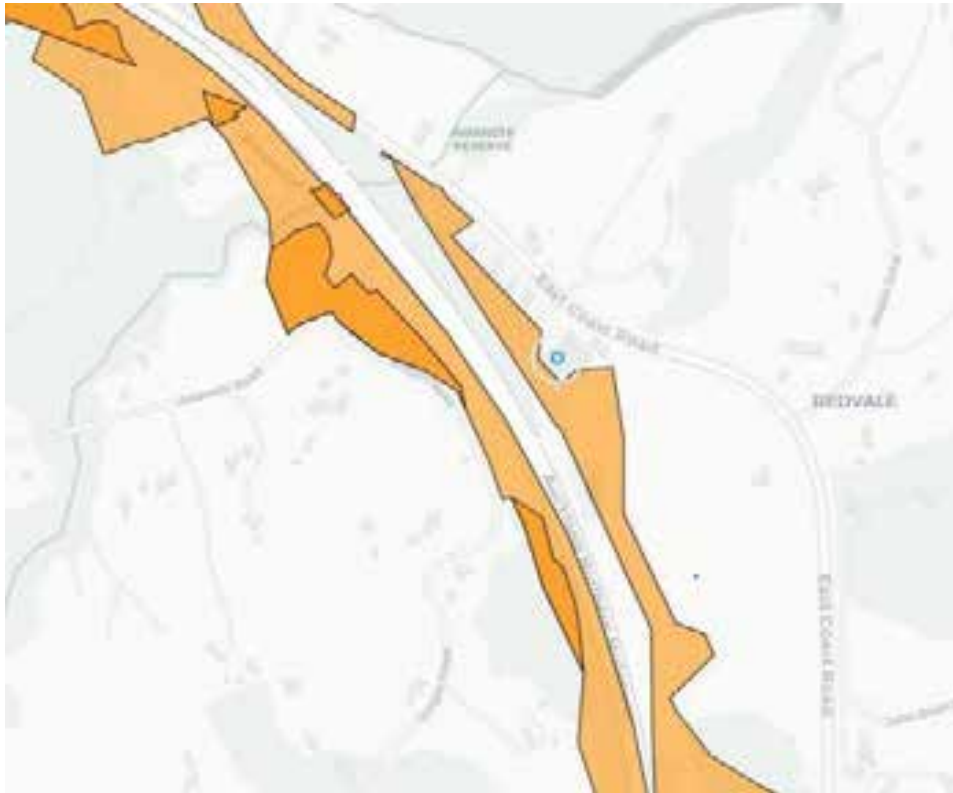




- Telecommunication pole off Wilks Road and Aeropark Drive (supporting 2degrees Network)



- Telecommunication pole on 170 East Coast Road (supporting 2degrees Network)



- Telecommunication pole on Lonely Track Road (supporting Spark Network)



**NoR 8: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (Auckland Transport)**

- Connexa Facility: Telecommunication pole on Dairy Flat Highway 1700-1616 Route 31 in NoR 8 (supporting Spark Network)



- Connexa Facility: Telecommunication pole on 958 Dairy Flat Highway in NoR 8 (supporting 2degrees Network)



12 December 2023

P O Box 102 000  
North Shore  
Auckland 0745  
T: 021 428 601  
E: deancrowle@gmail.com

Planning Technicians  
Plans & Places  
Auckland Council  
Private Bag 92300  
Auckland 1142

Sent by email to: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Copy sent to: Auckland Transport - [submissions@supportinggrowth.nz](mailto:submissions@supportinggrowth.nz)

## Submission

### **Re: NoR 1, NoR 12 – Owner ID: 302869 - Affected Property - 77 Bawden Road, Dairy Flat**

We are writing regarding the letter we received from Auckland Council dated 13 November 2023 which advises that we are to make a submission if we disagree with the proposal to lodge a Notice of Requirement (NoR) against our property. We set out below our objection to the proposed NoR.

#### **1. Timeline for future Works**

The timeline for proposed future works is some date beyond 2050. It is not funded, and extensive work is still to be carried out to see if a transport corridor or high density building in Dairy Flat is feasible given low-lying areas which are subject to flooding and alternative options are available. Regardless of any runoff ponds or detention areas as indicated in the proposal, all water run off must eventually connect to the local streams which in turn connect to the sea. We have noted over the 16 years of residing here that when flooding and high tides align there is simply nowhere for storm water to run to.

21.1

21.2

Please note, we are not against future development of the area, just the timeframe and uncertainty around what is being proposed and the impact this will have on our property, as outlined below.

#### **Objection:**

We object to a NoR being lodged on our property as this will immediately affect our property value due to uncertainty about what is happening in the area as decisions are over a quarter of a century away. As we are older homeowners, we are currently planning to sell our property. We have already experienced a reluctance for buyers to consider buying in our area as a result of the published proposal and the potential impact on values and disruption going forward. We are concerned that the premature lodgment of a NoR will immediately

21.1

impact our property value where there is no necessity to restrict land availability until such time as there is certainty of both a confirmed plan and allocated funding.

Our Proposed Resolution

Cease the lodgment of a NoR on our property until the Auckland Council has decided what is to progress in Dairy Flat. Presently there is too much uncertainty along with a lack of funding to progress anything.

**2. Area designated in the Proposed NoR on our Property**

21.2

Objection:

We object to the designated area of the NoR as follows:

- a) The NoR designated area predominately covers two large ponds we had to put in to satisfy council of our water catchment prior to residue discharging into a stream. A hydrological neutrality report was prepared by Hutchinson Consulting at our expense to mitigate water run-off and management. As a result of this report, and to satisfy Council of a sound water management plan we developed the above ponds surrounded by native planting that currently hosts a variety of bird life and native eels and frogs. There are also large earth buns that face the road that contain our sewage drip lines and create a sound barrier from the road noise. These measures prevented our property from flooding during the severe cyclones earlier this year.
- b) Both Rob Mason (SG Engineer) and Paige Rundle (SG Engagement Manager) who were both present at the public drop-in meeting confirmed that they were not aware of the existence of these ponds and recommended bringing this to your attention in our submission.
- c) Any encroachment into the above area will therefore severally impact both our storm water management, sewage management, and the native planting and wildlife that has been established.
- d) In our view, the above area is therefore not suitable for earthworks only to achieve a footpath that will be placed on our land. All our land is flat and in speaking to one of your Engineers (Rob Mason) at the organised information event in Albany he advised that:
  - 1. The road is not changing from its current height.
  - 2. The area proposed to be taken is to the double lines (as indicated below), which is the width of a footpath.

Below is the area being designated under the NoR with the Ponds marked.



There are ponds on both sides of the driveway with earth buns on the roadside. NoR designated area is mainly in the ponds which are reasonably deep.

Earth buns

The front of our property is flat.

Our Proposed Resolution

We understand that this designation was made without a site visit. We therefore consider it is important to arrange a site visit with us so you can assess firsthand the reasons why we feel that the designation of the NoR is unreasonable and unnecessary in the circumstances, as defined in the above photo and should be moved back to at least the boundary of the footpath.

We note that the proposed NoR to be lodged on our neighbours property across the road from our property is sufficient to cater for machinery as the proposal for this area will include the addition of a water catchment pond. This area is currently undeveloped and will have far less impact than the proposal for our property.

We are happy to consult on these matters with your officials.

Yours sincerely

Dean Crowle & Denise Pedersen  
77 Bawden Road, Dairy Flat

Please address all correspondence to either the P O Box or the email address stated above.



**SUBMISSION ON NOTICES OF REQUIREMENT FOR A DESIGNATION**

**JOINT NOTIFICATION OF 13 SEPARATE NOTICES OF REQUIREMENT BY  
AUCKLAND TRANSPORT AND WAKA KOTAHİ NZ TRANSPORT AGENCY TO  
PROTECT ROUTES IN DAIRY FLAT, REDVALE, STILLWATER, SILVERDALE AND  
WAINUI EAST**

**TO:** Auckland Council (“**Council**”)  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**NAME OF SUBMITTER:** ACGR Old Pine Limited (“**Submitter**”)

**ADDRESS FOR SERVICE:** C/- JGH Advisory  
[james@jgh.nz](mailto:james@jgh.nz)

**COPY TO:** Auckland Transport, C/- Sophia Coulter  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Introduction**

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1. This is a submission on notices of requirement from Auckland Transport for designations, with notice given by Ms Coulter as follows:

I am writing because Auckland Transport and Waka Kotahi NZ Transport Agency propose to change the Auckland Unitary Plan by issuing notices of requirement and altering existing designations to protect specific areas of land from being used in a way that would prevent the undertaking of proposed public work(s). Protecting these routes will enable a new Rapid Transit Corridor and stations, improvements to State Highway 1, as well as upgrades to key existing routes and new connections at a later date.

You either own and/or live in a property that is nearby to or within one or more of the proposed Notices of Requirement, or you may be affected in another way.

**Affected property/ies: 10 Old Pine Valley Road**

2. While Ms Coulter has said:

If you wish to submit on more than one notice of requirement you must lodge a separate submission for each.

this submission is made on each and every notice of requirement that affects 10 Old Pine Road, particularly given that Ms Coulter has given notice of each notice of requirement in a global way to the Submitter. It would be perverse if Ms Coulter could give notice to the Submitter on a global basis, but the Submitter could not then itself submit on a global basis.

3. That said, on the basis of Ms Coulter’s notification, the Submitter has been notified more explicitly in Ms Coulter’s letter of:

- Notice of Requirement - New Rapid Transit Corridor, including a walking and cycling path (NoR 1).

- Notice of Requirement - New Rapid Transit Station at Pine Valley Road /NoR 3)
  - Notice of Requirement - Upgrade to Pine Valley Road (NoR 7)
4. The Submitter is submitting on all and any notice of requirements (**NoRs**) that may affect its land or interests.
  5. The Submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

**Specific provisions of the notice of requirement that the submission relates to**

6. The Submitter is particularly interested in any and all of the NoRs notified to it that affect its interests, such as its land at 10 Old Pine Road ("**Submitter's Land**").

**The submission is**

7. The Submitter opposes all aspects of the notice of requirement(s) that affect the Submitter's Land.

**Submission / Reasons for submission**

8. The Submitter wishes to develop and/ or sell the Submitter's Land. 22.1
9. In respect of sale, the owner has tried but been unable to enter into an agreement for the sale of the Submitters' Land at a price not less than the market value that the Submitters' Land would have had if it had not been subject to NoRs notified to it. 22.1
10. The NORs, as they apply to the Submitter's Land:
  - (a) do not promote the sustainable management of natural and physical resources, and, in fact is contrary to it through frustrating the ability of the Submitter to give effect to its recently granted Resource Consent; 22.2
  - (b) do not enable the social, economic and cultural well-being of the community; 22.3
  - (c) do not meet the reasonably foreseeable needs of future generations; 22.□
  - (d) do not represent integrated management or sound resource management practice; 22.2
  - (e) do not implement and/or give effect to the objectives, policies, and other provisions of the Unitary Plan, and the other relevant planning instruments, including the NPS-UD; 22.□
  - (f) have not adequately considered alternative sites or routes to avoid effects on the Submitter's Land; 22.□

- (g) overall are inconsistent with Part 2 of the RMA and ultimately does not achieve its purpose

22.2

**Relief sought**

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11. The Submitter requests the following recommendation from the Council and/or decision from Auckland Transport:
- (a) decline or otherwise refuse the notice of requirement as it relates to the Submitter's Land;
  - (b) amend the notice of requirement so that to reduce any intrusion onto the Submitter's land; and
  - (c) any other amendments to the notice of requirement to avoid, remedy or mitigate effects on the Submitter's Land, or to otherwise address the concerns, issues, and other matters raised in this submission (including any necessary additional or consequential relief).

**Wish to be heard**

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12. The Submitter wishes to be heard in support of its submission.
13. If others make similar submissions, the Submitter will consider presenting a joint case at any hearing.

**DATED** 14 December 2023



Project Manager for the Submitter

**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1210] Notice of Requirement online submission - martin Rees Cooper and Kim vanhest  
**Date:** Thursday, 14 December 2023 2:15:43 pm

---

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

**Contact details**

Full name of submitter: martin Rees Cooper and Kim vanhest

Organisation name:

Full name of your agent: martin cooper

Email address: martin.cooper@harcourts.co.nz

Contact phone number: 021666554

Postal address:  
1008 dairy Flat HW  
albny  
auckland 0632

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 12 Upgrade and Extension to Bawden Road

The specific provisions that my submission relates to are: 23.1  
1008 dairy flat HW some to maybe in the next 10 to 30 plus years is way to long

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: 23.1  
put uncertianty of new buyers over the propret if we want to sell

I or we seek the following recommendation or decision from Auckland Council:  
deside sooner on the furute use

Submission date: 14 December 2023

**Attend a hearing**

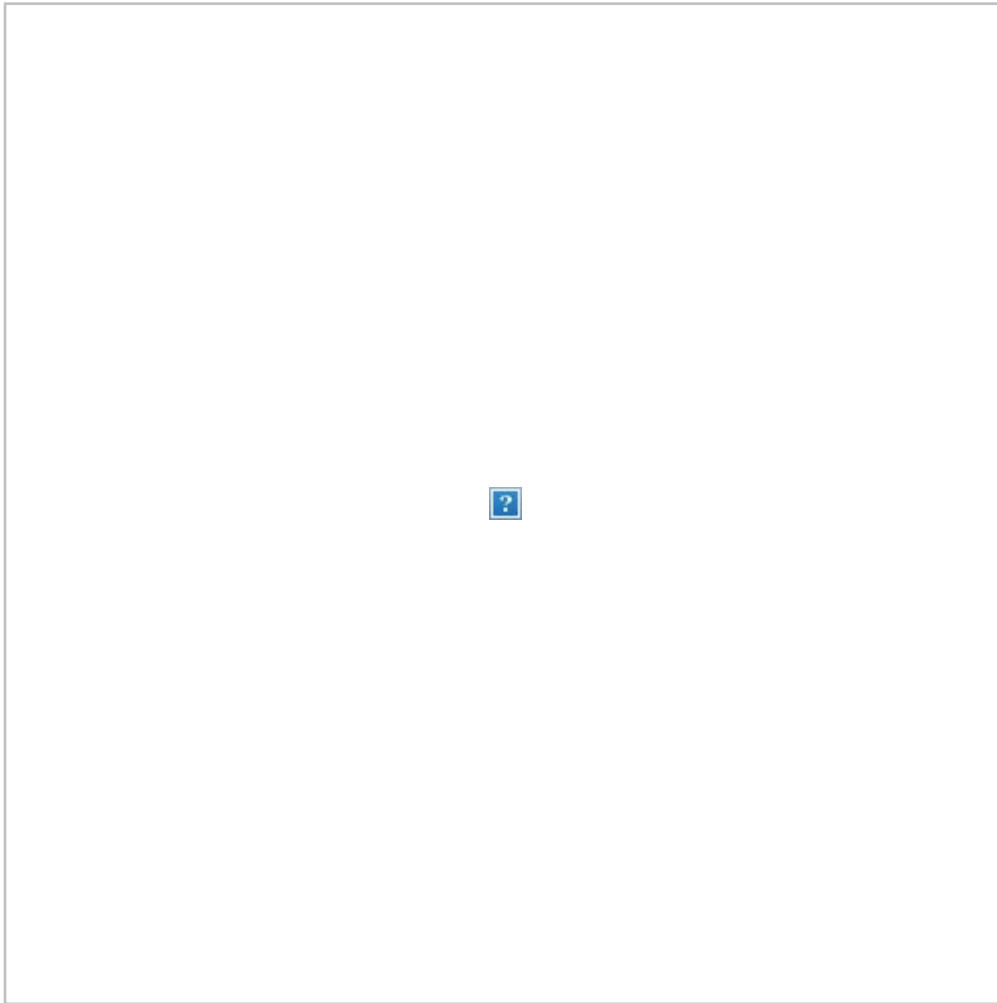
Do you wish to be heard in support of your submission? Yes

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.



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.

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) Mrs Emma-Kate Nielsen

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

**Address for service of Submitter**

2 Potter Road, RD2 Albany, Auckland 0792

Telephone: 211417387

Email: emmaanddan@xtra.co.nz

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

By: Name of Requiring Authority Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

**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:**

Refer to attachment

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(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).

Refer to attachment


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- 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)

12/12/2023  
 \_\_\_\_\_  
 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 to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

**The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 2□1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area. 2□1
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 2□1
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 2□2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 2□3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”. 2□□
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust. 2□2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!



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



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 Auckland Council  
 Level 16, 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 Dan Nielsen

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

**Address for service of Submitter**

2 Potter Road, RD2 Albany, Auckland 0792

Telephone:

21437451

Email:

emmaanddan@xtra.co.nz

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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**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:**

Refer to attachment

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(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).

Refer to attachment

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- 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)

12/12/2023

Date

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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

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Attn: Planning Technician  
Auckland Council  
Level 16, 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 John Geare

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

Address for service of Submitter

84. Postman Road, R D4, Albany  
0794.

Telephone: 021 201 6644 Email: nsgeare@xtra.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority	Waka Kotahi NZ Transport Agency
For: A new designation or alteration to an existing designation	North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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:

Refer to attachment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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).

Refer to attachment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

*Nia Greave*

*13/12/23.*

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

Date

**Notes to person making submission:**

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## Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd

### The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 2□1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area. 2□1
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 2□1
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 2□2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 2□3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”. 2□□
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust. 2□2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### I/~~We~~ seek the following recommendation or decision from the Council:

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

# 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) Susan Geare.

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

Address for service of Submitter

84 Postman Road, RD4, Albany,  
0794.

Telephone: 021 201 6644.

Email: nsgeare@xtra.co.nz.

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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:

Refer to attachment

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(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).

Refer to attachment

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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

S. Cleare

13.12.23.

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

Date

**Notes to person making submission:**

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### The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 2□1
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- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of "least regret". 2□□
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR's regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR's to be premature and unjust. 2□2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### ~~We~~ seek the following recommendation or decision from the Council:

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

**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

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Attn: Planning Technician  
Auckland Council  
Level 16, 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) Erwin De Keyser/Sonia van Liefferinge

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

**Address for service of Submitter**

93 Grace Hill Drive, 0792 Dairy Flat

Telephone:  Email:

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

**By:** Name of Requiring Authority   
**For:** A new designation or alteration to an existing designation

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

**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:**

Dairy Flat South is unsuited to urbanisation (and should revert to Countryside Living) 2□1

The RTC is in the wrong place for this vision of the future; but the "right" rouet can't be determined until the urban planning is done. 2□2

Now we live in a private exclusive road, and paid for this exclusivity a high price. 2□3

With the NoR1 we even won't have access to our house, this will cause a decline in value of our property.

(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).

Withdraw NoR 1. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed. We anticipate it may be a decade or more before this planning process reaches a conclusion.

- 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)

13/11/2023

Date

**Notes to person making submission:**

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Auckland 1142

For office use only

Submission No:

Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Ms/Ms (Full Name)

Lew Anthony Johnson

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

Address for service of Submitter

1153 Dairy Flat Highway, Dairy Flat

Telephone:

027 337 5019

Email:

lew@healthchemist.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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:

Refer to attachment

(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).

Refer to attachment

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

13/12/23

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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

**Auckland Council**



To Kaunhera o Tamaki Makaurau

FORM 21

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Attn: Planning Technician  
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Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Ms/Ms/Ms (Full Name)

Lew Anthony Johnson

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

Address for service of Submitter

1153 Dairy Flat Highway, Dairy Flat  
Postal P.O. Box 187 Albany Village, Auckland 0750

Telephone: 027 337 5019

Email: lew@healthchemist.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

North: (NoR 8) Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat

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

1153 Dairy Flat Highway

My submission is:

I or we support of the Notice of Requirement

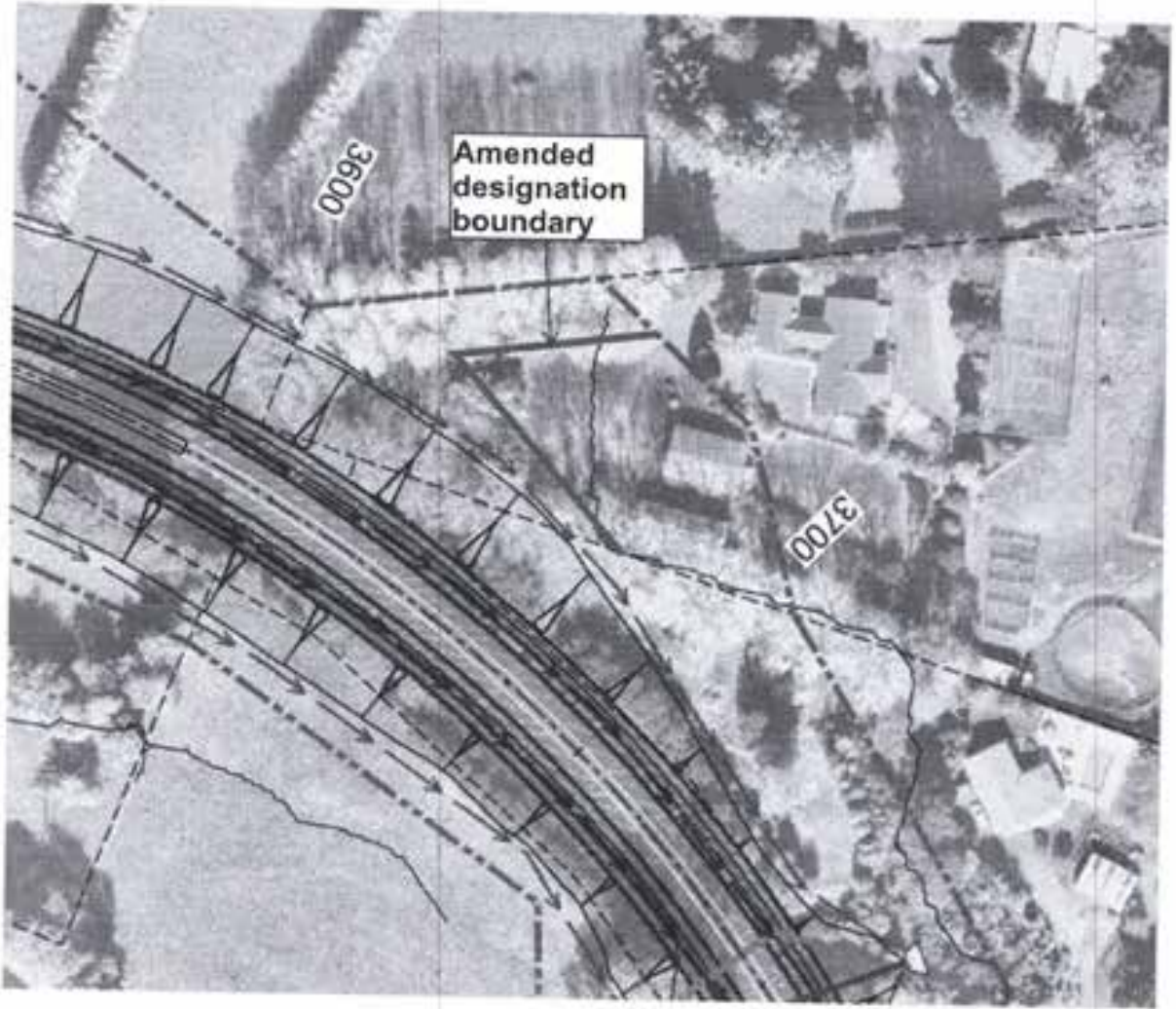
I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

The extent of our property that is covered by the NoR is excessive. We believe the planned highway widening and raising can be accomplished and our legal access reestablished, without encroaching so deeply into our property. The proposed designation will unnecessarily limit our future use of the existing barns on the property.

2 of 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).

Amend the NoR to reduce the extent of land coverage to the realistic minimum needed for the future highway widening and driveway reestablishment. The attached sketch illustrates what we consider is feasible and reasonable.

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

13/12/23

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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

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Level 16, 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)

Andrew David Kenneth Chalmers

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

**Address for service of Submitter**

86 Bawden Road, Dairy Flat, Auckland

Telephone:

212494096

Email:

chlamers.andrew@icloud.com

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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**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:**

Refer to attachment

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Signature of Submitter  
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12/14/2023  
Date

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### The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. In particular, we are concerned about the value and number of houses that are being affected by the rapid transit route.
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area.
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed.
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor.
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence.
- Clearly the fastest and most cost-effective route for the rapid transit corridor is to follow State Highway 1 North, alongside the motorway and upgrade the relevant feeder routes such as Bawden Road, including a park and ride. The proposed route covers more distance than simply following State Highway 1, so again increasing costs.
- In the face of the uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- We are concerned that the NoR’s are being issued before funding is available and with no timeline as to when the works are to be undertaken. Our understanding is that they may not be done for some 20 to 50 years (if at all).. Protecting the land so far in advance seems an abuse of process. To protect land some 20 years out, puts the land and the owners in limbo because to sell becomes difficult (if not impossible) and to invest further in the property is pointless. So, owners are expected to hold and fund the land in its current state for an indefinite period in the future. For older owners, that means remaining on the land until 80 years old.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the

need and timing of the public works, we consider the imposition of the NoR's to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

## Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd

### The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. In particular, we are concerned about the value and number of houses that are being affected by the rapid transit route.
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area.
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed.
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor.
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence.
- Clearly the fastest and most cost-effective route for the rapid transit corridor is to follow State Highway 1 North, alongside the motorway and upgrade the relevant feeder routes such as Bawden Road, including a park and ride. The proposed route covers more distance than simply following State Highway 1, so again increasing costs.
- In the face of the uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- We are concerned that the NoR’s are being issued before funding is available and with no timeline as to when the works are to be undertaken. Our understanding is that they may not be done for some 20 to 50 years (if at all).. Protecting the land so far in advance seems an abuse of process. To protect land some 20 years out, puts the land and the owners in limbo because to sell becomes difficult (if not impossible) and to invest further in the property is pointless. So, owners are expected to hold and fund the land in its current state for an indefinite period in the future. For older owners, that means remaining on the land until 80 years old.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the

need and timing of the public works, we consider the imposition of the NoR's to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

## Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd

### The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. In particular, we are concerned about the value and number of houses that are being affected by the rapid transit route.
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area.
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed.
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor.
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence.
- Clearly the fastest and most cost-effective route for the rapid transit corridor is to follow State Highway 1 North, alongside the motorway and upgrade the relevant feeder routes such as Bawden Road, including a park and ride. The proposed route covers more distance than simply following State Highway 1, so again increasing costs.
- In the face of the uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- We are concerned that the NoR’s are being issued before funding is available and with no timeline as to when the works are to be undertaken. Our understanding is that they may not be done for some 20 to 50 years (if at all).. Protecting the land so far in advance seems an abuse of process. To protect land some 20 years out, puts the land and the owners in limbo because to sell becomes difficult (if not impossible) and to invest further in the property is pointless. So, owners are expected to hold and fund the land in its current state for an indefinite period in the future. For older owners, that means remaining on the land until 80 years old.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the



need and timing of the public works, we consider the imposition of the NoR's to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

## 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

SALLY JANE PATERSON

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

Address for service of Submitter

27 KENNEDY RD DAIRY FLAT AUCKLAND 0792

Telephone:

0272146020

Email:

PATERSON0792@GMAIL.COM

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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:

Refer to attachment

(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).

Refer to attachment

- 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)

14.12.2023

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 to Submission on "North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path", with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

**The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 31.1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council's current vision for the area. 31.1
- Taking account of both the above factors, Auckland Council's current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 31.1
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 31.2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 31.3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of "least regret". 31.□
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR's regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR's to be premature and unjust. 31.2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

**I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!



**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: Auckland Council  
Unitary Plan  
Private Bag 92300  
Auckland 1142  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

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

Address for service: Incite (Agent for the Ministry of Education)  
PO Box 3082  
Auckland 1140

Attention: Chris Horne

Phone: 09 369 1465

Email: [chris@incite.co.nz](mailto:chris@incite.co.nz)

**This is a submission on the 13 Te Tupu Ngātahi Notices of Requirement for North Auckland as follows:**

- **North Transport Project NoR 1: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)**
- **North Transport Project NoR 2: North: New Rapid Transit Station at Milldale (Waka Kotahi NZ Transport)**
- **North Transport Project NoR 3: North: New Rapid Transit Station at Pine Valley Road (Waka Kotahi NZ Transport)**
- **North Transport Project NoR 4: North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)**

- **North Transport Project NoR 5: North: New State Highway 1 Crossing at Dairy Stream (Auckland Transport)**
- **North Transport Project NoR 6: North: New Connection between Milldale and Grand Drive, Orewa (Auckland Transport)**
- **North Transport Project NoR 7: North: Upgrade to Pine Valley Road (Auckland Transport)**
- **North Transport Project NoR 8: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (Auckland Transport)**
- **North Transport Project NoR 9: North: Upgrade to Dairy Flat Highway between Dairy Flat and Albany (Auckland Transport)**
- **North Transport Project NoR 10: North: Upgrade to Wainui Road (Auckland Transport)**
- **North Transport Project NoR 11: North: New Connection between Dairy Flat Highway and Wilks Road (Auckland Transport)**
- **North Transport Project NoR 12: North: Upgrade and Extension to Bawden Road (Auckland Transport)**
- **North Transport Project NoR 13: North: Upgrade to East Coast Road between Silverdale and Redvale (Auckland Transport)**

**The Ministry is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.**

**The specific parts of the notice of requirement that this submission relates to are:**

Those parts of the proposals that either physically affect proposed and existing schools, and/or conditions to ensure that detailed design appropriately addresses integration with adjacent schools and construction effects including heavy traffic routes. This includes the physical extent of the proposed designations and general arrangements in NoR 6, NoR 8 and NoR 10, and conditions relating to designation review and the Land Integration Process in NoRs 5-13, and the stakeholder engagement and construction traffic management conditions in all NoRs.

### **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. This is 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 in the Auckland region.

**The Ministry of Education's submission is:**

The Ministry is neutral on whether the various projects set out in the NoRs should proceed. However, the Ministry **opposes the proposed designations in part** unless the matters set out in this submission are appropriately addressed.

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, Waka Kotahi NZ Transport Agency and Auckland Transport have lodged 13 Notices of Requirement (NoR) to designate land, or in the case of NoR 4 to alter existing designations, for future strategic transport projects in North Auckland (the Project). These designations enable the future construction, operation and maintenance of transport infrastructure to support anticipated growth in the north of Auckland between Orewa and Silverdale over the next 30 years or more.

The location of each NoR in relation to and the Ministry's assets is shown in **Figure 1**,

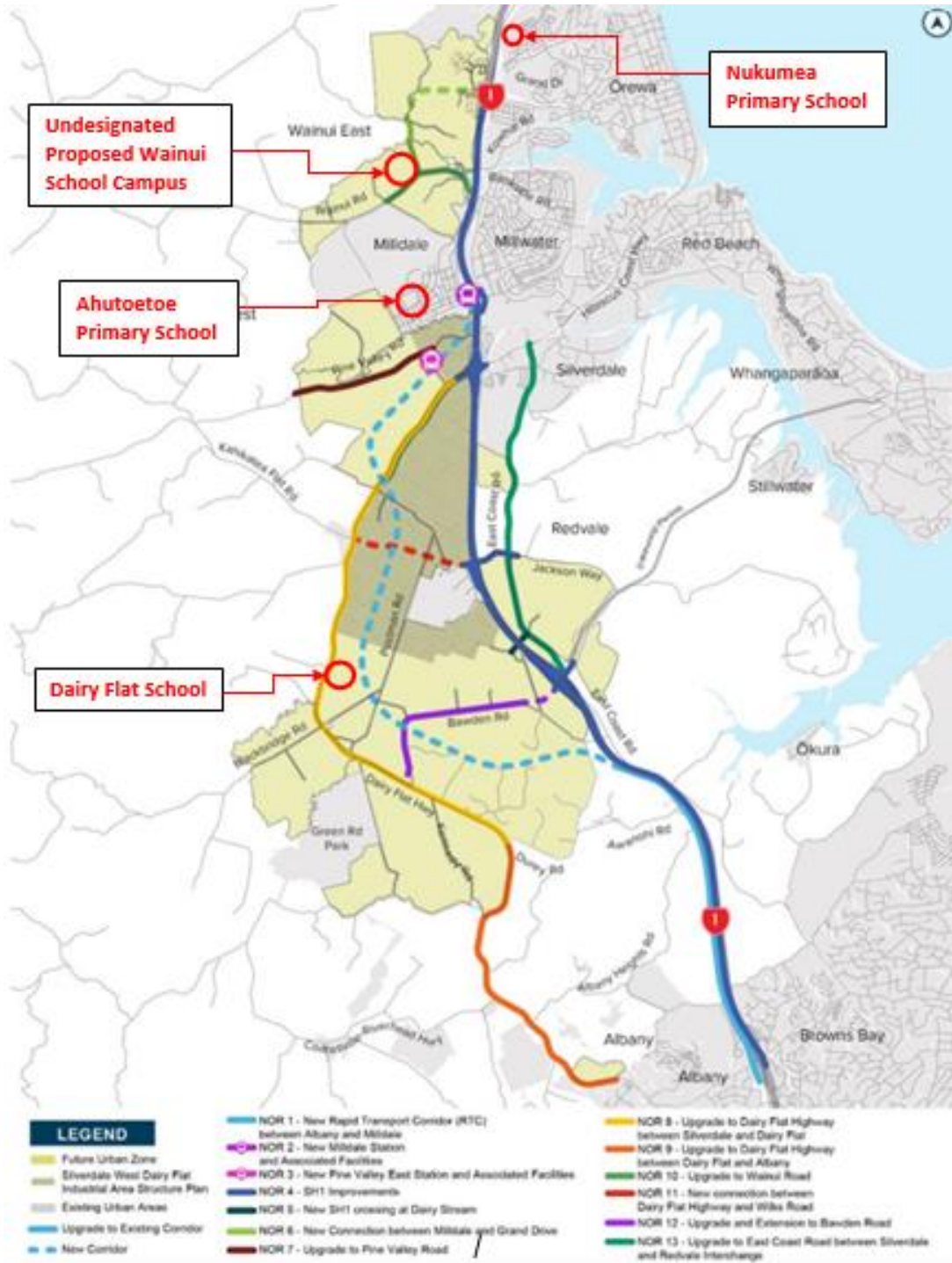


Figure 1: Project Overview - Location of NoRs in relation to the Ministry of Education's School Network.



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, two school sites are directly affected by the Project. These are:

- Dairy Flat School, a primary school at 1220 Dairy Flat Highway (Designation ID 4563), affected by NoR 8; and
- Land at 15-37 Upper Orewa Road, Wainui (three titles, two of which are acquired and the third under negotiation for purchase) on which the Ministry proposes a campus with a secondary school, primary school and special school, affected by NoR 6.

NoR 10 affecting Wainui Road will also impact on future access solutions to the proposed future Wainui school campus site.

Other schools in the project area include Ahutoetoe Primary School, 89 Maryvale Road (Designated ID 4664 – designated as Milldale Primary School), and the recently opened Nukumea Primary School, 11 Crozier Place, Orewa (Designation ID 4666). Nukumea Primary School is adjacent to the SH1 corridor, but it has no direct connection and there are no changes to the State Highway designation at this location.

Aside of direct impacts on adjacent schools, 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 6, NoR 8, and NoR 10. Additionally, the general approach to construction management and the use of heavy vehicles during construction and their routes in relation to all NoRs is of interest to the Ministry in regard to potential adverse effects on existing and potential future schools at peak pick-up and drop-off times.

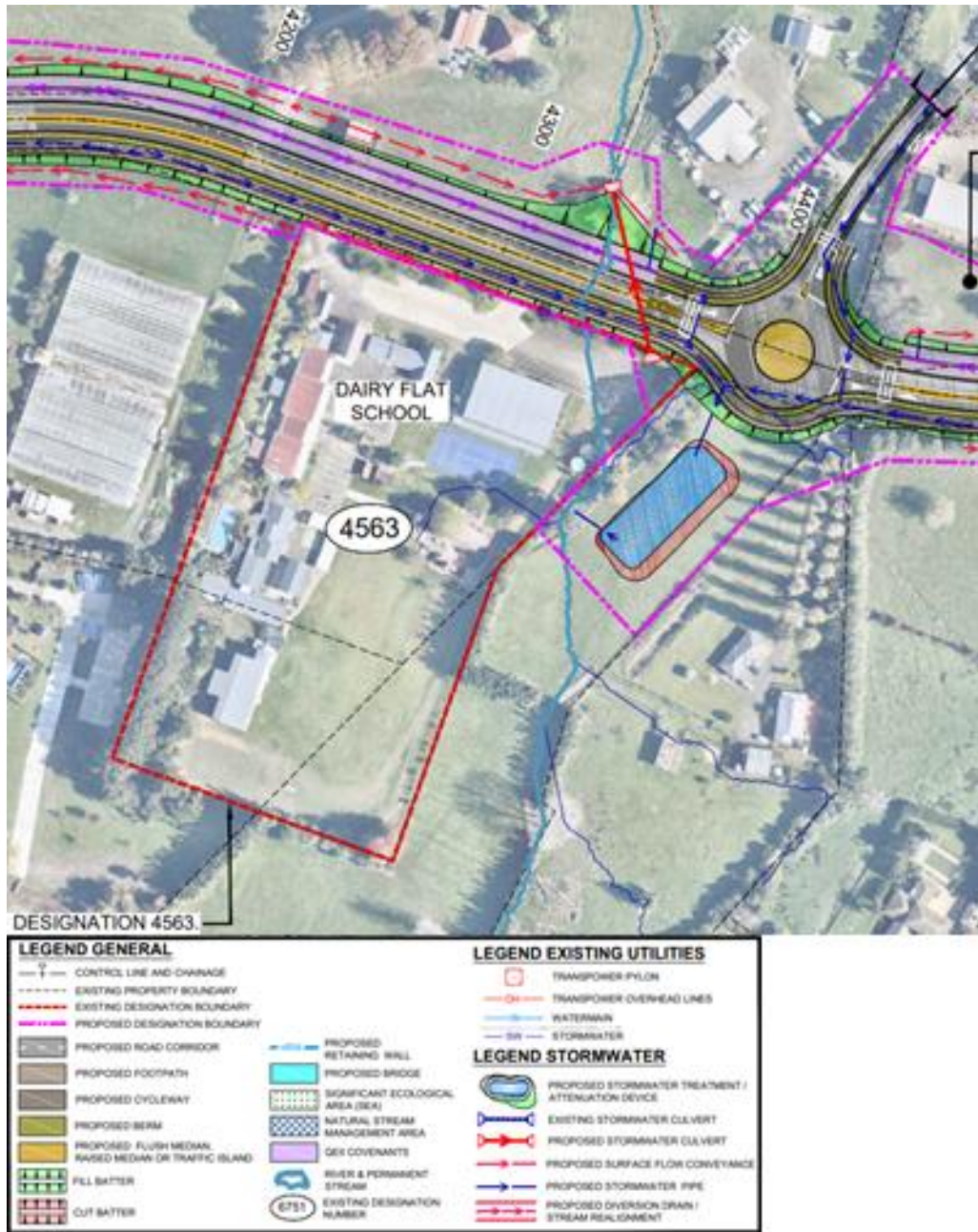


Figure 2: Proposed works in proximity to the Dairy Flat School

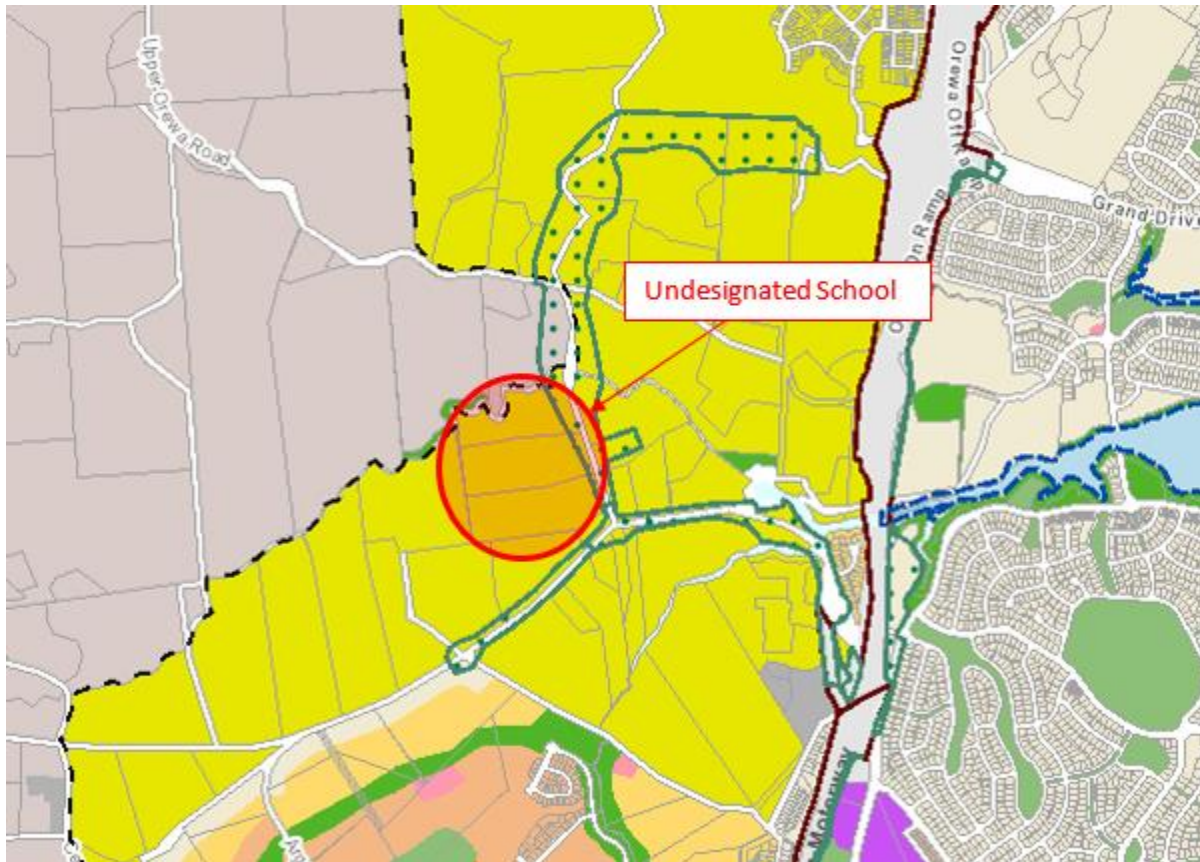


Figure 3: NoR 6 and 10 Footprints in relation to proposed Wainui School campus on Upper Orewa Road

### 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 and will reduce 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 generally provide adequate cycling and walking infrastructure to the schools in Orewa.

Regarding NoR 8 at Dairy Flat School, a two-lane rural arterial is proposed on this section with a 60km per hour speed limit area proposed (noting that one side of this road is zoned for future urbanisation). As public bus stops across the road are used by school children, the Ministry requests that this section of Dairy Flat Highway has a 50 km/hr speed limit and a pedestrian crossing is installed as part of the project when it proceeds, which will be more reflective of its future urban context. Also, for all existing school sites at the time works proceed, at least a 3m wide footpath should be installed along school frontages if not already implemented.



### **Dairy Flat School – NoR 8**

NoR 8 comprises a proposed two-lane rural arterial adjacent to the school with separated cycle and pedestrian facilities and a 60 km/hr speed limit. A proposed three leg round-a-bout is also generally adjacent to the school (see Figure 2 above). In consultation with the school, the Ministry has identified the following issues:

- The designation footprint impacts on part of the existing school car park which affects the turning area and approximately 3 parking spaces. It is unclear if this is for construction only or will permanently impact the car park. Reconfiguration may be required. It is noted that the area affected is already designated for educational purposes which has priority of any later designation by Auckland Transport. Access to this area and/or part removal of the school designation would be dependent on any issues identified being appropriately mitigated. AT will need to obtain 176(1)(b) approval from the Minister of Education (via the Ministry) prior to any use of this land, as it will affect the Ministers Education purpose designation.
- Widening along Dairy Flat Highway will impact on the existing road berm area used for pick-up and drop-off. This is an existing rural school and relies on this area for practical provision of pick up and drop off. Loss of this area is of concern to the school. It is unclear how it can be mitigated by the project.
- There is a public bus stop on the opposite side of the road used by students. There is no pedestrian crossing at this location as it is currently a rural road with an 80km/hr speed limit. The area will become more urban over time. As part of its future upgrade to an arterial, a 50 km/hr speed limit past the school and provision of a pedestrian crossing are requested.
- Reconfiguration of the road and bus stops (both sides of the road) needs to ensure buses can be safely accommodated including bus queuing.
- Any future footpath along the school frontage should be a minimum width of 3m to accommodate peak usage at pick-up and drop-off times.
- Drainage works are proposed including a new culvert crossing the highway that has an outlet terminating adjacent to the school frontage, and a stormwater pond discharging to the stream adjacent to the school. The Ministry wishes to ensure the design properly takes mitigates any flood risks to the school.
- It is unclear how the new arterial would affect the safety of the existing school access. Alternative access needs to be considered. An option that should be considered is a fourth leg off the round-a-bout adjacent to the proposed stormwater pond to provide alternative access to the school. This land may also provide opportunities to address loss of on-site car parks and removal of pick-up and drop-off on the existing road berm. This could also potentially improve efficiency of the road if it became the primary entry for pick-up and drop-off activity.
- Reinstatement of fencing on the road boundary to protect the health and safety of young children on the future arterial requires consideration.

Amendments to proposed designation conditions are sought to ensure these matters are properly addressed as part of land use integration and stakeholder engagement.

### **Proposed Wainui School Campus – Upper Orewa Road – NoRs 6 and 10**

NoR 6 proposes an upgrade to Upper Orewa Road including its connection to Wainui Road, and extension of a road corridor through to the Orewa Interchange. The intent of this work is supported as it will provide better connectivity for the future catchment of the proposed Wainui School campus which is envisaged to have a secondary school, primary school and specialist school. It will therefore be a strategic educational asset for this part of Auckland. Designation for this school is expected to be sought in 2024 when all land acquisition processes are finalised. An upgrade to the interaction between Upper Orewa Road and Wainui Road is also supported.

NoR 6 has a significant impact on the frontage of the properties the Ministry has acquired or is acquiring for the school. As shown in Figure 4 below, the general arrangement shows a relatively large impact on the school from the batters may not be conducive to a suitable school access and interface between the school and the road. The Ministry has had previous discussions with Auckland Transport about this school proposal and whilst the school proposal is acknowledged in the NoR documents, the indicative arrangement shown is of concern in regard to compatibility with the school campus. The school campus site is shown in the draft structure plan prepared by Fulton Hogan as part of its private plan change proposal to urbanise adjacent land.



Figure 4: NoR 6 Future School Campus Site indicated by stars (east is at the top of this plan)



The Ministry also wishes to ensure that any culverts across Upper Orewa Road are properly sized and road levels set to ensure any high rainfall events do not cause any flooding events on the future school campus site.

NoR 10 is also relevant as it involves an upgrade to Wainui Road, and intersection upgrades at both Upper Orewa Road and Lysnar Road. The Ministry envisages that the future school campus would require access from both Upper Orewa Road and an extension to Lysnar Road as the school reaches its full masterplan roll. The Ministry is working with Fulton Hogan who owns the land needed to connect an extension of Lysnar Road to the proposed school campus. As the majority of students for the secondary school reside in the Milldale residential development, south of Wainui Road, the Ministry considers that a signalised intersection to Lysnar Road would provide for more suitable active mode connections across Wainui Road.

#### Designation boundary overlap

The Ministry supports proposed Condition 3 of the proposed Auckland Transport designation (NoRs 5-13), which requires the Requiring Authority to review the physical extent of the designation and pull it back after construction.

When the Ministry develops its Wainui site or any other site that may be affected by these designations in the future given the long lapse periods, 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 may change the gradient and interface on the school campus 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 campus site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks before the road project proceeds, then the NoR boundaries can be revised.

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

### **All NORs - General Matters Relating to Existing and Future Schools**

#### Construction noise and vibration

32.1

Existing and future schools may be affected by construction noise and vibration. Under proposed Condition 19 for NoRs 1-3, Condition 17 for NoR 4 and Condition 19 for NoRs 5-13, the Requiring Authorities are required to develop a Construction Noise and Vibration Management Plan (CNVMP) before construction commences. The Ministry requests that the Ministry and any affected schools are engaged with regard to any potential construction noise and vibration impacts. In addition, the Ministry requests that any construction activities that could be expected to significantly exceed the permitted noise and/or vibration levels are undertaken outside of study and exam periods to minimise disruptions to students' learning.



### Construction traffic effects

Construction of all projects has the potential to cause traffic safety issues for existing and potential future schools that may be in operation before the road projects proceed. This is particularly in regard to works outside or adjacent to schools, and heavy traffic routes for construction traffic which may pass in the vicinity of school sites. The primary traffic safety concern is for students walking and cycling to school at peak pick-up and drop-off times.

32.2 Each NoR includes a condition requiring 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 provide a more explicit focus on the need to manage heavy traffic routes that pass in the vicinity of schools during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school.

### Stakeholder engagement

32.3 The Ministry supports the establishment of a Stakeholder Communication and Engagement Management Plan (SCEMP) as a proposed condition. We consider that the Ministry, Dairy Flat School (in specific regard to NoR 8), and future schools (currently this includes the Wainui School campus affected by NoRs 6 and 10) are all key stakeholders in this Project and specific engagement with all parties is required to manage the construction effects on the schools.



**Decision sought**

If the consent authority is of a mind to recommending that the NoRs be confirmed, the Ministry requests the following relief and any consequential amendments required to give effect to the matters raised in this submission.

The Ministry also requests further engagement with Auckland Transport over the alignment of the road and extent of proposed works specifically in regard to Dairy Flat School and the proposed Wainui School Campus on Upper Orewa Road, and the intersection treatment of Wainui Road and Lysnar Road, to ensure there are suitable outcomes for these schools, while still achieving the intended outcomes of the Project.

Changes to Conditions

The Ministry seeks the following relief for the conditions below (additions are underlined):

**Designation Review (NoRs 5-13)**

32.□

**Amend** Condition 3 as follows:

- (a) *The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable or where a portion of the works are delivered by a third-party Developer or Development Agency:*
  - (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.*

32.□

**Land Integration Process (NoRs 5-13)**

**Amend** Condition 10 as follows:

*The Requiring Authority shall set up a Land use Integration Process for the period between confirmation of the designation and the Start of Construction. The purpose of this process is to encourage and facilitate the integration of master planning and land use development activity on land directly affected or adjacent to the designation. To achieve this purpose:*

- (a) *Within twelve (12) months of the date on which this designation is included in the Auckland Unitary Plan, the Requiring Authority shall include the contact details of a nominated contact on the project website (or equivalent information source) required to be established by Condition 2(a)(iii).*
- (b) *The nominated contact shall be the main point of contact for a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the designation.*
- (c) *At any time prior to the Start of Construction, the nominated contact will be available to engage with a Developer or Development Agency for the purpose of:*





- (i) *responding to requests made to the Requiring Authority for information regarding design details that could assist with land use integration; and*
- (ii) *(receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration.*
- (iii) **Integrating any Developer or Development Agencies designs into the Requiring Authority's development plan to be included in any Outline Plan of Works.**
- (d) .....

**Stakeholder and Communication and Engagement Management Plan (SCEMP) (NoRs 1-13)**

32.3

**Amend** Condition 13 (NoRs 1-3), Condition 11 (NoR 4) and Condition 15 (NoRs 5-13) as follows:

- (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) *a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with;*
  - (v) **methods for engaging with the Ministry of Education and schools in the Project area including any future schools that have or are being acquired but are not yet designated;**
  - (vi) ....

**Construction Traffic Management Plan (CTMP) (NoRs 1-13)**

32.2

**Amend** Condition 16 (NoRs 1-3), Condition 14 (NoR 4) and Condition 18 (NoRs 5-13) as follows:

- (a) *A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. 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, **and in particular the avoidance of heavy traffic in the vicinity of schools around peak pick-up and drop-off times,** 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;*
- (vi) *methods to maintain 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 to be achieved during the construction phase, including any measures to monitor compliance with the performance parameters; and*
- (xi) *(xi) details of any measures proposed to be implemented in the event of thresholds identified in (x) being exceeded.*

#### Site Specific Matters – Design Outcomes (NoRs 6, 8 and 10 only)

The Ministry will use the Land Integration Process and stakeholder engagement to seek the following design outcomes:

#### **NoR 8: Dairy Flat School**

That detailed design specifically considers the matters set out in relation to NoR 8 in this submission including:

- Suitable vehicle access to the school site, which may be a fourth leg to the proposed round-about.
- provision of suitable and pick up and drop off areas to mitigate any loss of these facilities.
- safe configuration of on-street public bus stops.



- implementation of a 50 km/hr speed limit area adjacent to the school and provision of a pedestrian crossing to provide safe access to the bus stop across Dairy Flat Highway.
- design of stormwater infrastructure to mitigate any stormwater effects on the school.
- a minimum 3m wide footpath on the school side of the road.
- Provision of suitable fencing at the road and school interface.

***NoR 6: Upper Orewa Road – integration with proposed Wainui School***

That the Requiring Authority reviews the extent of the designation footprint on the proposed Wainui School campus with the adjacent proposed school in mind to ensure it is necessary and appropriate for the proposed works.

That detailed design specifically considers the matters set out in relation to NoR 6 in this submission including:

- The interface between any road upgrades and the proposed adjacent school campus is addressed. In particular, the levels of Upper Orewa Road relative the adjacent school site will need to be considered to ensure the interface is practical and appropriate.
- Any culverts across Upper Orewa Road are properly sized and road levels set to ensure any high rainfall events do not cause flooding on the future school campus site.

***NoR 10: Wainui Road Upgrade – Form of Intersection upgrade with Lysnar Road to integrate with proposed Wainui School***

That the Requiring Authority implement a signalised intersection rather than a round-a-bout to improve connectivity between the existing extent of the Milldale residential development and the proposed school for active modes.

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 submission.**

**The Ministry does not wish to present a joint case with other submitters.**



**Te Tāhuhu o  
te Mātauranga**  
Ministry of Education

A handwritten signature in blue ink, appearing to read 'Chris Horne', written over a light yellow rectangular background.

**Chris Horne**  
**Consultant Planner for Ministry of Education**

**Date:** 14 December 2023

## **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).

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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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

Nigel Kay and Emily Mill

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

**Address for service of Submitter**

95 Postman Rd, Dairy Flat

Telephone:

21622016

Email:

anpkay@gmail.com

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency **& Auckland Transport**

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

**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:**

Refer to attachment

(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).

Refer to attachment

- 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.

## **Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

### **The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision.
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area.
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed.
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor.
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence.
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### **I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!



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

Sections 156A, 158, 161, 163A, 190, and 195A of the Resource Management Act 1991



FORM 21

Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to:

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

shufang yang

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

Address for service of Submitter

99 postman Road dairy flat

Telephone:

02102907550

Email:

sfydfn2@gmail.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

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 Nobce of Requirement

The reasons for my views are:

Refer to attachment

## 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).

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Attachment to Submission on "North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path", with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd

The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 3□1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council's current vision for the area. 3□1
- Taking account of both the above factors, Auckland Council's current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 3□1
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 3□2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 3□3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, at the alignment of "least regret". 3□□
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR's regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR's to be premature and unjust. 3□2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

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

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date)

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(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).

Refer to attachment

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- 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 authorized to sign on behalf of submitter)

14/12/2023  
 Date

**Notes to person making submission:**  
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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

*Dairy Flat 0792*

Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) Mrs Kim Valerie Campbell

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

**Address for service of Submitter**  
52 Follies Way, Dairy Flat 0792

Telephone: 21628944 Email: campbellniels@gmail.com

Contact Person: (Name and designation if applicable)

*MY HUSBAND, NIELS CAMPBELL (contact details as above)*

**This is a submission on a notice of requirement:**

**By:** Name of Requiring Authority

Waka Kotahi NZ Transport Agency and Auckland Transport

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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**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:**

**Refer to attachment**

**In addition, my reasons also specifically include in relation to 16 Follies Way**

1. The specific area designated for the works is greater than is necessary especially as Bawden Rd is being realigned away from no16

3  1

2. The works will have a major impact on the 19 properties with rights to use no 16's driveway

3  2

3. The works will impede the operations of the equestrian centre, which requires all weather access by horse trucks and trailers

3 of 3

(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).

### Refer to attachment


In addition, in relation to 16 Follies Way:

1. The extent of the designated area be reduced to what is necessary
2. Any works undertaken specifically provide for the continuation of all weather access to our driveway

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

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

12/23/2014

Date

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## Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd

### The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 3□□
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We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

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**Submission on the Thirteen Notices of Requirement for the North Projects lodged by Waka Kotahi NZ Transport Agency and Auckland Transport as requiring authorities 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 North Projects

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

**ADDRESS FOR SERVICE:** Mark Bishop  
Regulatory & Policy Manager  
Watercare Services Ltd  
Private Bag 92 521  
Wellesley Street  
AUCKLAND 1141  
Phone:022 010 6301  
Email: [Mark.Bishop@water.co.nz](mailto:Mark.Bishop@water.co.nz)

**DATE:** 14 December 2023

**1. INTRODUCTION**

- 1.1 Watercare is pleased to have the opportunity to make a submission on the thirteen NoRs for the "North Projects" lodged by Waka Kotahi NZ Transport Agency ("**Waka Kotahi**") and Auckland Transport as requiring authorities under the Resource Management Act 1991 ("**RMA**").
- 1.2 Watercare neither supports nor opposes the NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made to confirm the NoRs 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 ("Council"). Watercare has a significant role in helping Auckland Council achieve its vision for the city. Our services are vital for life, keep people safe and help communities to flourish.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.7 million people in the Auckland region. Over the next 30 years, from 2023 – 2053, this is expected to increase by another 520,000 people, potentially requiring another 200,000 dwellings along with associated drinking water, stormwater and wastewater infrastructure. The rate and speed of Auckland's population growth puts pressure on our communities, our environment, and our housing and infrastructure networks. It also means increasing demand for space, infrastructure, and services necessary to support this level of growth.
- 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.<sup>1</sup>
- 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 recently adopted Auckland Council Future Development 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.<sup>2</sup>

## 3. PLANNED AND EXISTING WATERCARE ASSETS

- 3.1 The Assessment of Effects on the Environment for the NoRs does not identify any Watercare assets within the NoR project areas.<sup>3</sup> However, some of the project areas for the NoRs are within areas where Watercare has planned for future infrastructure development, as detailed at paragraph [3.4].
- 3.2 Water and wastewater infrastructure to be developed within the areas covered by the NoRs broadly falls in two categories; developer-led infrastructure to service growth at a local network level, and Watercare-led infrastructure to service growth at a bulk level.
- 3.3 Watercare may have some awareness of developer-led infrastructure projects within the covered areas, but it is important to clarify that Watercare is not responsible for and does not have direct control over these projects until they are finished and officially vested. It is also worth noting that Watercare has limited insight into the details of developer-led infrastructure projects, however as previously noted, wishes to remain involved in future engagement to ensure alignment between infrastructure providers.

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<sup>1</sup> LGA, s 59.

<sup>2</sup> Local Government (Auckland Council) Act 2009, s 57.

<sup>3</sup> Assessment of Effects on the Environment for the North Project (dated September 2023).

3.4 Specific commentary regarding known projects within Watercare's Asset Management Plan to service growth at a bulk level is outlined below. Solutions and alignments/locations are subject to change as we learn more, progress our projects and the area develops. There is also potential for new needs to surface, necessitating further bulk infrastructure. Ongoing engagement is critical to maintain alignment.

**a) NoR North Projects: New Rapid Transit Corridor, including a walking and cycling path (NoR 1)<sup>4</sup> – Waka Kotahi (NZTA)**

- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 1.
- Watercare plans to install a new wastewater pump station in Silverdale West which will convey flows to Milldale via a rising main. The location of the pump station and alignment of the rising main are yet to be confirmed, but there is potential for them to intersect with NoR 1.

**b) NoR North Projects: New Rapid Transit Station at Milldale (NoR 2)<sup>5</sup> – Waka Kotahi (NZTA)**

- Watercare is installing a cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will involve a new transmission watermain crossing State Highway 1 at and either side of the Highgate Bridge, which is within NoR 2.

**c) NoR North Projects: New Rapid Transit Station at Pine Valley Road (NoR 3)<sup>6</sup> – Waka Kotahi (NZTA)**

- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with NoR 3.
- Watercare plans to install a new wastewater pump station in Silverdale West which will convey flows to Milldale via a rising main. The location of the pump station and alignment of the rising main are yet to be confirmed, but there is potential for them to intersect with NoR 3.

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<sup>4</sup> For a designation for a new Rapid Transit Corridor between Albany Bus Station and Milldale, via Dairy Flat, including a cycleway and/or shared path.

<sup>5</sup> For a designation for a new Rapid Transit Station in Milldale, including transport interchange facilities and active mode facilities.

<sup>6</sup> For a designation for a new rapid transit station at Pine Valley Road, Dairy Flat, including transport interchange facilities, active mode facilities and park and ride facilities.

- d) **NoR North Projects: State Highway 1 Improvements – Albany to Ōrewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (NoR 4)<sup>7</sup> – Waka Kotahi (NZTA)**
- Watercare plans to install a new cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will require a corridor for a new transmission watermain running from the west of State Highway 1 through to East Coast Road, potentially likely intersecting with sections of NoR 4.
- e) **NoR North Projects: New State Highway 1 Crossing at Dairy Stream (NoR 5)<sup>8</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 5, although it may have future developments where requirements change due to growth.
- f) **NoR North Projects: New Connection between Milldale and Grand Drive, Ōrewa (NoR 6)<sup>9</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 6, although it may have future developments where requirements change due to growth.
- g) **NoR North Projects: Upgrade to Pine Valley Road (NoR 7)<sup>10</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 7, although it may have future developments where requirements change due to growth.
- h) **NoR North Projects: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (NoR 8)<sup>11</sup> – Auckland Transport (AT)**
- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 8.
  - Watercare plans to install a new wastewater pump station in Silverdale West which will convey flows to Milldale via a rising main. The location of the pump station and alignment of the rising main are yet to be confirmed, but there is potential for them to intersect with NoR 1.

<sup>7</sup> To alter Designations 6751 State Highway 1 - Albany, 6759 State Highway 1 – Silverdale, 6760 State Highway 1 – Redvale to Silverdale, and 6761 State Highway 1 – Silverdale to Puhoi for State Highway 1 improvements from Albany to Ōrewa.

<sup>8</sup> For a new urban arterial corridor with active mode facilities and State Highway 1 motorway overbridge in the vicinity of Dairy Stream, between Top Road in Dairy Flat and East Coast Road in Stillwater.

<sup>9</sup> For a designation for a new urban arterial corridor with active mode facilities between Wainui Road in Milldale and Grand Drive in Upper Ōrewa.

<sup>10</sup> For a designation for an upgrade to Pine Valley Road in Dairy Flat to an urban arterial corridor with active mode facilities between Argent Lane and the rural-urban boundary.

<sup>11</sup> For an upgrade to Dairy Flat Highway to an urban arterial corridor with active mode facilities between Silverdale Interchange and Durey Road in Dairy Flat.

- i) **NoR North Projects: Upgrade to Dairy Flat Highway between Dairy Flat and Albany (NoR 9)<sup>12</sup> – Auckland Transport (AT)**
- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 9.
- j) **NoR North Projects: Upgrade to Wainui Road (NoR 10)<sup>13</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 10, although may have future developments where requirements change due to growth.
- k) **NoR North Projects: New Connection between Dairy Flat Highway and Wilks Road (NoR 11)<sup>14</sup> – Auckland Transport (AT)**
- Watercare plans to install a new cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will require a corridor for a new transmission watermain running from the west of State Highway 1 through to East Coast Road, potentially likely intersecting with sections of NoR 11.
- l) **NoR North Projects: Upgrade and Extension to Bawden Road (NoR 12)<sup>15</sup> – Auckland Transport (AT)**
- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 12.
- m) **NoR North Projects: Upgrade to East Coast Road between Silverdale and Redvale (NoR 13)<sup>16</sup> – Auckland Transport (AT)**
- Watercare plans to install a new cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will require a corridor for a new transmission watermain running from the west of State Highway 1 through to East Coast Road, potentially likely intersecting with sections of NoR 13.

<sup>12</sup> For a designation for an upgrade to Dairy Flat Highway between Durey Road in Dairy Flat and Albany village, including active mode facilities and safety improvements.

<sup>13</sup> For a designation for an upgrade to Wainui Road to an urban arterial corridor with active mode facilities, between Lysnar Road in Wainui, and the State Highway 1 northbound Wainui Road offramp.

<sup>14</sup> For a new urban arterial corridor with active mode facilities between Dairy Flat Highway (at the intersection of Kahikatea Flat Road) and Wilks Road in Dairy Flat.

<sup>15</sup> For an upgrade and extension to Bawden Road to an urban arterial corridor active mode facilities, between Dairy Flat Highway and State Highway 1.

<sup>16</sup> For a designation for an upgrade to East Coast Road to an urban arterial corridor with active mode facilities, between Hibiscus Coast Highway in Silverdale and the Ō Mahurangi Penlink (Redvale) Interchange.

#### 4. SUBMISSION POINTS AND RELIEF SOUGHT

- 4.1 This is a submission on all the NoRs (detailed above) that were publicly notified on 16 November 2023.
- 4.2 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 decisions made on the NoRs 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.

##### *Early engagement*

- 4.3 Watercare seeks to ensure that there is a live and continual process planned forward to recognise that asset management and construction plans are constantly updating and changing.
- 4.4 Watercare acknowledges the proactive approach to engagement shown by the requiring authorities to date. Watercare has been in discussions with the Supporting Growth Alliance, and the preceding 'future urban land use strategy' project work, as well as independent engagement with Waka Kotahi and AT during the development of these NoR's.
- 4.5 Watercare supports in depth collaboration and consultation (including information, data sharing and identification of opportunistic works) across infrastructure providers on the development (or redevelopment) of urban environments and wishes to ensure that there is ongoing and timely engagement and collaboration as these projects develop.
- 4.6 As noted, Watercare seeks early engagement from the requiring authorities for future planning and construction works including prior to detailed design and during implementation of construction works. Early and fulsome engagement with Watercare, along with other infrastructure providers, can enable opportunities to plan and future proof the delivery of assets to provide for well-functioning urban environments. For Watercare, this includes applying for, in a timely manner, "Works Over" Approvals, in compliance with Watercare's "Water Supply and Wastewater Network Bylaw 2015" (updated 2021).
- 4.7 Watercare seeks to ensure the NoRs do not impact its wastewater and water services in the NoR areas now and into the future (these planned projects are detailed in paragraph [3.4] above). Watercare wishes to ensure it maintains access to its assets 24 hours a day, 7 days a week for maintenance, safety and efficient operation of its services and that it is consulted on any works undertaken by the requiring authorities that may impact Watercare's services.

##### *Specific amendments to conditions*

- 4.8 Watercare has filed evidence, and attended, recent NoR hearings for other Supporting Growth Alliance projects (the North West Strategic Network, and the Airport to Botany Bus Rapid Transit Project). The conditions proposed for the NoRs by the requiring authorities for these NoRs are similar to those which have been proposed at the recent North West Strategic Network hearing (in rebuttal evidence).
- 4.9 Watercare supports the intention of conditions proposed by the requiring authority which seek to ensure that there is engagement with relevant stakeholders during the development of all thirteen NoRs (ie the conditions which require a Network Utility Management Plan

("NUMP"), Stakeholders Communication and Engagement Management Plan ("SCEMP"), and Land use Integration Process ("LIP")).

4.10 That said, Watercare considers further amendments to the conditions are required to address matters raised in this submission, so that the conditions for all the NoRs adequately provide for engagement with network utilities, in particular during the feasibility and detailed design stage.

36.1 4.11 Watercare seeks that a new condition requiring the preparation of a "Network Utility Strategic Outcomes Plan" be added to all thirteen NoRs to futureproof assets in consultation with network utility operators such as Watercare:

**Network Utility Strategic Outcomes Plan (NUSOP)**

- (a) A NUSOP shall be prepared in the project feasibility stage or as early as practicable.
- (b) The objective of the NUSOP is to set out a strategic framework for asset resilience that includes consideration of growth, corridor protection, and asset renewals over time.
- (c) The NUSOP shall:
  - i. consider expected asset life of existing assets;
  - ii. consider expected asset capacity increases or changes; and
  - iii. demonstrate how city and national strategic plans are considered.
- (d) The NUSOP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project, including Watercare.
- (e) The NUSOP shall describe how strategic plans from the Network Utility Operators in relation to its assets have been addressed.
- (f) Any comments received from the Network Utility Operator shall be considered when finalising the NUSOP.
- (g) Any amendments to the NUSOP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.

4.12 If the above condition is not included in the NoRs, Watercare seeks the following amendments (shown in underline) to the NUMP condition in all of the NoRs:

36.1 (a) A NUMP shall be prepared after consultation with Network Utility Operator(s) including during the feasibility and detailed design phases, and prior to the lodgement of an Outline Plan of Works for a stage of construction Start of Construction for a Stage of Work.

...

(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 and shall include any s177 consents required for works affecting prior Designations and Watercare 'Works Over Approvals'.

...

(h) The Requiring Authority shall consult with Network Utility Operators during the feasibility and detailed design phases to identify opportunities to enable, or not preclude, the development of new network utility facilities including access to power, water services and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan or Plans prepared for the Project.

36.2 4.13 Watercare also seeks that the LIP condition is included in all of the NoRs (including the NoRs lodged by Waka Kotahi), as opposed to only being included in the Auckland Transport NoRs as is currently proposed.

**5. RECOMMENDATION SOUGHT**

5.1 Watercare seeks that the Council recommend:

- 36.1-36.2
- (a) amendments to the conditions of the NoRs, as set out above in its submissions (and any other 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; and / or
  - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

5.2 Watercare wishes to be heard in support of this submission.

5.3 If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.



Steve Webster  
**Chief Infrastructure Officer**  
**Watercare Services Limited**

## Form 21

### Submission on the Proposed Supporting Growth North Projects Notices of Requirement (NoRs 4, 5, 12 and 13)

**To:** Auckland Council

**Name of Submitter:** Weiti Green Limited

**Address for Service:** C/- CivilPlan Consultants Limited  
PO Box 97796  
Manukau City  
**Auckland 2241**

Attn: Aaron Grey

**Telephone:** (09) 222 2445

**Email:** aaron@civilplan.co.nz

This is a submission on (collectively, 'the NoRs'):

- A notice of requirement from the New Zealand Transport Agency for alterations to existing designations 6751, 6760, 6759, 6761 for State Highway 1 improvements ('NoR 4');
- A notice of requirement from Auckland Transport for a designation for a new State Highway 1 crossing at Dairy Stream ('NoR 5');
- A notice of requirement from Auckland Transport for a designation for an upgrade and extension to Bawden Road ('NoR 12'); and
- A notice of requirement from Auckland Transport for a designation for an upgrade and to East Coast Road between Silverdale and Redvale ('NoR 13').

While being proposed as separate NoRs, due to their interconnected nature and collective relevance to Weiti Green Limited's landholdings in the Weiti area, the submission points have been combined into one document.

The submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 ('RMA').

This submission relates to the whole of NoRs 4, 5, 12 and 13, but none of the other NoRs proposed by NZTA or AT for the Supporting Growth North Projects.



## 1. Background

### 1.1 The Submitter

Weiti Green Limited ('WGL') forms part of the Hugh Green Group of companies ('HGG').

HGG holds a substantial portfolio of land for farming and development purposes, as well as a number of commercial and industrial property assets within the Auckland and Waikato Regions. Combined, the companies which fall under the Hugh Green Group umbrella conduct a range of businesses on their landholdings, including developing residential property for sale, developing and managing commercial / industrial buildings for lease. The portfolio includes sizeable landholdings strategically located to meet the needs of Auckland's population growth.

HGG is actively working on enabling growth around Auckland, through residential subdivision within various landholdings such as those in Hingaia, Redhills, and Flat Bush, as well as having interest in other locations within Auckland, including their landholdings in Weiti.

WGL owns the following land, shown on Figure 1, below, which is directly adjacent to the land subject to NoRs 4 and 13 and also adjoins the existing Penlink designation (reference 6777):

- 1695 East Coast Road, Stillwater, 55.7 ha in area, legally described as Part Lot 1 DP 100141, held in Record of Title NA52A/374; and
- 1697 East Coast Road, Stillwater, 299.6 ha in area, legally described as Part Lot 3 DP 95982 and Section 6 SO 70765, held in Record of Title 550921.



Figure 1: Weiti Green Limited landholdings (outlined in yellow)

Figure 1, above, shows that approximately 115 ha of these landholdings are subject to the Future Urban zone. As stated in the AEE (on page 18) The NoRs “are intended to support growth in Northern future urban areas and without these projects, growth would be constrained.” Therefore, the NoRs are intended to enable growth within those parts of WGL’s landholdings subject to the Future Urban zone.

## 1.2 Future Development Strategy

Auckland Council’s Future Development Strategy, adopted in November 2023 (shortly before notification of the NoRs) identifies the Weiti area, including WGL’s landholdings that are subject to the Future Urban zone, as planned to support development from 2035. This timeframe is 15 years earlier than any of the other northern future urban areas anticipated to provide for residential growth. Refer to Figure 2, below. Therefore, transport infrastructure to support the Weiti future urban area is expected to be required prior to infrastructure supporting other future residential urban areas (such as Dairy Flat, Wainui East and Upper Orewa).



Figure 2: Extract from Future Development Strategy, identifying indicative development timeframes for northern future urban areas

### 1.3 Penlink

O Mahurangi Penlink (henceforth, 'Penlink'), a State Highway between the Northern Motorway and Whangaparaoa, is currently under construction through WGL's landholdings. Penlink is designed to be a limited access road. The current design provides for two 'interchanges' that provide access to the adjacent land. These are referred to as (from south to north) Penlink Link Road 1 and Penlink Link Road 2. The design of Penlink through that part of WGL's landholdings subject to the Future Urban zone is shown in Figure 3, below.



**Figure 3: Extract from the July 2023 Penlink General Arrangement Plans, currently under construction, showing Link Road 1 near the centre and Link Road 2 to the right**

The Penlink Alliance is currently consulting with HGG/WGL regarding the final design of the access into the landholdings via Link Roads 1 and 2. Because of this, HGG has engaged Harrison Grierson Consultants Limited ('HGCL') to provide advice regarding the suitability of the existing or planned roading network to provide access to the planned urban residential build out of the site (as should be expected by the sites' future urban zoning), based on a preliminary master plan. HGCL's preliminary advice is attached. The findings include that:

- The current designs of the Link Road 1 and Link Road 2 interchanges are insufficient for the future urban development scenario.
- The upgrade potential for the Link Road 1 and Link Road 2 interchanges is limited by their current design.
- Additional access from East Coast Road will be necessary to support future urban development of WGL's landholdings.
- Due to topographical constraints, there are limited options available to provide access from East Coast Road.
- The connection road between Penlink and East Coast Road and the teardrop roundabout on Penlink will be required to be upgraded to enable access to future urban development of WGL's landholdings via East Coast Road.

The changes to Penlink and East Coast Road proposed by the NoRs were not directly addressed by HGCL's memo (this memo was originally prepared in October 2023 – the attached Rev. 2 version of this memo, dated December 2023, only contains minor amendments). However, in light of HGCL's findings the changes proposed by the NoRs would directly impact the options available for access to WGL's landholdings and are considered further in this submission.

## 2. Submission

WGL is overall supportive of the intent of the NoRs insofar as they seek to protect the routes for the planned arterial network within the northern future urban areas, which will support urban development at Weiti. In particular:

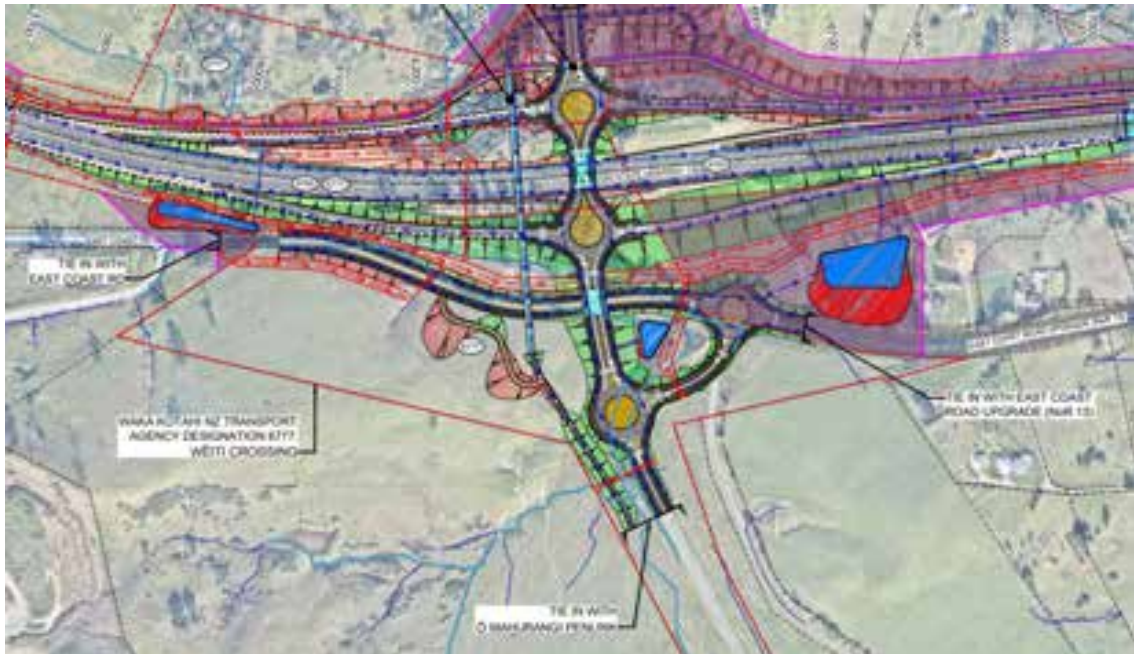
- WGL generally supports NoR 4 on the basis that it ensures that:
  - The capacity of State Highway 1 responds to the increased traffic generation from development of the future urban areas;
  - A walking and cycling path is provided along State Highway 1, increasing transport choice;
  - The Penlink/Redvale interchange is upgraded to include north-facing ramps, providing for all traffic movements from Weiti to the north and south;
  - The Penlink walking and cycling path is connected to the walking and cycling path along State Highway 1, ensuring benefits of network connectivity are achieved;
  - Access in all directions between East Coast Road and Penlink (and therefore State Highway 1) is provided for (as access from East Coast Road onto State Highway 1 is not enabled by the current Penlink construction);
  - A new interchange is provided at Wilks Road, reducing demand on the Penlink/Redvale interchange; and
  - The upgrade to Wilks Road between SH1 and East Coast Road and a new roundabout between these roads and Jackson Way is provided for, enhancing connectivity between Weiti and SH1 and not precluding the future upgrade of Jackson Way to arterial standard.
- WGL generally supports NoR 5 on the basis that it will provide for additional access across State Highway 1 for all modes of transport between Weiti, Dairy Flat and Silverdale West, separate from motorway traffic.
- WGL generally supports NoR 12 on the basis that it will provide for convenient access between Weiti and the future town/metropolitan centre for Dairy Flat (via the Penlink/Redvale interchange) for all modes of transport.
- WGL generally supports NoR 13 on the basis that it will provide for the upgrade of East Coast Road to arterial standard through the Weiti future urban area.

However, WGL has a number of concerns regarding some aspects of these NoRs, which are covered in the subsequent sections:

- The extent of land that NoR 4 applies to.
- Access to WGL's landholdings to support its future urban development (particularly, access from East Coast Road).
- The relationship of the NoRs with future arterial and collector roads and future public transport routes within the Weiti future urban area.

## 2.1 Extent of NoR 4

NoR 4 is the alteration of a variety of existing designations applying to the State Highway 1 (Northern Motorway) corridor. The general arrangement plans show that the works covered by this NoR extend along Penlink (for some 400 m from the existing SH1 designation) and along East Coast Road to either side of Penlink. It is noted that the works under NoR 13 (the upgrade of East Coast Road) are shown to commence approximately 250 m northwest of Penlink. Refer to Figure 4, below.



**Figure 4: Extract from NoR 4 General Arrangement Plans, showing the extent of works proposed adjacent to WGL's landholdings (at the bottom of the image)**

The “General Arrangement Plan Overall” included as part of the application material for the NoRs shows that the extent of NoR 4 covers all of the works described above. However, the “General Arrangement Layout Plan” Sheet 2 for NoR 4 shows that the “Proposed Increase to Existing Designation”, shaded purple, only applies to part of the works described above where outside of the existing designations applying to the State Highway 1 (Northern Motorway) corridor.

Critically, the areas not shown are those covered by the existing designation for Penlink (reference 6777). NoR 4 does not propose to extend designation 6777 for Penlink, nor do any of the other NoRs. Designation 6777 is subject to its own conditions of consent, which include the requirement for all works within the designation to be generally in accordance with the plans contained in Volume 3 of the Notice of Requirement dated 21 October 2014. It is expected that that the works proposed by NoR 4 and shown (on the general arrangement plans) would be beyond those shown on the plans dated 21 October 2014 – otherwise, there would be no need for NoR 4 to show works within this area.

WGL considers that since the works proposed by NoR 4 are a new project to be undertaken after completion of Penlink (under designation 6777), all works should be undertaken in accordance with the conditions of NoR 4, rather than designation 6777. Therefore, WGL requests that the extent of NoR 4 be increased in order to cover all land within designation 6777 (but not already subject to designation 6760) shown on “General Arrangement Plan Overall” as subject to NoR 4. This additional land is indicated in Figure 5, below.



Figure 5: Additional areas (outlined in blue) to be included as part of NoR 4.

## 2.2 Access to WGL's Landholdings (NoRs 4 and 13)

WGL's landholdings both have frontage to East Coast Road and Penlink, while the western landholding (1697 East Coast Road) is also accessible from Jackson Way.

Full structure planning for the WGL landholdings has not yet been completed. However, as part of resolving the design interface and Link Road accesses to/from Penlink (refer to section 1.3, above), WGL has undertaken some preliminary master planning to inform potential site yields in order to determine the future requirements for vehicle access to the site and ensure this can be provided for in the Penlink design.

The attached memo prepared by HGCL has given consideration to the access needs of the potential full urban residential build out of the Future Urban Zoned ('FUZ') land within WGL's landholdings and has identified that these Penlink access roads are inadequate for the future transport needs of residents. The memo predates notification of the current NoRs and the works proposed by them. The memo also identifies that upgrading these interchanges may be difficult. This has the potential to constrain the ability to provide for future growth within the Weiti FUZ area.

Whilst it is recognised that the Penlink designation (6777) is beyond the extent of the current NoRs, this inadequacy in the design of the Penlink interchanges makes it critical that additional access to WGL's landholdings is enabled. In this instance, such access would need to be onto East Coast Road, or the intersection of Penlink with its connection to East Coast Road (currently proposed as a roundabout).

Any potential access between WGL's landholdings and East Coast Road (or Penlink) must also give consideration to the topography of the land in this location. The gradient of land between the East Coast Road carriageway and the frontage of the adjacent sites (i.e. the land within the existing road reserves) is generally around 1 in 5 (20%), well in excess of the maximum of 8% for a public road under Auckland Transport's standards. Therefore, there are limited practicable potential locations for road access to WGL's landholdings to be provided.

### 2.2.1 Access to 1697 East Coast Road

For WGL's western landholding (1697 East Coast Road), the road upgrades proposed under NoRs 4 and 13 show the construction of a new roundabout at this site's frontage, which connects to an upgraded roundabout on Penlink. The NoRs do not appear to give any consideration to a future road connection off East Coast Road to serve development of the FUZ land.

The attached advice from HGCL indicates that any arterial or collector road onto East Coast Road would need to be a roundabout or signalised intersection. Without changes to the design shown on the general arrangement plans for NoR 4, this could necessitate three major intersections within a stretch of 300 m, which may not result in an efficient or effective transport network. WGL is of the view that the proposed roading design for East Coast Road and Penlink must be reconsidered in order to allow for a road connection to 1697 East Coast Road in a manner that would not adversely affect the transport network. Otherwise, the NoRs would constrain the ability to provide for future growth within the Weiti FUZ area, which is contrary to the purpose of the NoRs. As outlined above and in HGCL's memo, the access roads onto Penlink currently being constructed have not been designed to cater for full buildout of the Weiti future urban area and so additional routes onto Penlink and State Highway 1 need to be provided for.

### 2.2.2 Access to 1695 East Coast Road

For WGL's eastern landholding (1695 East Coast Road), the road upgrades proposed under NoR 4 show the construction of a shared path along part of the site's frontage. In addition, the proposed carriageway of East Coast Road is almost 200 m from the site's legal frontage (as the existing vested road corridor is approximately 200 m in width).

The NoRs and associated proposed works in their current form give no consideration to future road access to development at 1695 East Coast Road. However, to enable the efficient and effective urban development of this land, a future road access from East Coast Road is imperative so as not to constrain the ability to provide for future growth within the Weiti future urban area, which is contrary to the purpose of the NoRs.

Access to and from the roundabout on Penlink may also be necessary or desirable in order to support future urban growth at this site. The road upgrades proposed under NoR 4 show the construction of a shared path between the Penlink roundabout and the site, potentially preventing realisation of this road connection. Furthermore, the attached memo prepared by HGCL identified that a two lane roundabout, as shown on the general arrangement plans for NoR 4, would result in LoS F for traffic turning right from the connection road onto Penlink, towards State Highway 1 and Dairy Flat once full build out of the future urban area has occurred.

WGL seeks assurance that such road connections will not be precluded by the proposed works.

For the connection between Penlink and East Coast Road, it is likely that a higher capacity intersection would be necessary, which may require a larger area than provided for by the NoR. Therefore, WGL requests that review their traffic modelling and reconsider the indicative design of the connection between East Coast Road and Penlink to ensure that this will not constraint the ability to provide for future growth within the Weiti future urban area, which would be contrary to the purpose of the NoRs.

### 2.3 Relationship of the NoRs with Future Arterial and Collector Roads (NoRs 4, 5, 12 and 13)

Figure 6, below, shows in relation to the Weiti future urban area:

- The Northern Motorway and new interchanges planned by Supporting Growth in black.
- The arterial road network proposed by Supporting Growth (including those not covered by the NoRs) in solid blue.
- Penlink and its access roads currently under construction also in solid blue.
- The indicative location of additional arterial or collector roads necessary to support urban development of the Weiti future urban area.



Figure 6: Planned and potential arterial and collector roads serving the Weiti future urban area



Figure 6 illustrates that Jackson Way will become a key arterial road along the northern boundary of the Weiti future urban area, providing access to and from Penlink, Silverdale (via East Coast Road), State Highway 1 (south facing ramps only) and the Silverdale West Industrial Area (via Wilks Road). The assessment of alternatives report provided as part of the application material for the NoRs identifies Jackson Way as a recommended arterial road (referenced R22-1), but that it was not within scope for the Detailed Business Case, inferring that it would be delivered outside Te Tupu Ngātahi.

WGL seeks clarification as to how this arterial road upgrade and extension would be delivered, especially for the upgrade works, which may not be possible within the Jackson Way road corridor. It is also noted that standard AT practice expects developers to provide for upgrades to collector road standards (not to arterial road standard) and only on their side of the road. The land on the northern side of Jackson Way is not expected to be developed and the fragmented ownership of the land on Jackson Way makes a developer-led delivery of the road upgrade piecemeal and protracted. For these reasons WGL submits that the upgrade of Jackson Way should be included as part of the current suite of NoRs to complete the required arterial network. WGL would welcome any further information from Auckland Transport and Supporting Growth regarding its expected delivery.

Worsnop Way is likely to become a key access road for trips across the new State Highway 1 Crossing at Dairy Stream (proposed by NoR 5). NoR 5 proposes a roundabout at the intersection of East Coast Road, Worsnop Road and the new road crossing, which is supported.

Figure 6 also illustrates the importance of the connection between East Coast Road and Penlink, as discussed in the previous section of this submission.

## 2.4 Relationship of the NoRs with Future Public Transport Routes (NoRs 4, 5, 12 and 13)

Another key consideration when developing the Weiti future urban area will be the provision of public transport services, in order to support mode shift and minimise greenhouse gas emissions.

The NoRs propose a rapid transit corridor (assumed to be a busway) through the Dairy Flat future urban area. The indicative locations of the rapid transit stations are shown on Figure 53 within the Assessment of Alternatives document. In addition, a rapid transit bus service is expected to run along Penlink, connecting Whangaparaoa to the Northern Busway (as per Auckland Transport's Regional Public Transport Plan, this service is expected to commence in 2027). Based on information available to date, it is unclear if services from Whangaparaoa will, in the future, utilise the proposed rapid transit corridor between Penlink and Albany or continue to use State Highway 1 – the design of NoR 1 does not provide for any entrances or exits onto the rapid transit corridor. Regardless, these two core services will influence the delivery of a wider public transport network to service the Weiti future urban area.

As a rapid transit service along Penlink will directly adjoin the Weiti future urban area, it is considered likely that, as a minimum, bus stops or, ideally, a bus station would be provided for along or adjacent to Penlink. As Penlink is a limited access road, there are few feasible potential locations for such facilities. Feeder buses would then be expected to provide convenient access to the Penlink rapid transit service from the wider Weiti future urban area. In order to also provide convenient access to the rapid transit corridor proposed by NoR 1, these feeder buses could also connect to the future stations along that corridor.



When considering the indicative road network shown in Figure 6, above, two potential options for a public transport network serving the Weiti FUZ area are identified:

- An option with a bus interchange along Penlink is shown in Figure 7, below.
- An option with a bus interchange near East Coast Road is shown in Figure 8, below.

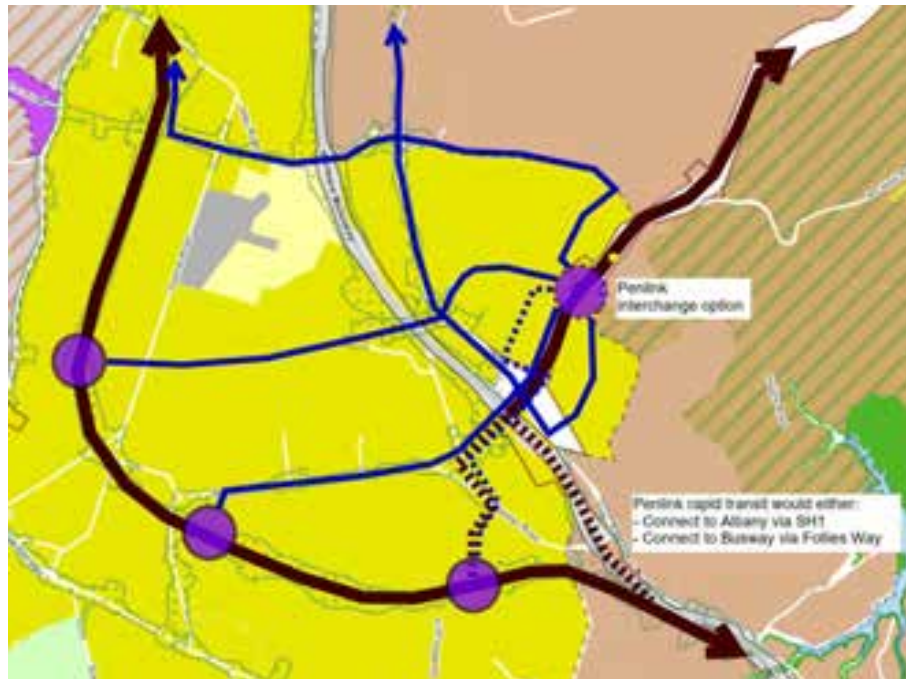


Figure 7: Potential public transport serving the Weiti future urban area with bus interchange along Penlink

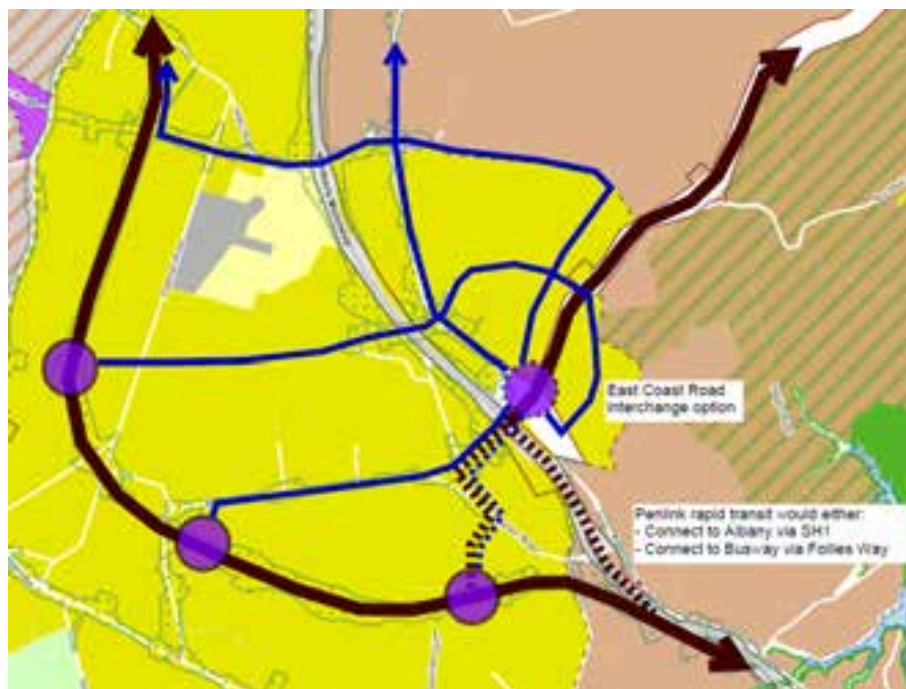


Figure 8: Potential public transport serving the Weiti future urban area with bus interchange at East Coast Road

For similar reasons to that in the attached HGCL memo and discussed above, delivery of the Penlink bus interchange option may not be achievable without significant changes to the design of Penlink and Penlink Link Road 1. Therefore, when considering the NoRs (which do not include any upgrades to the Penlink Link Roads), it should not be assumed that transfers between bus services can be accommodated further along Penlink, outside of areas subject to the NoRs. On this basis, WGL considers that NZTA must ensure that the option for a bus interchange adjacent to East Coast Road and easily accessible from Penlink (in both directions) is not precluded.

The current design of Penlink and East Coast Road shown on the general arrangement plans for NoR 4 does not demonstrate any obvious consideration for future bus service running patterns and therefore constrains the ability to provide for future growth within the Weiti future urban area, which is contrary to the purpose of the NoRs.

If bus stops for the Penlink rapid transit service are to be provided 'on-line' (i.e. directly on either side of Penlink), then convenient pedestrian access between those bus stops and bus stops on East Coast Road needs to be enabled. If bus stops for the Penlink rapid transit service are to be provided 'off-line' (i.e. within a station adjacent to Penlink), then convenient vehicle access to this station location from Penlink, East Coast Road and potential collector roads needs to not be precluded. In either instance, this may require additional bus priority that is not provided for by the current design under NoR 4.

3 of 3

### 3. Relief Sought

WGL seeks the following relief with respect to the comments raised in this submission:

1. That the NoRs be confirmed, subject to the following relief being granted.
2. That the extent of NoR 4 be increased to include those parts of designation 6777 that are to be subject to works proposed by the NoR (refer to Figure 5, above, for these areas), such that the corresponding conditions would also apply to this area.
3. That the following design outcomes are provided for, or not precluded, either through amendments to the general arrangement plans, amendments to conditions or additional conditions:
  - a) Feasible access between the realigned East Coast Road and WGL's eastern landholding (1695 East Coast Road), up to the edge of the existing road reserve.
  - b) Access between the Penlink roundabout and WGL's eastern landholding (1695 East Coast Road).
  - c) Feasible access between the realigned East Coast Road and WGL's western landholding (1697 East Coast Road), which may require amendments to the design of the connection between East Coast Road and Penlink.
  - d) A bus interchange facility for the rapid transit services along Penlink and local bus services along East Coast Road and from WGL's landholdings.

- 4. That the conditions require the requiring authority to:
  - a) Establish a process to encourage and facilitate the integration of master planning and land use development activity on land directly affected by, or adjacent to the designation. This should allow for developers to request information from the requiring authority regarding the design details and for the requiring authority to receive development details from developers. There should then be an expectation that each party would act in good faith to achieve integration of land uses. A similar condition is being proposed as part of Supporting Growth’s North West package of notices of requirement. In relation to WGL’s landholdings, such a process should ensure that the matters listed in relief item 3, above, are provided for.
  - b) Provide for ongoing consultation with WGL prior to and during construction of works under NoRs 4 and 13 where adjacent to WGL’s landholdings, including ensuring that ongoing access to the sites is provided for. In this regard, the SCEMP condition proposed by NZTA should be amended further to apply from 18 months prior to an outline plan being submitted.
  - c) Ensure that, at the time of preparing an outline plan, the final road design is consistent with any structure planning undertaken by Auckland Council or by any other party in support of a private plan change request that covers WGL’s landholdings.
  
- 5. That an additional notice of requirement be notified for the upgrade of Jackson Way to arterial road standard and any necessary upgrades to Penlink Link Road 2.

WGL wishes to be heard in support of this submission.

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

Signature:  .....

Aaron Grey – Associate, CivilPlan Consultants Ltd  
on behalf of Weiti Green Limited

Date: 14 December 2023

S:\Jobs\1849 - Hugh Green Various\submissions\SUB17 - Weiti NoRs\1849-01-SUB17-SGNthNoRs-ajg-20231208-elb.docx

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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

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Attn: Planning Technician  
Auckland Council  
Level 16, 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)

Andrew Nigel Philipps Kay

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

**Address for service of Submitter**

95 Postman Rd, Dairy Flat 0794

Telephone:

21622016

Email:

anpkay@gmail.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

North: (NoR 8) Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat

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

The entire corridor designated by this NoR

**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 Requiring Authority has undertaken extensive studies to prepare a concept design and AEE. However, the concept design assumptions are much too conservative in places (e.g. assuming earthwork cut batters will be wholly in soil, not rock, at 5:1 slope, and assuming all stream crossings will be bridged, not culverted) and this leads


very conservative corridor widths. This conservatism is hugely compounded by the cavalier delineation of proposed designation boundaries, with little apparent regard for the large impact on people's property and homes. In many locations that I have investigated to date, the proposed designation is clearly based on incorrect topo data, or allows excessive construction area, or has as been drawn far too simplistically.

(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).

Field-check all 900 properties affected by the NoR's to confirm the validity of the concept design and reduce the extent of the designation to the practicable minimum. Such field-check to be undertaken jointly by the SG Project Manager and myself (as an experienced engineer who is voluntarily acting as an advocate for the community).

- 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)

12/14/2023  
Date

**Notes to person making submission:**

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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)

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Receipt Date:

**Submitter details**

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name)

GUO BIAO JIANG

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

**Address for service of Submitter**

93 postman Rd. Dairy Flat

Telephone:

021 076 1200

Email:

stephj4729@gmail.com

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

**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:**

Refer to attachment

(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).

Refer to attachment

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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

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(or person authorised to sign on behalf of submitter)

14/12/2023

Date

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## **Attachment to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

### **The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision.
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area.
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed.
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor.
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence.
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### **I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

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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)

Anne-Marie de Jong

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

#### Address for service of Submitter

226 and 226a Bawden Rd

Albany, Auckland 0792

Telephone:

029 7711333

Email:

amdejong100@hotmail.com

Contact Person: (Name and designation if applicable)

#### This is a submission on a notice of requirement:

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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I or we oppose to the Notice of Requirement

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#### The reasons for my views are:

Refer to attachment

(continue on a separate sheet if necessary)

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Anne-Marie de Jong  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

14/12/2023  
Date

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### **The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision.
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We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### **I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

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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) Heather Turley

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

#### Address for service of Submitter

292 Bawden rd RD2 Albany

Telephone:

Email:

turleydh@outlook.com

Contact Person: (Name and designation if applicable)

#### This is a submission on a notice of requirement:

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

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#### 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:

This NOR doesnt give any certainty for something that might happen in 40-50 years time, but will lock some of my land away as unavailable for this entire time.

The planning for a Dairy Flat township keeps changing so the Road changes is likely to change too.

The affected land hasnt been clearly defined and may not be taken- This clearly affects my ability to sell and move on.

(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).

Defer until a more specific timeline and planning regarding Dairy Flat development has been 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

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

12/14/2023  
Date

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### **The reasons for my/our views are:**

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### **I/we seek the following recommendation or decision from the 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) David B Johns

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

#### Address for service of Submitter

304 Bawden Road

RD2 Dairy Flat, Auckland

Telephone: 21546251

Email: johnsfamily@xtra.co.nz

Contact Person: (Name and designation if applicable)

#### This is a submission on a notice of requirement:

**By::** Name of Requiring Authority

Waka Kotahi NZ Transport Agency

**For:** A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path **and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd**

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

#### 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:

Refer to attachment

(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).

Refer to attachment

- 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

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

12/14/2023  
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 to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd**

### **The reasons for my/our views are:**

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision.
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area.
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed.
- The planning process has put the "cart before the horse" by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor.
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence.
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”.
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust.

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### **I/we seek the following recommendation or decision from the Council:**

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

**Submitter details**

BENJAMIN GUY MARSHALL and  
KATHERINE LOUISE HILL CO-OWNERS  
1559 DAIRY FLAT HIGHWAY  
LOT 13 DP64752

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

51 HACKETT STREET  
ST MARYS BAY AK1011

Telephone:

021 940 121

Email:

kate.hill77@gmail.com

Contact Person: (Name and designation if applicable)

KATE HILL

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Waka Kotahi NZ Transport Agency

For: A new designation or alteration to an existing designation

North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path and also NoR 8 Dairy Flat Rd & NoR 12 Bawden Rd

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

All properties along the designated RT corridor between the point where it diverges away from SH1 just north of Redvale Rise and the point where it crosses Weiti Stream just south of Milldale. The future urbanisation and RTC changes sought by this submission will also reduce the required extent of upgrading of Dairy Flat Highway and Bawden Rd.

My submission is:

I support the Notice of Requirement

I oppose the Notice of Requirement



I am neutral to the Notice of Requirement

The reasons for my views are:

Refer to attachment 1

AND ATTACHMENT 2 : BEING OWNER UNDERSTANDING OF THE IMPACT OF THE NOR UPON OUR 1559 DAIRY FLAT HIGHWAY PROPERTY.



(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).

Refer to attachment 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



13th DECEMBER 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 to Submission on “North: (NoR 1) New Rapid Transit Corridor, including a walking and cycling path”, with related implications for part of NoR 8 - Dairy Flat Highway and NoR 12 - Bawden Rd

### The reasons for my/our views are:

- To the south of Dairy Stream, there are many constraints that will impede future urbanisation; these constraints include floodplains, steep topography, fragmented land ownership, existing high-value dwellings and property title covenants that prevent further subdivision. 3.1
- Conversely, to the north of Dairy Stream, there is opportunity to create greater local employment integrated with higher density living than is likely under Auckland Council’s current vision for the area. 3.1
- Taking account of both the above factors, Auckland Council’s current vision of a Dairy Flat suburb served by a town centre in the south and dependent on residents travelling to other parts of Auckland for employment is deeply flawed. 3.1
- The planning process has put the “cart before the horse” by laying claim to land for possible transportation corridors some decades ahead of the development of structure plans for urbanisation and confirmation of transportation needs. There is no pressing need to reserve land for the future transportation network immediately and we consider that the urban planning for Dairy Flat should be done first and done well, before determining the location of the rapid transit corridor. 3.2
- As this urban planning has not yet been done adequately, there is considerable uncertainty about the optimal location for the RTC. Furthermore, the economic and financial analyses undertaken by Supporting Growth to support selection of the currently proposed RTC involve some heroic assumptions. The additional length of corridor and massive earthworks required indicate the currently proposed route will be much more costly than the motorway route. There is a high level of scepticism about the Business Case presented by Supporting Growth, which we will challenge in our future evidence. 3.3
- In the face of this uncertainty over the ultimate urban form of Dairy Flat, the low-risk approach is to either (a) wait for the urban planning to be undertaken or (b) route the RTC alongside the motorway, as the alignment of “least regret”. 3.1
- The AEE acknowledges that the proposed designations will blight affected properties, potentially causing significant impact and distress to property owners, but AT & NZTA then press on with the NoR’s regardless. The proposed designation will restrict the use of properties along the RTC for an unreasonably long period of time, without any form of compensation to property owners and with no certainty if, or when, the rapid transit scheme will be constructed. Given the lack of clarity as to the need and timing of the public works, we consider the imposition of the NoR’s to be premature and unjust. 3.2

We will elaborate on these views in our presentation at the public hearing to be convened by Auckland Council.

### I/we seek the following recommendation or decision from the Council:

- Withdraw NoR 1. Either amend or withdraw NoR 8 and NoR 12 to remove the sections of road upgrading in southern Dairy Flat. Defer the planning of transportation corridors, including the RTC, until the form, location and timing of Dairy Flat urbanisation is confirmed, via appropriate structure plans. We anticipate it may be a decade or more before this planning process reaches a conclusion; but that will still be two decades ahead of the anticipated implementation date!

1559 Dairy Flat Highway

Attachment 2

**IMPACTS UPON OUR PROPERTY FROM NoR:**

Also refer to site plan being our understanding of the project.... we note that:

1. The proposed New Rapid Transit Corridor bisects our property.

2. It divides the property into three parts:

\* Part A: approximate area = 4,250 sqm

\* Part B: approximate area = 19,000 sqm

\* AT/NZTA NoR purchase = 17,269 sqm

Total = 40,519 sqm

\* Section of Part B to be leased for life of the project = 3,900 sqm

3. The NoR maintains access to Dairy Flat Highway from the front remaining site Area A, but removes access to the remaining rear lot B. This is called "severance" and may lead to purchase by AT/NZTA of the entire site.

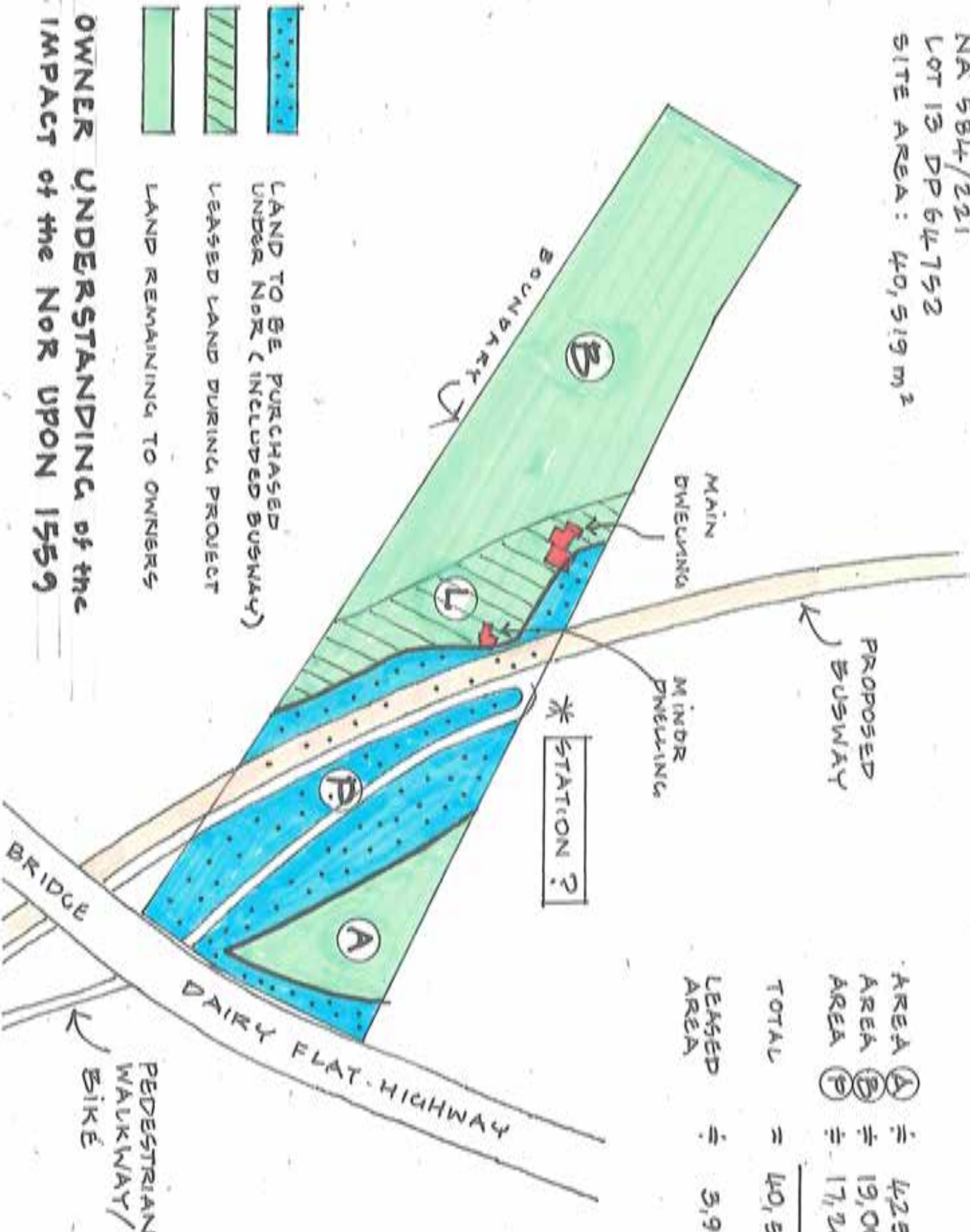
3.

4. The existing main dwelling and a minor dwelling are included within the draft designation boundary.

3.

1559 DAIRY FLAT HIGHWAY  
 NA 584/221  
 LOT 13 DP 64752  
 SITE AREA: 40,519 m<sup>2</sup>

3.



- LAND TO BE PURCHASED UNDER NOA (INCLUDED BUSWAY)
- LEASED LAND DURING PROJECT
- LAND REMAINING TO OWNERS

OWNER UNDERSTANDING of the IMPACT of the NOA UPON 1559

AREA A	≐	4250m <sup>2</sup>
AREA B	≐	19,000m <sup>2</sup>
AREA P	≐	17,269m <sup>2</sup>
TOTAL	=	40,519m <sup>2</sup>
LEASED AREA	≐	3,900m <sup>2</sup>

ATTACHMENT 2

**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1002] Notice of Requirement online submission - Sang hyun Lee  
**Date:** Monday, 20 November 2023 2:01:05 pm  
**Attachments:** [2086 East Coast Lict.pdf](#)

---

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

#### Contact details

Full name of submitter: Sang hyun Lee

Organisation name: Lichfield Trustees Limited

Full name of your agent:

Email address: sei\_sion@hotmail.com

Contact phone number: 0212512523

Postal address:

46 Joy street  
Albany Heights  
Auckland 0632

#### Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:

I am the director of Lichfield Trust, the landlord of 2086 East Coast Road, Silverdale 0993.

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:

According to the notice, Auckland Transport wants to acquire the house that we are leasing out. However, I do not believe it is necessary.

1.1

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

My suggestion is for Auckland Transport to consider acquiring the land required for the road development while allowing the residential property to remain intact. Please refer to the attached PDF file, which illustrates my suggestion.

Submission date: 20 November 2023

Supporting documents

2086 East Coast\_Lict.pdf

#### Attend a hearing

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

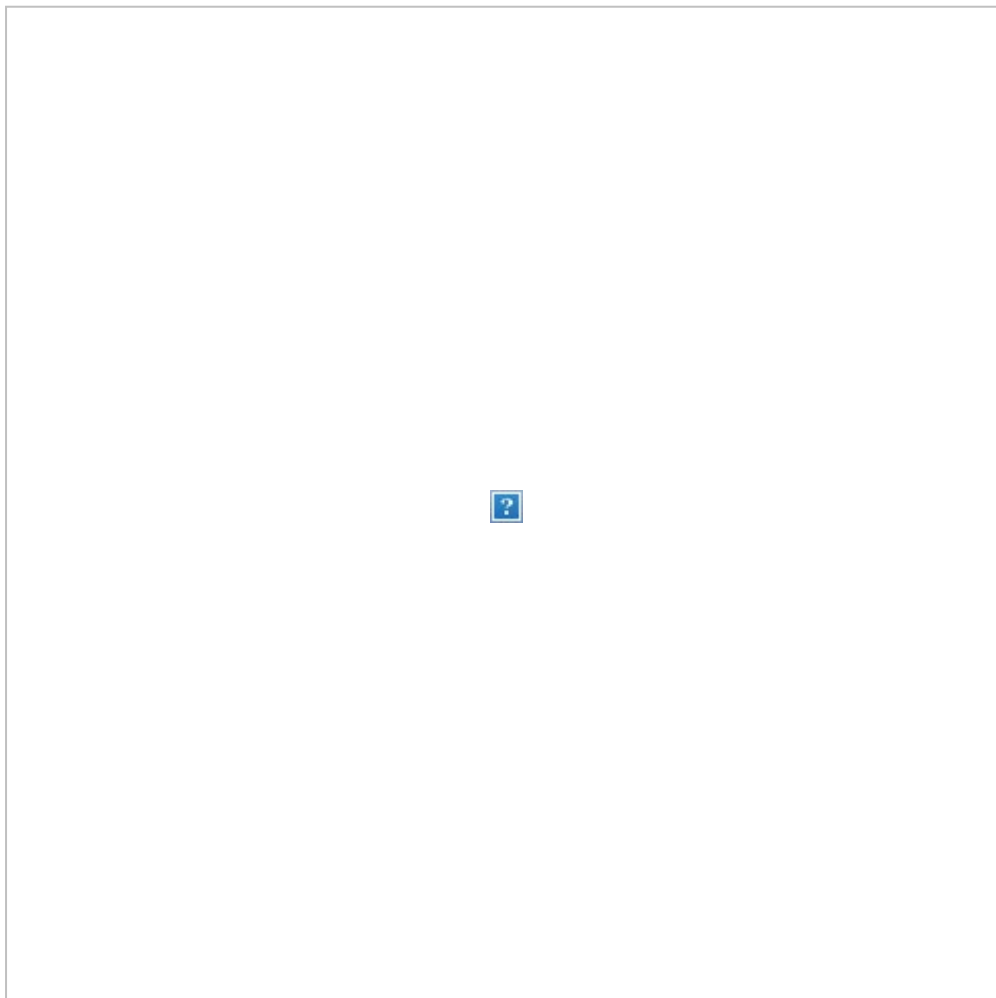
Would you consider presenting a joint case at a hearing if others have made a similar submission?

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.



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.




NOR 13 #01  
**Designation Plan**  
 Land to be Designated  
 Upgrade to East Coast Road between  
 Silverdale and Redvale Interchange

- Legend**
-  Proposed Designation
  -  Parcel Boundary
  -  507729 Property ID
  -  Existing Designation



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.  
 Contains information sourced from LINZ. Crown Copyright Reserved.



Revision	Author	Verifier	Approved	Date	
Client: <b>Auckland Transport / Waka Kotahi</b>					Discipline: <b>GIS</b>
Project: <b>North Projects</b>					Drawing No: <b>80A-PA-N-001</b> Sheet No: 4 of 15



**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1005] Notice of Requirement online submission - Feng Liang  
**Date:** Tuesday, 21 November 2023 11:01:10 am

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

### Contact details

Full name of submitter: Feng Liang  
Organisation name: La Fong Investment Ltd  
Full name of your agent:  
Email address: lafonginvestment@gmail.com  
Contact phone number: 0210343890  
Postal address:  
278C Okura River Road  
Long Bay  
Auckland 0792

### Submission details

Name of requiring authority: Auckland Transport  
The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale  
The specific provisions that my submission relates to are:  
1/2181 East Coast 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:

The Road upgrade will affect my property, I was met the people from Support growth, they say they will get enginerr to check how it will affect to my property from design, but i have not hear anything from them, my property is right beside the road and have retainning wall down form the road, the road is half way above my property, so i don't know the walkway expension that was propose will affect the my property, as because the people walk on the walk way may touch my roof or through things to it, or it will be a safety issue that will need to address, so i request i will need to see the drawing of the plan and how it will affect the property exactly. and also the walkway could go the other side of the road, because there is much space on the other side,

2.1

I or we seek the following recommendation or decision from Auckland Council:  
move the walkway to the otherside which have enough space, as they only need to move some power Pole

Submission date: 21 November 2023

### Attend a hearing

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

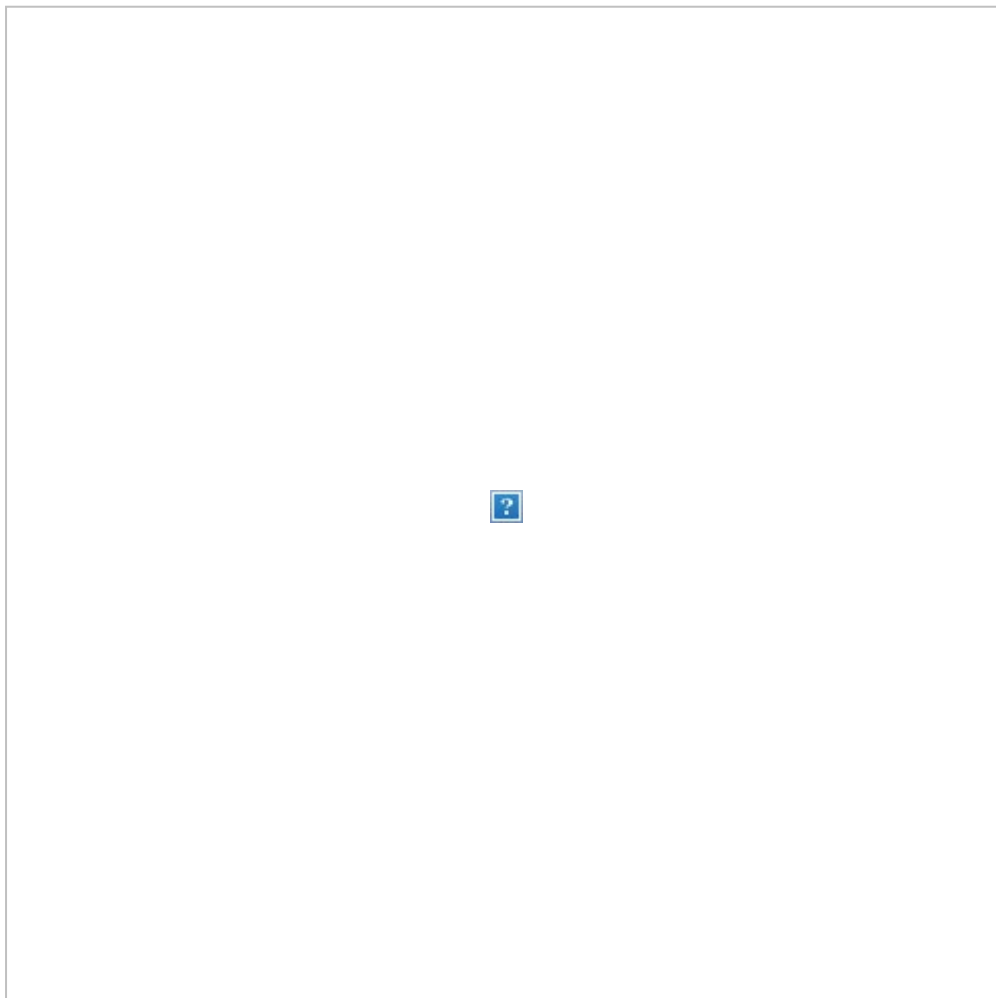
Would you consider presenting a joint case at a hearing if others have made a similar submission?  
No

### 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.



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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1011] Notice of Requirement online submission - Colin Read  
**Date:** Monday, 27 November 2023 3:00:47 pm  
**Attachments:** [2181 ECR NoR Part 1\\_20231127144830.214.pdf](#)  
[2181 ECR NoR Part 2.pdf](#)

---

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

### Contact details

Full name of submitter: Colin Read

Organisation name: Caldera Trust

Full name of your agent:

Email address: c.read@orcon.net.nz

Contact phone number: 021 253 7582

Postal address:

### Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:

Notice of Requirement proposed for 2181 East Coast Road (Parcel ID 401088)

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 see attached document; 2181 ECR NoR Part 1. The reason for my or our views are I am opposed to NoR 13: Upgrade East Coast Road - Segment 1 (Hibiscus Coast Highway to Newman Road). I am opposed to the need to acquire and use land from the east side of East Coast Road for said upgrade, specifically; Designation 401088, 2181 East Coast Rd, Unit Titles 1- 21 Also; Designation 401071, 56 Tavern Rd Designation 401077, 2183 East Coast Rd Designation 401113, 2157 East Coast Rd Designation 401137, 2163 East Coast Rd In 2017-2019 Auckland Transport undertook assessment, and then purchase, of a significant parcel of land from 2182 East Coast Road (west side) for \$2,767,000.00 +GST. This figure included a \$407,000.00+GST contribution for the building of a road supporting structural retaining wall. It is my understanding that at this time, Auckland Transport also investigated the possibility of purchasing land from 2181 East Coast Road (east side) prior to it being developed, but deemed this unnecessary. This purchase of land from 2182 East Coast Road ensured an effective, 32 meter plus wide, transport corridor for future upgrading along East Coast Road from prior Tavern Road to Newman Road, north to south. This 2019 purchase of land has rendered the NoR's over the above mentioned property designations unnecessary, as detailed in the Unitary Plan: Unnecessary -As per Unitary Plan/North/Assessment of Transport Effects/16 NoR13/16.1 Overview; " It is proposed that the new corridor will accommodate an indicative 24m urban arterial cross section." (figure 16-1). This proposed 24m CFAF is well within the scope of the already secured 32m plus transport corridor, suggesting that no extra land is required for the corridor at this location. -This point is further reinforced in; Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.4, Recommendations ECR Segment 1 - Widening to both sides where possible. Avoid the cemetery and make use of grassed road corridor adjacent to the recently developed residential land on the west, in consultation with landowner. This option is also likely to avoid recently developed land parcels. -Also, as per; Unitary

3.1

Plan/North/Assessment of Effects on the Environment/27 Whether the work and designations are reasonably necessary for achieving the project objectives Table 27-1: Assessment of North Projects against Section 171(1)(c) - Reasonable Necessity Project Objectives are listed as: a) Improves connectivity b) Is safe 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 It should be noted that all these Project Objectives for East Coast Road – Segment 1, can be fully achieved without requiring the purchase of the above noted designations. -Section 171 of the RMA Act 1991 sets out the matters that a territorial authority must have particular regard to when considering the effects on the environment of allowing a Requirement. These include; Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought. Given that the NoR's are for properties adjacent an already sufficiently wide transport corridor, it can be accepted that the designations are not reasonably necessary. I am simply requesting that Te Tupu Ngatahi abide by their own recommendations, and use the entirely sufficient transport corridor they have already secured for their proposed upgrade. Significant Detrimental Effects -Post the 2019 purchase of land from 2182 East Coast Road in 2019, 2181 East Coast Road has been developed into Vantage Point, a 21 unit title commercial/retail center servicing the greater Silverdale area. This development is a fully leased, vibrant, and well utilised community hub featuring, among many, a cafe, gym, pilates center, holistic health center, Taekwondo youth training center, volunteer animal rescue and desexing center, and volunteer charity shop. As such, onsite parking in our development is always at a premium. The land taken by the NoR would not only require taking a slice off the cafe, but would also take 10 carparks, which would not be able to be replicated on site, and would have a very negative impact on our development overall. Of these 10 carparks, 2 are associated with unit titles and comprise 50% of each units dedicated parking. Loss of these carparks would render these units practically nonviable. The other 8 car parks belong to the developments Body Corp, and constitute 19% of the developments total available public parking. Loss of these carparks would greatly impact the development overall successful operation. This point has in fact been noted in: Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.1 ECR - segment 1; which has designated the impacts on 2181 East Coast Road parking as High/significant constraints or potential effects (avoid where practicable). Given that the present transport corridor is already 8m plus wider than required, avoidance is easily practical. -The land required by the NoR would also result in a significant shortening and increased gradient to the developments already difficult driveway/entrance at what is a busy lane-reduction choke point on East Coast Road. Visibility of oncoming vehicles, cycles, and pedestrians would be greatly reduced, whilst simultaneously encouraging cars to “power up” the resultant short, steep exit from the complex. -The land required by the NoR includes unit title 2181/21, a privately owned title which houses the main power transformer which supplies power to 2181 East Coast Road, 2183 East Coast Road, and 56 Tavern Rd. This Unit title would need to be purchased outright, the transformer removed, and a new main power connection created for the 3 properties. -Of the total 86 properties/titles effected by NoR's in the East Coast Road Upgrade/Segments 1,2, and 3, 26 (30%) of the properties/titles are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor. In fact, in Segment 1, 26 (85%) of the total 30 properties/titles subject to NoR's are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor. It seems inherently unjust and onerous to burden all these property owners with 30 year NoR's that are unnecessary and contradict TeTupu Ngatahi's own recommendations.

3.2

3.3

3.□

3.□

3.□

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

Please see attached document; 2181 ECR NoR Part 2. I or we seek the following recommendation or decision from Auckland Council That Auckland Council instruct Te Tupu Ngatahi to fully and properly utilise the transport corridor they have already secured on the west side of East Coast Road between Tavern Road and Newman Road for the East Coast Road Segment 1 upgrade, and remove the Notice of Requirements from 2181 East Coast Road (Designation 401088) in particular, and more generally, from all the east side properties (Designations 401071, 401077, 401113, 401137) between Tavern Road and Newman Road.

Submission date: 27 November 2023

Supporting documents

2181 ECR NoR Part 1\_20231127144830.214.pdf

2181 ECR NoR Part 2.pdf

### Attend a hearing

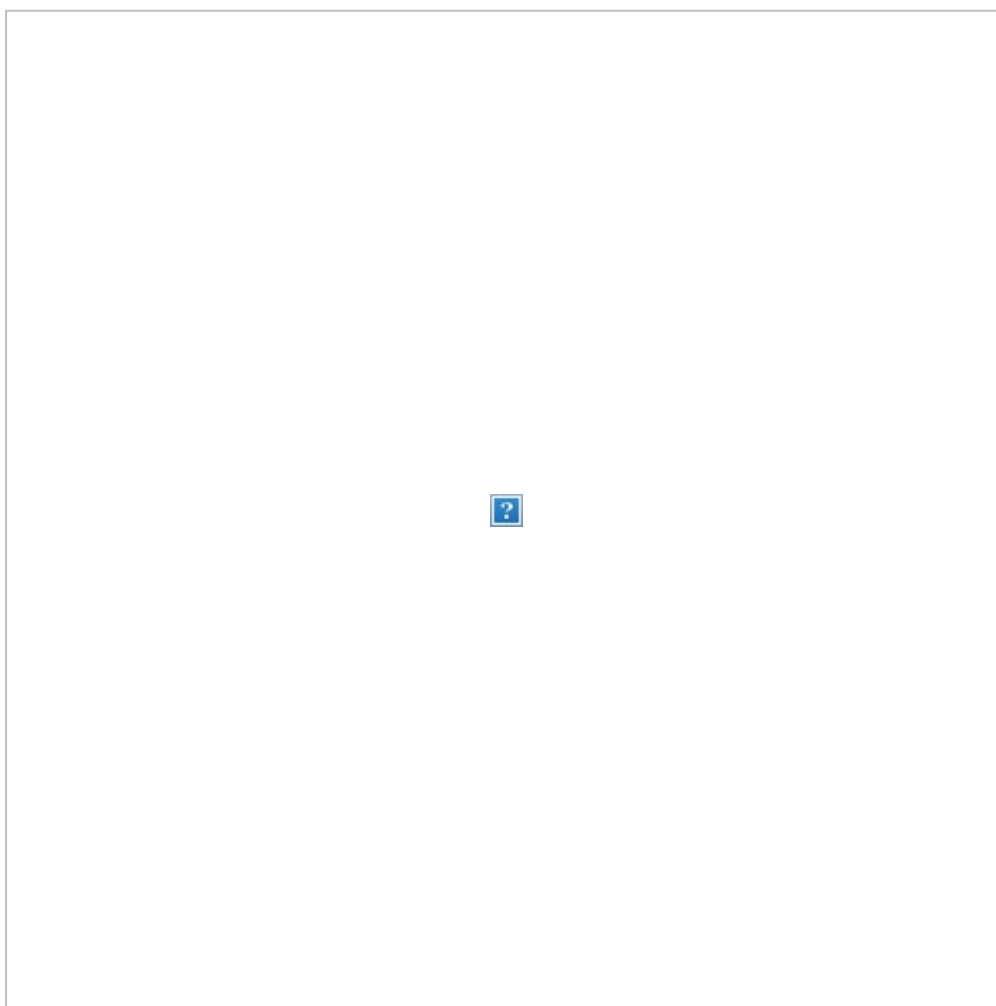
Do you wish to be heard in support of your submission? Yes

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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### The reason for my or our views are

I am opposed to NoR 13: Upgrade East Coast Road - Segment 1 (Hibiscus Coast Highway to Newman Road).

I am opposed to the need to acquire and use land from the east side of East Coast Road for said upgrade, specifically;

Designation 401088, 2181 East Coast Rd, Unit Titles 1- 21

Also;

Designation 401071, 56 Tavern Rd

Designation 401077, 2183 East Coast Rd

Designation 401113, 2157 East Coast Rd

Designation 401137, 2163 East Coast Rd

In 2017-2019 Auckland Transport undertook assessment, and then purchase, of a significant parcel of land from 2182 East Coast Road (west side) for \$2,767,000.00 +GST.

This figure included a \$407,000.00+GST contribution for the building of a road supporting structural retaining wall.

It is my understanding that at this time, Auckland Transport also investigated the possibility of purchasing land from 2181 East Coast Road (east side) prior to it being developed, but deemed this unnecessary.

This purchase of land from 2182 East Coast Road ensured an effective, 32 meter plus wide, transport corridor for future upgrading along East Coast Road from prior Tavern Road to Newman Road, north to south.

This 2019 purchase of land has rendered the NoR's over the above mentioned property designations unnecessary, as detailed in the Unitary Plan:

3.1

### Unnecessary

-As per Unitary Plan/North/Assessment of Transport Effects/16 NoR13/16.1

Overview; *" It is proposed that the new corridor will accommodate an indicative 24m urban arterial cross section."* (figure 16-1).

Figure 16-1: Upgrade to East Road between Hibiscus Coast Highway and Newman Road



This proposed 24m CFAF is well within the scope of the already secured 32m plus transport corridor, suggesting that no extra land is required for the corridor at this location.

-This point is further reinforced in;

Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.4, Recommendations

ECR Segment 1 - *Widening to both sides where possible. Avoid the cemetery and make use of grassed road corridor adjacent to the recently developed residential land on the west, in consultation with landowner. This option is also likely to avoid recently developed land parcels.*

-Also, as per;

Unitary Plan/North/Assessment of Effects on the Environment/27

Whether the work and designations are reasonably necessary for achieving the project objectives

Table 27-1: Assessment of North Projects against Section 171(1)(c) - Reasonable Necessity

3.2

Project Objectives are listed as:

- a) *Improves connectivity*
- b) *Is safe*
- 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*

It should be noted that all these Project Objectives for East Coast Road – Segment 1, can be fully achieved without requiring the purchase of the above noted designations.

-Section 171 of the RMA Act 1991 sets out the matters that a territorial authority **must** have particular regard to when considering the effects on the environment of allowing a Requirement.

These include; *Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.*

Given that the NoR's are for properties adjacent an already sufficiently wide transport corridor, it can be accepted that the designations are not reasonably necessary.

I am simply requesting that Te Tupu Ngatahi abide by their own recommendations, and use the entirely sufficient transport corridor they have already secured for their proposed upgrade.

### **Significant Detrimental Effects**

-Post the 2019 purchase of land from 2182 East Coast Road in 2019, 2181 East Coast Road has been developed into Vantage Point, a 21 unit title commercial/retail center servicing the greater Silverdale area.

This development is a fully leased, vibrant, and well utilised community hub featuring, among many, a cafe, gym, pilates center, holistic health center, Taekwondo youth training center, volunteer animal rescue and desexing center, and volunteer charity shop.

As such, onsite parking in our development is always at a premium. The land taken by the NoR would not only require taking a slice off the cafe, but would also take 10 carparks, which would not be able to be replicated on site, and would have a very negative impact on our development overall.

Of these 10 carparks, 2 are associated with unit titles and comprise 50% of each units dedicated parking. Loss of these carparks would render these units practically nonviable.

The other 8 car parks belong to the developments Body Corp, and constitute 19% of the developments total available public parking. Loss of these carparks would greatly impact the development overall successful operation.

This point has in fact been noted in:

Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.1

ECR - segment 1; which has designated the impacts on 2181 East Coast Road parking as *High/significant constraints or potential effects (avoid where practicable).*

Given that the present transport corridor is already 8m plus wider than required, avoidance is easily practical.

-The land required by the NoR would also result in a significant shortening and increased gradient to the developments already difficult driveway/entrance at what is a busy lane-reduction choke point on East Coast Road.

3.3

3.□

Visibility of oncoming vehicles, cycles, and pedestrians would be greatly reduced, whilst simultaneously encouraging cars to “power up” the resultant short, steep exit from the complex.

-The land required by the NoR includes unit title 2181/21, a privately owned title which houses the main power transformer which supplies power to 2181 East Coast Road, 2183 East Coast Road, and 56 Tavern Rd. This Unit title would need to be purchased outright, the transformer removed, and a new main power connection created for the 3 properties. 3.□

-Of the total 86 properties/titles effected by NoR's in the East Coast Road Upgrade/Segments 1,2, and 3, 26 (30%) of the properties/titles are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor.

In fact, in Segment 1, 26 (85%) of the total 30 properties/titles subject to NoR's are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor.

It seems inherently unjust and onerous to burden all these property owners with 30 year NoR's that are unnecessary and contradict TeTupu Ngatahi's own recommendations. 3.□



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

That Auckland Council instruct Te Tupu Ngatahi to fully and properly utilise the transport corridor they have already secured on the west side of East Coast Road between Tavern Road and Newman Road for the East Coast Road Segment 1 upgrade, and remove the Notice of Requirements from 2181 East Coast Road (Designation 401088) in particular, and more generally, from all the east side properties (Designations 401071, 401077, 401113, 401137) between Tavern Road and Newman Road.

**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1012] Notice of Requirement online submission - Ivy Zhou  
**Date:** Monday, 27 November 2023 4:00:46 pm

---

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

### Contact details

Full name of submitter: Ivy Zhou

Organisation name: Boutique Body Corporate Ltd

Full name of your agent: Ivy Zhou

Email address: [ivy@bbcl.co.nz](mailto:ivy@bbcl.co.nz)

Contact phone number: 02108486697

Postal address:

[ivy@bbcl.co.nz](mailto:ivy@bbcl.co.nz)

Auckland

Auckland

### Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:

I am opposed to NoR 13: Upgrade East Coast Road - Segment 1 (Hibiscus Coast Highway to Newman Road). I am opposed to the need to acquire and use land from the east side of East Coast Road for said upgrade, specifically; Designation 401088, 2181 East Coast Rd, Unit Titles 1- 21 Also; Designation 401071, 56 Tavern Rd Designation 401077, 2183 East Coast Rd Designation 401113, 2157 East Coast Rd Designation 401137, 2163 East Coast 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:

In 2017-2019 Auckland Transport undertook assessment, and then purchase, of a significant parcel of land from 2182 East Coast Road (west side) for \$2,767,000.00 +GST. This figure included a \$407,000.00+GST contribution for the building of a road supporting structural retaining wall. It is my understanding that at this time, Auckland Transport also investigated the possibility of purchasing land from 2181 East Coast Road (east side) prior to it being developed, but deemed this unnecessary. This purchase of land from 2182 East Coast Road ensured an effective, 32 meter plus wide, transport corridor for future upgrading along East Coast Road from prior Tavern Road to Newman Road, north to south. This 2019 purchase of land has rendered the NoR's over the above mentioned property designations unnecessary, as detailed in the Unitary Plan: Unnecessary -As per Unitary Plan/North/Assessment of Transport Effects/16 NoR13/16.1 Overview; " It is proposed that the new corridor will accommodate an indicative 24m urban arterial cross section." (figure 16-1).



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

That Auckland Council instruct Te Tupu Ngatahi to fully and properly utilise the transport corridor they have already secured on the west side of East Coast Road between Tavern Road and Newman Road for the East Coast Road Segment 1 upgrade, and remove the Notice of Requirements from 2181 East Coast Road (Designation 401088) in particular, and more generally, from all the east side properties (Designations 401071, 401077, 401113, 401137) between Tavern Road and Newman Road.

Submission date: 27 November 2023

### **Attend a hearing**

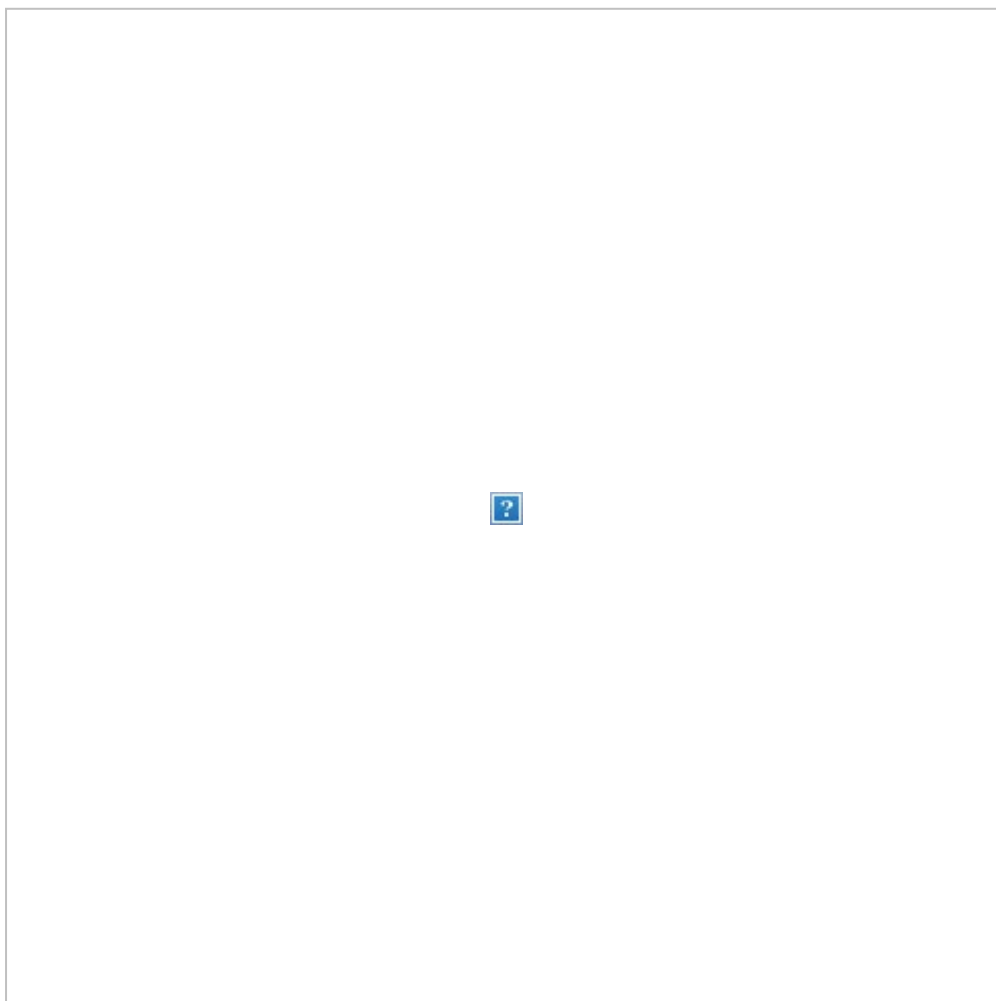
Do you wish to be heard in support of your submission? Yes

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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**To:** [Unitary Plan](#)  
**Subject:** [ID:1015] Notice of Requirement online submission - Philip Lloyd Taylor  
**Date:** Tuesday, 28 November 2023 9:00:29 am

---

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

### Contact details

Full name of submitter: Philip Lloyd Taylor

Organisation name: North Homes Ltd

Full name of your agent: Philip Lloyd Taylor

Email address: philip@northhomes.co.nz

Contact phone number: +6421776049

Postal address:

philip@northhomes.co.nz

Silverdale

Auckland

Silverdale

Auckland 0932

### Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

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:

The reason for my or our views are I am opposed to NoR 13: Upgrade East Coast Road - Segment 1 (Hibiscus Coast Highway to Newman Road). I am opposed to the need to acquire and use land from the east side of East Coast Road for said upgrade, specifically; Designation 401088, 2181 East Coast Rd, Unit Titles 1- 21 Also; Designation 401071, 56 Tavern Rd Designation 401077, 2183 East Coast Rd Designation 401113, 2157 East Coast Rd Designation 401137, 2163 East Coast Rd In 2017-2019 Auckland Transport undertook assessment, and then purchase, of a significant parcel of land from 2182 East Coast Road (west side) for \$2,767,000.00 +GST. This figure included a \$407,000.00+GST contribution for the building of a road supporting structural retaining wall. It is my understanding that at this time, Auckland Transport also investigated the possibility of purchasing land from 2181 East Coast Road (east side) prior to it being developed, but deemed this unnecessary. This purchase of land from 2182 East Coast Road ensured an effective, 32 meter plus wide, transport corridor for future upgrading along East Coast Road from prior Tavern Road to Newman Road, north to south. This 2019 purchase of land has rendered the NoR's over the above mentioned property designations unnecessary, as detailed in the Unitary Plan: Unnecessary -As per Unitary Plan/North/Assessment of Transport Effects/16 NoR13/16.1 Overview; " It is proposed that the new corridor will accommodate an indicative 24m urban arterial cross section." (figure 16-1). This proposed 24m CFAF is well within the scope of the already secured 32m plus transport corridor, suggesting that no extra land is required for the corridor at this location. -This point is further reinforced in; Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.4, Recommendations ECR Segment 1 - Widening to both sides where possible. Avoid the cemetery and make use of grassed road corridor adjacent to the recently developed residential land on the west, in consultation with landowner. This option is also likely to avoid recently developed land parcels. -Also, as per; Unitary Plan/North/Assessment of Effects on



the Environment/27 Whether the work and designations are reasonably necessary for achieving the project objectives Table 27-1: Assessment of North Projects against Section 171(1)(c) - Reasonable Necessity Project Objectives are listed as: a) Improves connectivity b) Is safe 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 It should be noted that all these Project Objectives for East Coast Road – Segment 1, can be fully achieved without requiring the purchase of the above noted designations. - Section 171 of the RMA Act 1991 sets out the matters that a territorial authority must have particular regard to when considering the effects on the environment of allowing a Requirement. These include; Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought. Given that the NoR's are for properties adjacent an already sufficiently wide transport corridor, it can be accepted that the designations are not reasonably necessary. I am simply requesting that Te Tupu Ngatahi abide by their own recommendations, and use the entirely sufficient transport corridor they have already secured for their proposed upgrade. Significant Detrimental Effects -Post the 2019 purchase of land from 2182 East Coast Road in 2019, 2181 East Coast Road has been developed into Vantage Point, a 21 unit title commercial/retail center servicing the greater Silverdale area. This development is a fully leased, vibrant, and well utilised community hub featuring, among many, a cafe, gym, pilates center, holistic health center, Taekwondo youth training center, volunteer animal rescue and desexing center, and volunteer charity shop. As such, onsite parking in our development is always at a premium. The land taken by the NoR would not only require taking a slice off the cafe, but would also take 10 carparks, which would not be able to be replicated on site, and would have a very negative impact on our development overall. Of these 10 carparks, 2 are associated with unit titles and comprise 50% of each units dedicated parking. Loss of these carparks would render these units practically nonviable. The other 8 car parks belong to the developments Body Corp, and constitute 19% of the developments total available public parking. Loss of these carparks would greatly impact the development overall successful operation. This point has in fact been noted in: Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.1 ECR - segment 1; which has designated the impacts on 2181 East Coast Road parking as High/significant constraints or potential effects (avoid where practicable). Given that the present transport corridor is already 8m plus wider than required, avoidance is easily practical. -The land required by the NoR would also result in a significant shortening and increased gradient to the developments already difficult driveway/entrance at what is a busy lane-reduction choke point on East Coast Road. Visibility of oncoming vehicles, cycles, and pedestrians would be greatly reduced, whilst simultaneously encouraging cars to “power up” the resultant short, steep exit from the complex. -The land required by the NoR includes unit title 2181/21, a privately owned title which houses the main power transformer which supplies power to 2181 East Coast Road, 2183 East Coast Road, and 56 Tavern Rd. This Unit title would need to be purchased outright, the transformer removed, and a new main power connection created for the 3 properties. -Of the total 86 properties/titles effected by NoR's in the East Coast Road Upgrade/Segments 1,2, and 3, 26 (30%) of the properties/titles are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor. In fact, in Segment 1, 26 (85%) of the total 30 properties/titles subject to NoR's are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor. It seems inherently unjust and onerous to burden all these property owners with 30 year NoR's that are unnecessary and contradict TeTupu Ngatahi's own recommendations.

2

3

I or we seek the following recommendation or decision from Auckland Council:  
 I or we seek the following recommendation or decision from Auckland Council That Auckland Council instruct Te Tupu Ngatahi to fully and properly utilise the transport corridor they have already secured on the west side of East Coast Road between Tavern Road and Newman Road for the East Coast Road Segment 1 upgrade, and remove the Notice of Requirements from 2181 East Coast Road (Designation 401088) in particular, and more generally, from all the east side properties (Designations 401071, 401077, 401113, 401137) between Tavern Road and Newman Road.

Submission date: 28 November 2023

**Attend a hearing**

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

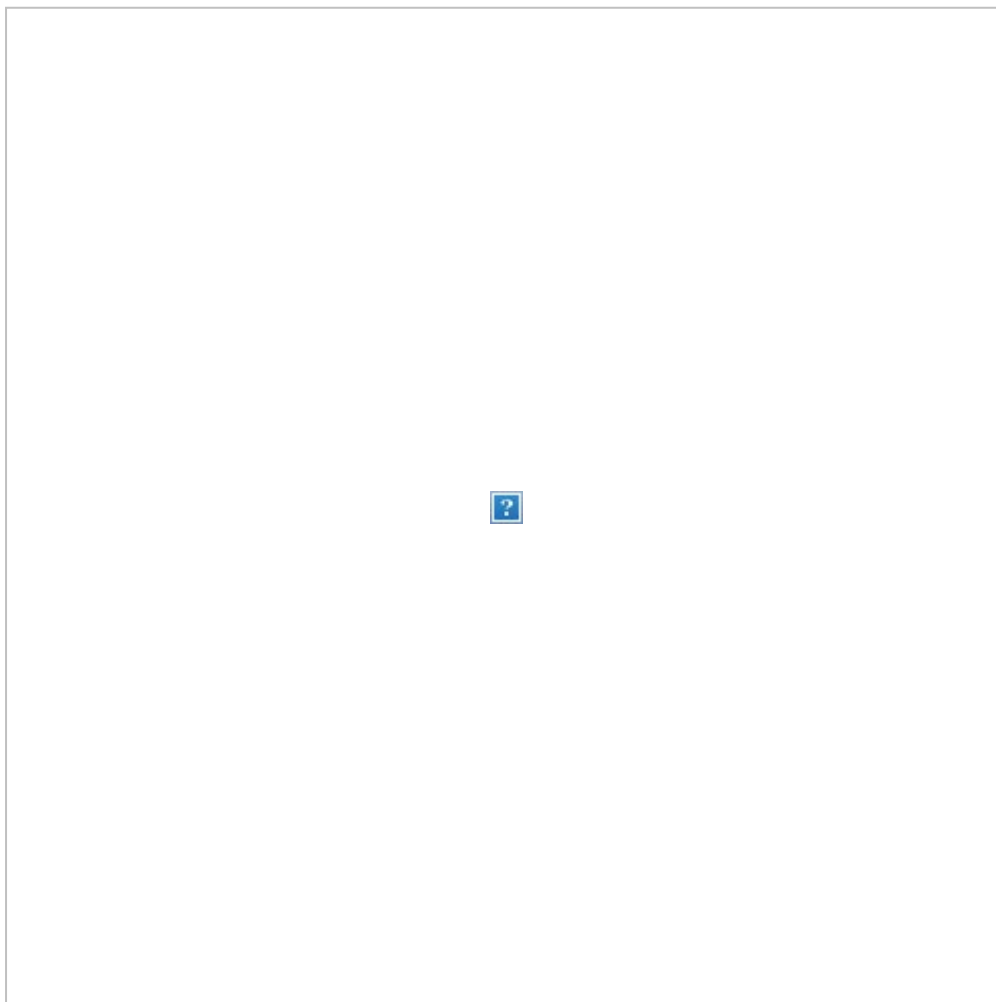
Would you consider presenting a joint case at a hearing if others have made a similar submission?

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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**To:** [Unitary Plan](#)  
**Subject:** [ID:1020] Notice of Requirement online submission - Qiankun Li  
**Date:** Thursday, 30 November 2023 9:30:19 pm

---

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

**Contact details**

Full name of submitter: Qiankun Li  
Organisation name: Honest Investment Ltd  
Full name of your agent:  
Email address: qiankunli@hotmail.com  
Contact phone number: 0210481768  
Postal address:  
21 spencer road  
Oteha  
Auckland 0632

**Submission details**

Name of requiring authority: Auckland Transport  
The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

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:  
theres no detail design of the project yet.



I or we seek the following recommendation or decision from Auckland Council:  
need to know more details.

Submission date: 30 November 2023

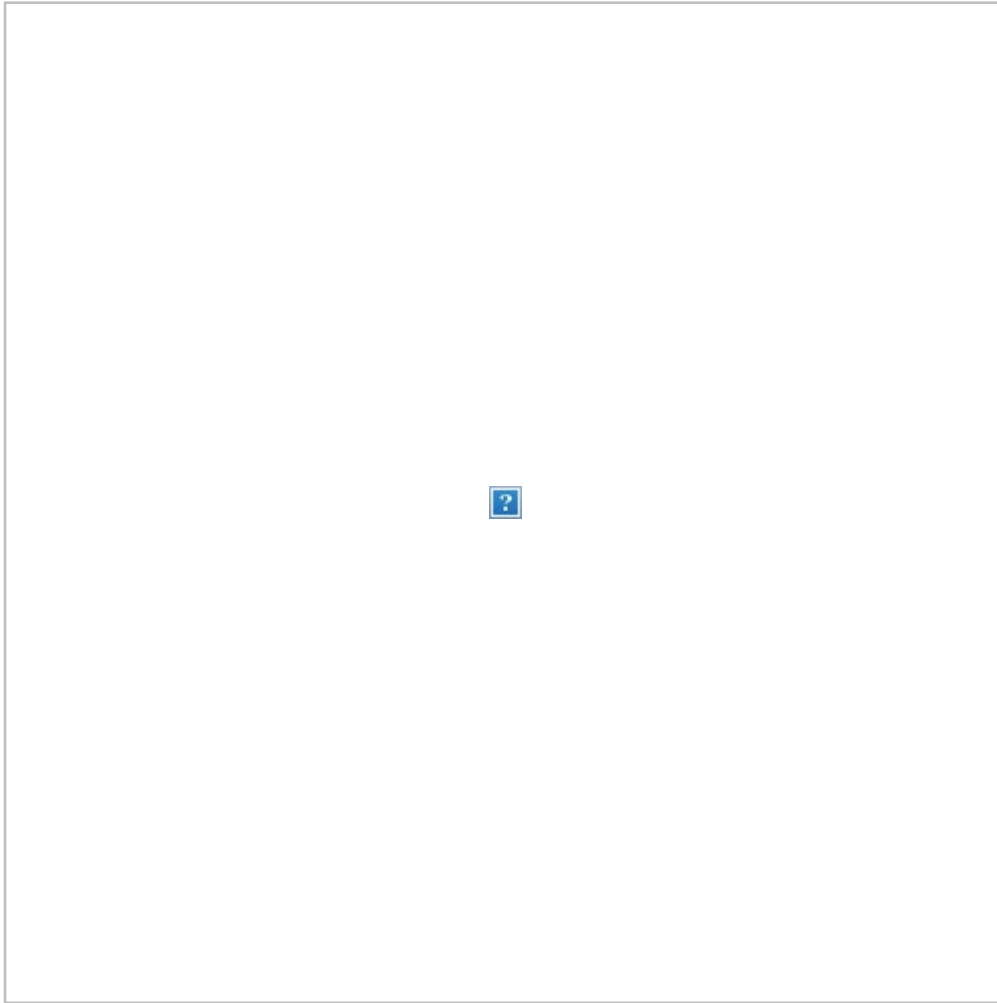
**Attend a hearing**

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,
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**To:** [Unitary Plan](#)  
**Subject:** [ID:1028] Notice of Requirement online submission - andrew pierce  
**Date:** Monday, 4 December 2023 8:45:33 am

---

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

**Contact details**

Full name of submitter: andrew pierce

Organisation name:

Full name of your agent:

Email address: tripletzone@xtra.co.nz

Contact phone number: 0274034927

Postal address:  
1976 Eastcoast Rd  
RD3 Silverdale  
Auckland 0993

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
Using my land as landfill

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 securing of approximately 1ha of land to support a foot path seems excessive. RMA laps date and certainty of time line is prohibitive. Progress for subdivision for intended new house site now prevented. Certainty of future sales and development uncertain for up to 30 years



I or we seek the following recommendation or decision from Auckland Council:  
Immediate purchase of land required for development

Submission date: 4 December 2023

**Attend a hearing**

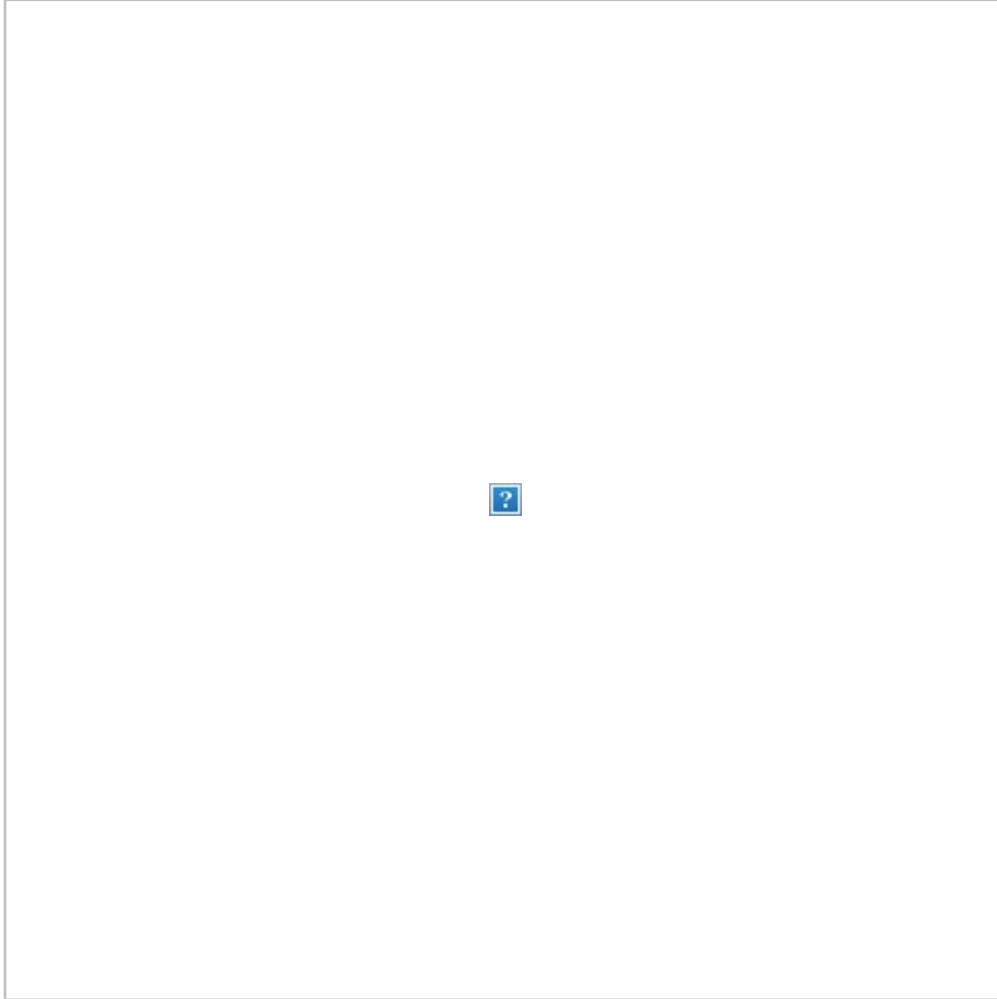
Do you wish to be heard in support of your submission? Yes

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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1051] Notice of Requirement online submission - Ian Robert Woolley  
**Date:** Thursday, 7 December 2023 12:30:25 pm

---

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

**Contact details**

Full name of submitter: Ian Robert Woolley

Organisation name:

Full name of your agent:

Email address: rg.re.woolley@xtra.co.nz

Contact phone number: 0223266070

Postal address:

Silverdale  
Auckland 0946

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
2038 East Coast Rd (legal description Pt Lot 4 DP 141946) East coast road section

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 proposed designation area is the only flat part of the land with east coast road access, taking this part would leave only a steep slope and any further work done will only increase the slopes steepness.



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

Submission date: 7 December 2023

**Attend a hearing**

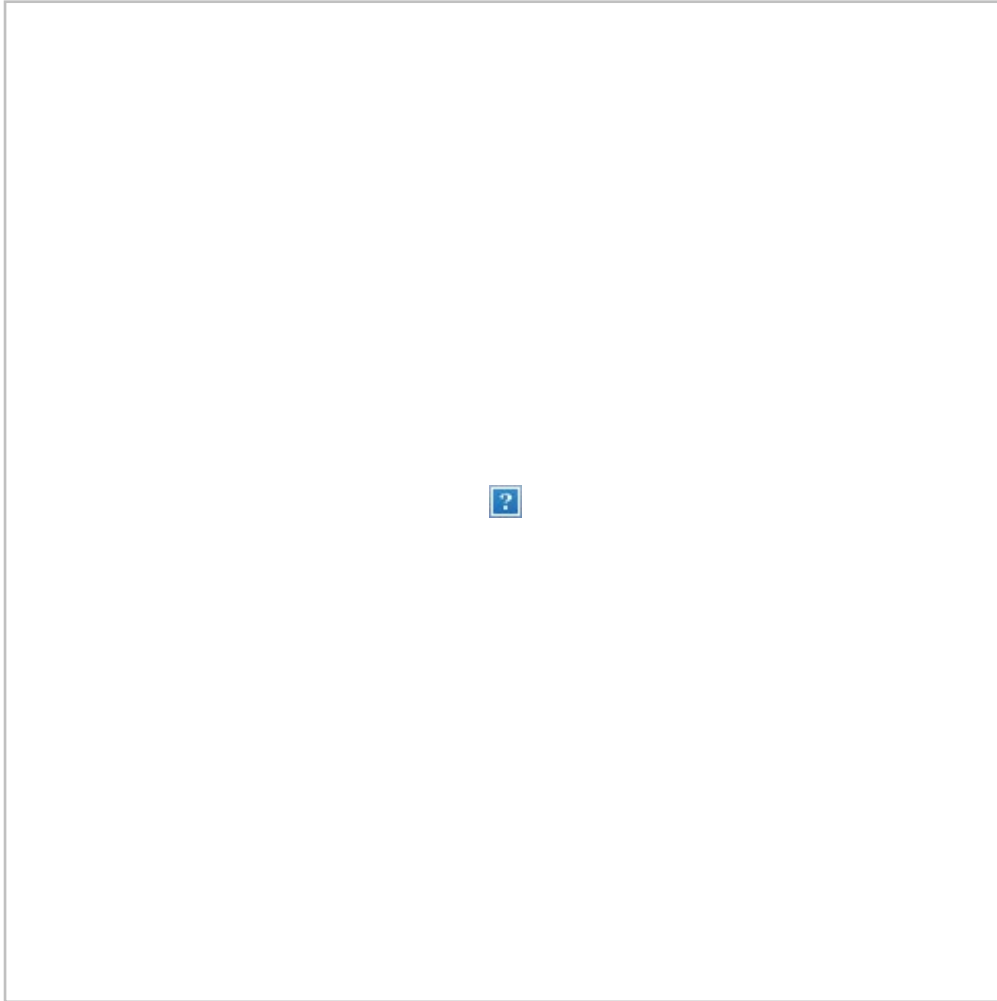
Do you wish to be heard in support of your submission? Yes

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,
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**To:** [Unitary Plan](#)  
**Subject:** [ID:1052] Notice of Requirement online submission - Karleen Winters  
**Date:** Thursday, 7 December 2023 6:00:25 pm

---

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

**Contact details**

Full name of submitter: Karleen Winters

Organisation name:

Full name of your agent:

Email address: mytintomato@gmail.com

Contact phone number:

Postal address:

P.O. Box 22  
Helensville  
Auckland 0840

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1800 and 1802 East Coast Rd

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 need for growth but question my ability to be able to proceed with a fair market valuation should I wish to sell in the interim before works start.

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

The resulting loss of land value because of the long time frame puts me in a difficult position if I ever need to sell. I am elderly and will be dead by the time this project is realised.



Submission date: 7 December 2023

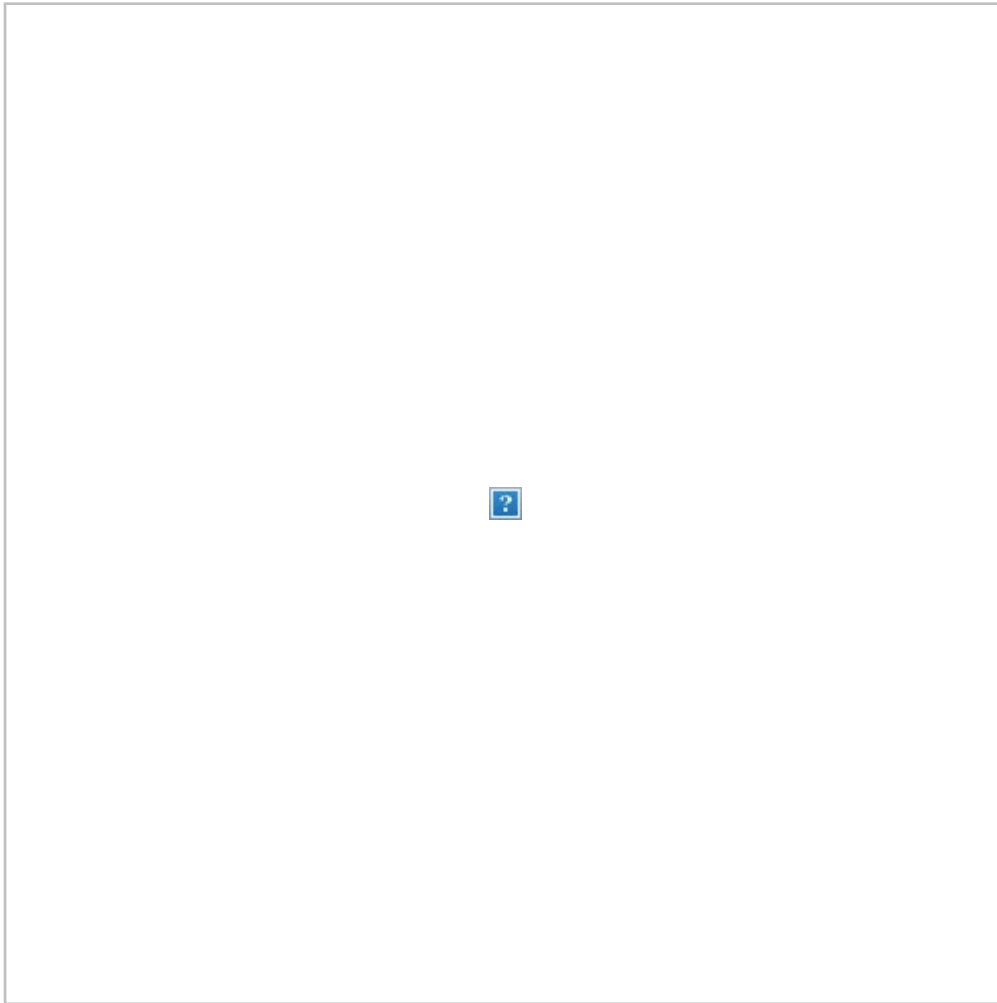
**Attend a hearing**

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

**Declaration**

I accept and agree that:

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**To:** [Unitary Plan](#)  
**Subject:** [ID:1060] Notice of Requirement online submission - Nader Samadi  
**Date:** Friday, 8 December 2023 1:15:25 pm

---

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

**Contact details**

Full name of submitter: Nader Samadi

Organisation name:

Full name of your agent:

Email address: [nader@naderhair.com](mailto:nader@naderhair.com)

Contact phone number:

Postal address:  
1746 East Coast Road  
Dairy flat  
Auckland 0794

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

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:  
I'm neutral until not effect me , when I want to sale my house

10.1

I or we seek the following recommendation or decision from Auckland Council:  
none

Submission date: 8 December 2023

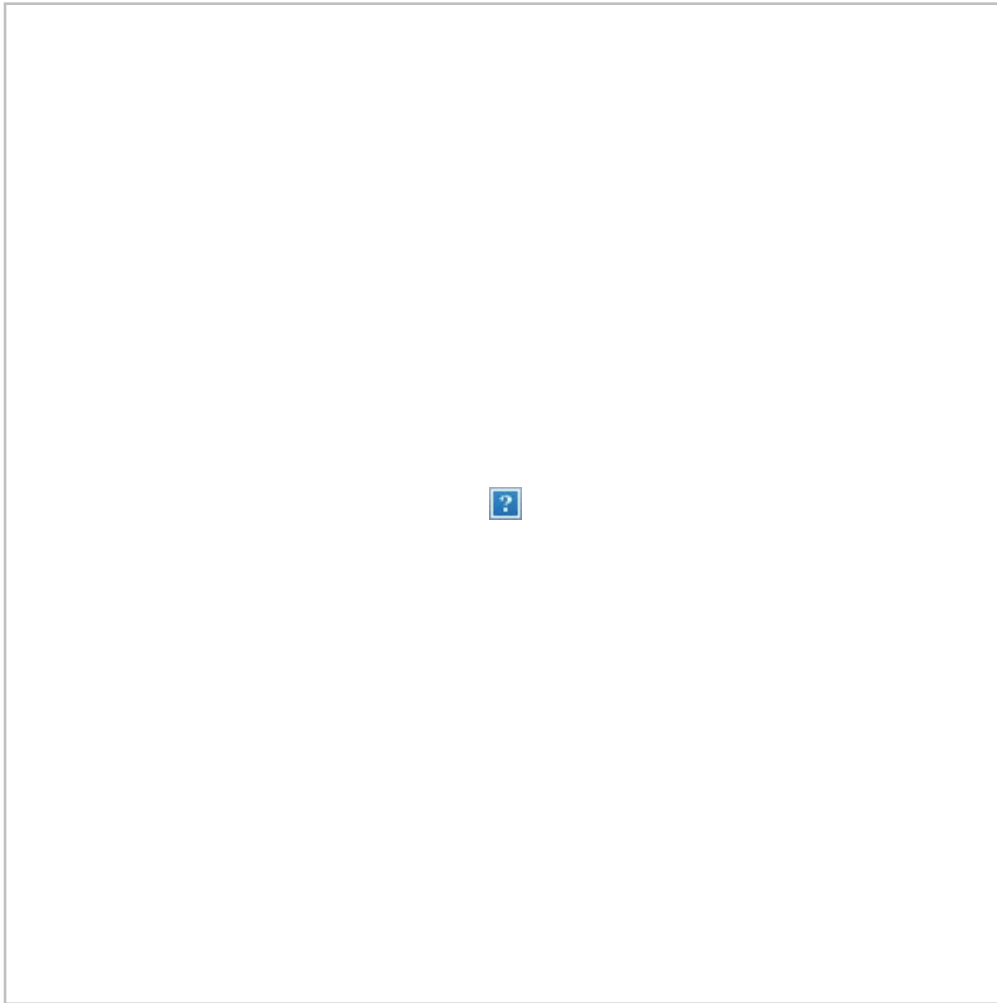
**Attend a hearing**

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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## **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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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. Yen Sung Chou

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

#### Address for service of Submitter

Telephone:

211421312

Email:

bbiisj@gmail.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

North: (NoR 13) Upgrade to East Coast Road between Silverdale and Redvale

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

1853 East Coast Road, Redvale, Auckland

#### 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:

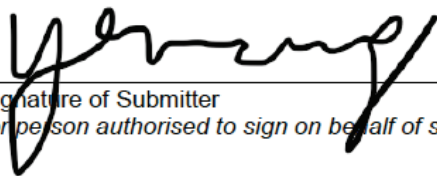
Most of the houses along the road are lower than the East Coast Road especially my property is much lower than others. After this project, East Coast Road will be 3-4 times wilder, the drainage is a serious issue as we can see the recent Auckland flood and most of the drain system can not cope with it. We are very worried that life and property will be harmed during heavy rains after this construction. If any future flood damage occurs after this project, AT takes full responsibility for the damage.

secondly traffic & noise is another big problem as the property is now much closer to the road.

(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)

06/12/2023  
 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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1112] Notice of Requirement online submission - Sean McColl  
**Date:** Tuesday, 12 December 2023 1:00:17 pm

---

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

#### Contact details

Full name of submitter: Sean McColl

Organisation name:

Full name of your agent:

Email address: seanmc@xtra.co.nz

Contact phone number: 0274409942

Postal address:

#### Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
 2181 East Coast Rd, Silverdale

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 opposed to NoR 13: Upgrade East Coast Road - Segment 1 (Hibiscus Coast Highway to Newman Road). I am opposed to the need to acquire and use land from the east side of East Coast Road for said upgrade, specifically; Designation 401088, 2181 East Coast Rd, Unit Titles 1- 21 Also; Designation 401071, 56 Tavern Rd Designation 401077, 2183 East Coast Rd Designation 401113, 2157 East Coast Rd Designation 401137, 2163 East Coast Rd In 2017-2019 Auckland Transport undertook assessment, and then purchase, of a significant parcel of land from 2182 East Coast Road (west side) for \$2,767,000.00 +GST. This figure included a \$407,000.00+GST contribution for the building of a road supporting structural retaining wall. It is my understanding that at this time, Auckland Transport also investigated the possibility of purchasing land from 2181 East Coast Road (east side) prior to it being developed, but deemed this unnecessary. This purchase of land from 2182 East Coast Road ensured an effective, 32 meter plus wide, transport corridor for future upgrading along East Coast Road from prior Tavern Road to Newman Road, north to south. This 2019 purchase of land has rendered the NoR's over the above mentioned property designations unnecessary, as detailed in the Unitary Plan: Unnecessary -As per Unitary Plan/North/Assessment of Transport Effects/16 NoR13/16.1 Overview; " It is proposed that the new corridor will accommodate an indicative 24m urban arterial cross section." (figure 16-1). This proposed 24m CFAF is well within the scope of the already secured 32m plus transport corridor, suggesting that no extra land is required for the corridor at this location. -This point is further reinforced in; Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.4, Recommendations ECR Segment 1 - Widening to both sides where possible. Avoid the cemetery and make use of grassed road corridor adjacent to the recently developed residential land on the west, in consultation with landowner. This option is also likely to avoid recently developed land parcels. -Also, as per; Unitary Plan/North/Assessment of Effects on the Environment/27 Whether the work and designations are reasonably necessary for achieving the project objectives Table 27-1: Assessment of North Projects against Section 171(1)(c) - Reasonable Necessity Project

13.1

Objectives are listed as: a) Improves connectivity b) Is safe 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 It should be noted that all these Project Objectives for East Coast Road – Segment 1, can be fully achieved without requiring the purchase of the above noted designations. -Section 171 of the RMA Act 1991 sets out the matters that a territorial authority must have particular regard to when considering the effects on the environment of allowing a Requirement. These include; Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought. Given that the NoR's are for properties adjacent an already sufficiently wide transport corridor, it can be accepted that the designations are not reasonably necessary. I am simply requesting that Te Tupu Ngatahi abide by their own recommendations, and use the entirely sufficient transport corridor they have already secured for their proposed upgrade. Significant Detrimental Effects -Post the 2019 purchase of land from 2182 East Coast Road in 2019, 2181 East Coast Road has been developed into Vantage Point, a 21 unit title commercial/retail center servicing the greater Silverdale area. This development is a fully leased, vibrant, and well utilised community hub featuring, among many, a cafe, gym, pilates center, holistic health center, Taekwondo youth training center, volunteer animal rescue and desexing center, and volunteer charity shop. As such, onsite parking in our development is always at a premium. The land taken by the NoR would not only require taking a slice off the cafe, but would also take 10 carparks, which would not be able to be replicated on site, and would have a very negative impact on our development overall. Of these 10 carparks, 2 are associated with unit titles and comprise 50% of each units dedicated parking. Loss of these carparks would render these units practically nonviable. The other 8 car parks belong to the developments Body Corp, and constitute 19% of the developments total available public parking. Loss of these carparks would greatly impact the development overall successful operation. This point has in fact been noted in: Unitary Plan/Assessment of Alternatives 2 of 2/North Network/18-NoR13/18.5.1 ECR - segment 1; which has designated the impacts on 2181 East Coast Road parking as High/significant constraints or potential effects (avoid where practicable). Given that the present transport corridor is already 8m plus wider than required, avoidance is easily practical. -The land required by the NoR would also result in a significant shortening and increased gradient to the developments already difficult driveway/entrance at what is a busy lane-reduction choke point on East Coast Road. Visibility of oncoming vehicles, cycles, and pedestrians would be greatly reduced, whilst simultaneously encouraging cars to “power up” the resultant short, steep exit from the complex. -The land required by the NoR includes unit title 2181/21, a privately owned title which houses the main power transformer which supplies power to 2181 East Coast Road, 2183 East Coast Road, and 56 Tavern Rd. This Unit title would need to be purchased outright, the transformer removed, and a new main power connection created for the 3 properties. -Of the total 86 properties/titles effected by NoR's in the East Coast Road Upgrade/Segments 1,2, and 3, 26 (30%) of the properties/titles are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor. In fact, in Segment 1, 26 (85%) of the total 30 properties/titles subject to NoR's are on the east side of East Coast Road between Tavern Road and Newman Road, all adjacent an already sufficiently wide transport corridor. It seems inherently unjust and onerous to burden all these property owners with 30 year NoR's that are unnecessary and contradict TeTupu Ngatahi's own recommendations.

13.2

13.3

13.□

13.□

13.□

I or we seek the following recommendation or decision from Auckland Council:  
That Auckland Council instruct Te Tupu Ngatahi to instead design the transport corridor they have already secured on the west side of East Coast Road between Tavern Road and Newman Road for the East Coast Road Segment 1 upgrade, and remove the Notice of Requirements from 2181 East Coast Road (Designation 401088) in particular, and more generally, from all the east side properties (Designations 401071, 401077, 401113, 401137) between Tavern Road and Newman Road.

Submission date: 12 December 2023

**Attend a hearing**

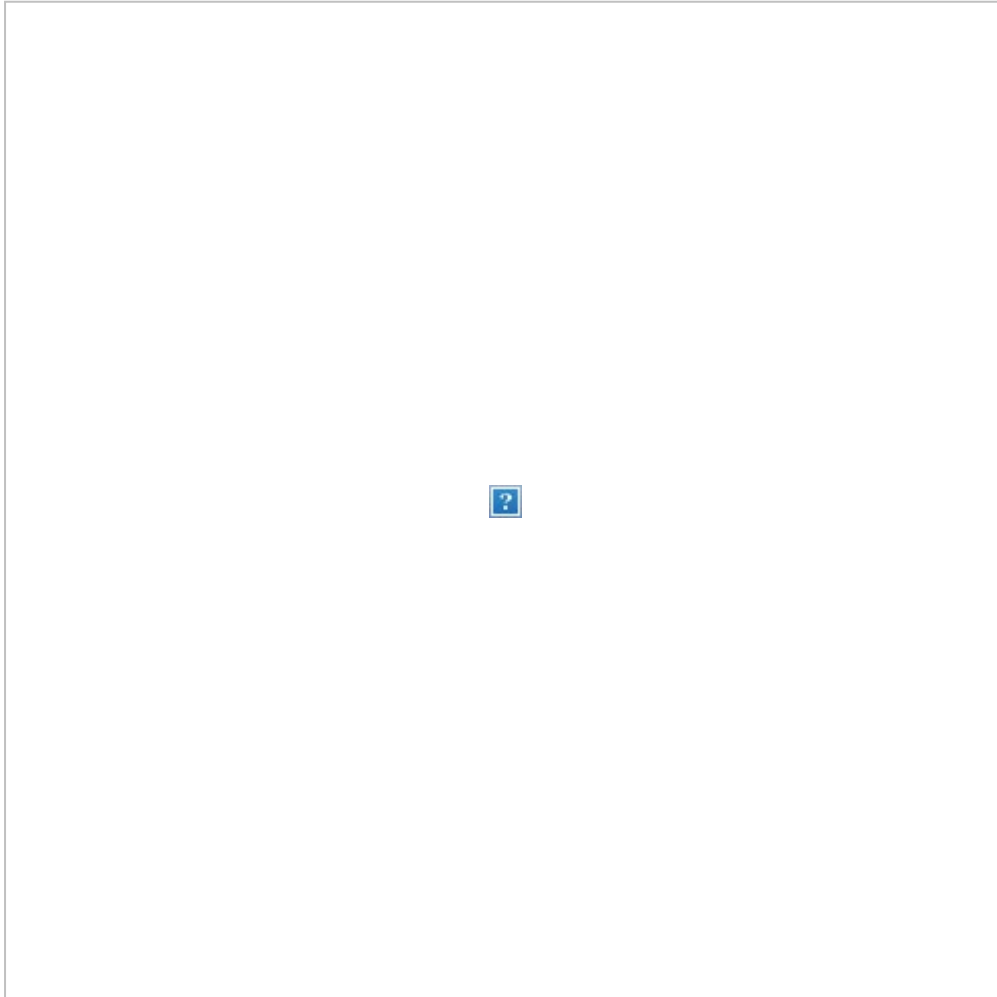
Do you wish to be heard in support of your submission? Yes

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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1125] Notice of Requirement online submission - Manuhiri Kaitiaki Charitable Trust  
**Date:** Tuesday, 12 December 2023 2:30:14 pm

---

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

#### Contact details

Full name of submitter: Manuhiri Kaitiaki Charitable Trust

Organisation name:

Full name of your agent:

Email address: [kaitiaki@ngatimanuhiri.iwi.nz](mailto:kaitiaki@ngatimanuhiri.iwi.nz)

Contact phone number:

Postal address:

PO BOX 117  
Warkworth  
Auckland 0941

#### Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:

The Ngāti Manuhiri Settlement Trust, serving as the recognised mana whenua and the mandated iwi authority, holds jurisdiction from Te Ārai to Takapuna, extending its influence over to some of the inner and outer islands of Te Moana Nui ā Toi encompassing coastline, and Mahurangi area. The Manuhiri Kaitiaki Charitable Trust is entrusted with the execution of environmental services and response activities on behalf of the Ngāti Manuhiri Settlement Trust.

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:

Engagement with the Manuhiri Kaitiaki Charitable Trust to oversee projects involving interactions with the taiao from a cultural perspective. This Trust specializes in upholding kaitiakitanga, tikanga, and matauranga values, ensuring a respectful and culturally sensitive approach to such projects. The taiao represents our rich cultural heritage and warrants meticulous care in its interaction with development initiatives. The expertise of the Manuhiri Kaitiaki Charitable Trust will provide invaluable insights, guiding projects to align with cultural protocols and honour indigenous wisdom.



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

By collaborating with the Trust, projects will benefit from a holistic viewpoint that integrates cultural values into decision-making processes. This partnership not only ensures compliance with cultural standards but also enhances project outcomes by embracing diverse perspectives. The Trust's involvement guarantees a harmonious balance between development and cultural preservation, embodying the Council's commitment to cultural inclusivity and sensitivity. We strongly urge the Council to engage the Manuhiri Kaitiaki Charitable Trust for cultural oversight in taiao interfacing projects, ensuring a culturally respectful and sustainable approach to development. Thank you for your attention.

Submission date: 12 December 2023

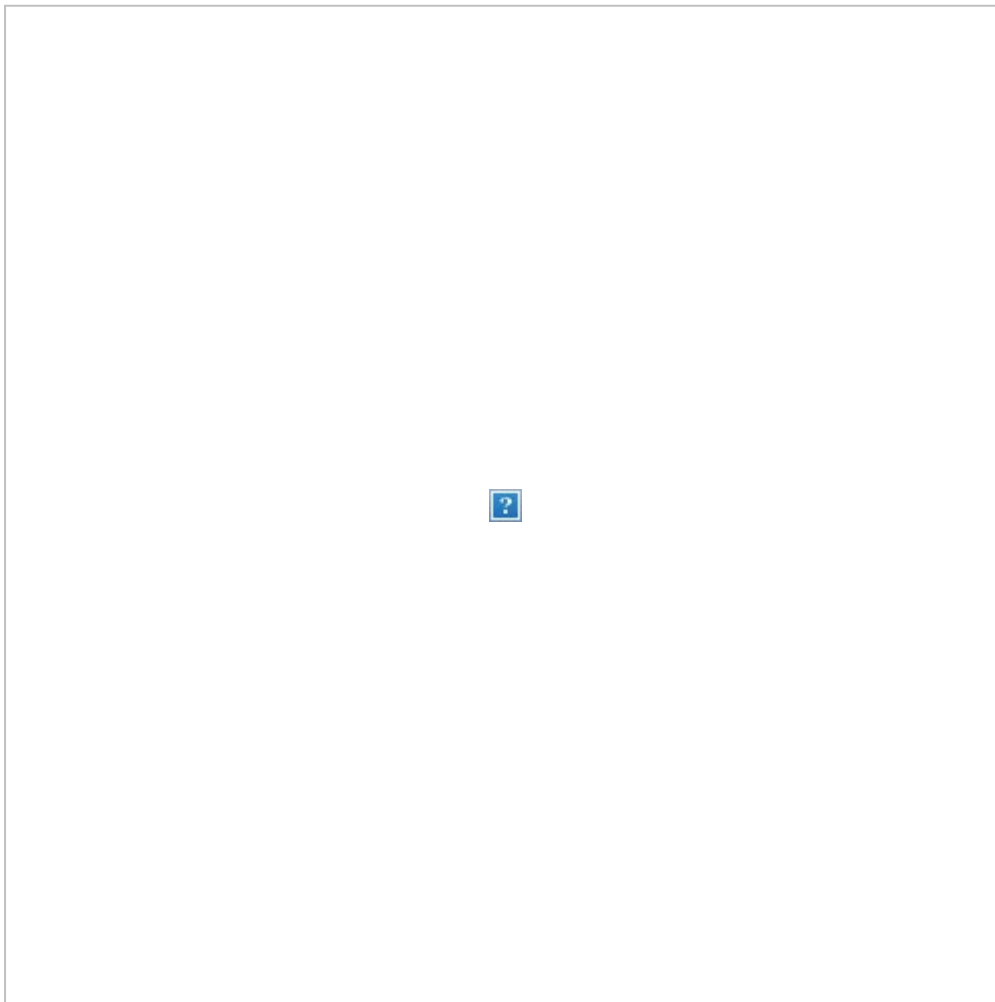
**Attend a hearing**

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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**To:** [Unitary Plan](#)  
**Subject:** [ID:1128] Notice of Requirement online submission - PJ Clark and BC Jeffs  
**Date:** Tuesday, 12 December 2023 3:00:22 pm

---

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

**Contact details**

Full name of submitter: PJ Clark and BC Jeffs

Organisation name:

Full name of your agent: phillip john Clark

Email address: bonus351@xtra.co.nz

Contact phone number: +64274780077

Postal address:  
bonus351@xtra.co.nz  
Auckland  
Auckland 0930

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
Owner ID:302028 Title No: NA1877/91 2076 East Coast Road

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:  
The uncertainties of the time frame and how this effects the decisions we make on our property.



I or we seek the following recommendation or decision from Auckland Council:  
We would like to know how we will be able to access the front of our property. And how will we be Compensated for the land acquisition.

Submission date: 12 December 2023

**Attend a hearing**

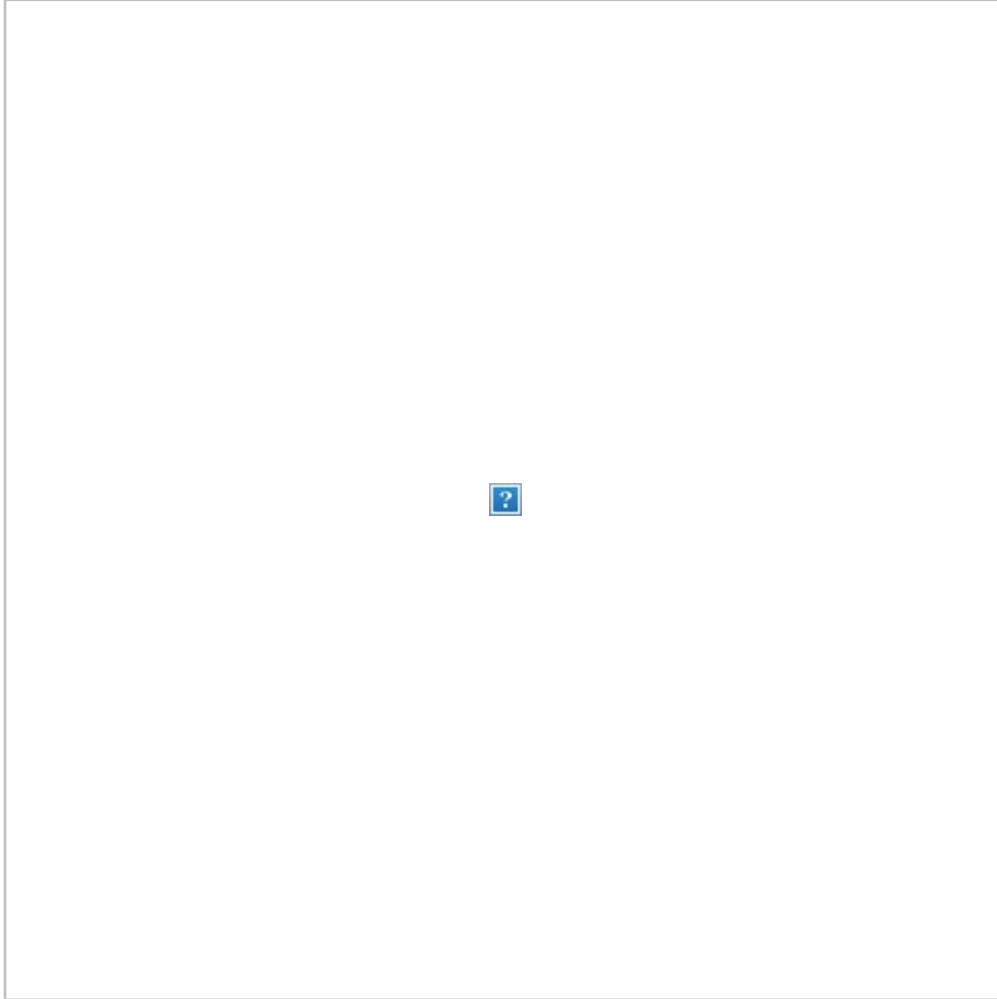
Do you wish to be heard in support of your submission? Yes

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](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1134] Notice of Requirement online submission - Senog Choi  
**Date:** Tuesday, 12 December 2023 5:45:16 pm

---

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

**Contact details**

Full name of submitter: Senog Choi

Organisation name:

Full name of your agent:

Email address: shiz9049@gmail.com

Contact phone number: 0

Postal address:  
1910 East Coast Road  
Silverdale  
Auckland 0993

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1910 East Coast Road

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:

My name is Sara, and I am the owner of the property located at 1910 East Coast Road, Silverdale, which is included in the plan for the upcoming land development. I am writing in response to the recent Notice of Requirement I received, which indicates that a portion of my property has been earmarked for future development as part of the road development plan in North Auckland. I wish to express my support for the proposed road development. However, upon reviewing the development plan, I have significant concerns about the substantial portion of my land that would be used for this purpose. Having resided in this area for over two decades, I have always envisioned a future where my children could build homes on adjacent properties through subdivision, thereby fostering a close-knit family living arrangement. Given the current size of my property, realizing this vision seems challenging. Hence, I am willing to consent to the utilization of my land for road development. In return, I kindly request that my property undergoes a change in land use designation to commercial zoning within the Future Urban Plan. This request is motivated by the clear limitations on the size of land available for use after development, and I believe converting it to commercial zoning would be the most viable solution. I firmly believe that altering the land use designation would provide more diverse business opportunities, positively impacting the local economy. I appreciate your careful consideration of this matter and eagerly await your prompt response. Thank you for the ongoing support from the New Zealand Council.



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

My name is Sara, and I am the owner of the property located at 1910 East Coast Road, Silverdale, which is included in the plan for the upcoming land development. I am writing in response to the recent Notice of Requirement I received, which indicates that a portion of my property has been earmarked for future development as part of the road development plan in North Auckland. I wish to

express my support for the proposed road development. However, upon reviewing the development plan, I have significant concerns about the substantial portion of my land that would be used for this purpose. Having resided in this area for over two decades, I have always envisioned a future where my children could build homes on adjacent properties through subdivision, thereby fostering a close-knit family living arrangement. Given the current size of my property, realizing this vision seems challenging. Hence, I am willing to consent to the utilization of my land for road development. In return, I kindly request that my property undergoes a change in land use designation to commercial zoning within the Future Urban Plan. This request is motivated by the clear limitations on the size of land available for use after development, and I believe converting it to commercial zoning would be the most viable solution. I firmly believe that altering the land use designation would provide more diverse business opportunities, positively impacting the local economy. I appreciate your careful consideration of this matter and eagerly await your prompt response. Thank you for the ongoing support from the New Zealand Council.

Submission date: 12 December 2023

**Attend a hearing**

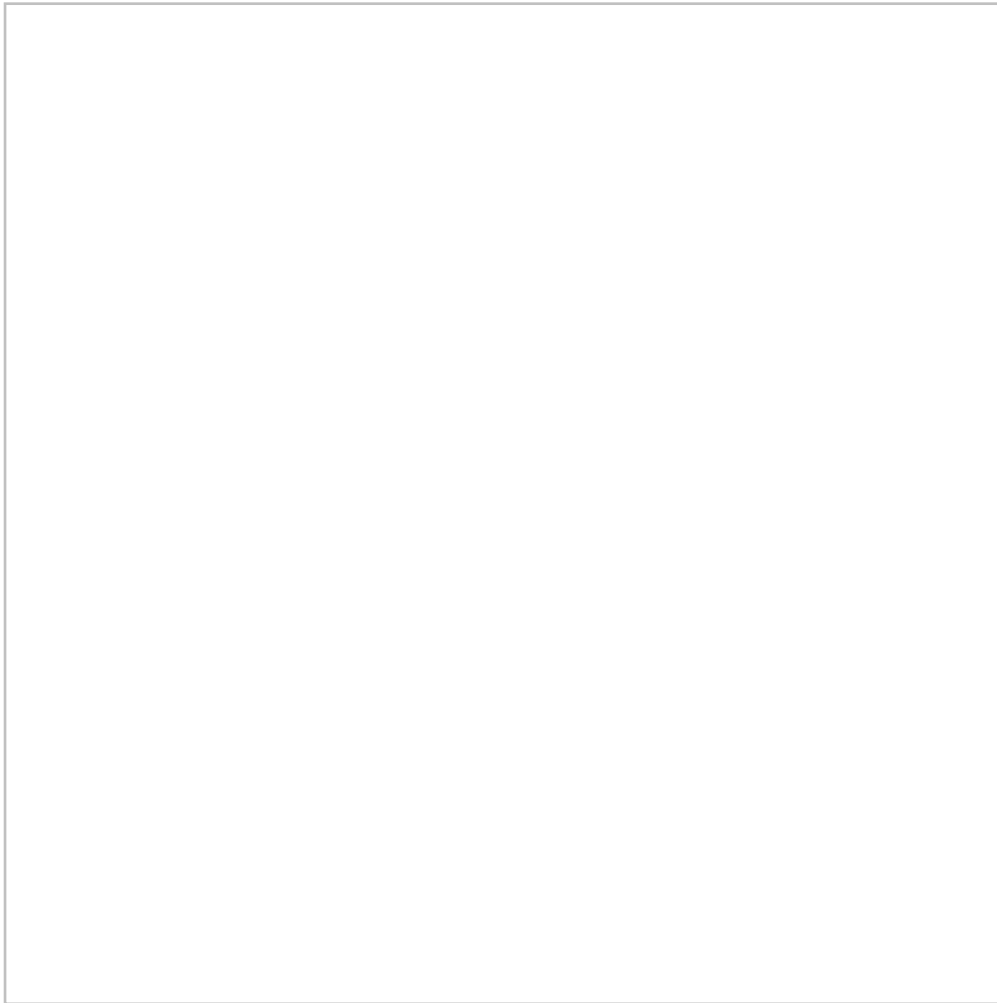
Do you wish to be heard in support of your submission? Yes

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,
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**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1132] Notice of Requirement online submission - North Shore Aero Club Incorporated  
**Date:** Tuesday, 12 December 2023 4:30:31 pm  
**Attachments:** [North Shore Airport Submission on North NoR's 12-12-2023\\_20231212162505.665.pdf](#)

---

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

**Contact details**

Full name of submitter: North Shore Aero Club Incorporated

Organisation name: North Shore Aero Club Incorporated

Full name of your agent: Haines Planning (CivilPlan Consultants Limited) c/- David Haines

Email address: [Davidhaines@civilplan.co.nz](mailto:Davidhaines@civilplan.co.nz)

Contact phone number: 021677432

Postal address:  
Suite 12A  
Level 12  
17 Albert Street  
Auckland City  
Auckland 1010

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
Please refer to attached submission letter.

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 provide conditional support. Please refer to the attached letter. In summary: a. That conditions be included for each of the designations to ensure that NSAC are consulted prior to, and during, the detailed design phase so that road construction and associated infrastructure does not: i. Affect airport approach paths; ii. Create light distractions; iii. Cause (or create potential to cause) bird strike. b. That the designations take into account future airport expansion plans. d. Any alternative relief of like effect, to the satisfaction of the Submitter. e. Any consequential or incidental amendments necessary to achieve the relief sought, to the satisfaction of the Submitter.

I or we seek the following recommendation or decision from Auckland Council:  
Please refer to attached submission letter.

Submission date: 12 December 2023

Supporting documents  
[North Shore Airport Submission on North NoR's 12-12-2023\\_20231212162505.665.pdf](#)

**Attend a hearing**

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

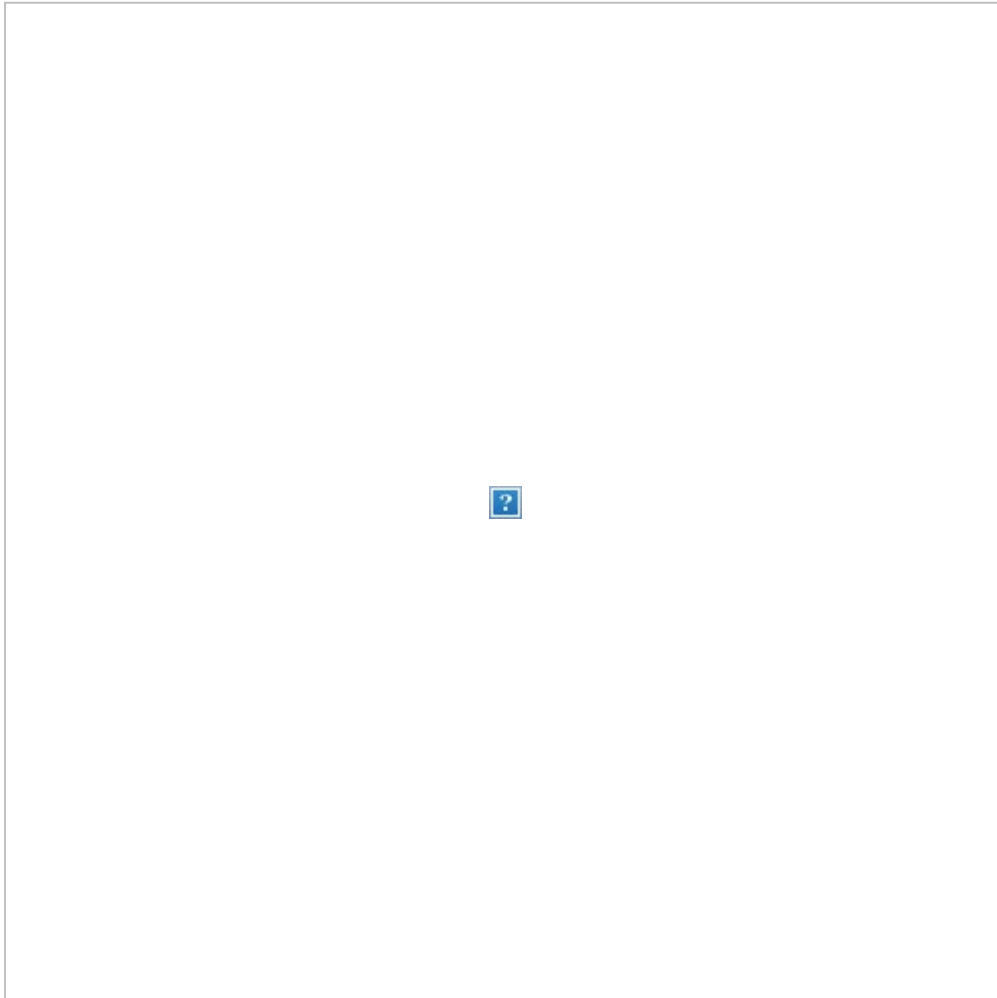
Would you consider presenting a joint case at a hearing if others have made a similar submission?

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  
THE NORTH PROJECTS NOTICES OF REQUIREMENT BY  
AUCKLAND TRANSPORT AND WAKA KOTAHĪ NZ TRANSPORT  
AGENCY  
(DATED 12 DECEMBER 2023)**

**INTRODUCTION**

1. North Shore Aero Club Incorporated (“NSAC”) makes this submission on the proposed North Projects Notices of Requirement (“NoRs”) by Auckland Transport (“AT”) and NZ Transport Agency Waka Kotahi (“NZTA”) as requiring authorities under the RMA 1991.
2. The North Projects comprise 13 NoRs, with this submission specifically relating to:
  - a. NoR 1 - New Rapid Transit Corridor (“RTC”) between Albany and Milldale, including new walking and cycling path (NZTA).
  - b. NoR 4 – State Highway 1 (“SH1”) Improvements (NZTA).
  - c. NoR 11 - New connection between Dairy Flat Highway and Wilks Road (AT).
  - d. NoR 13 – Upgrade to East Coast Road between Silverdale and Ō Mahurangi Penlink (Redvale) Interchange (AT).
3. These four NoRs are highlighted in **Figure 1** below.



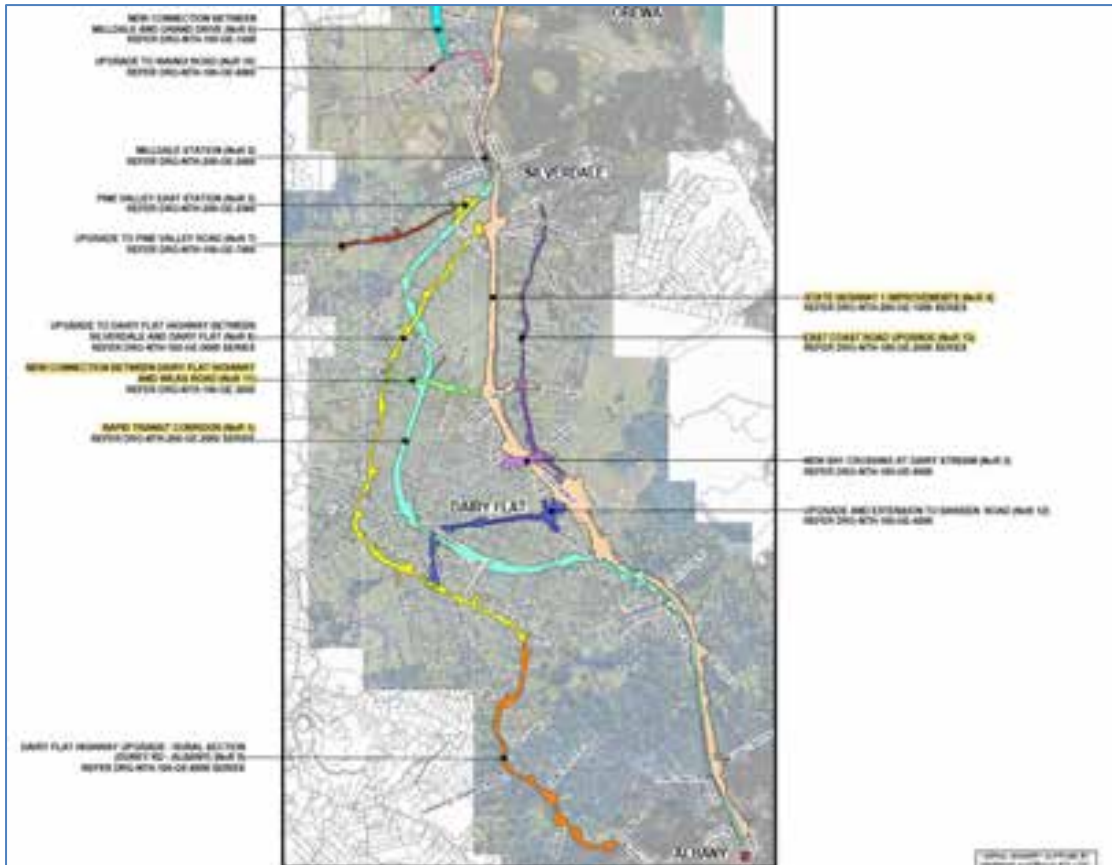


Figure 1: Identification of NoRs 1, 4, 11, and 13.



Figure 2: Aerial photograph showing extent of North Shore Airport landholding.

## ABOUT NSAC

4. NSAC is the owner and operator of the North Shore Airport (“NSA”) located at 270-300 Postman Road, Dairy Flat (see **Figure 2** above).
5. The Airport caters to a wide range of flight and non-flight aviation activities including:
  - a. Scheduled commercial flights.
  - b. Charter flights.
  - c. Training flights.
  - d. Tertiary Education (Flight Training Schools).
  - e. Emergency rescue flights and services.
  - f. Private general aviation, including from private sites at the adjacent Aeropark.
  - g. Engineering facilities.
  - h. Freight distribution.
  - i. Manufacturing.
  - j. Support and administration.
6. NSA was originally established as a facility for NSAC to operate aircraft on a recreational basis. After more than 60 years of operation, the Airport has grown significantly with 200 airport-based aircraft and over 100 different tenants in the commercial and private airport occupancies.
7. The Airport is a regionally significant infrastructure asset which provides links to provincial New Zealand from its strategic location close to State Highway 1.
8. NSAC acknowledges that, in the public interest, NSA has organically transitioned into Auckland’s second regional airport, offering commercial air services to other New Zealand regional centres. To this end, and in support of extending this public service, NSAC has developed a Master Plan which identifies a four-stage development of NSA to increase the length and width of the runway and provide associated buildings and infrastructure.
9. The Airport’s current operational ability and modest growth expectations to serve the catchment of 500,000 residents north of the Harbour Bridge

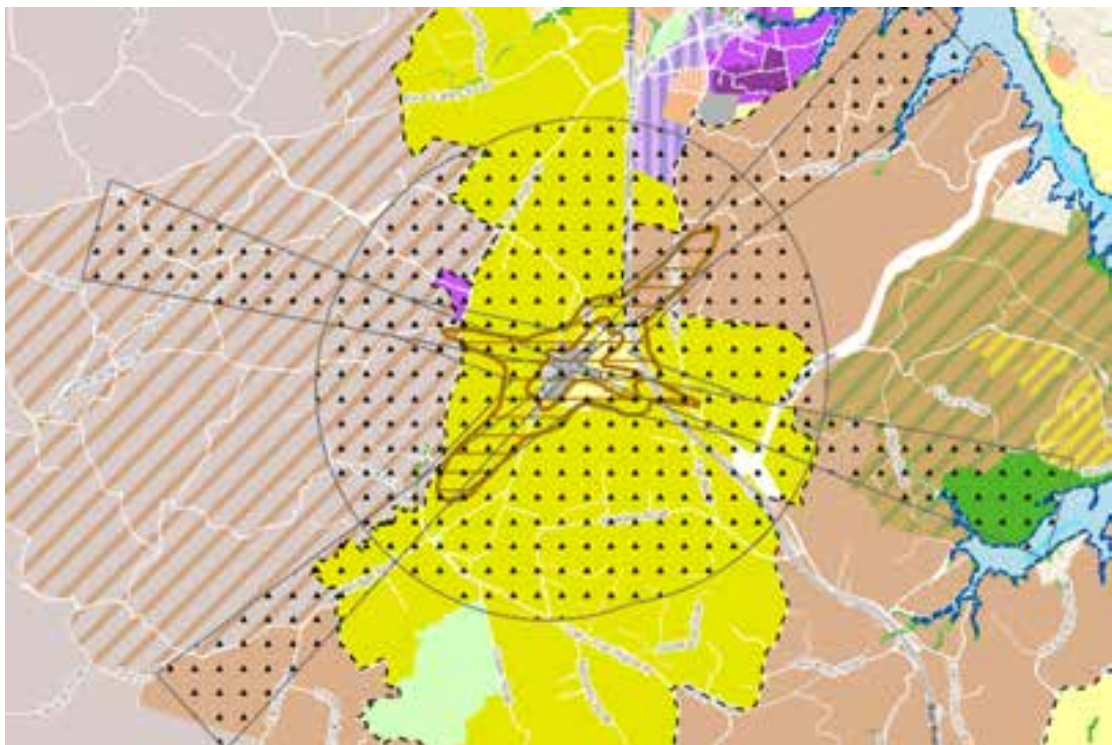
cannot be overlooked at this important stage in planning for Auckland's transport infrastructure (refer plans at **Attachment 1**).

10. Notable strategic considerations are as follows:
  - a. Support of NSA as Auckland's second regional airport is needed for Auckland to improve its transportation resilience as an international city.
  - b. NSA at Dairy Flat has been identified as a suitable location to continue development as a second regional airport, as one third of Auckland's population currently lives closer to NSA than Auckland International Airport. This percentage is expected to increase as residential intensification occurs within the identified and planned northern growth areas. Furthermore, options for development or establishment of alternative airports are severely limited in terms of geographic location, resource management challenges, social and environmental factors.
  - c. The future expansion of NSA to provide services for smaller commercial aircraft to provincial centres is expected to have positive traffic effects on Auckland's wider land transport network.
  - d. NSA is also a critical infrastructure asset during emergencies. During the Auckland flood events of 2023, for example, NSA remained operational while other key transport links were closed. During the flooding in Hawkes Bay, airports were also essential in rescue and recovery efforts.

## THE NSA SITE

11. NSA is built on a large, relatively flat area east of Dairy Flat village. The Airport sits at 60m above sea level, however the land at the northern corner of the site rises to 70m above sea level. The Airport has a 690m road frontage to Postman Road.
12. The land holding comprises an area of 27.1084 hectares.
13. NSA currently has two operational runways:
  - a. 03/21 – concrete (791m long, by 9m wide), grass (791m long, by 60m wide). The grass is used in the drier months for take-off and landing by light aircraft.
  - b. 09/27 – gravel (560m long, by 9m wide), grass (570m long, by 60m wide)

14. Various hangars and aeronautical businesses occupy a number of buildings in the north-west and south-east corners of the airport.
15. The Site is zoned Special Purpose – Airports and Airfields Zone in the Auckland Unitary Plan (“the Unitary Plan”) and is subject to its own North Shore Airport Precinct (refer to **Attachment 2**).
16. There are two types of overlay rules that apply to the Airport land and surrounds, these being:
  - a. The Airport Approach Surface Overlay which controls protrusions or obstructions into airport approach surfaces; and
  - b. The Aircraft Noise Overlay, which manages the subdivision of land and the location of activities in areas of high cumulative noise around the Airport. The location of these overlays is shown in **Figure 3**.



**Figure 3:** Unitary Plan Overlays (triangles denote the Airport Approach Surface Overlay and brown horizontal lines denotes the Aircraft Noise Overlay)

**GENERAL FEEDBACK**

17. NSAC generally supports the proposed NoRs and considers that their implementation will have positive transport outcomes for the North of Auckland.
18. The projects will also make NSA more accessible and will align with NSA's formal recognition as Auckland's second commercial airport.
19. Although NSAC supports the NoRs, the key matters of potential concern relate to the detailed design of the new roads and associated infrastructure, which have the potential to impact on operational requirements of the Airport. NSAC must therefore be consulted as part of the detailed design phase, with conditions attached to the designation requiring this consultation to occur. 1 □ 1
20. These detailed design considerations include:
  - a. Obstruction limitations to ensure structures do not encroach into the runway approach and departure paths;
  - b. Light intrusion / splay from street lighting;
  - c. Formation heights of the Wilks Road interchange and East Coast Road improvements; and
  - d. Stormwater management arrangements that avoid bird strike.
21. NSAC seeks to ensure that the importance of NSA as a regionally significant infrastructure asset is fully recognised and provided for at the strategic planning level, both in terms of transportation and land use considerations.

NoR 1: New Rapid Transit Corridor (NZTA)

22. With regard to NoR 1, NSA submits that the proposed Rapid Transit Network ("RTN") route should identify 'North Shore Airport' as a future RTN stop with detailed route alignment to be discussed further between NZTA and NSA as respective proposals are advanced.
23. It is submitted that the rapid transit station be located west to north-west of the existing Airport terminal (refer to Attachment 2) to allow direct connectivity with the Airport and enable:
  - a. A high proportion of people to arrive at the Airport by rapid transit; and

- b. Convenient affordable access to and from the Airport for both passengers, students and workers at the Airport and the surrounding proposed industrial area.

NoR 4 and 11: State Highway 1 Improvements and New Connection between Dairy Flat Highway and Wilks Road (NZTA and AT)

- 24. A modest runway extension to the south-west (and to the north-east to a lesser extent) is required for the Airport to reach its full potential. This may require the eventual re-alignment or grade separation of Postman Road. It is for this reason that NSAC seeks a condition to NoRs 4 and 11 that the Requiring Authority engage with NSAC during the detailed design phase of the new connection between Dairy Flat Highway, Wilks Road and SH1.
- 25. NSA supports the proposal to establish a SH1 Interchange with Wilks Road. However, it also submits that a full interchange in this location would be more appropriate, in anticipation of future business and trade being attracted to the NSA environs. A full interchange should be proposed in response to anticipated growth of businesses within the already proposed Industrial land around the Airport. Future businesses will need fast regional connections for persons and freight travelling in all directions, and not solely southbound as presently shown in NZTA plans.
- 26. The upgrading details and final alignment of Wilks Rd near to, and including, the motorway interchange needs to be carefully planned in conjunction with NSA given its proximity to the main approach path and Runway End Safety Area (RESA) at the northern end of the Airport.

NoR 13: East Coast Road upgrade (AT)

- 27. Similar to the comments on Wilks Road, the design and final levels of East Coast Road in the location of the Obstacle Limitation Surface (“OLS”) overlay need to be carefully considered (refer to **Attachment 3**). This includes the roundabout proposed between East Coast Road and Wilks Road.
- 28. Any proposed raising of East Coast Road could result in the road itself, or associated infrastructure (such as street lighting) intruding into the OLS. This is because the current level of the road falls just below the OLS in some locations.
- 29. Any proposed street lighting could also create light pollution and cause distraction to aircraft.

1 □ 1

30. The final design levels of East Coast Road and associated infrastructure needs to be therefore carefully planned in collaboration with NSA to ensure that the Airport's approach and departure paths are protected.

### **RELIEF SOUGHT**

31. The Submitter seeks the following relief:
- a. That conditions be included for each of the designations to ensure that NSAC are consulted prior to, and during, the detailed design phase so that road construction and associated infrastructure does not:
    - i. Affect airport approach paths;
    - ii. Create light distractions;
    - iii. Cause (or create potential to cause) bird strike.
  - b. That the designations take into account future airport expansion plans.
  - c. That a rapid transit station be situated proximate to the NSA to allow convenient access between the RTN and Auckland's proposed second commercial Airport.
  - d. That a full interchange be established for the SH1 interchange with Wilks Road.
  - e. Any alternative relief of like effect, to the satisfaction of the Submitter.
  - f. Any consequential or incidental amendments necessary to achieve the relief sought, to the satisfaction of the Submitter.

### **PROCEDURAL MATTERS**

32. NSAC wishes to be heard in support of this submission and would consider presenting a joint case with any other party seeking similar relief.
33. NSAC agrees to participate in mediation or other alternative dispute resolution and would be pleased to discuss the content of this submission with AT, NZTA and Auckland Council staff.
34. NSAC reserves the right to revise its position in response to other submissions or changes to the notified provisions.

**By its duly authorised agent:** Haines Planning (CivilPlan Consultants Limited)

**Dated:** 12 December 2023

**Address for service:** North Shore Aero Club Incorporated  
c/- Haines Planning (CivilPlan Consultants Limited)  
Suite 12A, Level 12  
17 Albert Street  
Auckland 1010

**Attention:** D R Haines, Director  
[davidhaines@civilplan.co.nz](mailto:davidhaines@civilplan.co.nz)



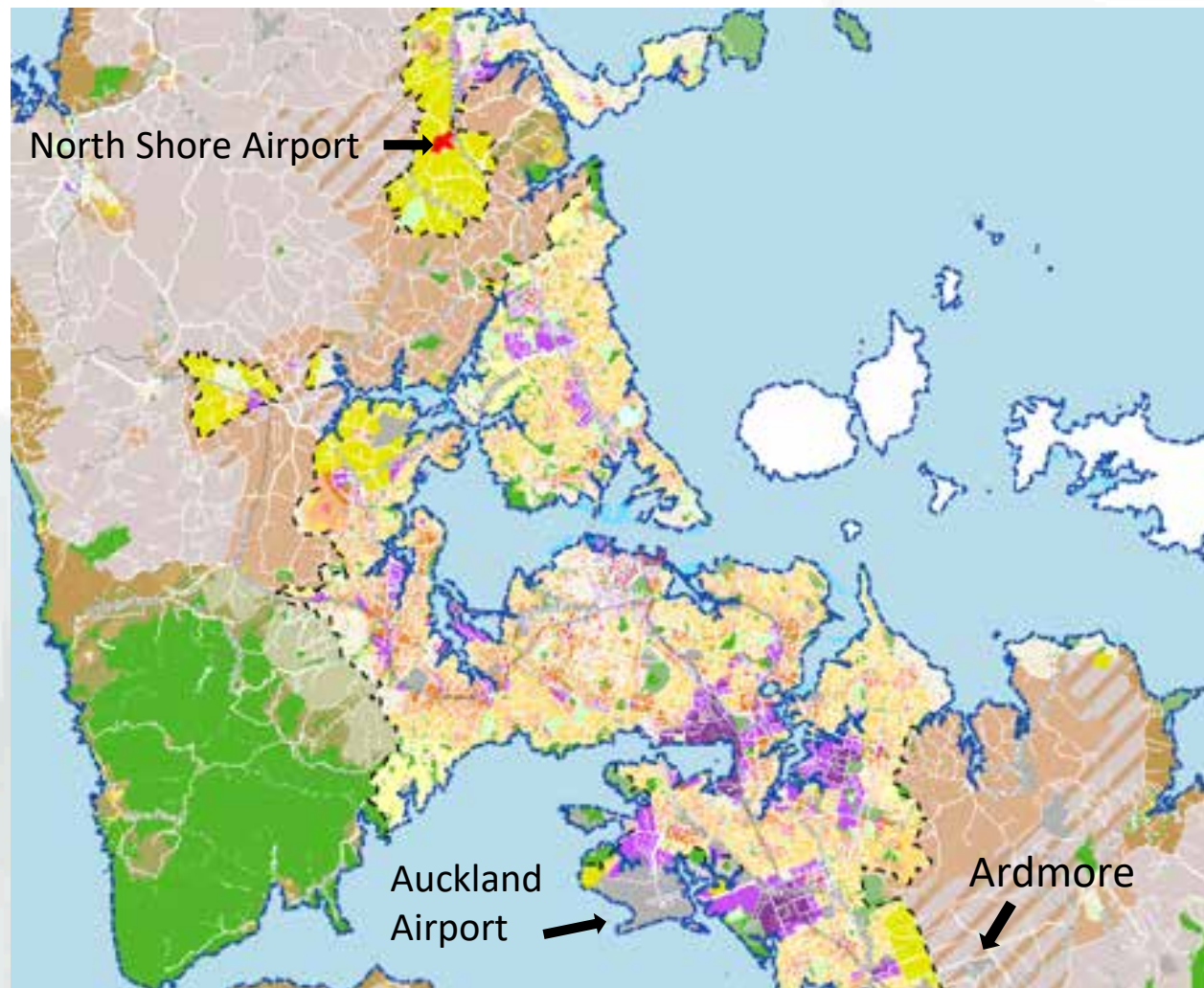
■ **Attachment 1**

North Shore Airport Location  
Maps

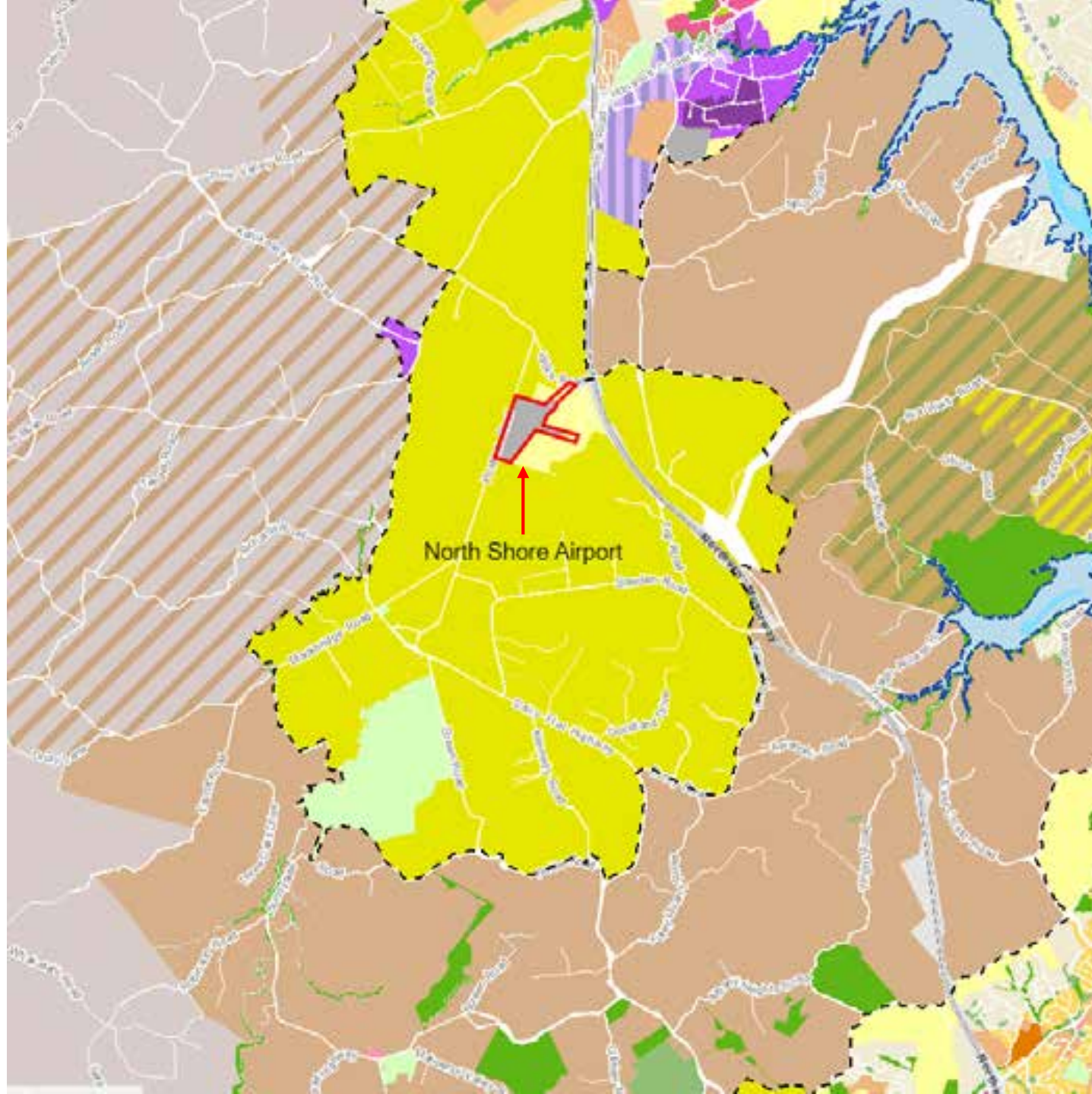
# Catchment for North Shore Airport



# Location of North Shore Airport



Zoning  
Map for  
North  
Shore  
Airport



■ **Attachment 2**

Proposed Rapid Transit  
Station Location

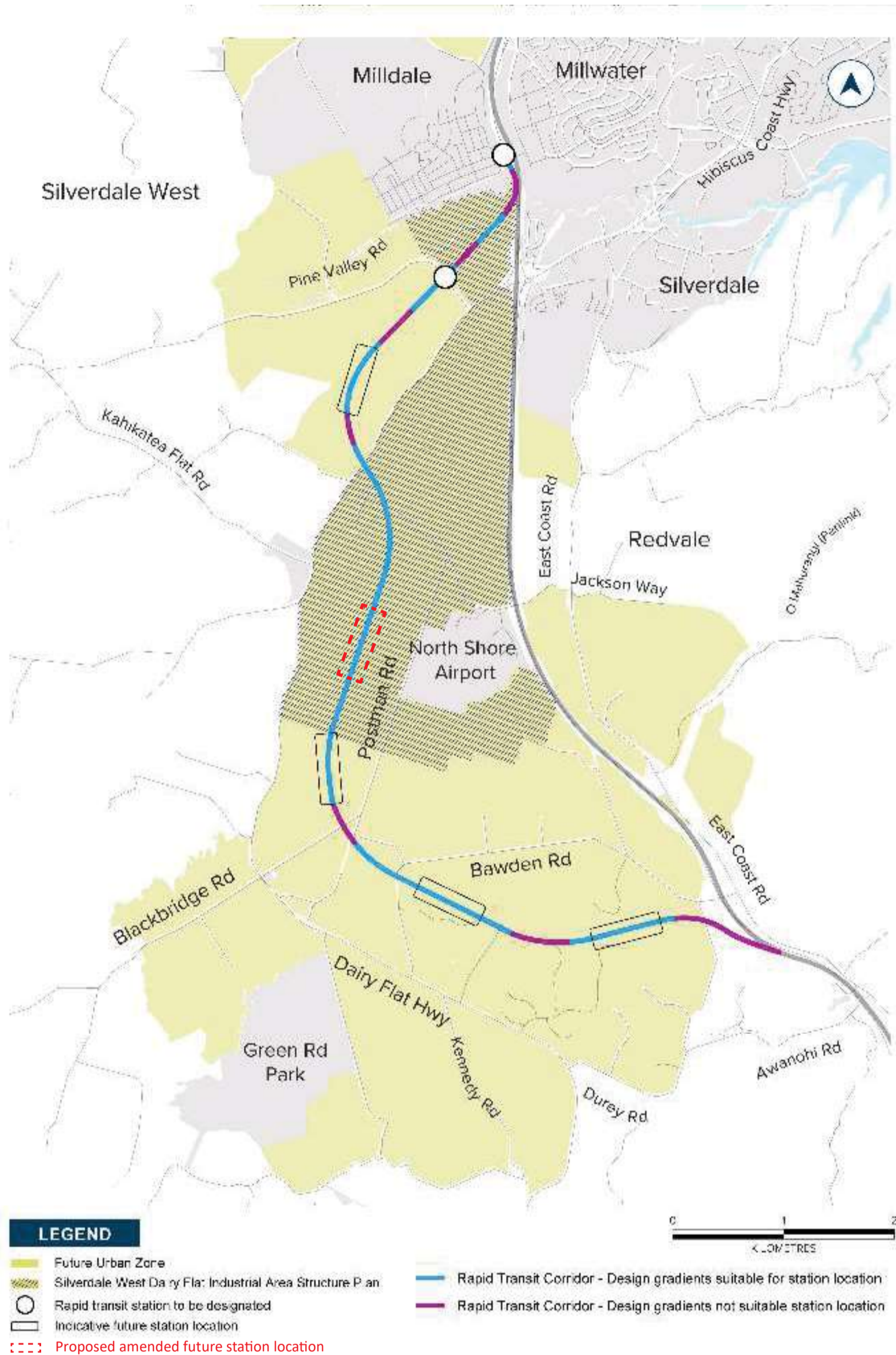
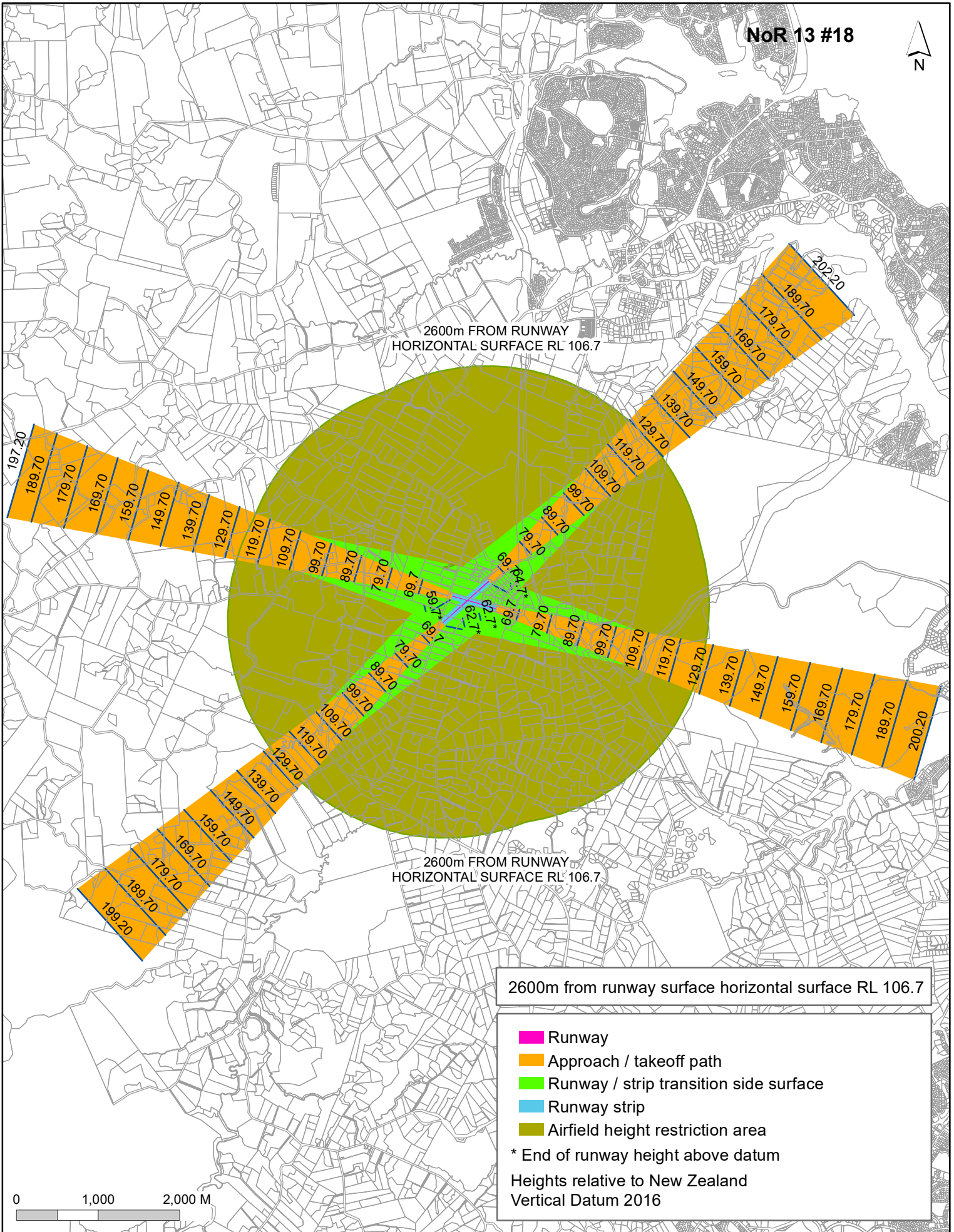


Figure 8-2: RTC proposed and potential future station locations

■ **Attachment 3**

Auckland Unitary Plan – North  
Shore Airport Approach Path



### Airport approach path : North Shore Airfield height restriction



**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1147] Notice of Requirement online submission - Tavern Road ECR Ltd  
**Date:** Wednesday, 13 December 2023 10:46:48 am  
**Attachments:** [NOR Submission - 2183 East Coast Road - 13122023.pdf](#)

---

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

**Contact details**

Full name of submitter: Tavern Road ECR Ltd

Organisation name:

Full name of your agent: Daniel Shaw

Email address: [daniel@sfhconsultants.co.nz](mailto:daniel@sfhconsultants.co.nz)

Contact phone number: 092169857

Postal address:  
168 Hibiscus Coast Highway  
Orewa  
Auckland 0932

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
Please refer to the attached 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 attached submission

I or we seek the following recommendation or decision from Auckland Council:  
Please refer to the attached submission

Submission date: 13 December 2023

Supporting documents  
NOR Submission - 2183 East Coast Road - 13122023.pdf

**Attend a hearing**

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

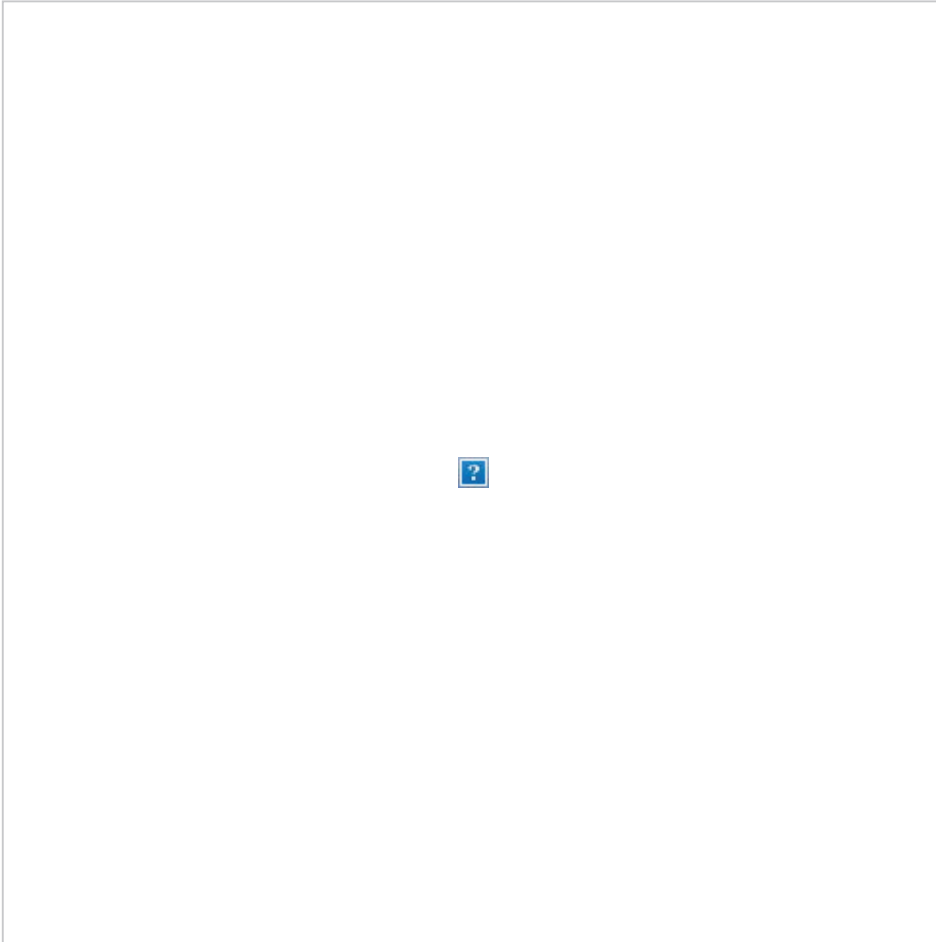
Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**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.



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.

## 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) Murray Elvin Fulcher

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

Tavern Road ECR Ltd

#### Address for service of Submitter

P O Box 36, Kumeu, Auckland

Telephone:

Email:

Contact Person: (Name and designation if applicable)

#### This is a submission on a notice of requirement:

**By::** Name of Requiring Authority

**For:** A new designation or alteration to an existing designation

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

Please refer to the submission for details

#### 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:

Please refer to the submission for details

(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).

Please refer to the submission for details

- I wish to be heard in support of my submission  X
- 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  X

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

11/12/2023  
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 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**

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

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

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

- 1 The submitter is Tavern Road ECR Limited. SG REF:301843;301837. Whose address for service is c/- Murray Fulcher, PO Box 36, Kumeu, Auckland 0810. Or [murray@urban-village.co.nz](mailto:murray@urban-village.co.nz).
- 2 This is a submission on a notice of requirement from Auckland Transport for a designation referred to as North: Upgrade to East Coast Road between Silverdale and Redvale (NoR 13) – Auckland Transport (AT).
- 3 The submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (RMA).
- 4 The specific parts of the NOR that this submission relates to are those that affect the submitter's property at 2183 East Coast Road, Silverdale, and the surrounding area.
- 5 The submission is:
  - 5.1 **Submitter**
    - 5.1.1 Tavern Road ECR Limited is the registered owner of 2183 East Coast Road, Silverdale (**Lot 2 DP 87832 held in record of title NA45C/220, Lot 1 DP 178735 held in record of title NA110A/911, Lot 1 DP 367478 held in record of title 273856**). The existing property comprise newly cleared areas of gravel yard space. However, on the 20th of October 2023 resource consent (ref. no. BUN60413674, LUC60413675 and SUB60413676 was approved. This relates to a proposed subdivision, use and development including Land use for the construction of 21 industrial units and associated earthworks and signage as well as a 21-unit, unit title subdivision and 42 car parking spaces, with a common area.
  - 5.2 **Site Description**
    - 5.2.1 The subject site is known as 2183 East Coast Road and is located at the corner of Tavern Road and East Coast Road in Silverdale. These three sites are currently known as 54 and 56 Tavern Road, and 2183 East Coast Road. Together they create an 'L' Shaped site with a total site area of 4,041m<sup>2</sup>.



**Figure 1:** Aerial Image of the Submitter's Site

5.2.2 The site is currently vacant, having been cleared in 2022 of a landscape suppliers' yard and associated dwelling and offices.

### 5.3 Resource Consent

5.3.1 As noted earlier, the submitter recently received resource consent [REF: BUN60413674] to develop the site in line with the Light Industry zone intentions including for a multi-unit, industrial development and to undertake the associated site works, servicing, access, parking, landscaping, and signage, and to subdivision the site creating a unit title development around the consent development.

5.3.2 **Attachment A** provides the proposed site plan for information. The intention of this resource consent is to enable the site to provide additional capacity for small businesses to establish themselves within the local Silverdale area. These units are intended for smaller industrial type businesses that provide a manufacturing, storage, or service type activity, with a small mezzanine space for ancillary office or staff areas. Establishing activities of this nature within the local Silverdale area seeks to provide the opportunities to work, live and play locally, supporting local employment and contribution to the local economy.

5.3.3 The image below illustrates the consented development;



**Figure 2:** Consented Development

**5.4 Proposed NOR**

5.4.1 This site at 2183 East Coast Road is located within the Notice of Requirement 13 (NOR13) area. This is an approximately 5km stretch from Hibiscus Coast Highway to the Proposed Penlink connection with State Highway 1 as per figure 3 below. The NOR interfaces with NOR4, and NOR5 as per figure 4 below.



**Figure 3:** Proposed indicative designation footprint (submitter's sites marked with yellow star)

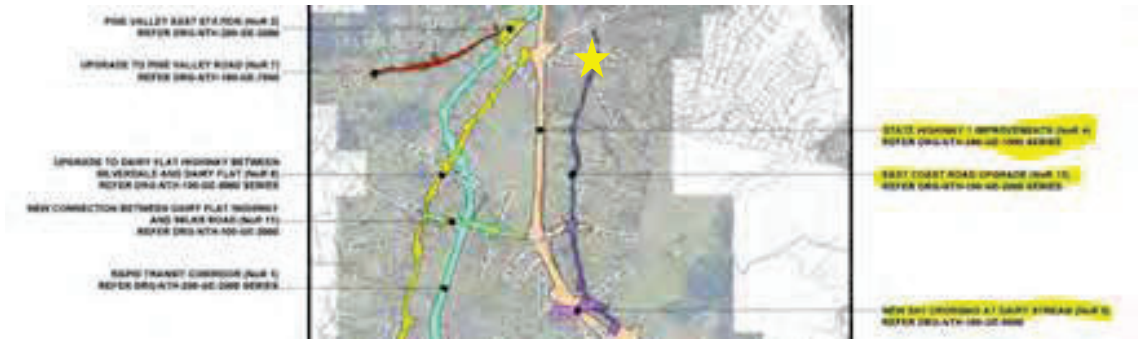


Figure 4: Proposed General Arrangement Plan

5.4.2 The envisaged transport improvements for Segment 1: this segment of East Coast Road extends from Hibiscus Coast Highway to Newman Road (predominantly General business zone/Light industry zone). The 24m width is depicted in the cross-section figure 5 below.

Figure 16-1: Upgrade to East Road between Hibiscus Coast Highway and Newman Road



Figure 5: Proposed Cross Section of Roading Upgrades (24m) in the vicinity of the Submitter’s site.

5.4.3 Based on the General Arrangement Plan provided with the notified documents associated with NOR 13 (a section of which has been provided below as figure 6 below), an area of approximately 380m<sup>2</sup> of the submitter’s property is required to be designated for road widening. The width varies from 2.5m to 5.5m of site frontage.





**Figure 6:** NOR in Relation to the Submitter's Property

## 5.5 Landowner Discussions

- 5.5.1 As indicated in the NOR discussion documents, the SGA members sought feedback from a range of landowners, including the submitter. The meeting was held on 5<sup>th</sup> July 2023, minutes are included within **attachment E**.
- 5.5.2 Despite the owners outlining concerns, showing the relevant resource consent drawings and intentions and other information, the SGA team have either ignored this discussion or disregarded it in full. The notified documents have not factored any of these details or discussions into the SGA assessments.
- 5.5.3 Further to this, a member of the SGA team was present at a Council and AT meeting (6<sup>th</sup> July 2023) with the applicant to discuss the provision of a footpath along the frontage of East Coast Road. The SGA team member noted that if the developer was to provide a footpath along the frontage of their site, then the designation would be removed. As per the consent, the footpath was provided, but the SGA did not adjust the NOR from the site.
- 5.5.4 In our view, this brings into question the purpose of landowner meetings and failure to consider consented works.

## 5.6 Positive Impacts

- 5.6.1 The submitter acknowledges that the wider project contemplated by the NOR will have the following positive impacts including improved access to transport and supports active and public transport for the wider area.

## 5.7 Concerns

- 5.7.1 The submitter is concerned about:

- (a) The need for the designation to take the frontage of the site, when the consented development provides the required footpath, and the width of the road is wide enough to contain the improvements without the need for the submitter's site to be used.
- (b) Site Impacts: Impacts on consented buildings and intended light industrial activities located within or near the proposed designation area. The NOR assessment has not considered the approved resource consent for the site and has led to invalid assessment and conclusions. The entire resource consent will be compromised as a result. Including;
  - (i) Units 1, 2, 3, and 13.
  - (ii) Parking space 25,
  - (iii) The free-standing sign.
  - (iv) The entire length of front yard landscaping.
  - (v) The vehicle access, loading bay and manoeuvring area, including the ability to manoeuvre around Unit 12.
- (c) Vehicular Assess: Given the indicative cross section provided as figure 5 above, it is concerning that the intended road layout will prevent right turn into and out of the property. This will be a major restriction on the consented development and employees and customers ability to exit in a northward's direction.
- (d) Duration: Should the NOR be retained at the site (and it should not be), the indicated 30-year duration for the designation is extremely long. This has a very lengthy impact on the submitter's property, its useability and saleability. The duration should be reduced to lessen the impact and burden.
- (e) Land Value: Negative impacts on land value plus impact on saleability of the land. The designation blights a site, and where owners have bought with the intention to develop and sell the units that were consented, but now this is effectively prevented (unless the designation is altered).
- (f) Compensation: The significant financial burden of purchasing this land from the developer, can be avoided by adjusting the proposed designation boundary to avoid the site. This will not affect the outcomes of the designation or road improvements.
- (g) Pre-Notification Consultation: The consultation prior to notification has been very limited. The owners received the October 2023 letter, however, were waiting for a

formal notification letter, which never arrived. SGA did not consider any of the comments provided to them during discussions in mid-2023.

- (h) Consultation conditions: Any designation conditions should be improved and amended to provide more certainty for the submitter, with the ability for early and meaningful input.
- (i) Management Plans: During construction management plans will need to be put in place. These should be provided to the submitter early and with the ability for meaningful input. The conditions should be amended.

## 5.8 Alternative Options

5.8.1 In order to minimise the adverse impacts mentioned above and achieve the outcomes of the designation, the following option should be implemented (which was first indicated by the SGA team at the meeting with the submitter).

5.8.2 The designation should be removed from the submitter's property. The following matters are noted;

- (a) According to the NOR documents, the proposed road width is 24m and the frontage of the submitter's site is required to accommodate large batters (large due to the unrefined detail of the road widening works).
- (b) The current width of this area is 32m wide and adding 5.5m to the designation area for unnecessary batters is not necessary.
- (c) As the consented development at 2183 East Coast Road already includes a roadside footpath and the necessary batter/retaining, there is no reason to include the designation on the site.

5.8.3 As the SGA documents do not accurately reflect the development consented at the subject site, they should reconsider this option.

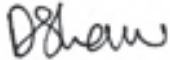
## 5.9 Conclusion

5.9.1 While the intended benefits of the NOR and transport upgrades are acknowledged, it is evident that the extent of the proposed designation area is excessive (37m for a 24m wide road), and the duration of the designation proposed is also excessive. Overall, the NOR will have significant adverse effects as outlined within the submission above, and this prevents the reasonable use of the site.

5.9.2 The proposed arrangement is not the most appropriate option given the context of the site and surrounds. And the proposed alignment is not reasonably necessary to achieve the purpose of the NOR. For the reasons expressed in this submission the submitter opposes the designation as currently proposed, and the destination should not be included on their property.

- 5.9.3 Tavern Road ECR wishes to be heard in support of its submission. The submitter and its advisors also seek a meeting with SGA to discuss the contents of its submission and better understand the NOR details and opportunities for adjustments.
- 5.9.4 Tavern Road ECR Limited seeks to be heard in support of its submission and will be calling expert evidence in support.

**Date - 12<sup>th</sup> December 2023**



Daniel L. Shaw (authorised signatory)

**Address for Service**

C/- SFH Consultants Limited  
168 Hibiscus Coast Highway,  
Orewa, Auckland 0932

For: Daniel Shaw  
Email: [daniel@sfhconsultants.co.nz](mailto:daniel@sfhconsultants.co.nz)



## Decision on an application for resource consents under the Resource Management Act 1991

### Decision one – restricted discretionary activity land use consent (s9)

<b>Application numbers:</b>	BUN60413674 (Council Reference) LUC60413675 (s9 land use consent)
<b>Applicant:</b>	Tavern Road ECR Limited
<b>Site address:</b>	2183 East Coast Road, Silverdale 56 Tavern Road, Silverdale 54 Tavern Road, Silverdale
<b>Legal description:</b>	Lot 2 DP 87832 Lot 1 DP 178735 Lot 1 DP 367478

#### Proposal:

Land use for the construction of 21 industrial units and associated earthworks and signage.

Resource consents are required for the following reasons:

#### Land use consent (s9) – LUC60413675

##### Auckland Unitary Plan (Operative in part)

##### **District land use (operative plan provisions)**

##### *Chapter E12 – Land Disturbance – District*

- To undertake general earthworks over an area of 5184m<sup>2</sup>, being greater than 2500m<sup>2</sup> in a business zone, is a restricted discretionary activity under rules E.12.4.1(A6).
- To undertake general earthworks with a volume of 3437m<sup>3</sup>, being greater than 2500m<sup>3</sup> in a business zone, is a restricted discretionary activity under rules E.12.4.1(A10).

##### *Chapter E23 – Signs*

- Comprehensive development signage is a restricted discretionary activity under rule E23.4.2(A53).

##### *Chapter E27 – Transport*

- The proposal involves accessory parking loading and access that does not meet the following parking and access standards and is a restricted discretionary activity under rule E27.4.1(A2). In particular, E27.6.3.2 states that the minimum loading space

dimensions for Industrial activities is 11 metres long and 3.5 metres wide. The proposal involves a loading space with the dimensions of 8.0 metres long and 3.5 metres wide.

- The construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3) is a restricted discretionary activity under Rule E27.4.1(A5). The proposed two-way entrance/exit to the site is located on East Coast Road which is an arterial road.

#### *Chapter H17 – Business – Light Industry Zone*

- Consent is a restricted discretionary activity where the standards of H17.6 are not met under rule C1.9(2). The following standards are not met:
  - H17.6.4 – Yard Setbacks – Front yard setback of 2 metres is required and is required to be landscaped.
    - Retaining wall, landscaping and Unit 13 is located 0.345 metres to the western boundary.
    - Retaining wall, landscaping and Units 14 to 18 are 0.66 metres to the northern boundary.
    - Retaining wall, landscaping and Unit 19 is located 1.12 metres to the northern boundary.
    - Retaining wall, landscaping and Units 20 and 21 are located 0.441 metres to the northern boundary.
    - Free standing sign is located 1.8 metres to the front yard.

## Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consents. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104C and Part 2 of the RMA, the resource consent is **GRANTED**.

## Reasons

The reasons for this decision are:

1. The application is for restricted discretionary resource consent, and as such under s104C only those matters over which council has restricted its discretion have been considered. Those matters are:
  - a. C1.9 (3) – Infringement to standards
  - b. E12.8.1 (1) – All restricted discretionary activity land modification.
  - c. E23.8.1 (1) to (5) – All restricted discretionary activity signs.
  - d. E27.8.1(9) – Any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3 and E27.6.4.4:

- e. E27.8.1(12) – construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(2) and Standard E27.6.4.1(3).
  - f. H17.8.1(4) – Buildings that do not comply with the standards.
2. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
- a. The comprehensive development of the site for the industrial buildings has been designed to ensure that the development will make a positive contribution to this locality. Block C units are located in relatively close proximity to the boundary with East Coast Road and Tavern Road. However as can be seen from the aerial photography, there is a large grassed area within the road reserve adjacent to the site. The applicant has proposed some landscaping along this frontage, however fails to meet the required 2 metres. A landscape plan has been provided to ensure that the development presents appropriately to each site boundary, also noting that front yard landscaping is provided on all frontage, with the majority of East Coast Road frontage permitted. The planting and selected placement provides visual softening of hard surfaces and the ground level aspects of the buildings. The proposal has been designed to contribute to the attractiveness of the streetscape through the provision of sufficient space for landscaping within the front yard to visually soften the extent of the hard surfaces and provide a green edge to the property as viewed from the public realm.
  - b. Lighting is proposed for the development and will be directional within the site and not over this adjacent property. The illumination will be designed to comply with the controls for this context, ensuring there are no increased effects.
  - c. Signage is proposed at the entry of the site, being a free-standing circular sign, with the design mirrored on both sides, which will contain the address and name of development 'Shed Quarters'. The site is to have a diameter of 1500mm, with the structure of no more than 1800mm wide. The sign is to be illuminated. Each unit will have a façade sign with their unit number. This circular sign will have a diameter of 1000mm and project 1500mm from the wall, with a dept of 180mm. Unit signs will not be illuminated. A façade sign above main door and roller door of Units 4 to 21 will have a height of 1500mm and width of 4000mm. A façade sign above main door and roller door of Unit 1 will have a height of 2400mm and width of 2000mm. A façade sign above main door and roller door of Units 2 and 3 will have a height of 1500mm and width of 3000mm. In this case, the signage appears appropriate and commensurate of the activities operating.
  - d. Council's Development Engineer and traffic engineer are satisfied with the engineering information submitted with the application and is satisfied that the development can be suitably serviced, the remaining earthworks are appropriate. In addition the traffic engineer considers that the traffic associated with the activity can be absorbed within the existing roading network without creating adverse effects.
  - e. In terms of positive effects, the proposal will allow for the applicant to utilise the property for a light industrial activity with associated infrastructure to fulfil the industrial function of the urban land resource an.



- f. With reference to s104(1)(ab), the application includes landscape planting adjacent to the road reserve to ensure positive effects on the environment.
3. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed to ensure positive effects on the environment and/or within the relevant matters of discretion.
  4. As a restricted discretionary activity, the other matters that can be considered under s104(1)(c) of the RMA must relate to the matters of discretion restricted under the plan.
  5. In terms of section 104(1)(b) of the RMA, the proposal is not contrary to the objectives and policies of the Auckland Unitary Plan. In particular the objectives and policies outlined in, E12.2 and E12.3 relating land modification, E23.2 and E23.3 relating to comprehensive signage, E27.2 and E27.3 relating to transportation and H17.2 and H17.3 relating to Business – Light Industry Zone.
  6. In the context of this restricted discretionary activity application for land use and subdivision where the relevant objectives and policies and matters for discretion in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
  7. Overall, the effects of the proposal are less than minor, and the development is consistent with the relevant assessment criteria and objectives and policies.

## Conditions

Under sections 108 and 108AA, of the RMA, this consent is subject to the following conditions:

1. These consents shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent numbers BUN60413674 and LUC60413675.
  - Application Form and Assessment of Environmental Effects prepared by Daniel Shaw of SFH Consultants dated December 2022 and response to section 92 matters dated 27 February 2023, 1 May 2023, 9 June 2023 and 22 August 2023.
  - Specialist reports

Report title and reference	Author	Rev	Dated
Infrastructure Report – Referenced 2012	Mako	1	26 April 2023
Stormwater Mitigation Report – Referenced 2012	Mako	0	28 November 2022
Geotechnical Report – Referenced AKL2022-0190AB	CMW Geosciences	1	6 March 2023

Traffic Impact Assessment	Team		6 December 2022
Waste Management Plan	Rubbish Direct		8 November 2022
• Architectural Plans			
Drawing title and reference	Author	Rev	Dated
Cover Sheet	LAD Architecture		9 December 2022
Site Plan – Referenced 2022-036 – Drawing A1-1	LAD Architecture	10	9 December 2022
Elevations – Block A – Referenced 2022-036 – Drawing A2-4	LAD Architecture	10	9 December 2022
Elevations – Block B – Referenced 2022-036 – Drawing A2-5	LAD Architecture	10	9 December 2022
Elevations – Block C – Referenced 2022-036 – Drawing A2-6	LAD Architecture	10	9 December 2022
Signage Details – Referenced 2022-036 – Drawing A4-13	LAD Architecture	10	9 December 2022
• Engineering Plans			
Drawing title and reference	Author	Rev	Dated
Drawing Schedule 1 of 2 – Referenced 2012	Mako	3	12 May 2023
Drawing Schedule 2 of 2 – Referenced 2012	Mako	3	12 May 2023
Drawing Specification and Notes – Referenced 2012 – Drawing 02	Mako	3	12 May 2023
Existing Site Plan – Referenced 2012 – Drawing 10	Mako	0	1 November 2022
Proposed Site Plan – Referenced 2012 – Drawing 11	Mako	0	1 November 2022
Earthworks Contour Plan 1 of 2 – Referenced 2012 – Drawing 20A	Mako	0	1 November 2022
Earthworks Contour Plan 2 of 2 – Referenced 2012 – Drawing 20B	Mako	0	1 November 2022
Earthworks Cut Fill Plan – Referenced 2012 – Drawing 21	Mako	0	1 November 2022

Erosion and Sediment Control Plan – Referenced 2012 – Drawing 22	Mako	0	1 November 2022
Earthworks Sections Views 1 of 7 – Referenced 2012 – Drawing 23A	Mako	0	1 November 2022
Earthworks Sections Views 2 of 7 – Referenced 2012 – Drawing 23B	Mako	0	1 November 2022
Earthworks Sections Views 3 of 7 – Referenced 2012 – Drawing 23C	Mako	0	1 November 2022
Earthworks Sections Views 4 of 7 – Referenced 2012 – Drawing 23D	Mako	0	1 November 2022
Earthworks Sections Views 5 of 7 – Referenced 2012 – Drawing 23E	Mako	0	1 November 2022
Earthworks Sections Views 6 of 7 – Referenced 2012 – Drawing 23F	Mako	0	1 November 2022
Earthworks Sections Views 7 of 7 – Referenced 2012 – Drawing 23G	Mako	0	1 November 2022
Retaining Wall Plan 1 of 3 – Referenced 2012 – Drawing 30A	Mako	0	1 November 2022
Retaining Wall Plan 2 of 3 – Referenced 2012 – Drawing 30B	Mako	0	1 November 2022
Retaining Wall Plan 3 of 3 – Referenced 2012 – Drawing 30C	Mako	0	1 November 2022
Retaining Wall Views 1 of 3 – Referenced 2012 – Drawing 31A	Mako	0	1 November 2022
Retaining Wall Views 2 of 3 – Referenced 2012 – Drawing 31B	Mako	0	1 November 2022
Retaining Wall Views 3 of 3 – Referenced 2012 – Drawing 31C	Mako	0	1 November 2022
Retaining Wall Section Vies – Block B Retaining Wall - 2 – Referenced 2012 – Drawing 32A	Mako	0	1 November 2022

Stormwater Layout Plan Overview – Referenced 2012 – Drawing 40	Mako	0	1 November 2022
Stormwater Layout Plan 1 of 3 Overview – Referenced 2012 – Drawing 41A	Mako	0	1 November 2022
Stormwater Layout Plan 2 of 3 Overview – Referenced 2012 – Drawing 41B	Mako	0	1 November 2022
Stormwater Layout Plan 3 of 3 Overview – Referenced 2012 – Drawing 41C	Mako	0	1 November 2022
Stormwater Profile View 1 of 3 Overview – Referenced 2012 – Drawing 42A	Mako	0	1 November 2022
Stormwater Profile View 2 of 3 Overview – Referenced 2012 – Drawing 42B	Mako	0	1 November 2022
Stormwater Profile View 3 of 3 Overview – Referenced 2012 – Drawing 42C	Mako	0	1 November 2022
Stormwater Mitigation Typical Detail – Referenced 2012 – Drawing 46	Mako	0	1 November 2022
Wastewater Layout Plan Overview – Referenced 2012 – Drawing 50	Mako	0	1 November 2022
Wastewater Layout Plan 1 of 3 Overview – Referenced 2012 – Drawing 51A	Mako	0	1 November 2022
Wastewater Layout Plan 2 of 3 Overview – Referenced 2012 – Drawing 51B	Mako	0	1 November 2022
Wastewater Layout Plan 3 of 3 Overview – Referenced 2012 – Drawing 51C	Mako	0	1 November 2022
Wastewater Profile View 1 of 3 Overview – Referenced 2012 – Drawing 52A	Mako	0	1 November 2022
Wastewater Profile View 2 of 3 Overview – Referenced 2012 – Drawing 52B	Mako	0	1 November 2022
Wastewater Profile View 3 of 3 Overview – Referenced 2012 – Drawing 52C	Mako	0	1 November 2022
Roading Plan – Footpath Detail 1 of 3 – Referenced 2012 – Drawing 70A	Mako	1	12 May 2023

Roading Plan – Footpath Detail 2 of 3 – Referenced 2012 – Drawing 70B	Mako	1	12 May 2023
Roading Plan – Footpath Detail 3 of 3 – Referenced 2012 – Drawing 70C	Mako	1	12 May 2023
Roading Plan – Footpath Profile View – Referenced 2012 – Drawing 71	Mako	1	12 May 2023
Roading Sections 1 of 3 – Referenced 2012 – Drawing 72A	Mako	1	12 May 2023
Roading Sections 2 of 3 – Referenced 2012 – Drawing 72B	Mako	1	12 May 2023
Roading Sections 3 of 3 – Referenced 2012 – Drawing 72C	Mako	1	12 May 2023
Access Way Plan Overview – Referenced 2012 – Drawing 80	Mako	2	23 February 2023
Access Way Plan 1 of 5 – Referenced 2012 – Drawing 81A	Mako	2	23 February 2023
Access Way Plan 2 of 5 – Referenced 2012 – Drawing 81B	Mako	2	23 February 2023
Access Way Plan 3 of 5 – Referenced 2012 – Drawing 81C	Mako	2	23 February 2023
Access Way Plan 4 of 5 – Referenced 2012 – Drawing 81D	Mako	2	23 February 2023
Access Way Plan 5 of 5 – Referenced 2012 – Drawing 81E	Mako	2	23 February 2023
Access Way Profile View – Referenced 2012 – Drawing 82A	Mako	2	23 February 2023
Access Detail – Retaining Wall Parking Space Interaction– Referenced 2012 – Drawing 85A	Mako	2	23 February 2023

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
  - a. The consent is given effect to; or

- b. The Council extends the period after which the consent lapses.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$744 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

*Advice Note:*

*The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent(s) have been met, will the council issue a letter confirming compliance on request of the consent holder.*

**Advanced notification that earthworks will be beginning on site**

4. The Council shall be notified at least five (5) working days prior to earthwork activities commencing on the subject site. The consent holder must engage an engineer to advise the Council of timeframes for unsupported cuts adjacent to boundaries at least one week prior to excavations on boundaries being undertaken.

*Advice Note: Condition (4) requires the consent holder to notify Council of their intention to begin earthworks a minimum of five working days prior to commencement. Such notification should be sent to the [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) or 09 3010101 to advise of the start of works.*

**Ensure supervision and certification of geotechnical works**

5. Earthworks and construction of retaining walls must be supervised by a suitably qualified geotechnical engineering professional (who is familiar with Geotechnical Completion Report prepared by CMW Geosciences (reference: AKL2021-0062AE Rev. 0, dated: 22 March 2022) and Geotechnical Investigation Report prepared by CMW Geosciences (reference: AKL2022-0190AB, revision: 1, dated: 6 March 2023). In supervising the works, the suitably qualified geotechnical engineering professional must ensure that they are constructed and otherwise completed in accordance with the engineering plans and geotechnical recommendations, relevant engineering codes of practice and detailed plans forming part of the application. The supervising engineer's contact details must be provided in writing to the Council at least two weeks prior to earthworks commencing on site.

*Advice Note: A Building Consent is required for (structures, retaining walls, private drainage, demolitions etc) unless exempted under Schedule 1 of the Building Act 2004.*

**Earthworks completion certificate**

6. Certification from suitably qualified Chartered geotechnical engineer or Chartered engineering geologist must be provided to the Council, confirming that the works have been completed in accordance with the Geotechnical Investigation Report prepared by

CMW Geosciences (reference: AKL2022-0190AB, revision: 1, dated: 6 March 2023) (or subsequent Council approved revisions), within ten (10) working days following completion. Written certification must be in the form of a geotechnical completion report, or any other form acceptable to the Council. All details in the written statement shall be to the satisfaction of the Council and include (but not be limited to): earthworks operations, fill compaction, testing, inspections certified as-built plans and calibration certificates.

**Ensure stability of the site/neighbouring sites**

7. All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, it must immediately be rectified.

**General sediment control conditions**

8. All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged beyond the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader Orewa Monitoring.

**Sediment/erosion control in accordance with approved plan**

9. Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the subject site must be constructed and carried out in accordance with Auckland Council's Guidance Document 2016/005 (GD05).

**Prevent sediment-laden water in stormwater/ waterways from roads**

10. Earthworks must be managed to avoid deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance must roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

**Stability statement for stormwater outfall**

11. Prior to the installation of the proposed stormwater discharge outlet, the consent holder shall provide a statement from a qualified geo-professional confirming suitability of its location and design such that the geotechnical risk is not exacerbated as a result of its installation and use. This statement shall be provided to the satisfaction of the Council.

**Preparation of landscape plan**

12. A landscape planting and management plan (with supporting specifications) shall be prepared and submitted to the Council for certification prior to construction commencing.

The landscape planting and management plan shall contain:

- a. Reference to the concept plan referred to in condition 1.
- b. A plan of the planted area detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting.
- c. A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme.
- d. the extent, materiality and finished levels of paving;
- e. the location, materiality, height and design of fencing and retaining walls;
- f. the details of drainage, soil preparation, tree pits, staking, irrigation; and
- g. the construction details of all hard landscape elements (paving, fencing, gates, lighting etc).
- h. An irrigation system
- i. Vandalism response and graffiti eradication policy and methodology

These plans shall be supported by specifications that describe in a written form the more specific technical landscape matters such as quality of materials.

### **Landscape planting**

13. Within the first planting season (May to September) following the completion of the 21-unit development and prior to occupation, the approved landscape plan shall be fully implemented in accordance with the certified Landscape Planting and Management Plan and shall be maintained for the duration of the life of the consented buildings to the satisfaction of the Council.

### **Signage**

14. Unit signage shall not be externally lit (e.g., flood lights, contain reflective, fluorescent, or phosphorescent or other illumination materials or devices).

### **Lighting**

15. Any external lighting of any sign or unit shall comply with the lighting standards outlined in Chapter E24 Lighting of the Auckland Unitary Plan.
16. Prior to the commencement of any engineering works, the consent holder shall submit engineering plans (including engineering calculations and specifications) to the Council for approval in writing. The engineering plans shall include, but not be limited to, the information regarding the detailed design of all roads and road network activities provided for by this resource consent approval.

- More specifically:
  - Provision of TDM compliant footpath along the development frontage of East Coast and Tavern Road.

*Advice Note: Any retaining wall(s) and ancillary and supporting structures shall be wholly located within the private lots unless the retaining wall supports the public road.*

17. As part of the application for Engineering Plan Approval, a registered engineer shall:



- Certify that all public roads and associated structures/facilities or access ways have been designed in accordance with the Auckland Transport's Transport Design Manual.
  - Provide a statement that the proposed infrastructure has been designed for the long-term operation and maintenance of the asset.
  - Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.
  - Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Council's Code of Practice for Land Development and Subdivision: Chapter 4 – Stormwater
18. An engineering completion certificate certifying that the proposed roads and/ or the ancillary structures on the roads to be vested in Auckland Council have been constructed in accordance with EPA requirements must be provided when applying for a certificate under section 224(c) of the RMA (if there is 224c component) to Council.
19. Prior to the commencement of any works on the site, the consent holder shall submit to and have certified by the Council, a Construction Traffic Management Plan (CTMP) The CTMP shall be prepared in accordance with the Council's requirements for traffic management plans or CTMPs (as applicable) and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management and shall address the surrounding environment including pedestrian-and bicycle traffic as well as public transport. No construction activity shall commence until the CTMP has been certified by the Council and all construction traffic shall be managed at all times in accordance with the approved CTMP. The CTMP shall be included in the application for a Corridor Access Request.
20. All new vehicle crossings shall be designed and formed to Auckland Transport's Standard (VX0203 Rev A). This shall be undertaken at the consent holder's expense and to the satisfaction of the Council.
21. Prior to the occupation of the new building, all redundant vehicle crossings shall be removed and reinstated as kerbing, berm and footpath to Auckland Transport's Transport Design Manual requirements, including a regrade of the footpath across the vehicle crossing to 2% cross-fall. This shall be undertaken at the consent holder's expense and to the satisfaction of the Council.
22. Unless specifically provided for by this consent approval, there shall be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public assets as a result of the earthworks and construction activity. In the event that such damage does occur, the Council will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition shall be met by the consent holder.

## Advice notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*

2. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring officer unless otherwise specified. Please email [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the council’s website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: [www.mfe.govt.nz](http://www.mfe.govt.nz).*
4. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
5. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

Building Consents

6. *It is the responsibility of the consent holder to ensure that all necessary building consents have been obtained, and that these are consistent with the plans and information approved as part of this consent. Building consents are needed as required by the Building Act 2004, including for private wastewater and stormwater works and stormwater mitigation devices.*

*(Engineering Approval is required for any connection to or extension of public services.)*

Delegated decision maker:

Name: Steve Seager  
Title: Team Leader, Resource Consents  
Signed:



Date: 20 October 2023

## Decision on an application for resource consents under the Resource Management Act 1991

### Decision two – controlled activity subdivision consent (s11)

**Application numbers:** BUN60413674 (Council Reference)  
SUB60413676 (s11 subdivision consent)

**Applicant:** Tavern Road ECR Limited

**Site address:** 2183 East Coast Road, Silverdale  
56 Tavern Road, Silverdale  
54 Tavern Road, Silverdale

**Legal description:** Lot 2 DP 87832  
Lot 1 DP 178735  
Lot 1 DP 367478

**Proposal:**

To unit title 21 units and 42 car parking spaces, with a common area.

Resource consent is required for the following reason:

Subdivision consent (s11) – SUB60413676

Auckland Unitary Plan (Operative in part)

**Subdivision (operative plan provisions)**

*Chapter E38 – Subdivision – Urban*

- Unit Title Subdivision is a controlled activity under E38.4.1(A4). The proposal involves unit titling the development of 21 units and associated car parking spaces.

### Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consents. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104A, 106 and Part 2 of the RMA, the resource consent is **GRANTED**.

## Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
  - a. The subdivision layout and unit sizes are in accordance with an approved land use consent and around existing development.
  - b. Council's Development Engineer, July Zhou, has confirmed that the proposed development can be effectively serviced in terms of water, wastewater, and stormwater. The subdivision provides for adequate connection to power and telecommunication network utilities.
  - c. Amenity enjoyed by adjoining properties and future occupants will be maintained by the subdivision.
  - d. In terms of positive effects, the subdivision will provide for ownership for new dwelling from the existing development.
  - e. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment and/or within the relevant matters of discretion.
2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted. In particular the objectives and policies in chapter E38 of the Unitary Plan.
3. In terms of s106 of the RMA the land in which the consent is sought is not known to be subject to, and proposal will not result in or exacerbate, any natural hazard. Sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions below.
4. In the context of this controlled activity subdivision application, where the relevant objectives and policies and matters for discretion in the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
5. Overall, the proposal is considered to be an appropriate form of subdivision for this locality.

## General conditions

Under sections 108, 108AA and 220 of the RMA, this consent is subject to the following conditions:

1. These consents shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent numbers BUN60413674 and SUB60413676.

- Application Form and Assessment of Environmental Effects prepared by Daniel Shaw of SFH Consultants dated December 2022 and response to section 92 matters dated 27 February 2023, 1 May 2023, 9 June 2023 and 22 August 2023.

- Specialist reports

Report title and reference	Author	Rev	Dated
Infrastructure Report – Referenced 2012	Mako	1	26 April 2023
Stormwater Mitigation Report – Referenced 2012	Mako	0	28 November 2022
Geotechnical Report – Referenced AKL2022-0190AB	CMW Geosciences	1	6 March 2023
Traffic Impact Assessment	Team		6 December 2022
Waste Management Plan	Rubbish Direct		8 November 2022

- Scheme Plan

Drawing title and reference	Author	Rev	Dated
Scheme Plan - Units on Lot 2 DP 87832, Lot 1 DP 178765 and Lot 1 DP 367478 – Referenced 2022-367	Hall Surveying Limited	2	24 November 2022

**Advice Note:**

- *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
- *The engineering assessment of this resource consent is limited to an effects-based assessment allowed by the Unitary Plan. Plans approved under Resource Consent do not constitute an Engineering Plan Approval. A separate engineering approval will be required for the design of any infrastructure that is to vest in council.*
- *Details and specifications for the provision of infrastructure (e.g., public/ private drainage, location, and types of connections) and access (including drainage of accessways, construction standards etc) are subject to a separate Engineering Plan Approval (EPA) and/or Building Consent approval process.*

- *Should it become apparent during the EPA and/or Building Consent process that a component of the granted resource consent cannot be implemented (e.g., detailed tests for soakage fail to achieve sufficient soakage rates, or sufficient gradients for drainage cannot be achieved in accordance with engineering standards/ bylaws etc), changes to the proposal will be required. This may require either a variation to this subdivision consent (under section 127 of the Resource Management Act 1991) or a new consent.*
  - *Similarly, should the detailed design stage demonstrate that additional reasons for consent are triggered (e.g., after detailed survey the access gradient increases to now infringe or increase an approved infringement to a standard in the plan), a new or varied resource consent is required.*
  - *It is the responsibility of the consent holder to ensure that all information submitted and assessed as part of the subdivision consent is correct and can be implemented as per the subdivision consent (without requiring additional reasons for consent). Any subsequent approval processes (such as the EPA) do not override the necessity to comply with the conditions of this resource consent.*
2. Under section 125 of the RMA, SUB60413676 lapses five years after the date it is granted unless:
- a. A survey plan is submitted to council for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or
  - b. An application under section 125 of the RMA is made to the council before the consent lapses (five years) to extend the period after which the consent lapses and the council grants an extension.

### **Survey Plan**

3. The consent holder must submit a survey plan in accordance with the approved resource consent subdivision scheme plan(s) Hall Surveying Limited dated 24 November 2022, Revision 2 and referenced 2022-367, provided that the Council is satisfied that any changes are minor and will have no effect on compliance with the Unitary Plan or other parties adjoining the subdivision. The survey plan must show all easements and any amalgamation conditions required by this subdivision consent and the surveyor is to certify that any private drains will be contained within the easements shown on the survey plan.
4. Provide confirmation that the development complies with s32(2)(a) of the Unit Titles Act 2010'.

### **Section 224(c) compliance conditions**

5. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a professionally qualified surveyor or suitably qualified engineer that all the conditions of subdivision consent Reference SUB60413676 have been complied with.

## Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.
2. For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring officer unless otherwise specified. Please email [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to identify your allocated officer.
3. For more information on the resource consent process with Auckland Council see the council’s website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: [www.mfe.govt.nz](http://www.mfe.govt.nz).
4. If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).
5. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
6. The consent holder must, pursuant to section 36 of the RMA, pay all administrative charges, being the Council’s actual and reasonable costs incurred in processing this application, to be charged as follows:
  - a) The consent holder must pay to the Council an administrative charge for the carrying out by the Council of its functions in relation to receiving, processing, and granting this subdivision consent.
  - b) The consent holder must pay to the Council administrative charges for the carryout out by the Council of its functions in relation to the administration, monitoring and supervision of this consent.
  - c) The charges payable under (a) and (b) of this condition must be paid upon receipt of invoice or interim invoice or before any request for a certificate under section 224(c) of the Resource Management Act.
  - d) The consent holder is advised that under section 134 of the Resource Management Act 1991 that where the land changes ownership the consent holder will continue to be responsible for processing costs until such time as written notice of authority is given to the Council.

Delegated decision maker:

Name: Steve Seager  
Title: Team Leader, Resource Consents

Signed: 

Date: 20 October 2023



## Resource Consent Notice of Works Starting

Please email this form to [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) at least 5 days prior to **work starting** on your development or post it to the address at the bottom of the page.

<b>Site address:</b>				
<b>AREA (please tick the box)</b>	Auckland CBD <input type="checkbox"/>	Auckland Isthmus <input type="checkbox"/>	Hauraki Gulf Islands <input type="checkbox"/>	Waitakere <input type="checkbox"/>
Manukau <input type="checkbox"/>	Rodney <input type="checkbox"/>	North Shore <input type="checkbox"/>	Papakura <input type="checkbox"/>	Franklin <input type="checkbox"/>
<b>Resource consent number:</b>			<b>Associated building consent:</b>	
<b>Expected start date of work:</b>			<b>Expected duration of work:</b>	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

<b>Signature:</b> Owner / Project Manager (indicate which)	<b>Date:</b>
------------------------------------------------------------	--------------

Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

### **SAVE \$\$\$ minimise monitoring costs!**

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.







**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**



R. W. M. King  
Registrar-General  
of Land

**Identifier**                    **273856**  
**Land Registration District** **North Auckland**  
**Date Issued**                09 October 2006

**Prior References**  
NA110A/912

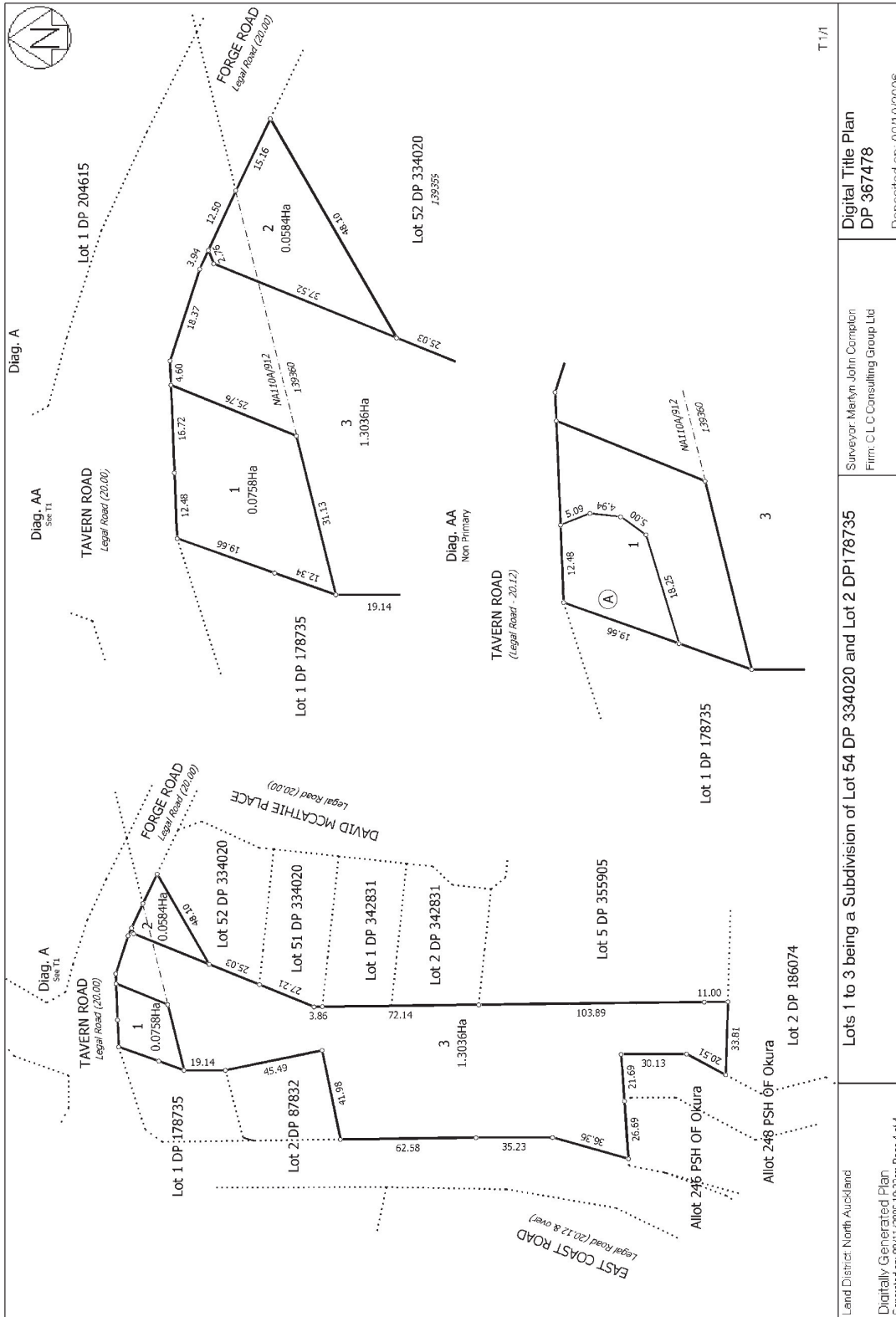
**Estate**                        Fee Simple  
**Area**                         758 square metres more or less  
**Legal Description**        Lot 1 Deposited Plan 367478

**Registered Owners**  
Tavern Road ECR Limited

**Interests**

Subject to a right of way over part marked A on DP 367478 specified in Easement Certificate D199884.9 - 30.9.1997 at 3.41 pm

The easements specified in Easement Certificate D199884.9 are subject to Section 243 (a) Resource Management Act 1991 7062619.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 9.10.2006 at 9:00 am





**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**



R. W. M. King  
Registrar-General  
of Land

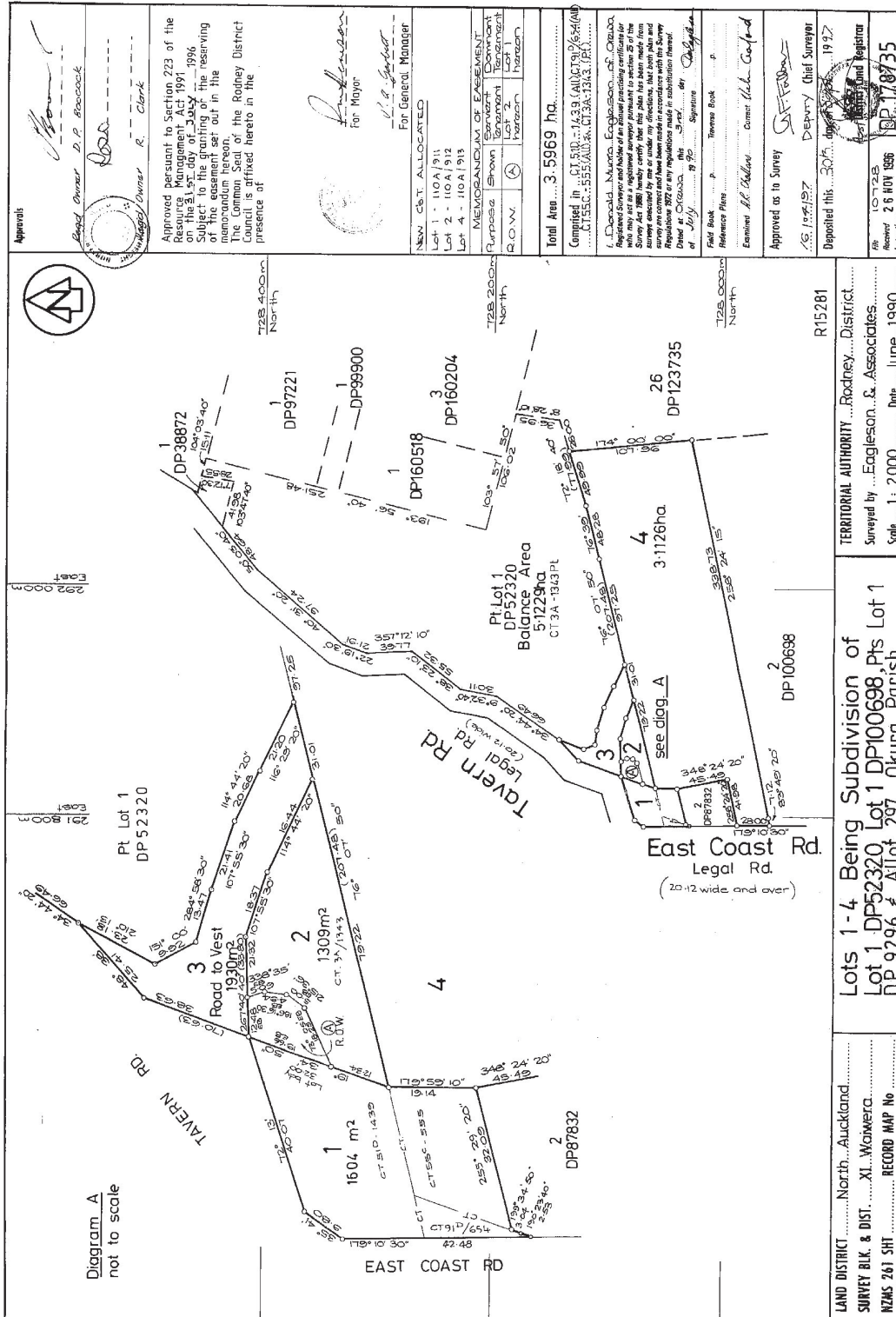
**Identifier** **NA110A/911**  
**Land Registration District** **North Auckland**  
**Date Issued** 30 September 1997

**Prior References**  
NA51D/1439      NA55C/555      NA91D/654

**Estate** Fee Simple  
**Area** 1604 square metres more or less  
**Legal Description** Lot 1 Deposited Plan 178735  
**Registered Owners**  
Tavern Road ECR Limited

**Interests**

C499364.1 Certificate declaring the adjoining road (East Coast Road from Silverdale to Lonely Track Road) to be limited access road - 20.7.1993 at 10.22 am  
D199884.5 Resolution pursuant to Section 321(3)(c) Local Government Act 1974 - 30.9.1997 at 3.41 pm  
Appurtenant hereto is a right of way specified in Easement Certificate D199884.9 - 30.9.1997 at 3.41 pm  
The easements specified in Easement Certificate D199884.9 are subject to Section 243 (a) Resource Management Act 1991





**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**



*R. W. M. King*  
Registrar-General  
of Land

**Identifier**                    **NA45C/220**  
**Land Registration District** **North Auckland**  
**Date Issued**                10 May 1979

**Prior References**

NA24B/745                    NA42D/265

**Estate**                        Fee Simple  
**Area**                        1679 square metres more or less  
**Legal Description**        Lot 2 Deposited Plan 87832

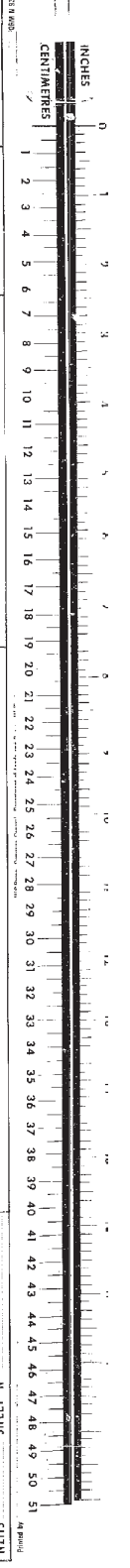
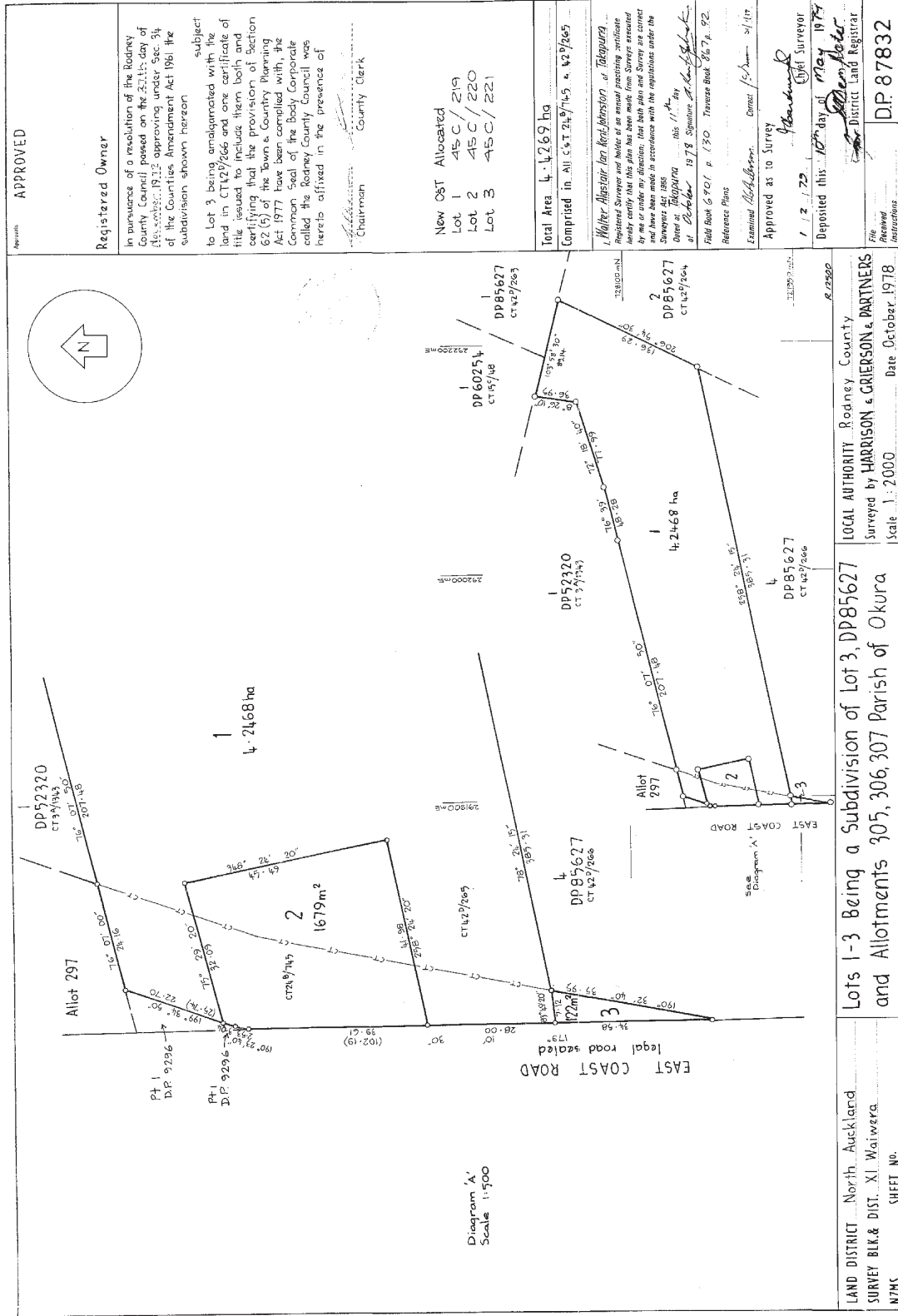
**Registered Owners**

Tavern Road ECR Limited

**Interests**

C499364.1 Certificate declaring the adjoining road to be a limited access road - 20.7.1993 at 10.22 am







## Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

### Address

56 Tavern Road Silverdale 0932

### Legal Description

Lot 1 DP 178735

### Appeals

### Modifications

Plan Changes, Plan Change 78 - Intensification, Multiple Layers, [View PDF](#), Proposed, 18/08/2022

### Zones

Business - Light Industry Zone

### Precinct

### Controls

Controls: Macroinvertebrate Community Index - Urban

### Overlays

### Designations

## Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

### Address

2183 East Coast Road Stillwater 0993

### Legal Description

Lot 2 DP 87832

### Appeals

### Modifications

Plan Changes, Plan Change 78 - Intensification, Multiple Layers, [View PDF](#), Proposed, 18/08/2022

### Zones

Business - Light Industry Zone

### Precinct

### Controls

Controls: Macroinvertebrate Community Index - Rural

Controls: Macroinvertebrate Community Index - Urban

### Overlays

### Designations

## Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

### Address

54 Tavern Road Silverdale 0932

### Legal Description

Lot 1 DP 367478

### Appeals

### Modifications

Plan Changes, Plan Change 78 - Intensification, Multiple Layers, [View PDF](#), Proposed, 18/08/2022

### Zones

Business - Light Industry Zone

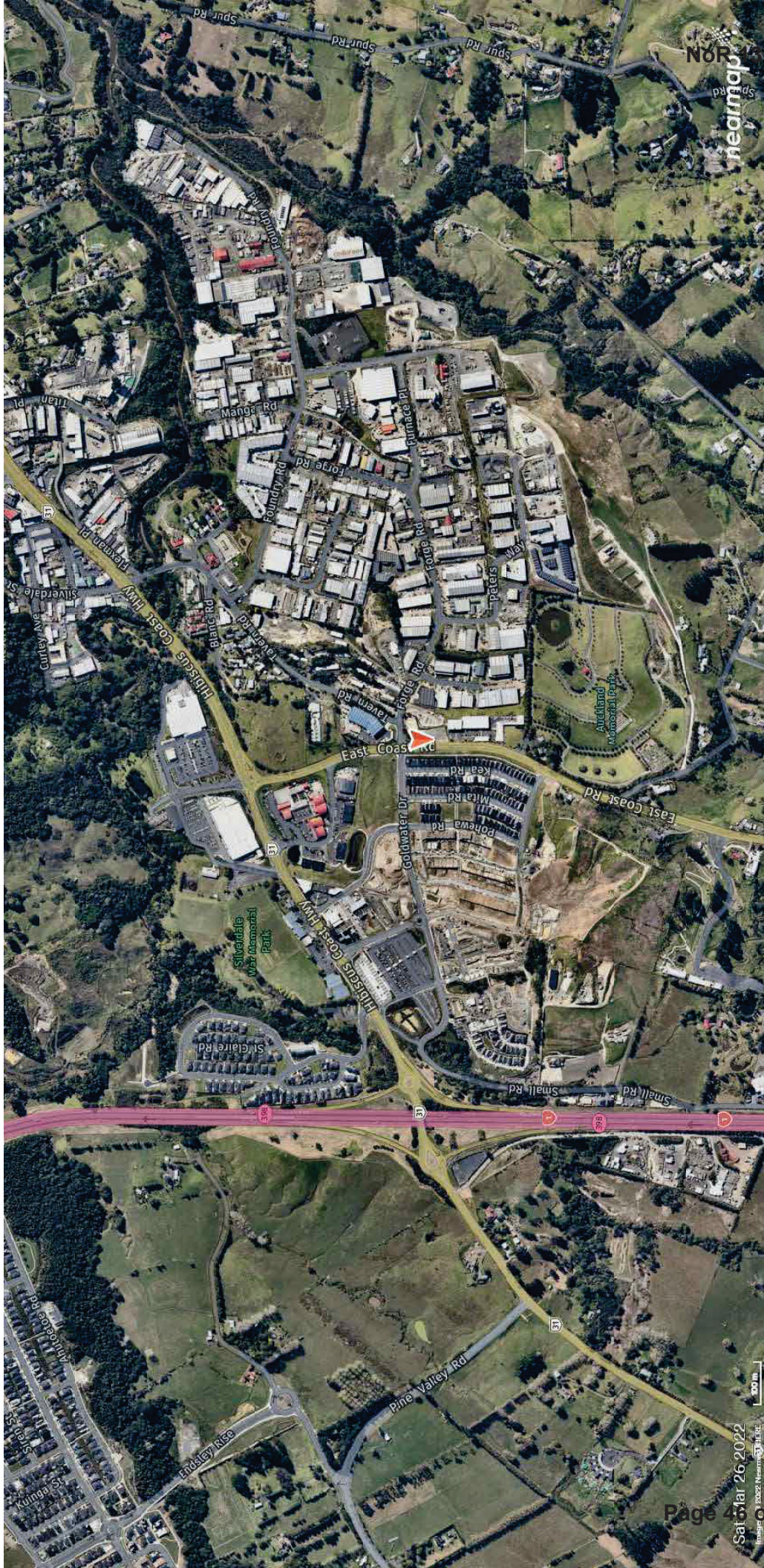
### Precinct

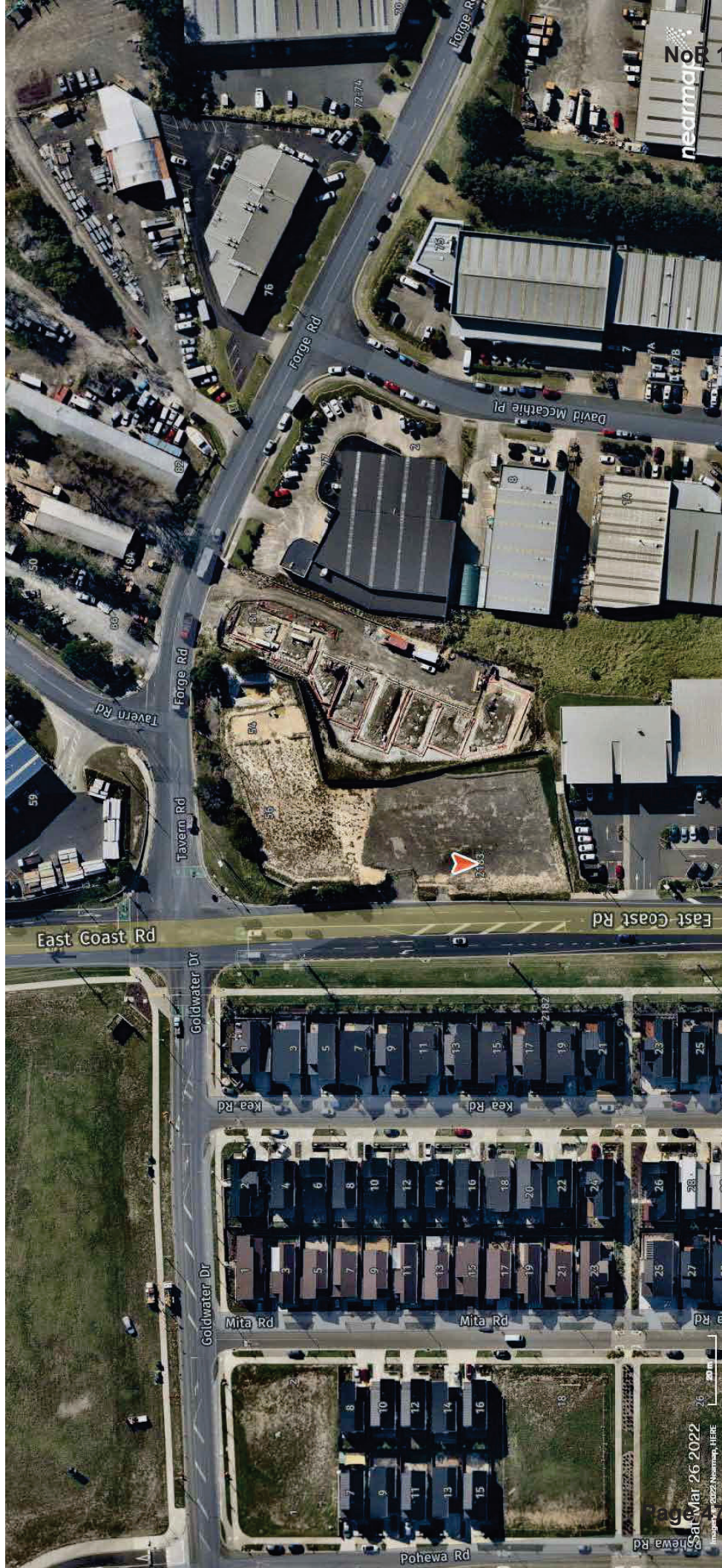
### Controls

Controls: Macroinvertebrate Community Index - Urban

### Overlays

### Designations







Public #19

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Meters

Scale @ A4  
= 1:1,000

Date Printed:  
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**Address**      **Place Name Search**      **Property**      **Aerial 2010 2011 Rural**

Address      Place Name Search

Property      Image

**Contours 2016**

Red: Band\_1

**Contours 0m**

Green: Band\_2

Contours 0m

Blue: Band\_3

**Contours 1m Intervals**

Parcels

**Contours 100m**

Coastline

Contours 100m

**Aerial 2019 2020 Rural**

**Contours 50m**

Image

Contours 50m

Red: Band\_1

**Contours 25m**

Green: Band\_2

Contours 25m

Blue: Band\_3

**Contours 10m**

**Aerial 2022 Rural**

Contours 10m

Image

**Contours 5m**

Red: Band\_1

Contours 5m

Green: Band\_2

**Contours 2m**

Blue: Band\_3

Contours 2m

**Aerial 2017 Urban**

**Contours 1m**

Image

Contours 1m

Red: Band\_1

**Place Names**

Green: Band\_2

**Public Open Space Names (8,000)**

Collector Road Under Construction

Public Open Space Names (8,000)

Local Road Under Construction

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**Legend**

- Place Name Search
- Rail Stations (8,000)
- Rail Stations (8,000)
- Railway Lines
- Railway (2,500)
- Auckland Council Boundary
- Roads (1,000)
- Motoway
- Motoway Under Construction
- Secondary Arterial Road
- Secondary Arterial Road Under Construction
- Primary Arterial Road
- Primary Arterial Under Construction
- Collector Road
- Collector Road Under Construction
- Local Road
- Local Road Under Construction

Date Printed: 9/09/2022







0 10 20 30  
Meters  
Scale @ A4  
= 1:2,500  
Date Printed:  
9/09/2022



3 #19


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**Rivers and Permanent Streams**


-  Open Watercourse
-  Piped Watercourse
-  Culvert
-  Pond

**Overland Flow Paths**

**Overland Flow Paths - 100ha and above (25,000)**

-  Overland Flow Paths - 100ha and above (25,000)


**Overland Flow Paths - 3ha to 100ha (25,000)**

-  Overland Flow Paths - 3ha to 100ha (25,000)


**Overland Flow Paths - 1ha to 3ha (15,000)**

-  Overland Flow Paths - 1ha to 3ha (15,000)


**Overland Flow Paths - 4000m2 to 1ha (8,000)**

-  Overland Flow Paths - 4000m2 to 1ha (8,000)


**Overland Flow Paths - 2000m2 to 4000m2 (5,000)**

-  Overland Flow Paths - 2000m2 to 4000m2 (5,000)

**Flood Prone Areas**

-  Flood Prone Areas

**Flood Sensitive Area**

-  Flood Sensitive Area

**Flood Plains**

-  Flood Plains

**Address**

-  Address

**Place Names**

**Public Open Space Names (8,000)**

-  Public Open Space Names (8,000)

**Place Name Search**

-  Place Name Search

**Rail Stations**

**Rail Stations (8,000)**

-  Rail Stations (8,000)

**Railway Lines**

**Railway (2,500)**







-  Railway (2,500)

**Auckland Council Boundary**

-  Auckland Council Boundary

**Roads**

**Roads (2,500)**

-  Motoway
-  Motoway Under Construction
-  Secondary Arterial Road
-  Secondary Arterial Road Under Construction
-  Primary Arterial Road
-  Primary Arterial Road Under Construction


**Collector Road**

-  Collector Road Under Construction
-  Local Road
-  Local Road Under Construction


**Property**

-  Property

**Rate Assessment**

-  Rate Assessment

**Parcels**

-  Parcels

**Coastline**

**Aerial 2019 2020 Rural**

**Image**

-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3

**Aerial 2022 Rural**

**Image**

-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3

**Aerial 2017 Urban**

**Image**

-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3

**Aerial 2010 2011 Rural**

**Image**

-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3



Scale @ A4  
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**Wastewater**

**Local Network**

**Wastewater Fitting (Local)**

- Wastewater Fitting (Local)

**Wastewater Manhole GIS ID Label (Local)**

Wastewater Manhole GIS ID Label (Local)

**Wastewater Manhole (Local)**

- Wastewater Manhole (Local)

**Wastewater Pipe GIS ID Label (Local)**

Wastewater Pipe GIS ID Label (Local)

**Wastewater Pipe (Local)**

- Operational

- - Operational Not Vested

- Abandoned / Not Operational

**Wastewater Structure (Local)**

**Wastewater Other Structure (Local)**

- Wastewater Other Structure (Local)

**Wastewater Pump Station (Local)**

- Wastewater Pump Station (Local)

**Transmission Network**

**Wastewater Fitting (Transmission)**

- Wastewater Fitting (Transmission)

**Wastewater Manhole (Transmission)**

- Wastewater Manhole (Transmission)

**Wastewater Pipe (Transmission)**

Operational

Not Operational

Proposed

Wastewater Structure (Transmission)

**Legend**




Date Printed:  
9/09/2022

## NOTATIONS

**Appeals to the Proposed Plan**

 Appeals seeking changes to zones or management layers

**Proposed Modifications**

-  Notice of Requirements
-  Plan Changes
-  Future Coastal Hazards Plan Change

**Tagging of Provisions:**

- [ i ] = Information only
- [ rp ] = Regional Plan
- [ rcp ] = Regional Coastal Plan
- [ rps ] = Regional Policy Statement
- [ dp ] = District Plan (only noted when dual provisions apply)

## ZONING





**Residential**

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








**Business**

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

**Open space**

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



**Rural**

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone

**Future Urban**

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

**Infrastructure**

-  Special Purpose Zone - Airports & Airfields  
Cemetery  
Quarry  
Healthcare Facility & Hospital  
Tertiary Education  
Māori Purpose  
Major Recreation Facility  
School
-  Strategic Transport Corridor Zone

**Coastal**

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone



Precincts

--- Rural Urban Boundary

----- Indicative Coastline [i]

**Natural Resources**

- Terrestrial [rp/dp]
  - Marine 1 [rcp]
  - Marine 2 [rcp]
  - Water Supply Management Areas Overlay [rp]
  - Natural Stream Management Areas Overlay [rp]
  - High-Use Stream Management Areas Overlay [rp]
  - Natural
  - Urban
  - High-Use Aquifer Management Areas Overlay [rp]
  - Quality-Sensitive Aquifer Management Areas Overlay [rp]
  - Wetland Management Areas Overlay [rp]
- } Significant Ecological Areas Overlay

**Natural Heritage**

- Verified position of tree
  - Unverified position of tree
  - Group of Trees
  - Outstanding Natural Features Overlay [rcp/dp]
  - Outstanding Natural Landscapes Overlay [rcp/dp]
  - Outstanding Natural Character Overlay [rcp/dp]
  - High Natural Character Overlay [rcp/dp]
  - Viewshafts
  - Height Sensitive Areas
  - Regionally Significant Volcanic Viewshafts Overlay Contours [i]
  - Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
  - Locally Significant Volcanic Viewshafts Overlay Contours [i]
  - Modified
  - Natural
  - Local Public Views Overlay [rcp/dp]
  - Extent of Overlay
  - Subdivision Schedule
- } Notable Trees Overlay
- } Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
- } Waitakere Ranges Heritage Area Overlay
- } Ridgeline Protection Overlay

**Infrastructure**

- Airport Approach Surface Overlay
  - Aircraft Noise Overlay
  - City Centre Port Noise Overlay [rcp / dp]
  - Quarry Buffer Area Overlay
  - National Grid Subdivision Corridor
  - National Grid Substation Corridor
  - National Grid Yard Compromised
  - National Grid Yard Uncompromised
- } National Grid Corridor Overlay

**Historic Heritage & Special Character**

- Historic Heritage Overlay Place [rcp/dp]
- Historic Heritage Overlay Extent of Place [rcp/dp]
- Special Character Areas Overlay Residential and Business
- Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
- Auckland War Memorial Museum Viewshaft Overlay Contours [i]
- Stockade Hill Viewshaft Overlay – 8m height area
- Stockade Hill Viewshaft [i]

**Mana Whenua**

- Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]

**Built Environment**

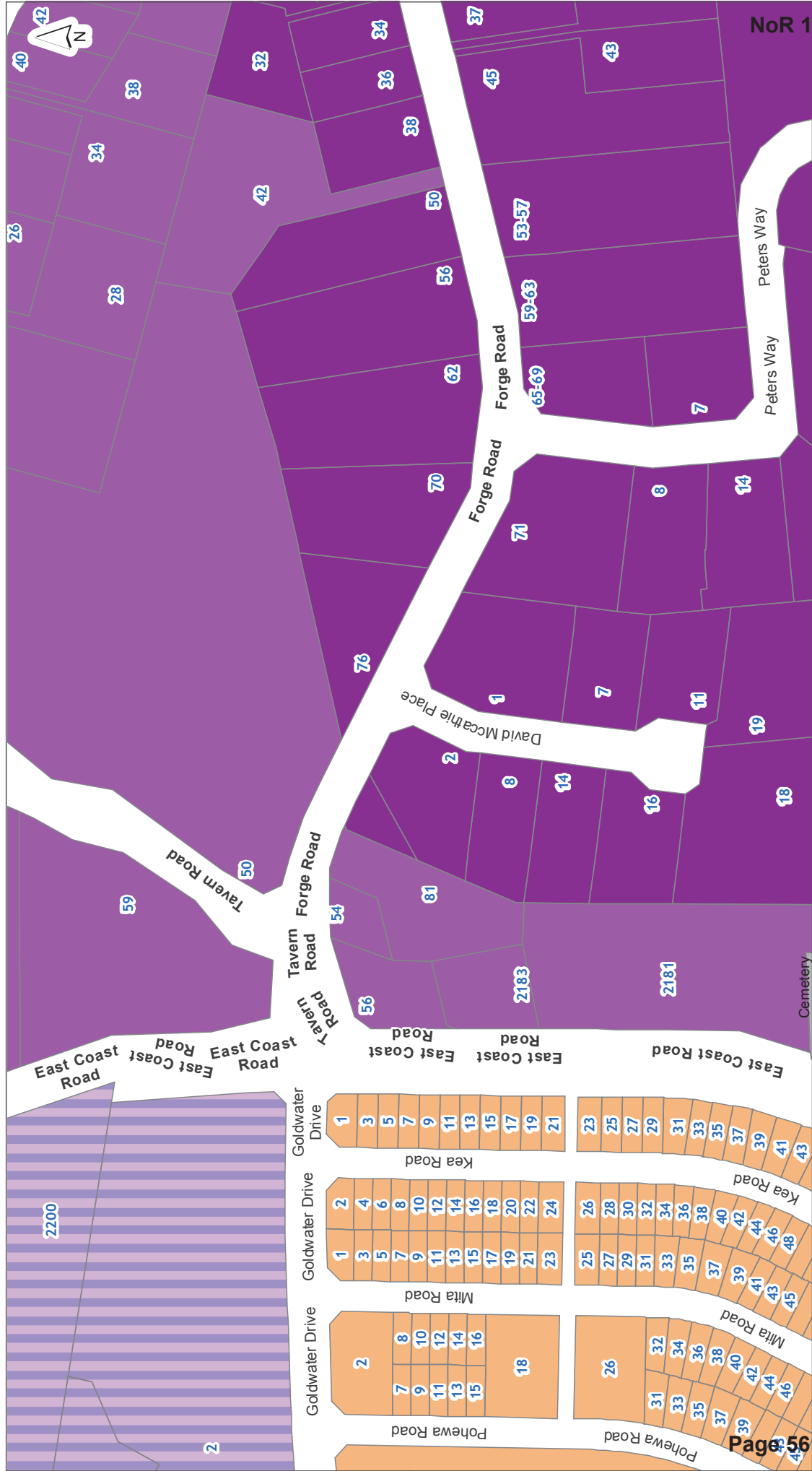
- Identified Growth Corridor Overlay

**Controls**

- Key Retail Frontage
  - General Commercial Frontage
  - Adjacent to Level Crossings
  - General
  - Motorway Interchange Control
  - Centre Fringe Office Control
  - Height Variation Control
  - Parking Variation Control
  - Level Crossings With Sightlines Control
  - Arterial Roads
  - Business Park Zone Office Control
- } Building Frontage Control
- } Vehicle Access Restriction Control

- Hazardous Facilities
  - Infrastructure
  - Macroinvertebrate Community Index
  - Flow 1 [rp]
  - Flow 2 [rp]
  - Subdivision Variation Control
  - Indigenous Vegetation 749.7 ha
  - Freshwater Wetland 14.6 ha
  - Surf Breaks [rcp]
  - Cable Protection Areas Control [rcp]
  - Coastal Inundation 1 per cent AEP Plus 1m Control
- } Emergency Management Area Control
- } Stormwater Management Area Control
- } Kawau Island Rural Subdivision SEAs Control

**Designations**



NoR 13 #19



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Meters

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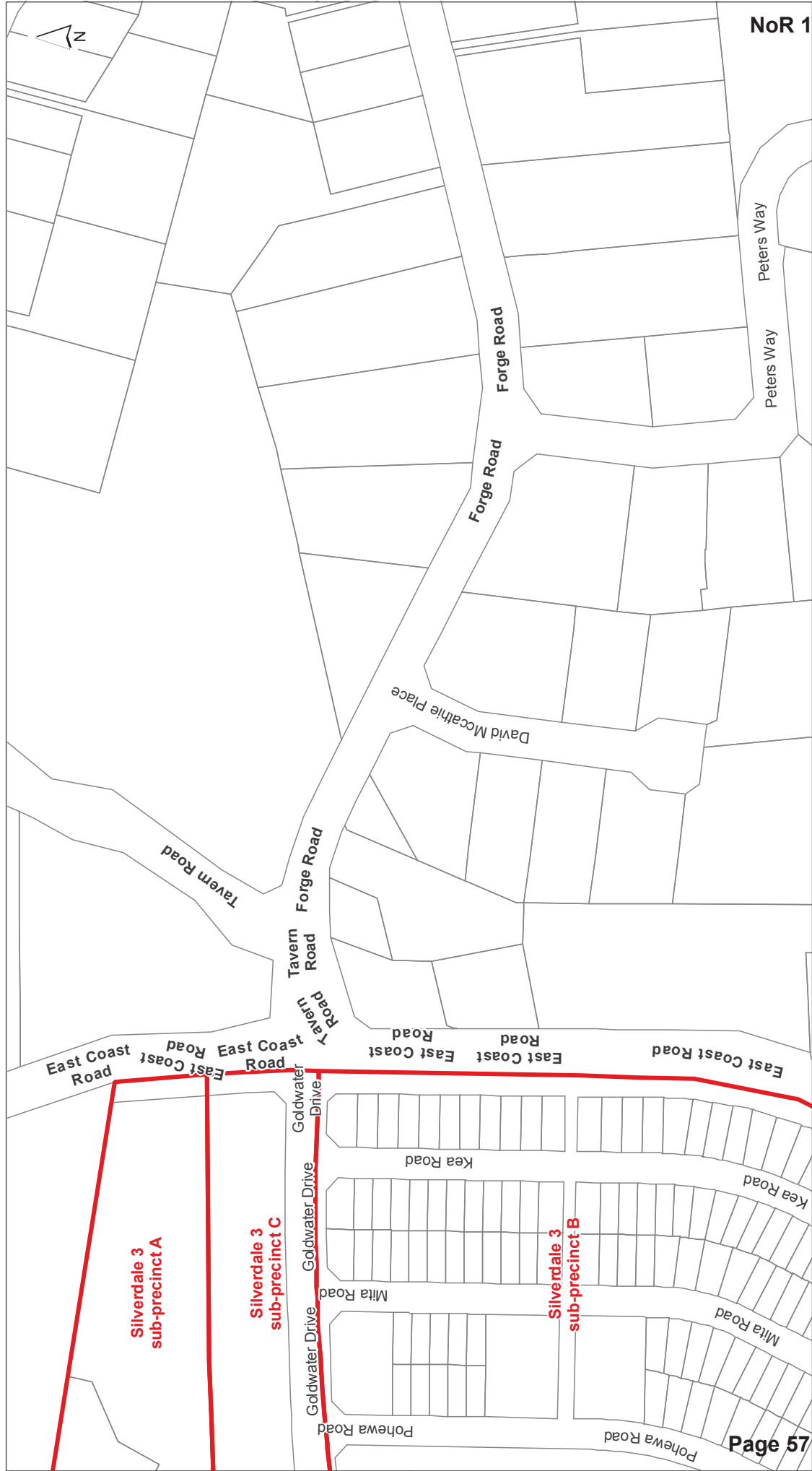
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## Zones and Rural Urban Boundary

**Page 56 of 70**  
**Page 328**

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NoR 13 #19

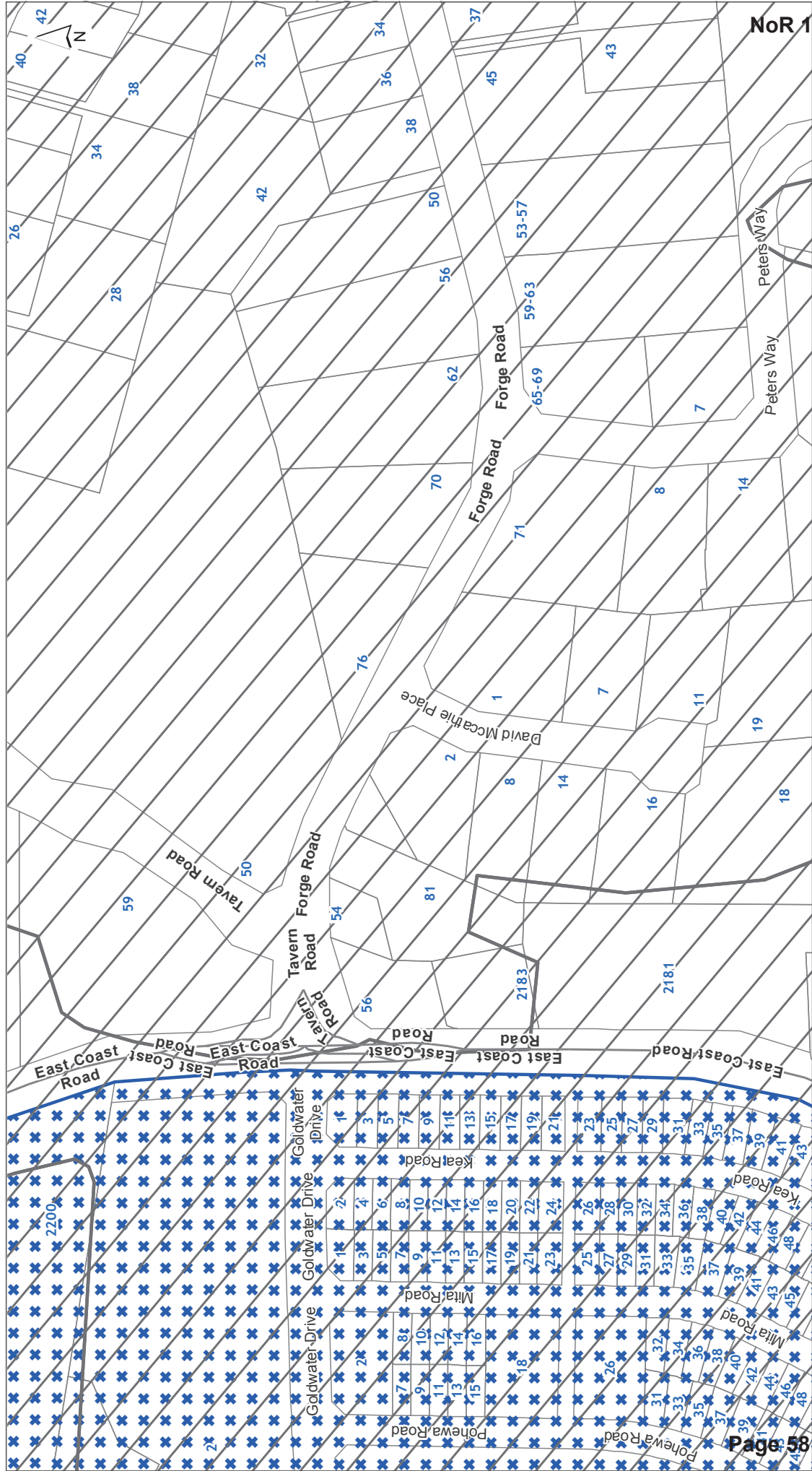


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Precincts

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NoR 13 #19



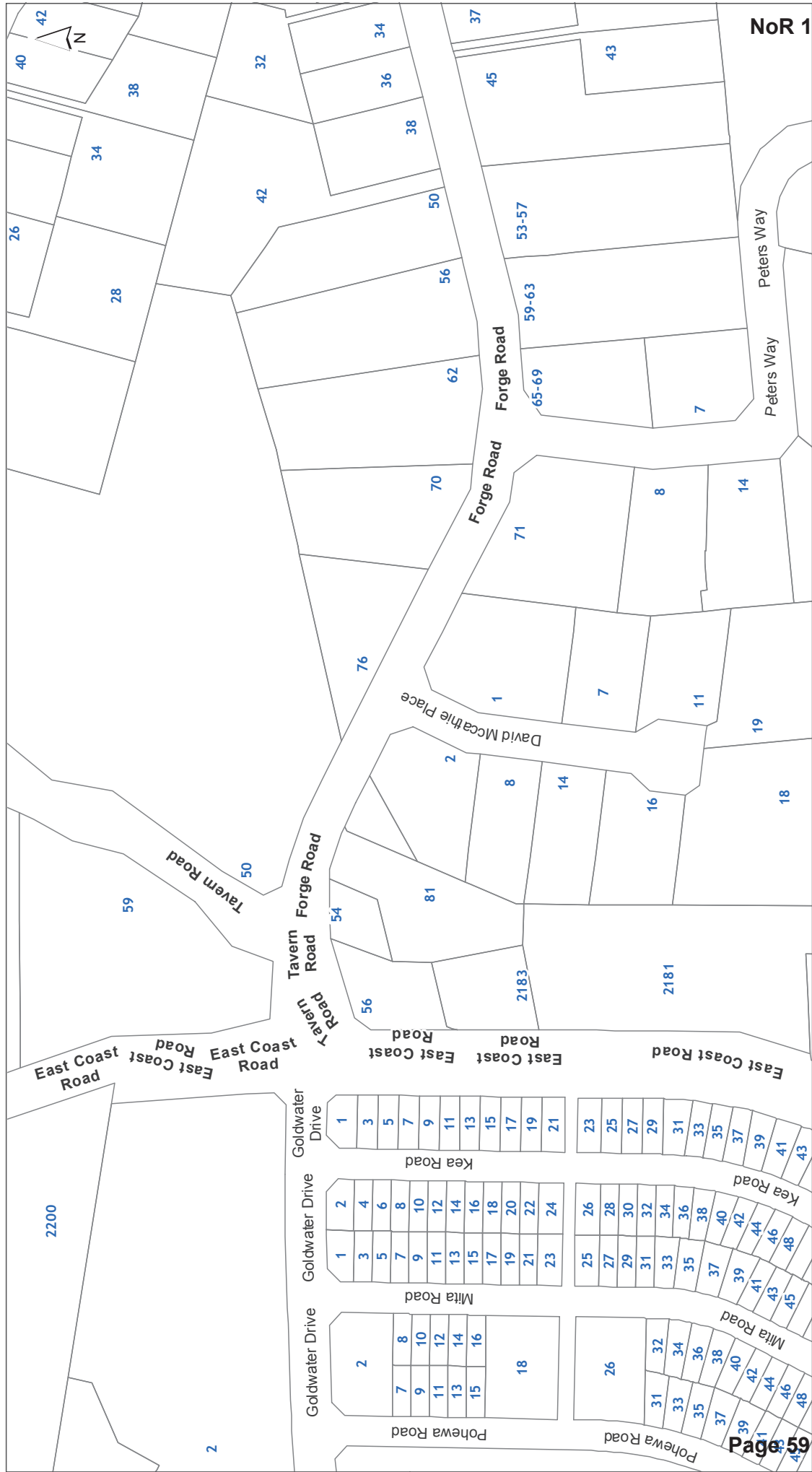
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Date Printed:  
9/09/2022

## Controls

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NoR 13 #19



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Scale @ A4  
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## Designations

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NoR 13 #19



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Meters

Scale @ A4  
= 1:2,500

Date Printed:  
9/09/2022

### Historic Heritage and Special Character

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NoR 13 #19



0 10 20 30  
Meters

Scale @ A4  
= 1:2,500

Date Printed:  
9/09/2022

# Infrastructure

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NoR 13 #19



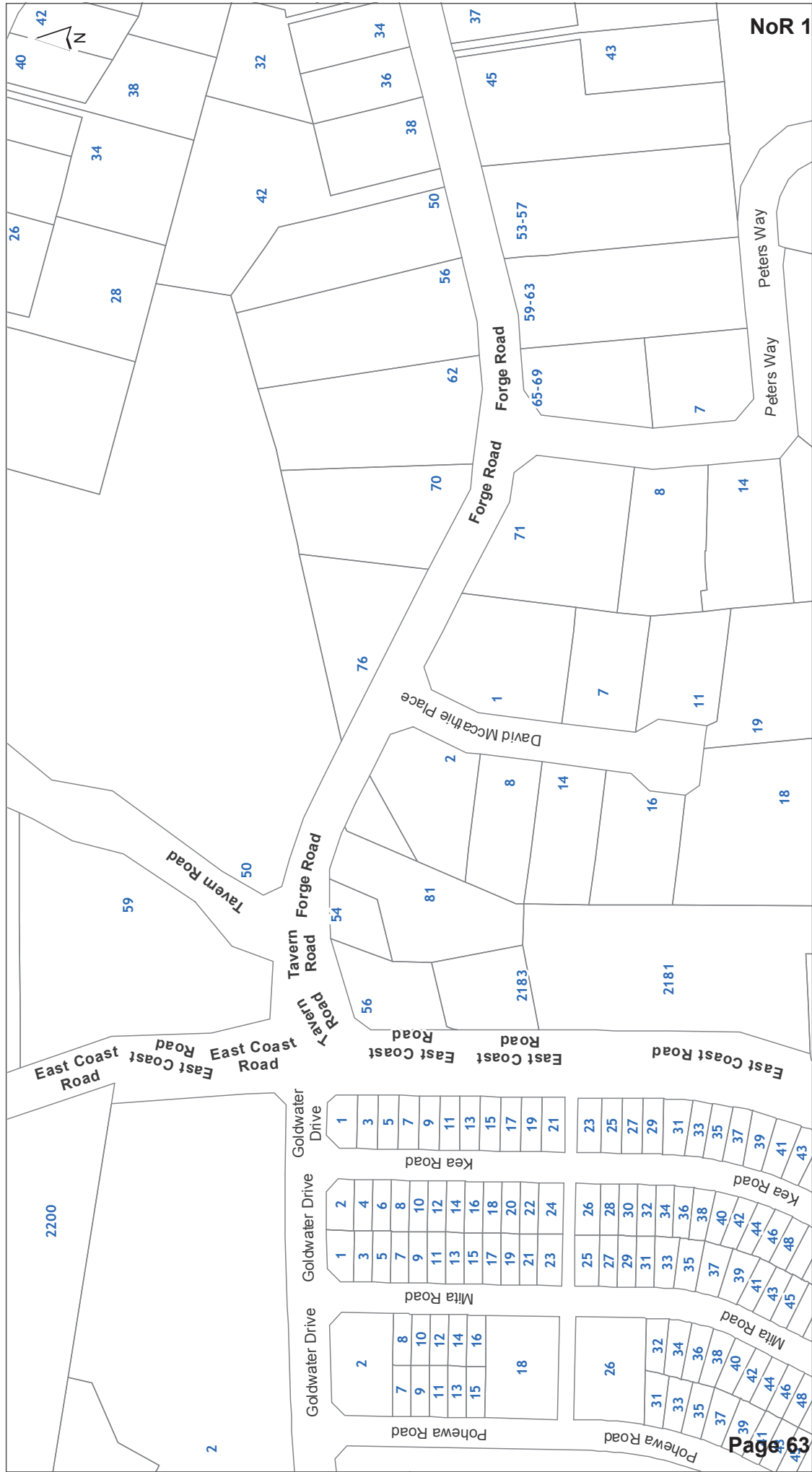
0 10 20 30  
Meters

Scale @ A4  
= 1:2,500

Date Printed:  
9/09/2022

Mana Whenua

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NoR 13 #19



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Meters

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= 1:2,500

Date Printed:  
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Natural Heritage

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NoR 13 #19



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Meters

Scale @ A4  
= 1:2,500

Date Printed:  
9/09/2022

### Natural Resources

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NoR 13 #19



0 10 20 30  
Meters

Scale @ A4  
= 1:2,500

Date Printed:  
9/09/2022

Built Environment

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## MEMO – SUPPORTING GROWTH

Prepared by Matvin Group on behalf of Urban Village Limited

11 December 2023

### Background:

Urban Village (the applicant) has consented a light industrial development on a vacant piece of land at 2183 East Coast Road. The consent is for a 21 unit development, including earthworks, civil and infrastructure upgrades and more. Following consultation with Auckland Council and Auckland Transport, it has been agreed that as part of the consent, a new footpath will be installed along the East Coast Road boundary, designed inline with AT and NZTA requirements.

### Reason for Submission

In response to a Notice of Requirement being lodged on 2183 East Coast Road, Matvin Group, Urban Village, Mako Engineering and SFH Consultants met with Eva Mason and Kathleen, from Supporting Growth on the 05/07/2023, to discuss the impacts of the proposed upgrade on the aforementioned address.

In this meeting it was noted that;

- The specifics of the upgrade were not yet determined however the overarching principal was to provide pedestrian access along East Coast Road.
- It was also noted that most of the space required for the designation was to provide access for the construction of the footpath.
- The applicant raised the fact that the proposed development included building up to the boundary, within the designation area.
- The applicant noted that a footpath would be installed as part of the approved consent.
- The Supporting Growth Team acknowledged that the proposed footpath would provide the same amenity as what was trying to be achieved in the designation.
- The applicant sought removal of the designation from 2183 East Coast Road, given that a footpath is to be implemented as part of the development.
- The supporting growth agreed that a designation would not be required given the proposed footpath would provide the same outcome as intended in the designation.

Regards  
Thomas Rutter  
Development Manager



**1. Proposed Development:**

- i. The owners have lodged a resource consent application [BUN60413674 (LUC60413675 and DIS60413676)] for the development of the three sites as a comprehensive development, providing for 21 industrial units, with warehouse and ancillary offices, plus associated access, maneuvering, parking, loading, and landscaping.
- ii. The applicant submitted this in December 2022. The application is well progressed through Council processes.
- iii. The development is such that it relies on the full site area including the site frontage to enable appropriate areas for access, parking, loading, landscaping, and some building areas.
- iv. The area indicated in the SGA letter will substantially impact the proposed development, resulting in the loss of several units, the loading bay, maneuvering areas.
- v. This looks like it would require a complete re-design of the site, with impact on unit numbers and site functionality.
- vi. 2181 ECR was also developed by the owner of 2183 ECR and a consistent frontage should be enabled.

**2. SGA Proposed NOR:**

- i. We are interested in the SGA plans for the immediate area, but also the wider area to see how these would fit together holistically.
- ii. We understand the indicative nature of the information, but it would be appreciated if we could receive a copy of the wider proposed NOR for context.
- iii. Other items we would like to discuss include
  - a. **Cross Section:** Can we have a copy of the proposed cross section at this location. This would help us to better understand all facilities proposed and whether there were opportunities for change to reduce impact on the proposed development while also still achieving the intention of the NOR.
  - b. **Tavern Road, east Coast Road Intersection:** Can you explain the intention for the intersection upgrades and can we have a copy of any proposed/indicative plans for this.
  - c. **Shifted West:** With the wide road berm on the western side, is there an opportunity to shift things westwards to limit the impact on the proposed development.
  - d. **Earthworks:** What extent and is there room to use retaining walls rather than batters to reduce extent?
  - e. **Access:** The proposed development needs to maintain access to and from ECR in all directions. There is limited to no facilities to make U-turn maneuvers south of the site.
  - f. **Footpath:** I note that there is no footpath proposed in the information provided. Can you explain why. We support this move given the context of the site and surrounds.
  - g. **Cycle way:** I note the cycle way is proposed, can you explain the width and whether physical separation is proposed. And how this might affect access to the site.
  - h. **Compensation:** If the indicated extent of proposed designation remains, and the impact on the development is fatal, will the entire site be purchased by SGA?
  - i. **Funding and Timing:** Do the designation works have funding and what is the indicated timing for both lodging the NOR and undertaking the works.

**3. Further Consultation:**

- a. Can you send us the answers to the above questions. Please advise the timing for this.
- b. Can we expect any further consultation prior to NOR lodgment?



Date: 12.12.2023

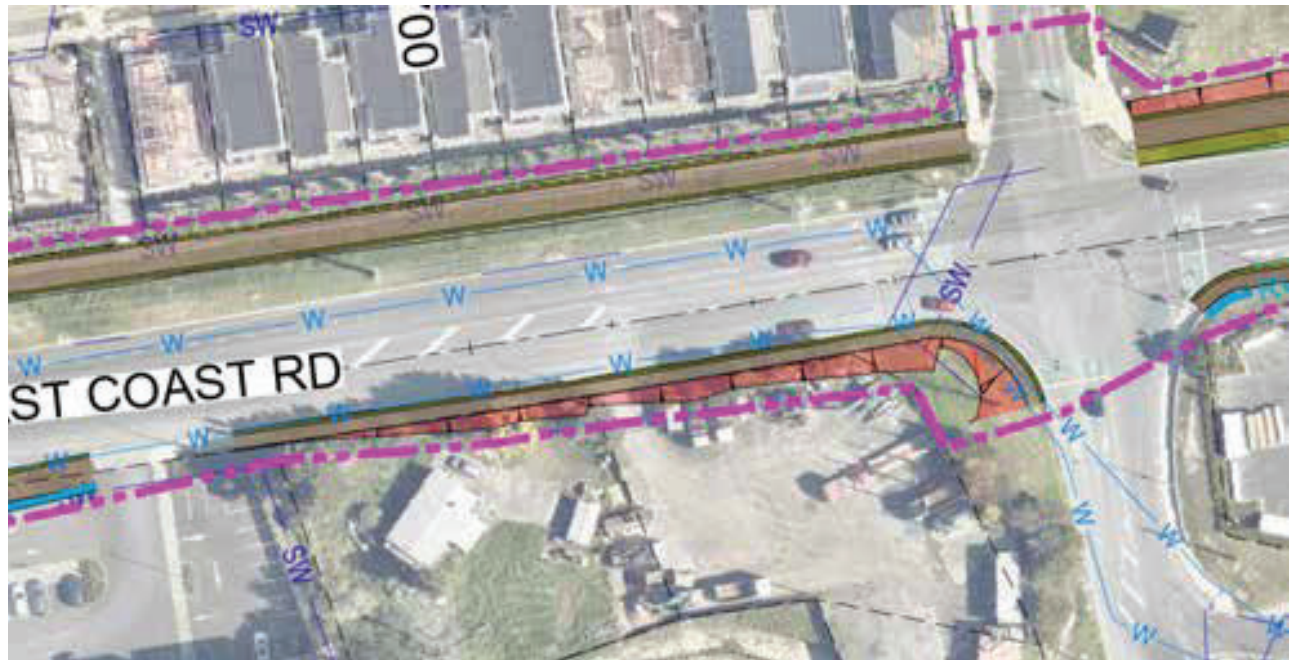
Project Reference: 2012

**Subject: 2183 East Coast Road, 54-56 Tavern Road - Notice of Requirement - North: Upgrade to East Coast Road between Silverdale and Redvale (NoR 13) - Auckland Transport (AT)**

We have been asked to provide a response to a Notice of Requirements (NOR) that impacts 2183 East Coast Road, 54 and 56 Tavern Road, Stillwater. Our response relates to civil engineering matters only.

The NOR boundary extends into the site to form a batter slope to support a footpath upgrade in East Coast Road. A recently approved Resource Consent (BUN60413674), demonstrates that the subject development seeks to construct a 1.8m wide footpath in East Coast Road, with retaining walls on the boundary to support the footpath upgrade.

The proposed designation area over the site is not reasonably necessary to achieve the outcomes sought at this location. The batter into the site is not required as the frontage of the consented development ties in with the existing road level, via a combination of batter slopes and retaining walls, and provides the footpath adjacent to the development site, outlined in the figure below.



As a result, we would ask that the proposed Designations impacting the subject sites be removed.

Civil design drawings associated with BUN60413674 is attached for reference, and provides detail of the proposed footpath upgrade.

Sincerely



Michael Buhr

**Director**

**Civil Engineer**

**MAKO ENGINEERING LTD**

office@makoengineering.co.nz  
Civil Engineering Consultants

Form 21

Submission on requirements for designations

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of submitter:** Aotearoa Towers Group (ATG)  
*Trading as* FortySouth  
Private Bag 92161  
Auckland, 1142

Chorus New Zealand Limited (Chorus)  
PO Box 632  
Wellington

Connexa Limited (Connexa)  
PO Box 91362  
Victoria Street West  
Auckland, 1142

One New Zealand (One NZ) (formally Vodafone New Zealand Ltd)  
Private Bag 92161  
Auckland, 1142

Spark New Zealand Trading Limited (Spark)  
Private Bag 92028  
Auckland, 1010

These parties are making a joint submission and for the purposes of this submission are referred to collectively as the **Telecommunications Submitters**.

**The Proposal:**

This is a submission on the following notices of requirement by Auckland Transport and Waka Kotahi NZ Transport Agency for transport projects between Albany and Orewa in North Auckland:

- North Transport Project NoR 1: North: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)
- North Transport Project NoR 2: North: New Rapid Transit Station at Milldale (Waka Kotahi NZ Transport)
- North Transport Project NoR 3: North: New Rapid Transit Station at Pine Valley Road (Waka Kotahi NZ Transport)
- North Transport Project NoR 4: North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)
- North Transport Project NoR 5: North: New State Highway 1 Crossing at Dairy Stream (Auckland Transport)
- North Transport Project NoR 6: North: New Connection between Milldale and Grand Drive, Orewa (Auckland Transport)
- North Transport Project NoR 7: North: Upgrade to Pine Valley Road (Auckland Transport)
- North Transport Project NoR 8: North: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (Auckland Transport)
- North Transport Project NoR 9: North: Upgrade to Dairy Flat Highway between Dairy Flat and Albany (Auckland Transport)
- North Transport Project NoR 10: North: Upgrade to Wainui Road (Auckland Transport)
- North Transport Project NoR 11: North: New Connection between Dairy Flat Highway and Wilks Road (Auckland Transport)
- North Transport Project NoR 12: North: Upgrade and Extension to Bawden Road (Auckland Transport)
- North Transport Project NoR 13: North: Upgrade to East Coast Road between Silverdale and Redvale (Auckland Transport)

**The Telecommunications Submitters are not trade competitors for the purposes of section 308B of the Resource Management Act 1991.**

**The specific parts of the notice of requirement that this submission relates to are:**

The conditions of the designations that relate to Network Utility Operators and the Land Use Integration Process (LIP).



**The Telecommunications Submitters' submission is that:**

The Telecommunications Submitters have no position on the overall North package of transport projects but seek to ensure that existing and potential future telecommunications infrastructure in the project corridors are adequately addressed.

The Telecommunications Submitters **oppose** the proposed designations unless the matters outlined in this submission are satisfactorily addressed.

The organisations collectively deliver and manage the majority of New Zealand's fixed line/fibre and wireless phone and broadband services in New Zealand. The network utility operators in the telecommunications sector deliver critical lifeline utility services (as per Schedule 1 to the Civil Defence Emergency Management Act 2002) including infrastructure to support emergency services calls. It is also crucial for supporting social and economic wellbeing and measures to reduce travel demand. The services provide opportunities for work from home/remote work solutions through fast internet connections by fibre and/or wireless means which promotes a lower carbon economy.

The equipment used to deliver this is often located in road corridors which act as infrastructure corridors as well as just transport corridors. The works enabled by the proposed designations will affect existing infrastructure that will need to be protected and/or relocated as part of the proposed works. The design and construction of the works should take into account any opportunities for new infrastructure to be installed which is preferable than trying to retrofit necessary telecommunications/ broadband infrastructure later due to disruptions and/ or incompatibility with project design.

**Existing Infrastructure**

A summary of existing infrastructure located in the project footprints is as follows and is outlined in more details viewable in **Appendix A**:

- FortySouth Facility: Telecommunication pole on Loney Track Road crossing above State Highway 1 in NoR 1 (supporting One NZ Network)
- FortySouth Facility: Telecommunication pole off Wilks Road and Aeropark Drive in NoR 4 (supporting One NZ Network)
- Connexa Facility: Telecommunication pole on Silverdale Offramp in NoR 4 (supporting 2degrees Network)

- Connexa Facility: Telecommunication pole off Wilks Road and Aeropark Drive in NoR 4 (supporting 2degrees Network)
- Connexa Facility: Telecommunication pole on 170 East Coast Road in NoR 4 (supporting 2degrees Network)
- Connexa Facility: Telecommunication pole Lonely Track Road in NoR 4 (supporting Spark Network)
- Connexa Facility: Telecommunication pole on Dairy Flat Highway 1700-1616 Route 31 in NoR 8 (supporting Spark Network)
- Connexa Facility: Telecommunication pole on 958 Dairy Flat Highway in NoR 8 (supporting 2degrees Network)
- Chorus has extensive fibre and copper lines networks throughout the project area.
- Mobile operators are progressively rolling out roadside equipment and fibre routes in Auckland roads which may be within project corridors when works proceed.

### **Future Infrastructure Requirements**

Network utility operators need to integrate necessary services into infrastructure projects such as transport projects. This is especially significant for future development with the introduction of advanced technology such as 5G infrastructure, which will be crucial to transport infrastructure. It is most efficient to coordinate any such services with the design and construction of a project, rather than trying to retrofit them at a later date. This process does not always run smoothly. To provide a previous example, Spark, 2degrees and Vodafone (now One NZ) had substantial issues trying to negotiate with the Public Private Partnership (PPP) operator of the Transmission Gully project in the Wellington Region to install services to provide telecommunications coverage. This process proved to be very difficult as there was no requirement to consult and work with relevant network utility operators in the designation conditions, and post completion of the project design and PPP contracting, it proved to be very challenging to try to incorporate necessary telecommunications infrastructure into the design of this project.

Spark achieved a more satisfactory outcome through participation as a submitter in the Auckland East West Link and Warkworth to Wellsford (W2W) project designation conditions where there was a specific obligation for the Requiring Authority to consult with network utility operators as part of the detailed design phase of the project to identify opportunities to enable the development of new network utility including telecommunications infrastructure where practicable to do so<sup>1</sup>. While the Telecommunication

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<sup>1</sup> East West Link Condition NU2, W2W Condition 24A

Submitters are not asking for the exact same outcomes of these examples, it demonstrates mutual benefits with ease of collaboration, communication and cohesive infrastructure development.

This is reflected in more recent times in two separate occasions earlier this year where Auckland Transport and Waka Kotahi agreed to amend their proposed Network Utility Management Plan (NUMP) conditions to involve network utility operators during the design phase, as well as the inclusion of Land Integration Process (LIP) conditions on Auckland Transport designations. Satisfactory conditions in this regard have been agreed with the requiring authorities in the Airport to Botany and Northwest Transport Projects (aside to an equivalent approach to the LIP condition for Waka Kotahi designations). However, those agreed amendments to the NUMP condition have not been carried through to the Albany to Orewa North NoRs.

All NoRs include a NUMP condition in the general conditions (27 for Auckland Transport, and 23 and 25 for Waka Kotahi), which is not the same as the previously and recently agreed upon NUMP condition wording for the other abovementioned projects. The NUMP conditions used in the North project NoRs do not include the updated clause “(d) *the development of the NUMP shall consider opportunities to coordinate future work programmes with other network utility operator(s) **during detailed design** where practicable.*”

Further, Spark on behalf of the Telecommunication Companies has had more recent discussions with SGA representatives on how to have more effective conditions for the various NoRs packages. An SGA representative suggested that design stage is not an actual stage but is instead progressive. Accordingly, further changes to the amended NUMP clause are now sought as follows:

- 20.1 “(d) *the development of the NUMP shall consider opportunities to coordinate future work programmes with other network utility operator(s) **during the further project stages including detailed design** where practicable.*”

This revised wording is proposed to assure the telecommunication companies has the opportunity to be continued to be involved for future project stages.

Whilst there is no direct obligation on the requiring authority to accommodate such works/opportunities, it is reasonable for there to be provisions to ensure the matter is properly considered during the design phase through consultation with network utility operators as it sets appropriate expectations and ensures these opportunities are properly explored. This enables proper consideration of making provision for communications infrastructure that support the function of the roads and/or serves adjacent growth. This

should be a consideration distinct from protecting or relocating existing network utilities affected by the project which has previously been the focus of conditions to manage network utilities.

- 20.2 Whilst the LIP condition on Auckland Transport 's proposed designations now matches changes agreed on the other projects, there is still no equivalent process for the proposed Waka Kotahi designations in this project to ensure the various telecommunications network providers are properly identified and engaged at relevant project stages.

### **Consultation with Telecommunications Network Utility Operators**

Key to the outcomes the Telecommunications Submitters are seeking is to ensure they are adequately consulted by the requiring authorities over effects on their existing infrastructure, as well as being provided the opportunity to discuss any future requirements so this can be considered in the project design.

The Assessment of Environmental Effects (AEE) for each notice sets out the relevant utility providers who have assets within and around the proposed designations and is listed in the Network Utility Effects section. However, none of the Telecommunication Submitters are listed within the affected Utility Providers despite having existing infrastructure within and around the proposed designated boundaries. Spark is mentioned once as having provided written feedback as part of "previous engagement." Therefore, it is a concern that they various interest companies will not be consulted as part of the NUMP development.

Spark and One NZ operate mobile phone/wireless broadband networks that are often located on facilities located in or adjacent to roads, while Chorus operate fixed line assets in roads including fibre. In addition, Spark has sold its fixed mobile asset infrastructure (e.g., their poles) to Connexa who are also acquiring the fixed assets of 2degrees, and similarly One NZ has sold its fixed mobile assets to Aotearoa Towers Group (trading as FortySouth). Accordingly, the operating landscape for telecommunications companies and who may be affected by these projects has become quite complex. Given this complexity, an advice note to the NUMP condition for the Waka Kotahi designations is proposed to provide more clarity on which telecommunications/broadband operators may be affected and to enable an engagement process to be established as the projects advance. This is not required for the Auckland Transport conditions given the LIP condition.

### **Land Use Integration Process (LIP)**

Auckland Transport included a satisfactory LIP condition within their NoR's which are listed below. This reflected their previous requested changes to clause (f) and (f)(iii) and agreed upon for the Airport to Botany and Northwest Projects NoRs.

20.2

However, the following NoR's lodged by Waka Kotahi did not include LIP conditions:

- North Transport Project NoR 1: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)
- North Transport Project NoR 2: North: New Rapid Transit Station at Milldale (Waka Kotahi NZ Transport)
- North Transport Project NoR 3: North: New Rapid Transit Station at Pine Valley Road (Waka Kotahi NZ Transport)
- North Transport Project NoR 4: North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)

The exclusion of LIP conditions creates a potential lack of integration and dialogue between the project teams and existing infrastructure providers such as the Telecommunications Submitters. This may compromise effective collaboration, cohesiveness, and proper exploration of opportunities with regard to future infrastructure requirements being integrated into these projects. The Telecommunication Submitters are seeking relief in the form of satisfactory LIP conditions (equivalent to the Auckland Transport conditions) to be included within the four Waka Kotahi NoRs, or an alternative condition of like effect in regard to addressing the issues raised by the Telecommunications Submitters, or an advice note to the NUMP condition to clearly identify the current major network providers operating fibre and mobile phone/wireless broadband networks.

**The Telecommunications Submitters seeks the following decision from the Requiring Authorities:**

**Amend** the NUMP condition for each notice of requirement, as follows:

**Network Utility Management Plan (NUMP)**

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

***(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:***

***(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; and*
  - (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; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.*
- (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.*
- (d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) during the further project stages including detailed design where practicable.*
- (e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.*
- (f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.*
- (g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner*

20.3 **Add** an advice note to the NUMP condition for the Waka Kotahi designations unless a Land Integration Process (LIP) condition or similar is added in the alternative:

**Advice Note:**

**For the purposes of this condition, relevant telecommunications network utility operators include companies operating both fixed line and wireless services. As at the date of designation these include Aotearoa Towers Group (FortySouth), Chorus New Zealand Limited, Connexa Limited, One New Zealand Limited, Spark New Zealand Trading Limited, Two Degrees Mobile Limited (and any subsequent entity for these network utility operators).**

**Add** a LIP condition equivalent to that proposed for the Auckland Transport designations, or any alternative mechanism ensuring there is a process for the project teams for the Waka Kotahi designations to properly identify and engage with relevant telecommunication network utility operators as part of project design.

**The Telecommunications Submitters do wish to be heard in support of its submission.**

**If others make a similar submission, the Telecommunications Submitters will consider making a joint case with them at the hearing.**



**Signature of submitter**  
**(Chris Horne, authorised agent for the Telecommunications Submitters)**

**Date: 12 December 2023**

**Address for service of submitter:**

Chris Horne

Incite

PO Box 3082

Auckland

**Telephone:** 0274 794 980

**E-mail:** [chris@incite.co.nz](mailto:chris@incite.co.nz)

# Appendix A

## Impacted Telecommunication Facilities



## Telecommunication Sites Impacted

### FortySouth

NoR 1 – North: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)

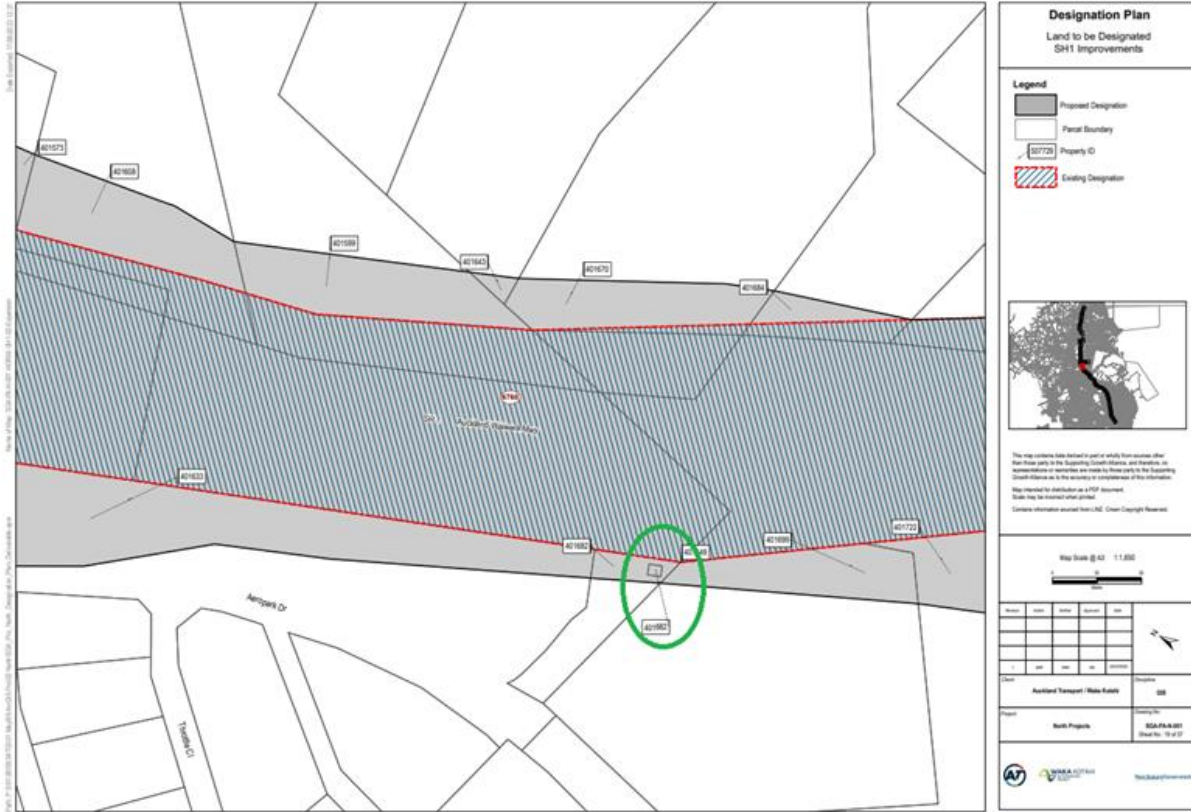
- Pole located on Lonely Track Road Bridge crossing above State Highway 1 (supporting One NZ)



NoR 4 – North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)

- Pole located off Wilks Road and Aeropark Drive (supporting One NZ)

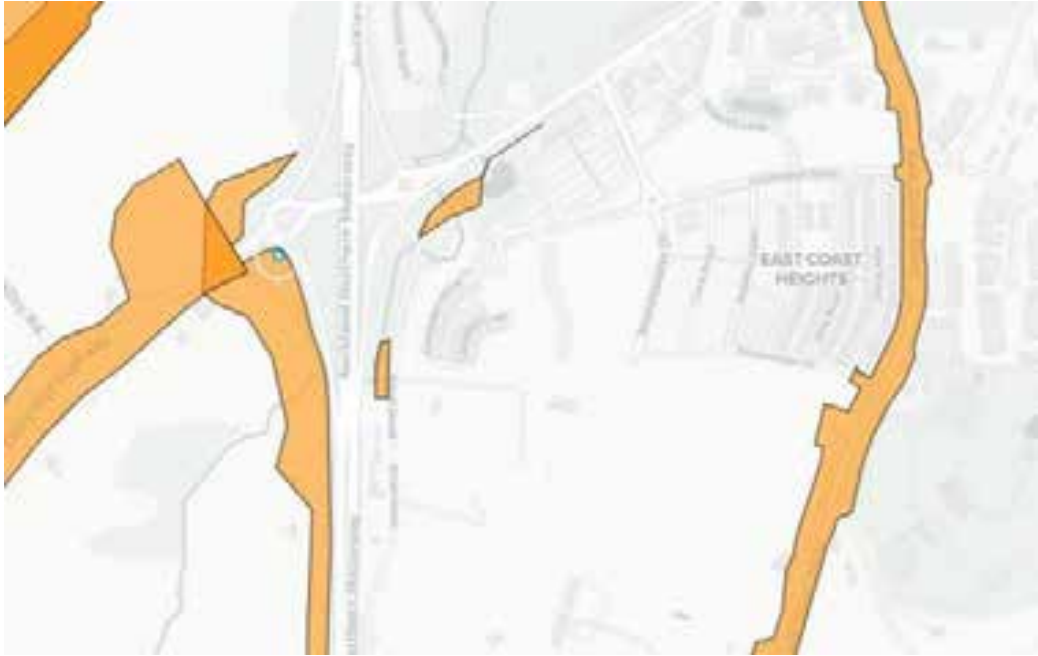




Connexa

**NoR 4 – North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)**

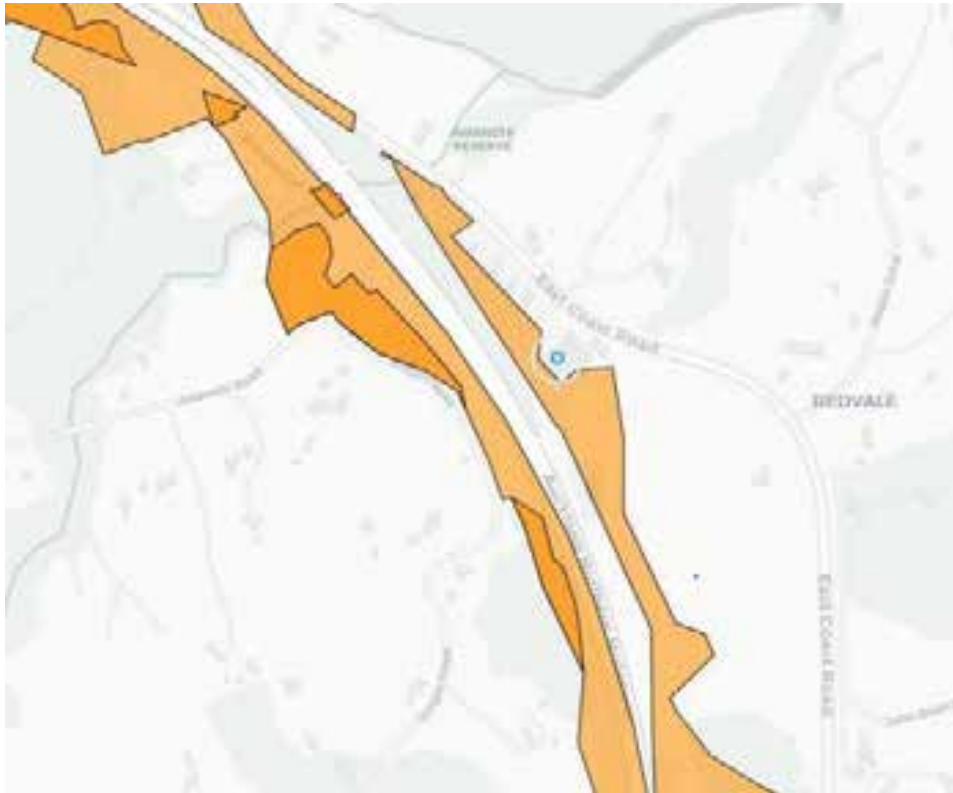
- Telecommunication pole on Silverdale Offramp (supporting 2degrees Network)



- Telecommunication pole off Wilks Road and Aeropark Drive (supporting 2degrees Network)



- Telecommunication pole on 170 East Coast Road (supporting 2degrees Network)



- Telecommunication pole on Lonely Track Road (supporting Spark Network)



**NoR 8: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (Auckland Transport)**

- Connexa Facility: Telecommunication pole on Dairy Flat Highway 1700-1616 Route 31 in NoR 8 (supporting Spark Network)





- Connexa Facility: Telecommunication pole on 958 Dairy Flat Highway in NoR 8 (supporting 2degrees Network)



**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1165] Notice of Requirement online submission - Dongming Qin  
**Date:** Wednesday, 13 December 2023 4:30:59 pm

---

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

**Contact details**

Full name of submitter: Dongming Qin

Organisation name:

Full name of your agent:

Email address: tingyu131@hotmail.com

Contact phone number:

Postal address:  
1780 East Cost Road  
Stillwater  
Auckland 0794

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1780 East Coast Road, RD 4, Albany for the Joint notification of 13 separate Notice of Requirement by Auckland Transport and Waka Kotahi NZ Transport Agency to protect routes in Dairy Flat , Redvale, Stillwater, Silverdale and Wainui East

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:  
N/A

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

Submission date: 13 December 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.

**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1167] Notice of Requirement online submission - Dongming Qin  
**Date:** Wednesday, 13 December 2023 4:30:59 pm

---

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

**Contact details**

Full name of submitter: Dongming Qin

Organisation name:

Full name of your agent:

Email address: tingyu131@hotmail.com

Contact phone number:

Postal address:  
1778 East Coast Road  
Stillwater  
Auckland 0794

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1778 East Coast Road, Stillwater, Auckland for the Joint notification of 13 separate Notices of Requirement by Auckland Transport and Waka Kotahi NZ Transport Agency to protect routes in Dairy Flat, Redvale, Stillwater, Silverdale and Wainui East.

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:  
N/A

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

Submission date: 13 December 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.

**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1173] Notice of Requirement online submission - Nigel Powell  
**Date:** Wednesday, 13 December 2023 5:31:23 pm  
**Attachments:** [NOR13 Submission - Auckland Memorial Park - 13122023\\_20231213172859.300.pdf](#)

---

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

**Contact details**

Full name of submitter: Nigel Powell

Organisation name: The Hibiscus Trust, and Auckland Memorial Park and Cemetery Limited.

Full name of your agent: Daniel Shaw

Email address: [daniel@sfhconsultants.co.nz](mailto:daniel@sfhconsultants.co.nz)

Contact phone number: 092169857

Postal address:  
168 Hibiscus Coast Highway  
Orewa  
Auckland 0932

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
Please refer to the submission for details

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 for details

I or we seek the following recommendation or decision from Auckland Council:  
Please refer to the submission for details

Submission date: 13 December 2023

Supporting documents  
[NOR13 Submission - Auckland Memorial Park - 13122023\\_20231213172859.300.pdf](#)

**Attend a hearing**

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

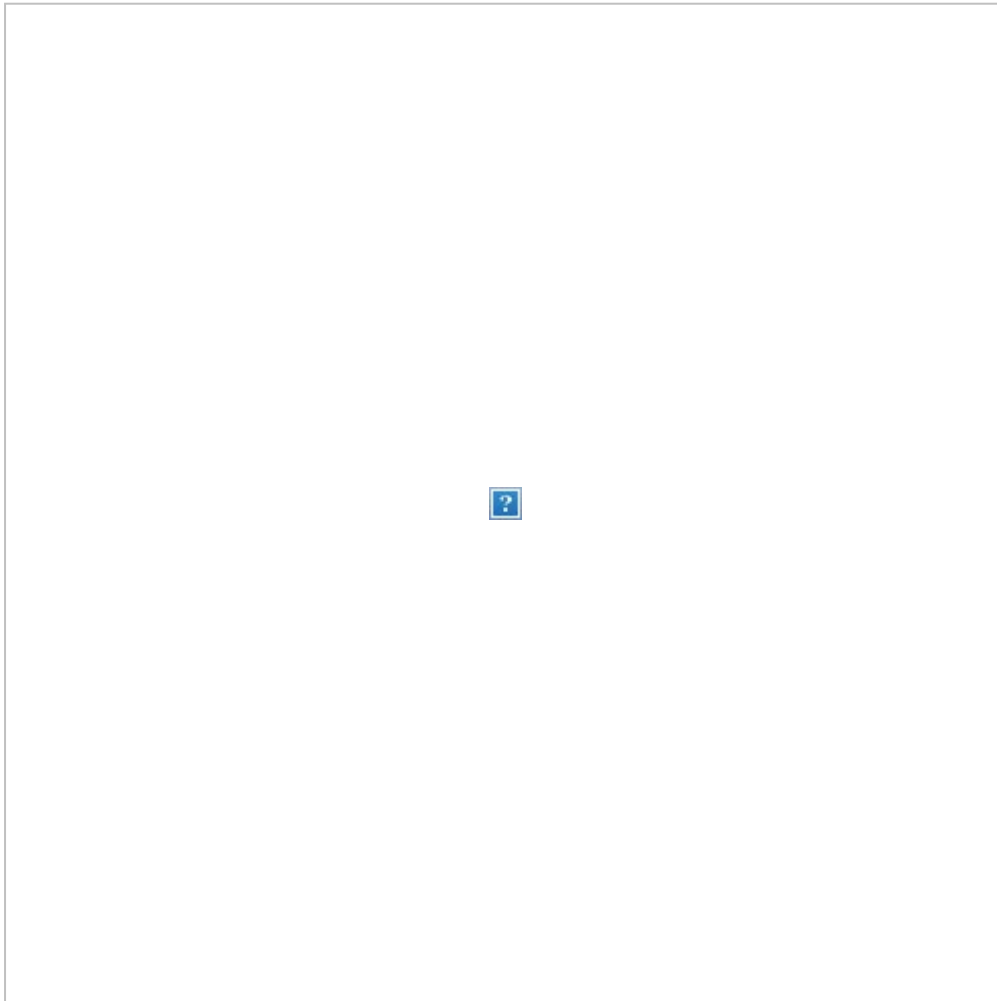
Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

**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.



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.

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

NIGEL FREDERICK POWELL

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

ACKLAND MEMORIAL PARK AND CEMETERY LIMITED AND

Address for service of Submitter

THE HIBISCUS TRUST

Telephone:

021756956

Email:

nigel@aravle.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

North: (NoR 13) Upgrade to East Coast Road between Silverdale and Redvale

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

Please refer to the submission for details

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:

Please refer to the submission for details

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(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).

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**Please refer to the submission for details**

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



12<sup>th</sup> December 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.

**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**

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

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

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

- 1 The submitter is **The Hibiscus Trust and Auckland Memorial Park and Cemetery Limited**. Whose address for service is c/- Nigel Powell, PO Box 4132, Shortland Street, Auckland, 1140. Or [nigel@argyle.co.nz](mailto:nigel@argyle.co.nz).
- 2 This is a submission on a notice of requirement from Auckland Transport for a designation referred to as North: Upgrade to East Coast Road between Silverdale and Redvale (NoR 13) – Auckland Transport (AT).
- 3 The submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (**RMA**).
- 4 The specific parts of the NOR that this submission relates to are those that affect the submitter's property at 2163 East Coast Road, Silverdale, and the surrounding area.
- 5 The submission is:
  - 5.1 **Submitter**
    - 5.1.1 The Hibiscus Trust is the registered owner of 2163 East Coast Road, Silverdale (**Lot 2 DP 437303 held in record of title 563999**). The existing property is owned by The Hibiscus Trust. The park is operated by Auckland Memorial Park and Cemetery Ltd. Given the nature of the park, the facility requires a high level of amenity including quietness.
    - 5.1.2 This site was developed by the owners 24 years ago and is now established as one of Auckland's foremost cemeteries serving the needs of the city's diverse population. The cemetery's unique layout and sloping contour appeals to various ethnic groups and is a valued place of rest by the entire community. Based upon demand to date it is estimated that the cemetery has adequate space to meet burial demands for a further 50 years.
  - 5.2 **Site Description**
    - 5.2.1 The subject site is known as 2163 East Coast Road, is located on the outer edge of Silverdale and is set in a natural amphitheatre looking north-east towards the Hauraki Gulf. It occupies a spot of tranquillity and natural beauty. The natural beauty has been enhanced by a multi-million-dollar programme of landscaping. A series of terraces sweeps up the enclosing hillsides, ensuring that every burial plot enjoys a peaceful aspect of surrounding countryside,



or is situated close to the water gardens. The ridge line trees along the edge of East Coast Road are important features.

- 5.2.2 The Park's lakes and gardens provide the perfect tranquil setting in which to stroll or simply sit and contemplate. The whole Park is planted with trees and shrubs, not only for their beauty but to encourage birdlife. It is valued for its serene atmosphere and fine landscaping.



**Figure 1:** Aerial Image of the Submitter's Site

### 5.3 Resource Consent

- 5.3.1 In 2022, the submitter obtained resource consent for a small industrial development in the vacant northern area of the park, fronting East Coast Road.
- 5.3.2 **Attachment A** provides the consent for information [Ref: BUN60405636, dated 17 October 2022]. The intention of this resource consent was to develop the front portion of the site in line with the adjacent industrial zoning.
- 5.3.3 The image below illustrates the consented development;



**Figure 2: Consented Development**

**5.4 Proposed NOR**

5.4.1 This site at 2163 East Coast Road is located within the Notice of Requirement 13 (**NOR13**) area. This is an approximately 5km stretch from Hibiscus Coast Highway to the Proposed Penlink connection with State Highway 1 as per figure 3 below. The NOR interfaces with NOR4, and NOR5 as per figure 3 below.



**Figure 3: Proposed General Arrangement Plan**

5.4.2 Based on the General Arrangement Plan provided with the notified documents associated with NOR 13 (a section of which has been provided below as figure 5 below), an area of approximately 521m<sup>2</sup> in the northern area, and 2500m<sup>2</sup> in the southern area of the submitter’s property is required to be designated for road widening. The road width is 24m, while the designation width ranges from 48m to 51m, to 65m (not including the area near 2150 East Coast Road which is some 85m wide).

5.4.3 Figure 4 shows this;



**Figure 4:** Proposed indicative designation footprint

5.4.4 The envisaged transport improvements for Segment 1: this segment of East Coast Road extends from Hibiscus Coast Highway to Newman Road (predominantly General business zone/Light industry zone). This is depicted in the cross-section figure 5 below.

**Figure 16-1: Upgrade to East Road between Hibiscus Coast Highway and Newman Road**



**Figure 5:** Proposed Cross Section of Roading Upgrades (24m) in the vicinity of the Submitter’s site.

5.4.5 The options included widen the road to the east, widen to the west, or widen both sides.

5.4.6 According to the assessment of alternatives, [at 18.5.4] it was concluded that ECR Segment 1 - Widening to both sides where possible. Avoid the cemetery and make use of grassed road corridor adjacent to the recently developed residential land on the west, in consultation with landowner. This option is also likely to avoid recently developed land parcels.

5.4.7 It is pleasing to the submitter that the SGA team are committed to avoiding the cemetery (and avoid recently developed parcels) and make use of the grassed area to the other side of the road. However, the reports and notified plans do not reflect this, and more certainty and consistency need to be provided. E.g. the designation does not avoid the cemetery, or the recently developed (or consented) development.

22.1

5.5 **Positive Impacts**

5.5.1 The submitter acknowledges that the wider project contemplated by the NOR will have positive impacts including improved access to transport and supports active and public transport for the wider area.

5.6 **Concerns**

5.6.1 The submitter is concerned about:

(a) Site Impacts: Cemetery: Impacts on the southern area of the site will require the loss of the ridgeline trees that a crucial for the amenity of the cemetery. These large mature trees cannot easily be replaced, nor can their amenity values or landscape values. Their loss should be avoided at all cost.

22.2

(i) Arboricultural Assessment: Section 5.2 of the assessment confirms; “Vegetation removal and works within the protected root zones of retained vegetation within the footprint of all future construction works are anticipated. Indicative cut/fill and infrastructure alignments are shown for each NoR as illustrated in the layout plans for each NoR. For the purposes of this assessment, all vegetation standing within the designation is assumed for removal, unless explicitly discussed and/or excluded in the later sections of this report.” Despite this significant impact on the cemetery property from the removal of the mature ridgeline trees and vegetation, the arboricultural assessment relating to NOR13 is lacking. This report makes no mention of the impact at 2163 East Coast Road or any measures to mitigate the loss of mature vegetation.

22.3

(ii) The Landscape, Natural Character, and Visual Assessment does not consider the impact on the cemetery during construction, or long term despite the significant impacts on the cemetery. The report appears to have overlooked the nature of the site and its sensitivity. The conclusions and recommendations of this report should be revisited. Particularly in terms of the construction effects and long-term effects on landscape, natural character, and the visual and associative effects. In relation to the mitigation measures offered, the following are supported and should be specifically implemented at 2163 East Coast Road:

22.□

- (I) Minimise and restrict the footprint of the designation and works.
- (II) Avoid valuable landscape features (e.g. through construction yard location) wherever practicable.
- (III) Consider opportunities for early (prior to construction commencing) and regular communication with the community on the finalised construction programme and duration of works to assist with providing a degree of certainty over timing of construction aspects, giving the submitter the opportunity to have input into landscape treatments to minimise adverse visual and perceptual effects.
- (IV) Prior to the Start of Construction for a Stage of Work, revalidate the landscape, natural character, and visual effects of construction

within the contemporary landscape context for each NoR. The ULDMP shall clearly state which effects identified in this assessment are still valid and how they will be addressed in the proposed ULDMP.

- (V) Minimise earthworks and retaining walls by following the natural topography of the land.
  - (VI) Minimise vegetation loss by restricting the construction footprint as far as practicable; and
  - (VII) Retention of established rural and amenity plantings within the designation along East Coast Road.
- (iii) The Social Impact Assessment has not considered the potential impact on the cemetery, and this report and assessment should be revisited.
- (b) Site Impacts: Industrial Consent: Impacts on the northern area of the site will compromise the consented development. The NOR assessment has not considered the approved resource consent for the site and has led to invalid assessment and conclusions. The industrial development consented in late 2022 will be compromised as a result. Including; 22.□
- (i) The vehicle access.
  - (ii) The landscaped frontage.
  - (iii) Parking spaces 1-4 and associated manoeuvring area – especially for the large trucks to turn around onsite and enter the loading bay and leave the site in a forward’s direction.
  - (iv) The large free-standing sign.
- (c) Flooding and Stormwater: Given the topography there is the potential for adverse stormwater and flooding impacts at the cemetery, which needs to be avoided. Any increase in flooding or stormwater discharge onto the site will have grave impacts on the property and its function as a cemetery. 22.□
- (d) Vehicular Assess: Given the indicative cross section provided as figure 5 above, it is concerning that the intended road layout will prevent right turn into and out of the property. This will be a major restriction on the consented industrial development including their employees and customers ability to exit in a northward’s direction. Moreover, it will negatively impact cemetery staff and visitors who rely on direct and convenient access northwards to the motorway. The submitter opposes this restriction, and continued right turn movements to and from the site needs to be maintained. 22.□
- (e) Land Value: Negative impacts on land value plus impact on saleability of the land. The designation blights a site, and where owners have sought resource consent to develop and sell the development, but now this is effectively prevented (unless the designation is altered). 22.□

- (f) Compensation: The significant financial burden of purchasing this land from the developer, can be avoided by adjusting the proposed designation boundary to avoid the site. 22.□
  
- (g) Noise and Vibration Effects: the noise and vibration levels indicated for the area during construction are excessive and will significantly impact on people’s enjoyment and use of the cemetery. Moreover, excessive vibrations may cause the headstones and other amenity features to crack or fail and this will cause significant distress to families affected. Further mitigation measures need to be provided to ensure the levels of noise and vibrations are reduced below what is anticipated in the SGA documents. 22.10
  
- (h) Consultation conditions: Any designation conditions should be improved and amended to provide more certainty for the submitter, with the ability for early and meaningful input. This is particularly important due to the nature of the cemetery and the need for it to continue to function in an appropriate and sensitive manner. The uniqueness of the submitter should warrant special consideration over and above other affected parties. 22.11
  
- (i) Management Plans: During construction, a range of management plans will need to be put in place. These should be provided to the submitter early and with the ability for meaningful input. 22.12
  
- (j) Duration: Should the NOR be retained at the site (and it is considered that it should not), the indicated 30-year duration for the designation is excessively long. This has a very lengthy impact on the cemetery and the ability to use and develop the front northern area of the site. The duration should be reduced to 10-15-years to lessen the impact and burden. 22.13
  
- (k) Conditions: In addition to the comments above, which could be reflected in varied conditions, the submitter has the following general comments on the proposed conditions; 22.1□
  - (i) Condition 2: project website: this is supported, as is the mailing list. However, the condition should be updated to include:
    - (I) The frequency of updates and quality of information should be as detailed as possible. The website should be frequently updated. The readability and navigability for lay persons is important.
    - (II) A requirement that the project website should house a complaints portal, with the register published including the ways in which complaints are dealt with and resolved.
  - (ii) Condition 4: Duration: 30 years is too long and onerous. A 10-15-year period is preferred.
  - (iii) Condition 7: Outline Plan: this should be published on the project website.
  - (iv) Condition 8: Management Plans: Condition (a)(iv) needs to be updated to include “affected landowners” specifically as “stakeholders”. A process where these plans are sent to affected landowners / stakeholders for review and comment should be available, so they can provide feedback. The feedback from stakeholders should be summarised, along with a summary of

where comments have been incorporated or not and why. The management plans should all be published on the project website.

- (v) Condition 11: ULDMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners, prior to finalising. The feedback from affected landowners / stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. The management plan should summarise the feedback and the RA’s response. This should be kept on the project website.
- (vi) Condition 12: Flood Hazard: The intent is supported. However, natural hazards are having an increasingly negative impact on properties. I anticipate this will only get worse in the future. Climate change will increase the frequency and severity of flooding in the future, and this designation is proposed to have a 30-year lapse date. Therefore, there is a need to avoid increasing flood hazards outside the designation area. Affected owners should be consulted early about changes to flood hazards and have the ability for early input. The feedback from affected landowners / stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. Information about this should be published on the project website.
- (vii) Condition 13: Access: The cost should be borne by the RA, which should be noted in the condition.
- (viii) Condition 14: CEMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners, prior to finalising. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website.
- (ix) Condition 15: SCEMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners / stakeholders, prior to finalising, for feedback and comments. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website.
- (x) Condition 16: Complaints: This needs to be held on the project website, with a portal for online complaints. The register should also be frequently updated. A copy of the register should be regularly sent to Council for review.
- (xi) Condition 18: CTMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners / stakeholders, prior to finalising, for feedback and comments. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website.
- (xii) Condition 19: Noise: The levels in table 19.1 enable noise that is too high and for too long. The levels should be reduced, particularly in the morning and

evening, Sundays and public holidays. The impact on the cemetery use has not been factored into the assessment.

- (xiii) Condition 20: Vibration: as with condition 19, these levels are too high, and for too long. The levels should be reduced, particularly in the mornings and evenings, and on Sundays and public holidays. The impact on the cemetery has not been factored into the assessment.
- (xiv) Condition 21: CNVMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners, prior to finalising, for feedback and comments. Affected owners should have some choice in the mitigation options available. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website. Building condition surveys should be more widely offered to protect affected owners but also the contractors.
- (xv) Condition 22: Schedule of CNVMP: Given the noise and vibration levels in condition 19 and 20 are very liberal, the trigger for notification needs to be reduced below the 2 weeks duration. Moreover, condition 22(b)(iii) should provide for all receivers to be identified along with the anticipated noise and vibration levels. This should be updated and published on the project website. Affected owners should be notified well in advance.
- (xvi) Condition 26: Tree Management Plan: the cemeteries trees along the ridgeline should be added to the list of vegetation that is required to be protected including during construction. The TMP should be provided much earlier than “Prior to the start of construction” and should be sent to affected landowners / stakeholders, prior to finalising, for feedback and input.

## 5.7 Alternative Options

22.1

5.7.1 In order to avoid the significant adverse impacts on the Cemetery mentioned above, while retaining the intended alignment and width of road upgrades, the road should be widened to only to the west. The following is noted;

- (a) The road width in the area adjacent to the Cemetery site, is some 32m wide, aside from a short distance where the property at 2150 East Coast Road juts out into the road reserve. This is more than sufficient rooms to accommodate a 24m road, there is no need for a 65m wide designation to be placed in front of the cemetery.
- (b) The dwelling at 2150 East Coast Road is already identified as being acquired and demolished for the works. This means that pushing the works slightly westwards is feasible.
- (c) Pushing the works westwards would;
  - (i) Avoid the demise of the ridge line trees which contributes to significant amenity for the cemetery derives.



- (ii) Reduce the need for retaining along the eastern side of the road (which will reduce project costs and reduce impact).

5.7.2 The above would align directly with the SGA recommendations found at 18.5.4 of the alternatives assessment;

**ECR Segment 1 - Widening to both sides where possible.** Avoid the cemetery and make use of grassed road corridor adjacent to the recently developed residential land on the west, in consultation with landowner. This option is also likely to avoid recently developed land parcels.

5.7.3 Further to the above, the right turns in and out of the site needs to be maintained due to the nature of the site.

## 5.8 Conclusion

- 5.8.1 Cemeteries are essential components of a well-functioning urban environment, and they need to be provided for well in advance of their need. Their locations are not easily established, moved, or retrofitted into urban environments. The cemetery needs to remain in place in perpetuity in recognition of the scarcity of cemetery land across the city. This must extend to their amenity values and amenity features as well.
- 5.8.2 While the intended benefits of the NOR and transport upgrades are acknowledged, it is evident that the extent of the proposed designation area is excessive (relative to the proposed road width) and does not need to include the ridgeline trees or the frontage of the cemetery site. The proposed designation area should be removed from the Cemetery property and the interface better considered.
- 5.8.3 Overall, the currently proposed NOR will have significant adverse effects as outlined within the submission above.
- 5.8.4 The proposed arrangement is not the most appropriate option given the context of the site and surrounds. And the proposed alignment is not reasonably necessary to achieve the purpose of the NOR. For the reasons expressed in this submission the submitter opposes the designation as currently proposed.
- 5.8.5 The submitter wishes to be heard in support of its submission. The submitter and its advisors also seek a meeting with SGA to discuss the contents of its submission and better understand the NOR details and opportunities for adjustments.
- 5.8.6 The submitter seeks to be heard in support of its submission and will be calling expert evidence in support.

Date - 13<sup>th</sup> December 2023



Daniel L. Shaw (authorised signatory)

**Address for Service**

C/- SFH Consultants Limited  
168 Hibiscus Coast Highway,  
Orewa, Auckland 0932

For: Daniel Shaw

Email: [daniel@sfhconsultants.co.nz](mailto:daniel@sfhconsultants.co.nz)



# Decision on an application for resource consent under the Resource Management Act 1991



## Discretionary activity

<b>Application number(s):</b>	BUN60405636 (Council Reference) LUC60405637 (s9 land use consent)
<b>Applicant:</b>	Auckland Memorial Park and Cemetery Limited
<b>Site address:</b>	2163 East Coast Road Stillwater 0993
<b>Legal description:</b>	Lot 2 DP 437303
<b>Proposal:</b>	To construct a new building to be used for light industrial activities along with an 8.3m by 1.8m (14.49m <sup>2</sup> area) naming sign on the building frontage. Consent is also required to construct a new vehicle crossing where Vehicle Access Restriction applies.

Resource consent is required for the following reasons:

## Land use consent (s9) – LUC60405637

### Auckland Unitary Plan (Operative in part)

#### **District land use (operative plan provisions)**

##### *Special Purpose - Cemetery Zone*

- Activities not provided for is a **discretionary activity** under rule H24.4.1(A1). The proposed light industrial activity is not provided for within the zone.
- The proposal involves use and development under rules H24.4.1(A1) that fails to meet the following core standards and is a **restricted discretionary activity** under rule C.1.9(2):
  - The maximum building height of other buildings within the zone is limited to 8m. The proposed building will exceed the height limitation by a maximum of 3.9m and a length of 36.4m relative to the eastern boundary; and a height of 1.87m along a length of 10.36m in relation to the northern boundary required under standard H24.6.1(1).
  - The gross floor area for other buildings must not be greater than 300m<sup>2</sup>, as listed in Table H24.6.4.1 Maximum gross floor area. The proposed light industrial building (1182.67m<sup>2</sup> GFA) will infringe the maximum GFA with 882.67m<sup>2</sup>.
  - Standard 24.5.6 Yards require a building or parts of a building set back from the relevant boundary by the minimum depth listed in Table H24.6.5.1 Yards. The minimum side yard setback of 3m will be infringed on the northern boundary by 3m. On the eastern boundary, it is proposed to infringe the 3m minimum rear yard setback by 3m.

### Transport

- Parking, loading and access which is an accessory activity, but which does not comply with the standards for parking, loading and access is a **restricted discretionary activity** under rule E27.4.1(A2). The proposed crossing is 9.20m where the standard limits the width to 3.5m.
- The proposal involves the construction and use of a vehicle crossing that does not meet the following standards and is a **restricted discretionary activity** under rule E27.4.1(A5):
  - Standard E27.6.4.1(2) – East Coast Road is identified as an arterial road where the Vehicle Access Restriction applies to any new vehicle crossing, new established activity on and/or there is a change of type of activity.
  - Standard E27.6.4.1(3) – It is proposed to locate the building frontage to an arterial road. Under standard E27.6.4.1(3), Vehicle Access Restriction will therefore apply.

### Signs

- It is proposed to include a new naming sign on the building frontage of 8.3m by 1.8m (14.49m<sup>2</sup> area). Comprehensive Development Signage is provided for as a **restricted discretionary activity** under rule E36.4.1(A42).

### Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104C, and Part 2 of the RMA, the resource consent is **GRANTED**.

### Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
  - a. The proposed building is designed to comply with light industrial standards to not appear out of character from surrounding industrial zoned properties.
  - b. The industrial activity will not distract from the cemetery use since separation between the cemetery lot and new lot will be maintained by the main access and the natural slope of the cemetery site.
  - c. The volume of trip generation from the site can be appropriately accommodated by the existing traffic network.
  - d. Sufficient parking, cycle parking and loading space is proposed on site to ensure demand is met and therefore limit/eliminate the potential of the development to occupy/affect alternative parking in the surrounding area.

- e. All parking spaces comply with the required depth, width and manoeuvring dimensions specified within the AUP(OP).
- f. The proposed vehicle access is designed to accommodate light industrial activities and alternative routes were deemed inappropriate. Auckland Transport reviewed the proposed application of the crossing and deemed the infringement acceptable with less than minor effects.
- g. The crossing is designed in a width that provides sufficient visibility and safe sight distances at the entrance and will maintain the safe and efficient operation of the adjacent transport network.
- h. The development will meet the geotechnical recommendations of the Geotechnical Investigation Report to mitigate potential adverse effects resulting from the proposal.
- i. The proposed lighting system will comply with the required standards under Chapter E24 of the AUP(OP).
- j. The proposed signage on the street and west side of the building will be in keeping with a light industrial character, providing naming/identification of the occupier and activity. The overall scale of the signs is deemed compatible with the building façade and are designed in a manner to appear as an integrated element of the building. Therefore, the signs will not detract from the overall character and visual amenity of the surrounds or cemetery site.
- k. Side and rear yard infringement will have less than minor effects on shadowing and privacy on neighbouring buildings since these are designed with solid concrete walls with the back of the buildings adjacent to the lot.
- l. While the proposed development will infringe the height limit by no more than 3.9m, the development will not appear overbearing towards neighbouring properties zoned within the light industrial zone.
- m. Residential zoned properties to the west are approximately 55m from the proposed building. Landscaping will include hedging and small native trees to soften the visual dominance of the structure as viewed from, neighbouring western lots, as well as passing traffic and pedestrians. A detailed landscape plan and maintenance plan for proposed landscaping on the northern and road boundaries of the site will be submitted to Council for certification prior to construction of the new building commencing. The landscaping will complement the existing mature vegetation within the adjacent Cemetery site.
- n. By excavating the front portion of the building into the existing mound, the visual impact of the height infringement as viewed from the residential properties to the west will be reduced.
- o. The gross floor area infringement will not detract from the spacious character of the cemetery but rather utilise the available space in a viable and sustainable manner.
- p. The proposed new vehicle crossing off East Coast Road for the light industrial building will ensure that the community's accessibility to the cemetery lot will not be affected by the industrial development.

- q. Adverse effects due to the additional traffic generation brought about by the development and construction stage are considered less than minor and will not have adverse effects on the surrounding transport network's capacity, safety, and function.
  - r. No bus stops, bus lanes or cycleways provided within the vicinity of the site on East Coast Road will be affected by the new crossing.
  - s. The formed width of the accessway will not create any inefficient or unsafe vehicle movements which may affect the operation of the access of neighbouring sites.
  - t. In terms of positive effects, the vacant portion of land within the cemetery lot will be utilised in a feasible and sustainable matter while adding to the industrial growth of the area.
  - u. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
2. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted.

In particular the proposed construction and use of new industrial building on the subject site is acceptable with negligible adverse effects on the receiving environment and character of the area.

With regard to the objectives and policies of the Cemetery Zone, the needs of the community will still be met since the cemetery activities are appropriately located and managed away from the light industrial activity. Use of the existing vehicle access will enable the continued operation of the existing cemetery and keep the cemetery accessible to the public.

No vegetation clearance is proposed while earthworks will be undertaken using best practice erosion and sediment control measures.

The provision of access to each of the lots can be achieved without any adverse effects on the owners of the sites or adjacent landowners. It has been demonstrated that all lots can be sufficiently serviced and accessed.

Overall, it is considered that the proposal meets the objectives and policies of the AUP(OP).

- 3. In accordance with an assessment under s104(1)(c) of the RMA, no other matters are considered relevant.
- 4. In the context of this discretionary activity application for land use, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.

5. Overall, the proposal will generate less than minor adverse effects, is consistent with the relevant statutory documents and meets the purpose of the RMA as defined within Part 2 of the Act, and consent is granted subject to the conditions outlined below.

## Conditions

Under sections 108 and 108AA of the RMA, these consents are subject to the following conditions:

1. These consents must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent numbers BUN60405636 (LUC60405637)
  - Application Form and Assessment of Environmental Effects prepared by Shirley Pang from Harrison Grierson Consulting Limited, dated July 2022.
  - S92 response prepared by Clare Covington from Harrison Consulting Limited, dated 16 September 2022.

Report title and reference	Author	Rev	Dated
Civil Infrastructure Report, 2163 East Coast Road – Stillwater Memorial Park	Khairullah Azizi from Harrison Grierson Consulting Limited	-	June 2022
Utilities Report, 222163	Electrical Consulting Services Ltd	A	24 May 2022
Traffic Impact Assessment, 2163 East Coast Road – Stillwater Memorial Park	Nathan Voice from Harrison Grierson Consulting Limited	-	June 2022
Preliminary Site Investigation, 20220157	Thomas Consultants	1.0	14 June 2022
Geotechnical Investigation Report, 9523	Engineering Geology Ltd	-	3 June 2022
Assessment of Lighting Effects	Roger Morgan from Light Plus Design	-	23 June 2022
Drawing title and reference	Author	Rev	Dated
Cover Sheet, A2111740.00	Harrison Grierson Consulting Limited	-	June 2022
Index Sheet, A2111740.00	Harrison Grierson	-	June 2022



	Consulting Limited		
Safety in Design Register, A2111740.00	Harrison Grierson Consulting Limited	1	11 March 2021
Finished Surface Contours Plan, A2111740.00-200	Harrison Grierson Consulting Limited	B	12 September 2022
Earthworks cut/fill plan, A2111740.00-220	Harrison Grierson Consulting Limited	A	23 June 2022
Erosion and Sediment Control Plan, A2111740.00-230	Harrison Grierson Consulting Limited	A	23 June 2022
Erosion and Sediment Control Plan Standard Details Sheet 1 of 3, A2111740.00-240	Harrison Grierson Consulting Limited	A	23 June 2022
Erosion and Sediment Control Plan Standard Details Sheet 2 of 3, A2111740.00-241	Harrison Grierson Consulting Limited	A	23 June 2022
Erosion and Sediment Control Plan Standard Details Sheet 3 of 3, A2111740.00-242	Harrison Grierson Consulting Limited	A	23 June 2022
Retaining Wall Drainage Plan, A2111740.00-251	Harrison Grierson Consulting Limited	A	23 June 2022
Retaining Wall Longitudinal Sections, A2111740.00-252	Harrison Grierson Consulting Limited	B	12 September 2022
Retaining Wall Details, A2111740.00-253	Harrison Grierson Consulting Limited	A	23 June 2022
Carpark and Accessway overall Layout Plan, A2111740.00-300	Harrison Grierson Consulting Limited	B	12 September 2022
Typical Section Details, A2111740.00-330	Harrison Grierson Consulting Limited	A	23 June 2022

Roading Standard Details sheet, A2111740.00-390	Harrison Grierson Consulting Limited	A	23 June 2022
Drainage Overall Layout Plan, A2111740.00-400	Harrison Grierson Consulting Limited	A	23 June 2022
Drainage Overall Catchment Plan, A2111740.00-405	Harrison Grierson Consulting Limited	A	23 June 2022
Stormwater Standard details Sheet 1 of 2, A2111740.00-490	Harrison Grierson Consulting Limited	A	23 June 2022
Stormwater Standard details Sheet 2 of 2, A2111740.00-491	Harrison Grierson Consulting Limited	A	23 June 2022
Wastewater Standard details Sheet 1 of 2, A2111740.00-492	Harrison Grierson Consulting Limited	A	23 June 2022
Wastewater Standard details Sheet 2 of 2, A2111740.00-493	Harrison Grierson Consulting Limited	A	23 June 2022
Service Reticulation Layout Plan, A2111740.00-500	Harrison Grierson Consulting Limited	A	23 June 2022
Proposed Car Park Lighting, 22007	Light Plus Design	A	23 June 2022
Obtrusive Light Predictions, 22007	Light and Design	A	23 June 2022
Coversheet, 00-01	Gel Architects	-	6 July 2022
Site Location Plan, 10-01	Gel Architects	A	6 July 2022
Existing Site Plan, 10-02	Gel Architects	A	6 July 2022
Proposed Site Plan, 10-03	Gel Architects	A	6 July 2022
Town Planning Summary, 10-04	Gel Architects	A	6 July 2022
Proposed Ground Floor Plan, 20-01	Gel Architects	A	6 July 2022

Proposed Upper Floor Plan, 20-02	Gel Architects	A	6 July 2022
Proposed Roof Plan, 20-03	Gel Architects	A	6 July 2022
Elevations, 30-01	Gel Architects	A	6 July 2022
Elevations, 30-02	Gel Architects	A	6 July 2022
Sections, 31-01	Gel Architects	A	6 July 2022
Sections, 31-02	Gel Architects	A	6 July 2022
Materials, 50-01	Gel Architects	A	6 July 2022
Perspective View 1, 90-01	Gel Architects	A	6 July 2022
Perspective View 2, 90-02	Gel Architects	A	6 July 2022
Perspective View 3, 90-03	Gel Architects	A	6 July 2022
Perspective View 4, 90-04	Gel Architects	A	6 July 2022

Other additional information	Author	Rev	Dated
Review and S92 Information Requests	Flow Transportation Specialists	-	19 August 2022

**Advice Note:**

*The engineering assessment of this resource consent is limited to an effects-based assessment allowed by the Unitary Plan. Plans approved under Resource Consent do not constitute an Engineering Plan Approval. A separate engineering approval will be required for the design of any infrastructure that is to vest in council.*

2. Under section 125 of the RMA, these consents lapses five years after the date they are granted unless:
  - a. The consents are given effect to; or
  - b. The council extends the period after which the consents lapses.
3. The consent holder must pay the council an initial consent compliance monitoring charge of \$ 684 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

**Advice note:**

*The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent(s). In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, should be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent(s) have been met, will the council issue a letter confirming compliance on request of the consent holder.*

**Advanced notification that earthworks will be beginning on site**

4. The Team Leader of Compliance Monitoring NW 1, shall be notified at least five (5) working days prior to earthwork activities commencing on the subject site.

**Advice Note:**

*Condition (4) requires the consent holder to notify Council of their intention to begin earthworks a minimum of five working days prior to commencement. Such notification should be sent to the Orewa Compliance Administrator at [ResourceConsentAdmin@aucklandcouncil.govt.nz](mailto:ResourceConsentAdmin@aucklandcouncil.govt.nz) or 0800 4265169 to advise of the start of works.*

**Issuing of VCN70021331**

5. No works will commence on the subject site until s221(3) variation/cancelation of the relevant consent notice is issued for Lot 1 (also referred to as VCN70021331). The s221(3) will be issued simultaneously with s224c of SUB60405638.

**Preparation of landscape plan**

6. A landscape planting and management plan (with supporting specifications) must be prepared and submitted to Council for certification prior to construction of the new building commencing.

The landscape planting and management plan must contain:

- A plan of the planted area detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting.
- Details on the proposed trees
- A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme.
- the details of drainage, soil preparation, tree pits, staking, irrigation; and
- the construction details of all hard landscape elements (walls, fencing, gates, lighting etc).

These plans must be supported by specifications that describe in a written form the more specific technical landscape matters such as quality of materials.

### Preparation of landscape plan

7. Within the first planting season (May to September) following the construction of the building following certification of the Landscape Planting and Management Plan (detailed in condition 6), the planting (comprising not less than dense hedging and small native trees along the entire landscape strip on the northern site boundary and within the front yard) must be fully implemented in accordance with the certified Landscape Planting and Management Plan and must be maintained for the duration of the life of the consented building.

### Works in accordance with approved design

8. Prior to the commencement of any earthworks, the Council must be provided with written certification from a suitably qualified professional that all retaining walls and building foundations have been designed in accordance with Geotech report by EGL Engineers, ref: 9523, dated 3 June 2022. Written certification must be in the form of a report, or any other form acceptable to the council.

### Vehicle Access

9. The consent holder must design and construct a vehicle accessway to serve Lot 1 in accordance with the approved carpark and accessway overall layout plan by HG, drawing no. A2111740.00-300 rev A and with the requirements of Auckland Council. Certification from a suitably qualified and experienced engineer that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

#### Advice notes:

- *Rights of way, Commonly Owned Access Lots and common access ways require a Common Access Way Plan Approval prior to construction.*
- *Please contact Auckland Council to obtain the current engineering requirements for the construction of the type of vehicle accessway proposed*

### Ensure supervision and certification of geotechnical works

10. The construction of retaining walls and building foundations and the placement and compaction of fill material must be supervised by a suitably qualified engineering professional. In supervising the works, the suitably qualified engineering professional must ensure that they are constructed and otherwise completed in accordance with the Geotech report by EGL Engineers, ref: 9523, dated 3 June 2022. Certification from a suitably qualified engineering professional responsible for supervising the works must be provided to Council, confirming that the works have been completed in accordance with condition 3, within ten (10) working days following completion. Written certification must be in the form of a geotechnical completion report, or any other form acceptable to the council.

### Ensure stability of the site/neighbouring sites

11. All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site or adversely affecting any neighbouring

properties. In the event that such collapse or instability does occur, it must immediately be rectified.

**Sediment/erosion control in accordance with approved plan**

12. Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the subject site must be constructed and carried out in accordance with the approved Erosion and sediment control plan and details by HG:

Drawing no. A2111740.00-230 rev. A, dated 23-06-2022

Drawing no. A2111740.00-240 rev. A, dated 23-06-2022

Drawing no. A2111740.00-241 rev. A, dated 23-06-2022

Drawing no. A2111740.00-242 rev. A, dated 23-06-2022

**Certification of sediment and erosion controls**

13. Within ten (10) working days following implementation and completion of the specific erosion and sediment control works referred to in condition 12, and prior to the commencement of earthworks activity on the subject site, a suitably qualified and experienced person must provide written certification that the erosion and sediment control measures have been constructed and completed in accordance with the Erosion and sediment control plan and details by HG:

Drawing no. A2111740.00-230 rev. A, dated 23-06-2022

Drawing no. A2111740.00-240 rev. A, dated 23-06-2022

Drawing no. A2111740.00-241 rev. A, dated 23-06-2022

Drawing no. A2111740.00-242 rev. A, dated 23-06-2022

Written certification must be in the form of a report or any other form acceptable to the council.

**Advice Note:**

*Certification of the sediment and erosion control structures required by condition 11 should contain sufficient details to address the following matters:*

- *Details on the contributing catchment area*
- *Retention volume of structure (dead storage and live storage measured to the top of the primary spillway)*
- *Dimensions and shape of structure*
- *Position of inlets/outlets*
- *Details regarding the stabilisation of the structure.*

**Ensure controls are in place until approved to be removed**

14. Notice must be provided to the Council at least two (2) working days prior to the removal of any erosion and sediment control works specifically required by condition 12.

**Prevent sediment-laden water in stormwater/ waterways from roads**

15. Earthworks must be managed to avoid deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it must immediately be removed. In no instance must roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

**Advice Note:**

*In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:*

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*
- *silt and sediment traps*
- *catchpits or environpods*

*In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned. It is recommended that you discuss any potential measures with Council who may be able to provide further guidance on the most appropriate approach to take. Please contact Council on at [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) for more details. Alternatively, please refer to “GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region”.*

**Requirements for decanting earth bunds (DEBs)**

16. All decanting earth bunds utilised during earthworks must be designed to ensure that they:
- a. have a two percent storage capacity, being at least two cubic metres of impoundment volume for every 100m<sup>2</sup> of contributing catchment;
  - b. have a level invert and two layers of geotextile covering and pinned securely to the emergency spillway to prevent erosion;
  - c. use floating decant devices that discharge at a rate of 3 litres per second, per hectare of contributing catchment.

**Advice Note:**

*The decanting earth bunds required by condition 15 should be constructed in accordance with “GD05 Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region”*

## Advice notes

1. Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.
2. For the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring officer unless otherwise specified. Please email [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to identify your allocated officer.
3. For more information on the resource consent process with Auckland Council see the council's website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: [www.mfe.govt.nz](http://www.mfe.govt.nz).
4. If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).
5. The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

### Delegated decision maker:

Name: Steve Seager  
 Title: Team Leader, Resource Consents  
 Signed:



Date: 17 October 2022



## Resource Consent Notice of Works Starting

Please email this form to [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) at least 5 days prior to work starting on your development or post it to the address at the bottom of the page.

<b>Site address:</b>				
<b>AREA (please tick the box)</b>	<b>Auckland CBD</b> <input type="checkbox"/>	<b>Auckland Isthmus</b> <input type="checkbox"/>	<b>Hauraki Gulf Islands</b> <input type="checkbox"/>	<b>Waitakere</b> <input type="checkbox"/>
<b>Manukau</b> <input type="checkbox"/>	<b>Rodney</b> <input type="checkbox"/>	<b>North Shore</b> <input type="checkbox"/>	<b>Papakura</b> <input type="checkbox"/>	<b>Franklin</b> <input type="checkbox"/>
<b>Resource consent number:</b>			<b>Associated building consent:</b>	
<b>Expected start date of work:</b>			<b>Expected duration of work:</b>	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

<b>Signature:</b> Owner / Project Manager (indicate which)	<b>Date:</b>
------------------------------------------------------------	--------------

Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

### SAVE \$\$\$ minimise monitoring costs!

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.

# 2163 EAST COAST ROAD FOR ARGYLE ESTATES LIMITED 2163 EAST COAST ROAD SILVERDALE AUCKLAND

Auckland Council

**BUN60405636**  
Approved Resource Consent Plan  
17/10/2022



ARTIST IMPRESSION ONLY. REFER TO DRAWINGS FOR ALL BUILDING INFORMATION  
**ARGYLE ESTATES LIMITED**

**DRAWING LIST**



<b>00 OVERVIEW</b>		
00-01	COVERSHEET	A
<b>10 SITE</b>		
10-01	SITE LOCATION PLAN	A
10-02	EXISTING SITE PLAN	A
10-03	PROPOSED SITE PLAN	A
10-04	TOWN PLANNING SUMMARY	A
<b>20 PLANS</b>		
20-01	PROPOSED GROUND FLOOR PLAN	A
20-02	PROPOSED UPPER FLOOR PLAN	A
20-03	PROPOSED ROOF PLAN	A
<b>30 ELEVATIONS &amp; SECTIONS</b>		
30-01	ELEVATIONS	A
30-02	ELEVATIONS	A
31-01	SECTIONS	A
31-02	SECTIONS	A
<b>50 DESIGN OPTION INVESTIGATION</b>		
50-01	MATERIALS	A
<b>90 PERSPECTIVES</b>		
90-01	PERSPECTIVE VIEW 1	A
90-02	PERSPECTIVE VIEW 2	A
90-03	PERSPECTIVE VIEW 3	A
90-04	PERSPECTIVE VIEW 4	A

Project Number: 22007  
Date: 6/07/2022

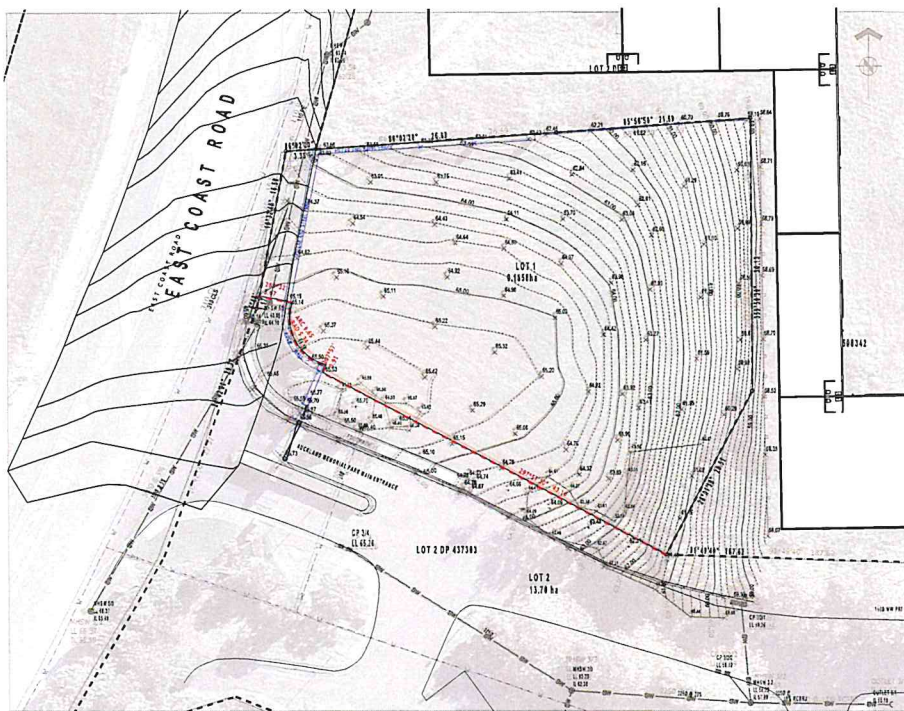




P:\2207 2163 East Coast Rd - Argyle\04 Drawings\2207 2163 East Coast Rd.dwg, 4/9/20

			Project: 2163 EAST COAST ROAD 2163 EAST COAST ROAD SILVERDALE AUCKLAND For: ARGYLE ESTATES LIMITED	SITE LOCATION PLAN	RESOURCE CONSENT
			Auckland Council   Approved Resource Consent Plan   BUN60405636   17/10/2022   Page 2 of 17	Project No: 22007 Drawing No: 10-01 Scale: 1:2000 Date: 6/8/2022 Project Status: RC Version: A	

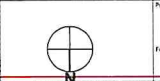
**SITE INFORMATION** For reference to staff in the site address & P. zone  
 ADDRESS: 2163 EAST COAST ROAD SILVERDALE AUCKLAND  
 LEGAL DESCRIPTION: TMC  
 SITE AREA: TMC  
 PLANNING ZONE: SPECIAL PURPOSE ZONE



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No.	Description	Date

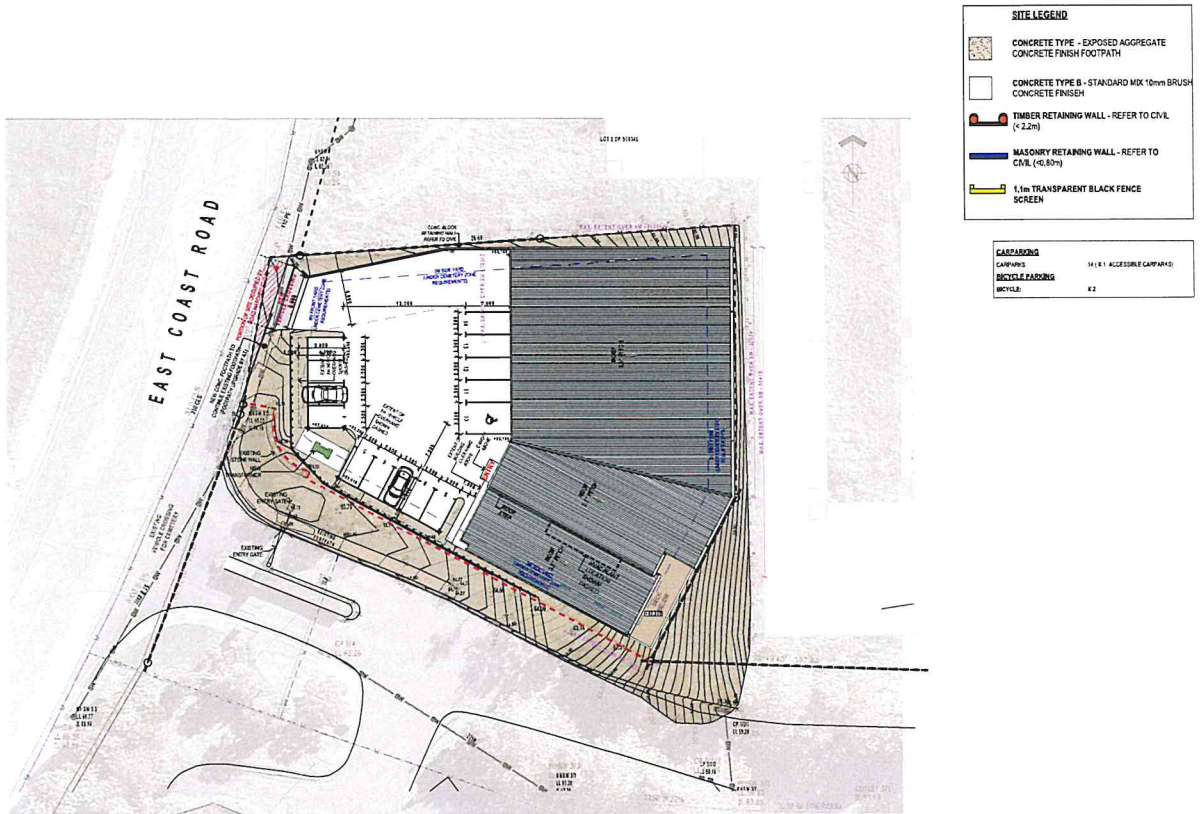


Project: 2163 EAST COAST ROAD  
 2163 EAST COAST ROAD SILVERDALE  
 AUCKLAND  
 Client: ARGYLE ESTATES LIMITED

Drawing Title: EXISTING SITE PLAN

RESOURCE CONSENT	
Project No:	22007
Drawing No:	10-02
Date:	6/9/2022
Project Status:	RC
Revision:	A

Auckland Council | Approved Resource Consent Plan | BUN60405936 | 17/10/2022 | Page 3 of 17



	<p>On 14/06/2022, 1 copy of this plan was approved for use in accordance with the Resource Management Act 1976. This approval is subject to the conditions of the Resource Management Act 1976. The consent is valid for 12 months from the date of approval.</p>	<table border="1"> <thead> <tr> <th>Lot</th> <th>Area</th> <th>Volume</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Lot	Area	Volume					<p>Project: 2163 EAST COAST ROAD 2163 EAST COAST ROAD SILVERDALE AUCKLAND ARGYLE ESTATES LIMITED</p>	<p>Drawing Title: PROPOSED SITE PLAN</p>	<p><b>RESOURCE CONSENT</b></p>	
			Lot	Area	Volume								
<p>Project No: 22007</p> <p>Consent No: 10-03</p> <p>Date: 04/12/2022</p> <p>Project Status: RC</p> <p>Version: A</p>													

Auckland Council | Approved Resource Consent Plan | BUN60405636 | 17/10/2022 | Page 4 of 17



<b>CARPARKING</b>	11.6% ACCESSIBLE CARPARKING
<b>CARPARKS</b>	
<b>BICYCLE PARKING</b>	
<b>BICYCLE</b>	0.2

DEVELOPMENT SITE AREA		
ID	NAME	AREA (m²)
1	SITE AREA	1 829.96

IMPERVIOUS AREA SCHEDULE		
ID	NAME	AREA (m²)
GEL BUILDING COVERAGE		
I 1	CARPARKING	1 926.61
GEL IMPERVIOUS AREA		
M 01	FOOTPATH	16.33
M 02	CARPARK	891.31
M 03	ROAD	3.81
M 04	TERRACE	1 832.81

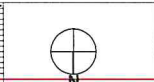
PERMEABLE AREA SCHEDULE		
ID	TYPE	AREA (m²)
GEL PERMEABLE AREA		
PW 01	LANDSCAPE	253.37
PW 02	GRASS	263.42

P:22007 2163 East Coast Rd - Argyle/ Gel Drawing:22007 2163 East Coast RC plan 4 of 17



Do not issue drawings, verify all dimensions or do before printing. Design changes or amendments must be made original or marked as such on the drawing or modification made to the original. The drawing is the property of Gel Architects and should be stored in the office of Gel Architects Ltd.

Rev	Description	Date

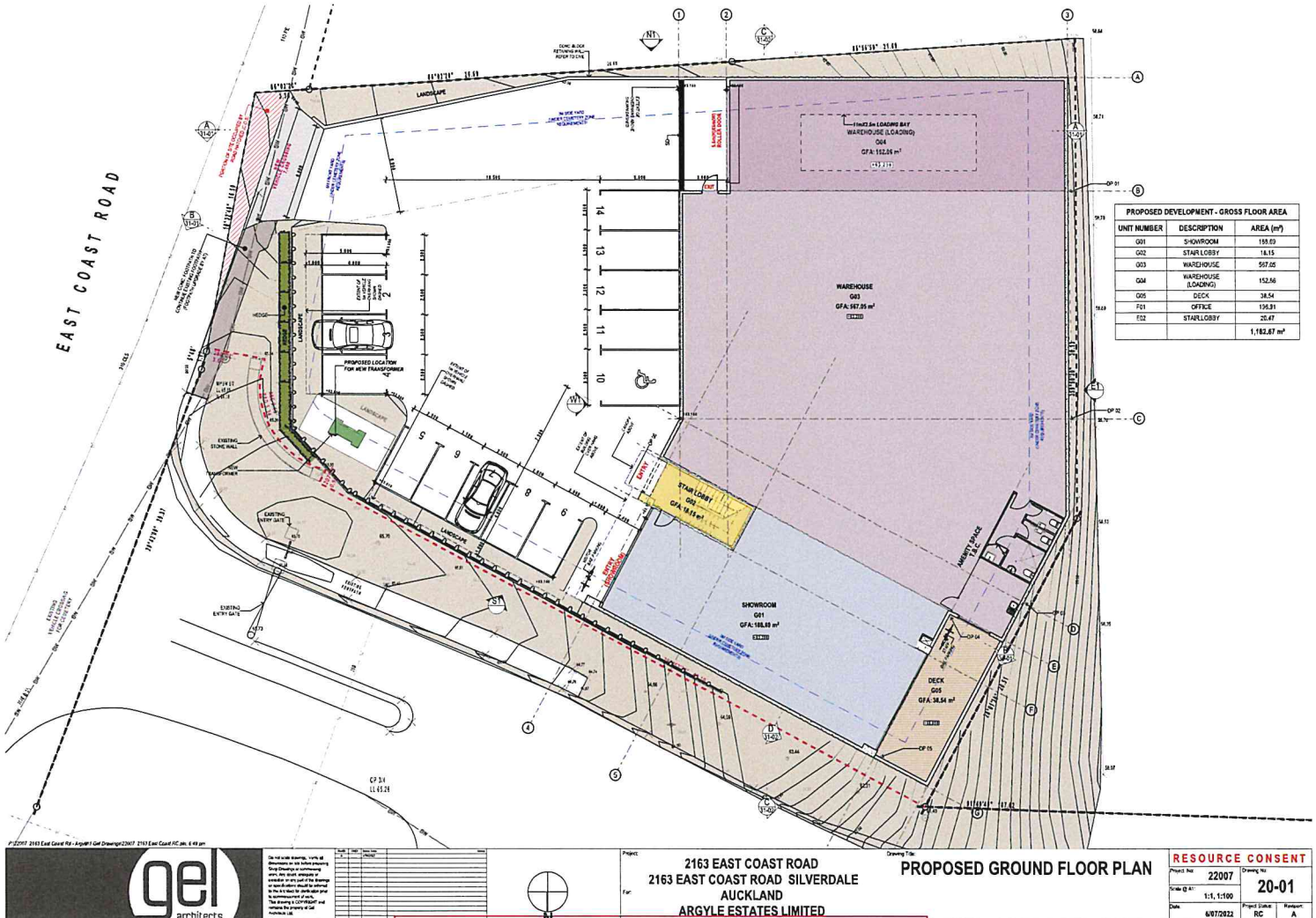


Project: 2163 EAST COAST ROAD  
2163 EAST COAST ROAD SILVERDALE  
AUCKLAND  
For: ARGYLE ESTATES LIMITED

Drawing Title: TOWN PLANING SUMMARY

<b>RESOURCE CONSENT</b>	
Project No: 22007	Drawings No: 10-04
Scale: 1:100, 1:200	
Date: 6/8/2022	Printed Status: RC Revision: A

Auckland Council | Approved Resource Consent Plan | BUN60405636 | 17/10/2022 | Page 5 of 17

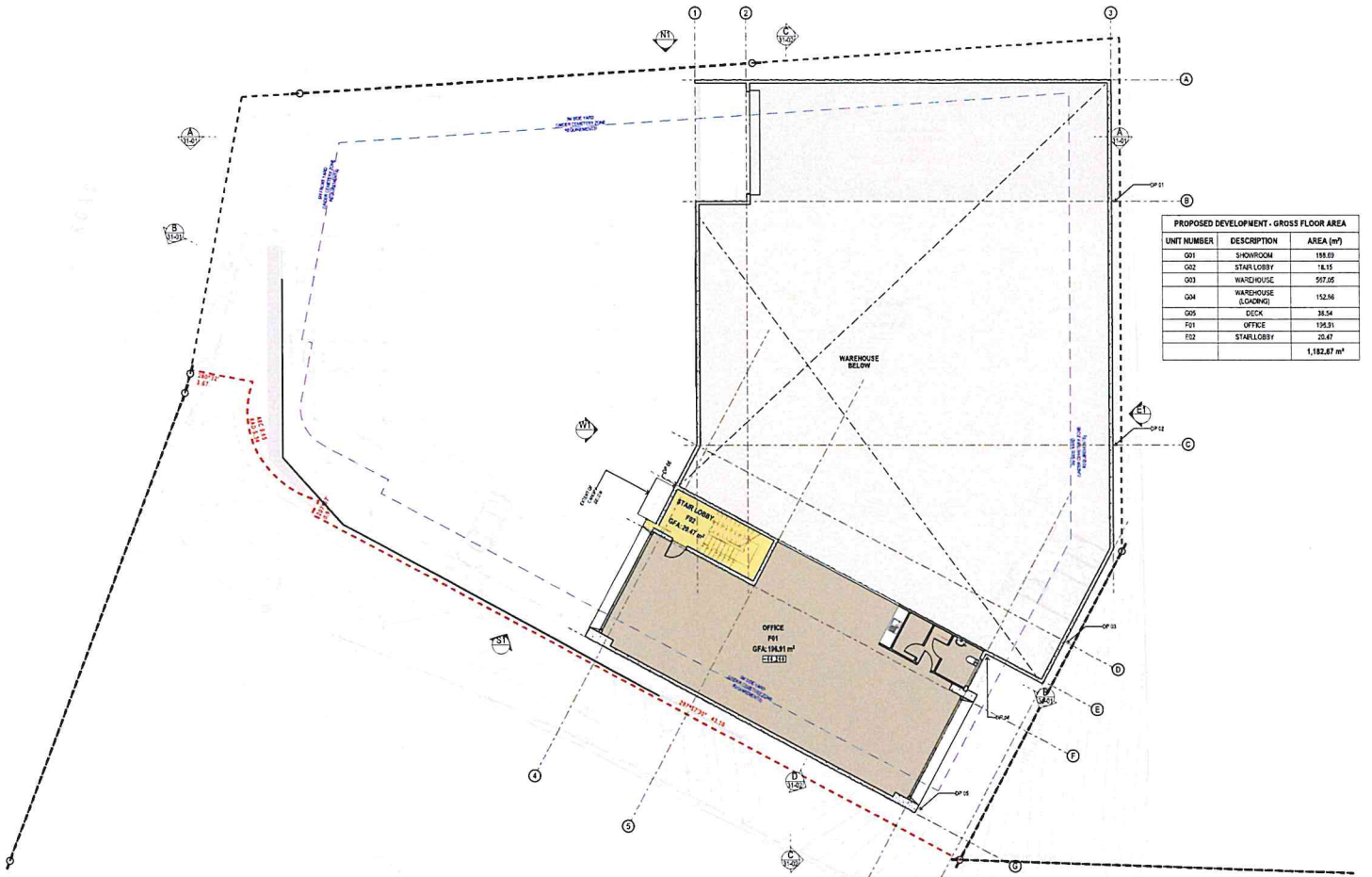


gel architects

2163 EAST COAST ROAD  
2163 EAST COAST ROAD SILVERDALE  
AUCKLAND  
ARGYLE ESTATES LIMITED

PROPOSED GROUND FLOOR PLAN

RESOURCE CONSENT  
Project No: 22007  
Drawing No: 20-01  
Scale: 1:1, 1:100  
Date: 6/17/2022  
Project Name: RC  
Version: A



PROPOSED DEVELOPMENT - GROSS FLOOR AREA		
UNIT NUMBER	DESCRIPTION	AREA (m <sup>2</sup> )
001	SHOWROOM	188.69
002	STAR LOBBY	74.47
003	WAREHOUSE	597.25
004	WAREHOUSE (LOADING)	152.56
005	DECK	38.54
F01	OFFICE	194.91
F02	STAR LOBBY	20.47
		<b>1,182.87 m<sup>2</sup></b>

The red line denotes 100% of boundaries as shown on the title plan. The blue line denotes a boundary of a proposed development. The green line denotes a boundary of a proposed development. The yellow line denotes a boundary of a proposed development. The orange line denotes a boundary of a proposed development. The purple line denotes a boundary of a proposed development. The brown line denotes a boundary of a proposed development. The grey line denotes a boundary of a proposed development. The black line denotes a boundary of a proposed development.

2163 EAST COAST ROAD  
2163 EAST COAST ROAD SILVERDALE  
AUCKLAND  
ARGYLE ESTATES LIMITED

**PROPOSED UPPER FLOOR PLAN**

**RESOURCE CONSENT**

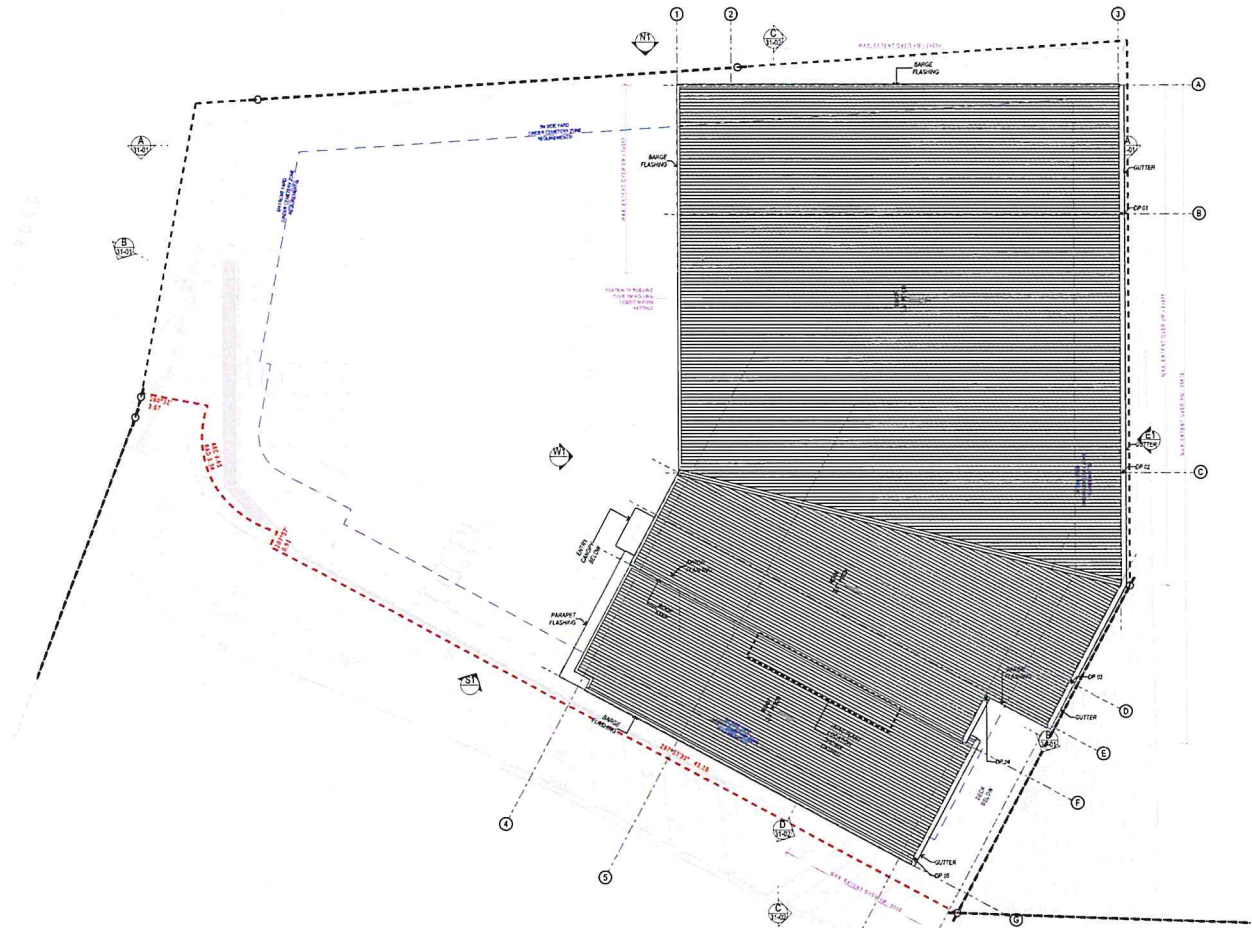
Project No: 22007      Drawing No: 20-02

Scale: 1:100, 1:1

Date: 6/9/2022      Project Status: RC      Revision: A

Auckland Council | Approved Resource Consent Plan | BLN60405636 | 17/10/2022 | Page 7 of 17

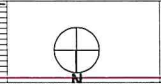




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Rev	Date	Description

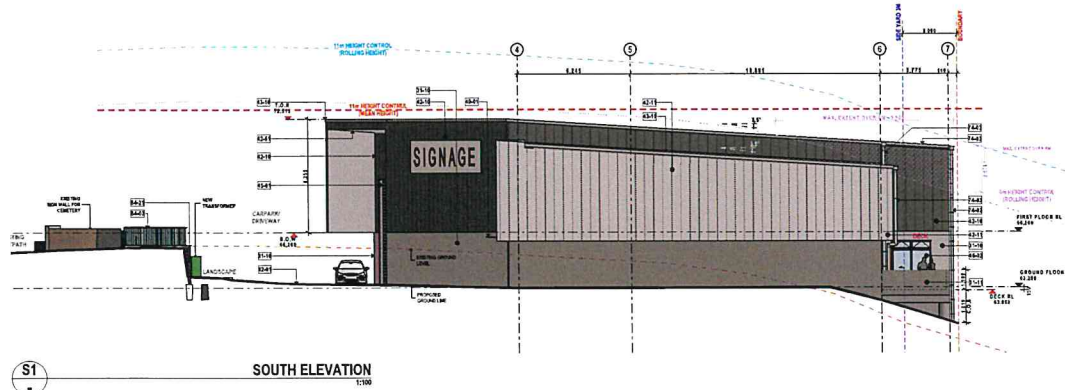
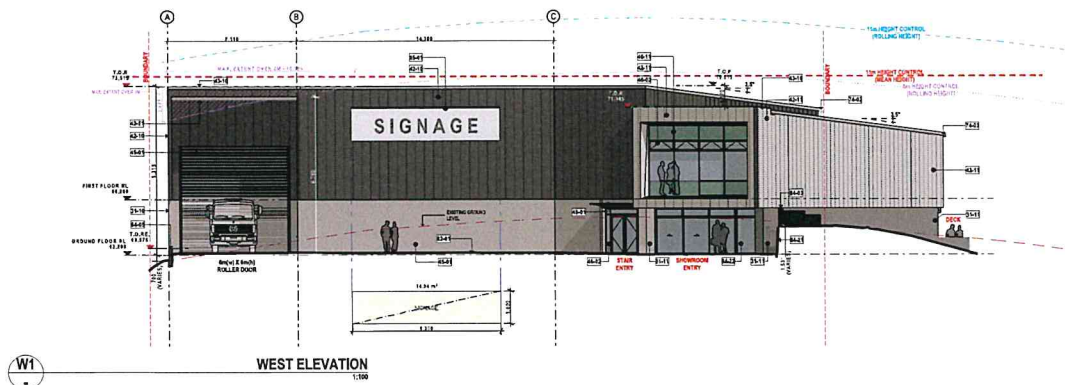


Project: 2163 EAST COAST ROAD  
2163 EAST COAST ROAD SILVERDALE  
AUCKLAND  
For: ARGYLE ESTATES LIMITED

Drawing Title: PROPOSED ROOF PLAN

RESOURCE CONSENT	
Project No: 22007	Drawing No: 20-03
Scale: 1:100	Project Status: RC
Date: 6/8/2022	Revision: A

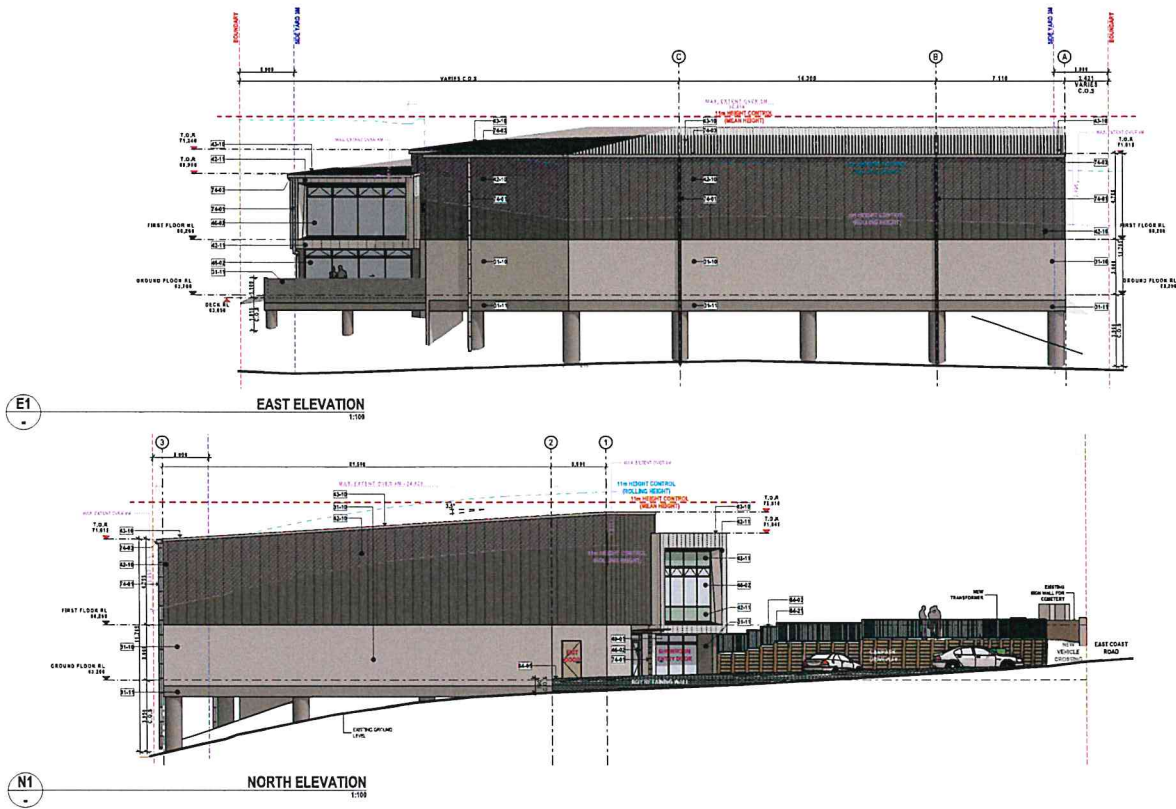
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Notes

31	CONCRETE
31-10	CONCRETE PANEL, INSTALLED
31-11	CONCRETE (EXPOSED) PAINT FINISH
42	WALL CLADDING
42-10	COLORBOND, WOODGRAIN, 0.8MM
42-11	COLORBOND, GLAZING, LIGHT GREY
42-12	COMPOSITE PANEL, COMBUSTIBLE
42-13	COMPOSITE PANEL, COMBUSTIBLE
43	ROOFING AND DECKING
43-10	COLORBOND, WOODGRAIN, 0.8MM
43-11	0.8MM EXIST. FLASHINGS
45	WINDOWS AND DOORS
45-1	DOUBLE GLASS, INSULATED GLAZING
46	GLAZING
46-1	ALUMINUM, FINISH
46-2	GLAZING - PERFORMANCE FINISH
49	METALWORK
49-1	PAINTED METALWORK, GALVANNEAL
58	SIGNS AND FEATURES
58-1	BRASS
74	LIQUID DISPOSAL
74-1	LIQUID DISPOSAL, LETTER
82	PAVEMENT
82-1	ASPHALT PAVEMENT FOR CAR PARKING
84	LANDSCAPE STRUCTURES
84-1	LANDSCAPE STRUCTURE, METAL
84-2	CONCRETE SETTING WALL, CONCRETE
84-3	CONCRETE SETTING WALL, CONCRETE
84-4	CONCRETE SETTING WALL, CONCRETE
84-5	CONCRETE SETTING WALL, CONCRETE
84-6	CONCRETE SETTING WALL, CONCRETE
84-7	CONCRETE SETTING WALL, CONCRETE
84-8	CONCRETE SETTING WALL, CONCRETE
84-9	CONCRETE SETTING WALL, CONCRETE
84-10	CONCRETE SETTING WALL, CONCRETE

	<p>Project: 2163 EAST COAST ROAD 2163 EAST COAST ROAD SILVERDALE AUCKLAND For: ARGYLE ESTATES LIMITED</p>	<p>Drawing Title: ELEVATIONS</p>	<p>RESOURCE CONSENT</p>	
			<p>2163 East Coast Rd. - Argyle / Site Drawing 22007 - 2163 East Coast RC plan 4 of 11</p>	<p>Project No: 22007 Drawing No: 30-01 Date: 09/10/2022 Scale: 1:100 Page: 9 of 17</p>



Notes

31	CONCRETE
31-1	CONCRETE PANEL, MULTILAYER
31-2	CONCRETE COLLECTED PAINT
31-3	CONCRETE
42	WALL CLADDING
42-1	GLAZED METAL CLADDING - DARK
42-2	GLAZED METAL CLADDING - LIGHT
42-3	GLAZED METAL CLADDING - LIGHT
43	ROOFING AND DECKING
43-1	CONCRETE ROOFING - LIGHT
43-2	GLAZED METAL ROOFING
46	GLAZING
46-1	GLAZING - TINTED
49	METALWORK
49-1	FOLDED METAL ENTRY CANOPY
74	LIQUID DISPOSAL
74-1	CONCRETE
74-2	CONCRETE
74-3	CONCRETE
84	LANDSCAPE STRUCTURES
84-1	GLAZED METAL BUTTER
84-2	CONCRETE ROOFING WALL
84-3	CONCRETE ROOFING WALL
84-4	CONCRETE ROOFING WALL

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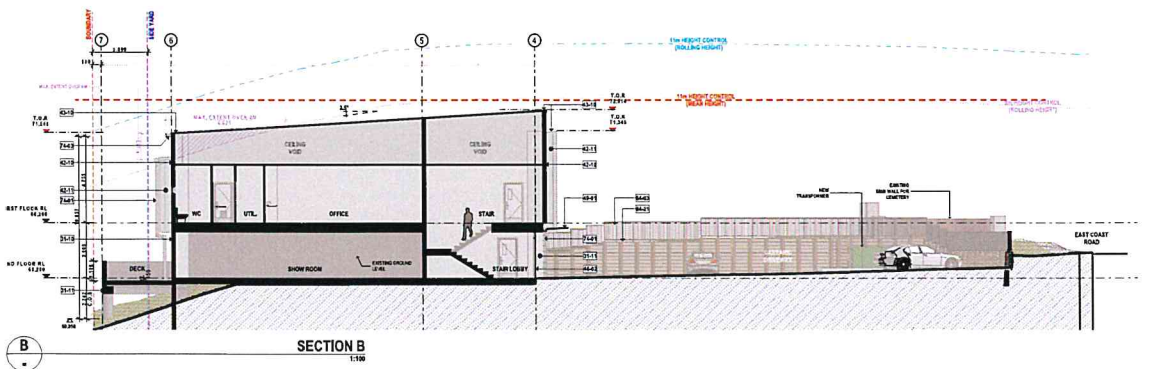
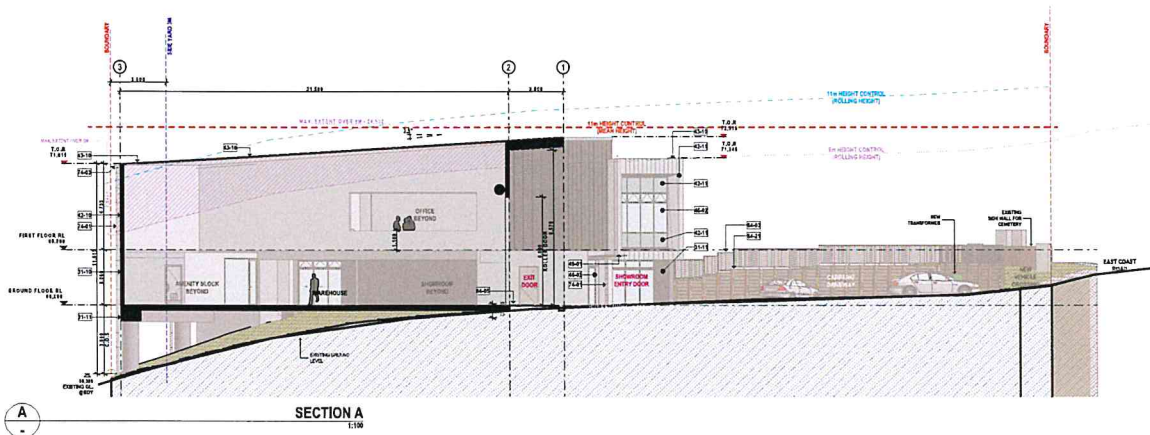
NO.	REV.	DATE	DESCRIPTION

Project: 2163 EAST COAST ROAD  
2163 EAST COAST ROAD SILVERDALE  
AUCKLAND  
ARGYLE ESTATES LIMITED

Drawing No: ELEVATIONS

Project No:	22007	Drawing No:	30-02
Scale:	1:100	Date:	8/9/2022
Date:	8/9/2022	Project Name:	RC
		Author:	A

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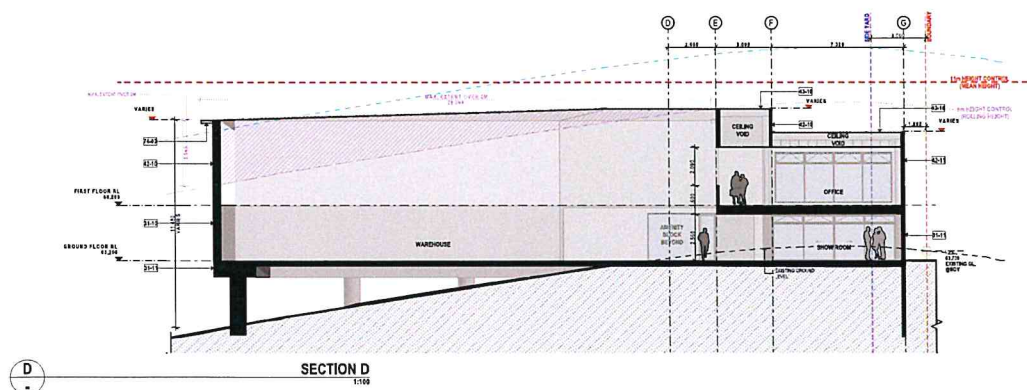
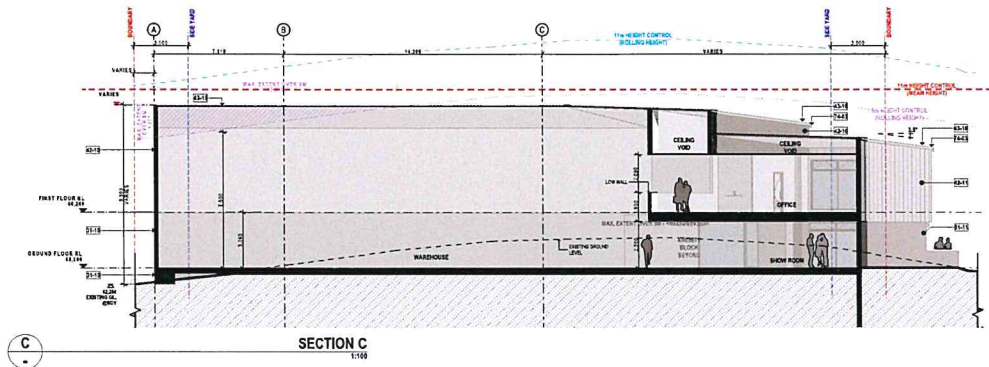


Notes

31	CONCRETE
31-10	CONCRETE PANEL, BATHROOM
31-11	CONCRETE AND FACTED PAINT FINISH
42	WALL CLADDING
42-10	CORNERSTONE CLADDING - DARK
42-11	CORNERSTONE CLADDING - LIGHT (SHEATHS)
43	ROOFING AND DECKING
43-10	CONCRETE ROOFING - 8.8MPa
43-11	CONCRETE ROOFING - 8.8MPa (SHEATHS)
46	GLAZING
46-10	GLAZING - TINTED
49	METALWORK
49-10	FOLDED METAL ENTRY CANOPY
74	LIQUID DISPOSAL
74-10	CONCRETE
74-11	CONCRETE
84	LANDSCAPE STRUCTURES
84-10	LOW WIND METAL, BATHS
84-11	CONCRETE RETAINMENT WALL (BATHS TO CIVIL ENGINEER'S SPECIFICATIONS)
84-12	TERRACE RETAINMENT WALL (BATHS TO CIVIL ENGINEER'S SPECIFICATIONS)


	<p>Do not alter building, site or landscape as shown without the consent of the Council. Any changes to the building or site must be approved by the Council. The drawings are prepared and issued by the Council and are not to be used for any other purpose without the consent of the Council.</p>	<p>Project: 2163 EAST COAST ROAD 2163 EAST COAST ROAD SILVERDALE AUCKLAND FOR: ARGYLE ESTATES LIMITED</p>	<p>Drawing Title: SECTIONS</p>	<p>RESOURCE CONSENT</p>
				<p>Form No: 22007 Form Q 81: 1:100 Date: 04/11/2022</p>

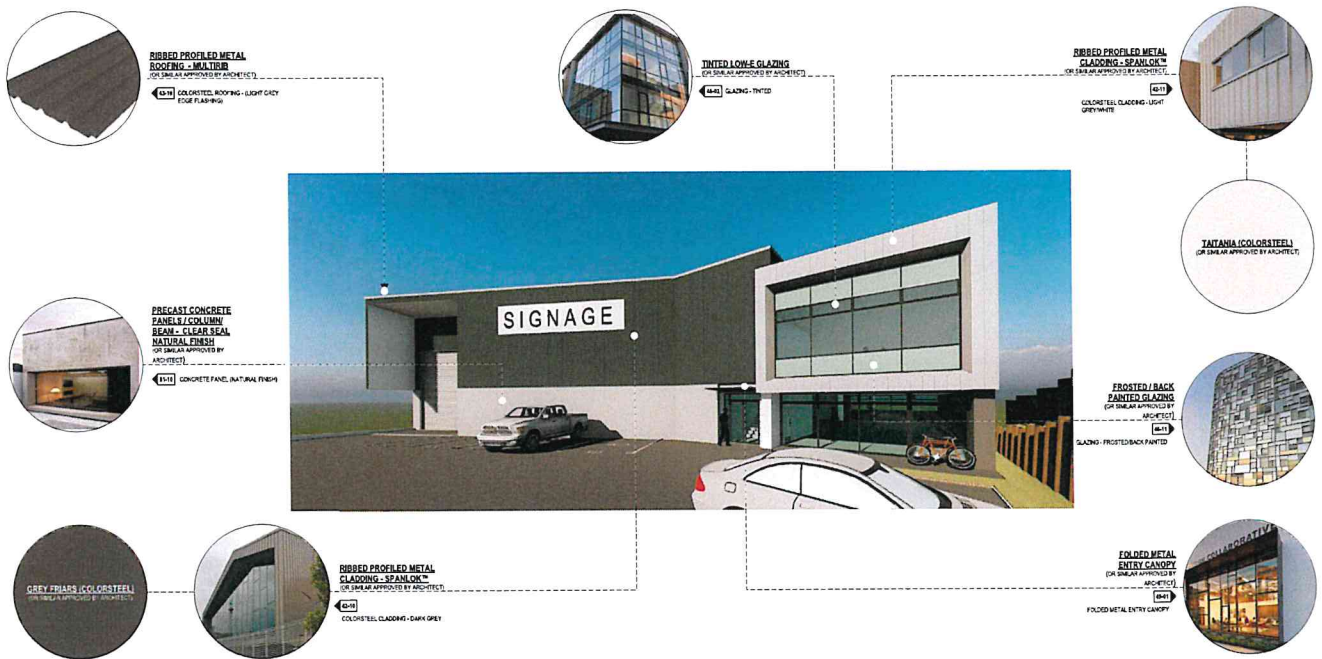
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**Notes**

31	CONCRETE
31-01	CONCRETE PANEL, NATURAL FINISH
31-02	CONCRETE SOLICITED FINISH
42	WALL CLADDING
42-01	COLORBLENDED CLADDING (GLASS)
42-02	COLORBLENDED CLADDING (GLASS)
42-03	COLORBLENDED CLADDING (GLASS)
43	ROOFING AND DECKING
43-01	COLORBLENDED CLADDING (GLASS)
43-02	COLORBLENDED CLADDING (GLASS)
74	LIQUID DISPOSAL
74-01	COLORBLENDED CLADDING (GLASS)
74-02	COLORBLENDED CLADDING (GLASS)

	The full name, address, phone and email details of the client are provided for the purpose of providing a record of the project. The client is responsible for ensuring that the information is accurate and up to date. The client is responsible for ensuring that the information is accurate and up to date. The client is responsible for ensuring that the information is accurate and up to date.	Project: <b>2163 EAST COAST ROAD</b> 2163 EAST COAST ROAD SILVERDALE AUCKLAND ARGYLE ESTATES LIMITED	Drawing Title: <b>SECTIONS</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: #f0f0f0;"><b>RESOURCE CONSENT</b></td> </tr> <tr> <td style="width:50%;">Project No: <b>22007</b></td> <td style="width:50%;">Drawing No: <b>31-02</b></td> </tr> <tr> <td>Scale: <b>1:100</b></td> <td>Project Status: <b>RC</b></td> </tr> <tr> <td>Date: <b>6/17/2022</b></td> <td>Version: <b>A</b></td> </tr> </table>	<b>RESOURCE CONSENT</b>		Project No: <b>22007</b>	Drawing No: <b>31-02</b>	Scale: <b>1:100</b>	Project Status: <b>RC</b>	Date: <b>6/17/2022</b>	Version: <b>A</b>
		<b>RESOURCE CONSENT</b>										
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Scale: <b>1:100</b>	Project Status: <b>RC</b>											
Date: <b>6/17/2022</b>	Version: <b>A</b>											
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DESIGN INSPIRATIONS



	<p>Do not scale drawings. Verify all dimensions as indicated on drawings. The client is responsible for the accuracy of the information provided. The client is responsible for the accuracy of the information provided. The client is responsible for the accuracy of the information provided.</p>	<table border="1"> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	Rev	Date	Description				Project: <b>2163 EAST COAST ROAD</b> <b>2163 EAST COAST ROAD SILVERDALE</b> <b>AUCKLAND</b> For: <b>ARGYLE ESTATES LIMITED</b>	Drawing Title: <b>MATERIALS</b>	<table border="1"> <tr> <th colspan="2">RESOURCE CONSENT</th> </tr> <tr> <td>Project No: <b>22007</b></td> <td>Drawing No: <b>50-01</b></td> </tr> <tr> <td>Scale: <b>NTS</b></td> <td> </td> </tr> <tr> <td>Date: <b>6/07/2022</b></td> <td>Project Status: <b>RC</b> Reason: <b>A</b></td> </tr> </table>	RESOURCE CONSENT		Project No: <b>22007</b>	Drawing No: <b>50-01</b>	Scale: <b>NTS</b>		Date: <b>6/07/2022</b>	Project Status: <b>RC</b> Reason: <b>A</b>
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3D IMAGES  
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	<p>Do not scale drawings. Only the dimensions on the drawings should be used for construction. Any change or correction to any drawing must be approved by the architect. The drawings are copyright of the architect and shall not be used for any other purpose without the written consent of the architect.</p>	<table border="1"> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	Rev	Date	Description										Project: <b>2163 EAST COAST ROAD 2163 EAST COAST ROAD SILVERDALE AUCKLAND ARGYLE ESTATES LIMITED</b>	Drawing Title: <b>PERSPECTIVE VIEW 1</b>	<table border="1"> <tr> <th colspan="2">RESOURCE CONSENT</th> </tr> <tr> <td>Project No:</td> <td>22007</td> </tr> <tr> <td>Scale:</td> <td>NTS</td> </tr> <tr> <td>Date:</td> <td>6/8/2022</td> </tr> <tr> <td>Project Status:</td> <td>RC</td> </tr> <tr> <td>Revision:</td> <td>A</td> </tr> </table>	RESOURCE CONSENT		Project No:	22007	Scale:	NTS	Date:	6/8/2022	Project Status:	RC	Revision:	A
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			Rev	Description	Date						
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# Decision on an application for resource consent under the Resource Management Act 1991



## Discretionary activity

<b>Application number(s):</b>	BUN60405636 (Council Reference) SUB60405638 (s11 subdivision consent)
<b>Applicant:</b>	Auckland Memorial Park and Cemetery Limited
<b>Site address:</b>	2163 East Coast Road Stillwater 0993
<b>Legal description:</b>	Lot 2 DP 437303
<b>Proposal:</b>	To subdivide within the Special Purpose - Cemetery Zone and create 2 fee simple lots on a site subject to flooding and land instability.

Resource consent is required for the following reasons:

## Subdivision Consent (s11) – SUB60405638

### Auckland Unitary Plan (Operative in part)

#### *Urban Subdivision*

- The subdivision of land located within the 1% AEP Flood Plain is a **restricted discretionary activity** – Table E38.4.1(A11). The site is subject to flooding hazards.
- Based on the slope, the site is potentially subject to land instability. Subdivision of land which may be subject to land instability is a **restricted discretionary activity** – Table E38.4.1(A11).
- It is proposed to subdivide within the Special Purpose - Cemetery Zone, which is a subdivision not otherwise provided for in Table E38.4.1 and therefore classed as a **discretionary activity** – Table E38.4.1(A45)

## Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104C, 106 and Part 2 of the RMA, the resource consents are **GRANTED**.

## Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA, the actual and potential effects from the proposal will be acceptable as:
  - a. The development of this site is considered an efficient use of land which would not create an appearance of dominance or overcrowding of the site.
  - b. The lot is not identified as a site containing any contaminated material; specifically the portions of land to be subdivided.
  - c. The proposed lot will not be affected by the flooding hazard since the flooding hazard is located to the east of the cemetery lot.
  - d. A Geotechnical Investigation Report provided by Engineering Geology Limited was used to appropriately mitigate any potential adverse effects resulting from the development on the site which is subject to land instability.
  - e. The subdivision has been designed to be an appropriate shape and size to accommodate the proposed and existing development.
  - f. Appropriate access is proposed through a new vehicle crossing, driveway and onsite manoeuvring.
  - g. The formed width of the accessway will not create any inefficient or unsafe vehicle movements which may affect the operation of the access of neighbouring sites
  - h. The increase in traffic volumes will not adversely affect the function of East Coast Road.
  - i. No bus stops, bus lanes or cycleways provided within the vicinity of the site on East Coast Road will be affected by the new crossing.
  - j. There is no matters of cultural significance or heritage overlays which would affect the proposed subdivision.
  - k. The allotment will be sufficiently serviced with stormwater, wastewater and water.
  - l. In terms of positive effects, the subdivision will allow for the utilisation of the piece of land and fit in with the wider industrial character.
  - m. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment
2. In accordance with an assessment under s104(1)(b) of the RMA, the proposal is consistent with the relevant statutory documents. In particular the objectives and policies of the Subdivision – Urban chapter E38.2 and E38.3.

In summary, the proposed lot is considered to achieve the objectives and policies of the underlying zone where the needs of the community will still be met since the cemetery activities are appropriately located and managed away from the light industrial activity. By restraining to make use of the existing vehicle access will enable the continued operation of the existing cemeteries and keep the cemetery accessible to the public.

No vegetation clearance is proposed while earthworks will be undertaken using best practice erosion and sediment control measures.

The provision of access to each of the lots can be achieved without any adverse effects on the owners of the sites or adjacent landowners. It has been demonstrated that all lots can be sufficiently serviced and accessed.

Overall, it is considered that the proposal meets the objectives and policies of the AUP(OP).

3. In accordance with an assessment under s104(1)(c) of the RMA, the following other matters are considered appropriate no other matters are considered relevant.
4. In the context of this discretionary activity application for subdivision, where the objectives and policies of the relevant statutory documents were prepared having regard to Part 2 of the RMA, they capture all relevant planning considerations and contain a coherent set of policies designed to achieve clear environmental outcomes. They also provide a clear framework for assessing all relevant potential effects and there is no need to go beyond these provisions and look to Part 2 in making this decision as an assessment against Part 2 would not add anything to the evaluative exercise.
5. Overall, the proposal generate less than minor adverse effects, is consistent with the relevant statutory documents and meets the purpose of the RMA as defined within Part 2 of the Act, and consent is granted subject to the conditions outlined below.

## Conditions

All conditions contained in this decision must be complied with at time of s224(c). The conditions have been separated into 'General', 'section 223' and 'section 224(c)' conditions in order to assist the consent holder in identifying the conditions that must be completed at the respective stages of implementing the resource consent for subdivision.

Under sections 108, 108AA and 220 of the RMA, this consent is subject to the following conditions:

### General conditions

1. These consents must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent numbers BUN60405636 (SUB60405638)
  - Application Form and Assessment of Environmental Effects prepared by Shirley Pang from Harrison Consulting Limited, dated July 2022.
  - S92 response prepared by Clare Covington from Harrison Consulting Limited, dated 16 September 2022.

Report title and reference	Author	Rev	Dated
Civil Infrastructure Report, 2163 East Coast Road – Stillwater Memorial Park	Khairullah Azizi from Harrison	-	June 2022

	Consulting Limited		
Utilities Report, 222163	Electrical Consulting Services Ltd	A	24 May 2022
Traffic Impact Assessment, 2163 East Coast Road – Stillwater Memorial Park	Nathan Voice from Harrison Grierson Consulting Limited	-	June 2022
Preliminary Site Investigation, 20220157	Thomas Consultants	1.0	14 June 2022
Geotechnical Investigation Report, 9523	Engineering Geology Ltd	-	3 June 2022
Assessment of Lighting Effects	Roger Morgan from Light Plus Design	-	23 June 2022

Drawing title and reference	Author	Rev	Dated
Scheme Plan Sheet 1 of 2, 2111740-HG-XX-DR-XX-G-SC01	Harrison Grierson Consulting Limited	A	2 May 2022
Scheme Plan Sheet 2 of 2, 2111740-HG-XX-DR-XX-G-SC02	Harrison Consulting Limited	A	2 May 2022
Other additional information	Author	Rev	Dated
Pre-App meeting memo, PRR00039366 – 2163 East Coast Road, Stillwater	Zephyr Panakal from Auckland Transport	-	21 June 2022
Review and S92 Information Requests	Flow Transportation Specialists	-	19 August 2022

**Advice Note:**

- *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
- *Details and specifications for the provision of infrastructure (e.g., public/ private drainage, location, and types of connections) and access (including drainage of accessways, construction standards etc) are subject to a separate Engineering Plan Approval (EPA) and/or Building Consent approval process.*

- *Should it become apparent during the EPA and/or Building Consent process that a component of the granted resource consent cannot be implemented (e.g., detailed tests for soakage fail to achieve sufficient soakage rates, or sufficient gradients for drainage cannot be achieved in accordance with engineering standards/ bylaws etc), changes to the proposal will be required. This may require either a variation to this subdivision consent (under section 127 of the Resource Management Act 1991) or a new consent.*
  - *Similarly, should the detailed design stage demonstrate that additional reasons for consent are triggered (e.g., after detailed survey the access gradient increases to now infringe or increase an approved infringement to a standard in the plan), a new or varied resource consent is required.*
  - *It is the responsibility of the consent holder to ensure that all information submitted and assessed as part of the subdivision consent is correct and can be implemented as per the subdivision consent (without requiring additional reasons for consent). Any subsequent approval processes (such as the EPA) do not override the necessity to comply with the conditions of this resource consent.*
2. Under section 125 of the RMA, these consents lapse five years after the date they are granted unless:
- a. A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
  - b. An application under section 125 of the RMA is made to the Council before the lapse date to extend the period after which the consent lapses and the Council grants an extension.

### Survey plan approval (s223) conditions

Before council will approve the survey title plan pursuant to s.223 of the Act, the following requirements are to have been satisfied at the consent holders cost:

3. The consent holder shall submit a survey plan in accordance with the approved resource consent subdivision plan.

### Section 224(c) compliance conditions

Before the Council will issue a certificate pursuant to s224(c) of the RMA, the consent holder shall satisfy the following conditions at their full cost:

**Advice notes:**

*Council will only be able to issue the s221(3), also referred to as VCN70021331, simultaneously with the s224c and not prior.*

### Connection to Public Wastewater Network

4. The consent holder must design and construct connections to the public wastewater reticulation network to serve Lot 1 in accordance with the requirements of the wastewater utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

#### Advice notes:

- *Acceptable forms of Evidence from the Utility Providers include a Certificate of Acceptance.*
- *Alterations to the public wastewater reticulation network require Engineering Plan Approval. Additional approval is required from Watercare as part of the Engineering Plan Approval Process.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and **should not be used** for the purposes of constructing public reticulation works in the absence of that approval*

### Connections to Public Water Network

5. The consent holder must design and construct connections to the public water reticulation network to serve Lot 1 in accordance with the requirements of the water utility provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under the section 224(c) of the RMA.

#### Advice notes:

- *Acceptable forms of Evidence from the Utility Providers include a Certificate of Acceptance.*
- *Alterations to the public wastewater reticulation network require Engineering Plan Approval. Additional approval is required from Watercare as part of the Engineering Plan Approval Process.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and **should not be used** for the purposes of constructing public reticulation works in the absence of that approval*

### Connections to Public Stormwater Network

6. The consent holder must design and construct connections to the public stormwater reticulation network to serve Lot 1 in accordance with the requirements of the stormwater utility service provider. Certification from the utility provider that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.



**Advice notes:**

- *Acceptable forms of Evidence from the Utility Providers include a Certificate of Acceptance.*
- *Alterations to the public wastewater reticulation network require Engineering Plan Approval. Additional approval is required from Watercare as part of the Engineering Plan Approval Process.*
- *Public connections are to be constructed in accordance with the Water and Wastewater Code of Practice.*
- *Plans approved under Resource Consent do not constitute an Engineering Plan Approval and **should not be used** for the purposes of constructing public reticulation works in the absence of that approval*

**Utilities**

7. The consent holder must make provision for telecommunications and electricity to lot 1 in accordance with the requirements of the respective utility operators. These utilities must be underground. Certification from the utility providers that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

**Advice notes:**

*The consent holder may also provide gas servicing to the lot, but this is not a requirement of the AUP(OP) and no proof is required at time of section 224(c). Any gas lines are required to be installed underground.*

**Vehicle Crossing**

8. The consent holder must provide a new vehicle crossing to serve Lot 1. The crossing must be designed and formed in accordance with the requirements of Auckland Transport TDM technical standard VX0201. The new crossing must maintain an at-grade (level) pedestrian footpath across the length of the crossing, using the same materials, kerbing, pavings, patterns and finish as the footpath on each side of the crossing. Certification that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.

**Advice notes:**

- *An approval letter and completion certificate from Auckland Transport is required to be submitted to Auckland Council as a verification that Auckland Transport has completed approval and a final vehicle crossing inspection before this condition is considered fulfilled.*
- *Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction*
- *A vehicle crossing approval permit is required to be obtained from Auckland Transport for these works*

## Consent Notices

The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Records of Title by way of Consent Notices pursuant to s221 of the RMA:

### Building restrictions - Geotechnical

9. Any buildings located within Lot 1 shall be subject to the requirements of the geotechnical report entitled: Geotech report by EGL Engineers, ref: 9523, dated 3 June 2022, and any subsequent reports. The foundations for any buildings to be located within Lot 1 are subject to specific design and further site-specific subsoil investigation prior to building consent stage. Copies of the said plan and report(s) will be held at the offices of the Council.

## Advice notes

1. *All retaining walls higher than 1m will require a building consent*
2. *Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction*
3. *Works within the road reserve require prior approval from Auckland Transport. This includes vehicle crossings, reinstatement of kerbing and temporary occupation of the footpath/verge/berm during construction. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.*

*Pursuant to s346 of the Local Government Act approval must be provided by Auckland Transport as the Territorial Authority for roads within the Auckland Region, of which the Group Manager Network Management and Safety has delegated authority. This is a separate approval outside of the resource consent process.*

*More information is available on Auckland Transport's website*

*<https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/>*

4. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
5. *For the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring officer unless otherwise specified. Please email [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to identify your allocated officer.*
6. *For more information on the resource consent process with Auckland Council see the council's website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: [www.mfe.govt.nz](http://www.mfe.govt.nz).*

7. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to sections 357A and/or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
8. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

Delegated decision maker:

Name: Steve Seager

Title: Team Leader, Resource Consents

Signed:



Date: 17 October 2022

## Resource Consent Notice of Works Starting

Please email this form to [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) at least 5 days prior to work starting on your development or post it to the address at the bottom of the page.

<b>Site address:</b>				
<b>AREA (please tick the box)</b>	<b>Auckland CBD</b> <input type="checkbox"/>	<b>Auckland Isthmus</b> <input type="checkbox"/>	<b>Hauraki Gulf Islands</b> <input type="checkbox"/>	<b>Waitakere</b> <input type="checkbox"/>
<b>Manukau</b> <input type="checkbox"/>	<b>Rodney</b> <input type="checkbox"/>	<b>North Shore</b> <input type="checkbox"/>	<b>Papakura</b> <input type="checkbox"/>	<b>Franklin</b> <input type="checkbox"/>
<b>Resource consent number:</b>			<b>Associated building consent:</b>	
<b>Expected start date of work:</b>			<b>Expected duration of work:</b>	

Primary contact	Name	Mobile / Landline	Address	Email address
Owner				
Project manager				
Builder				
Earthmover				
Arborist				
Other (specify)				

<b>Signature:</b> Owner / Project Manager (indicate which)	<b>Date:</b>
------------------------------------------------------------	--------------

Once you have been contacted by the Monitoring Officer, all correspondence should be sent directly to them.

### SAVE \$\$\$ minimise monitoring costs!

The council will review your property for start of works every three months from the date of issue of the resource consent and charge for the time spent. You can contact your Resource Consent Monitoring Officer on 09 301 0101 or via [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to discuss a likely timetable of works before the inspection is carried out and to avoid incurring this cost.



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**NOTES**

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- ORIGIN OF LEVELS  
 RL 75.275
- CONTIGUOUS ARE AT 5M INTERVALS. CONTOURS SHOWN ON THIS PLAN HAVE BEEN ELECTRONICALLY COMPILED FROM SPOT HEIGHT DETERMINATIONS AND MAY NOT REPRESENT THE TRUE GROUND LEVELS. ANY CRITICAL HEIGHTS SHOULD BE CHECKED ON SITE PRIOR TO DESIGN AND CONSTRUCTION COMMENCING.
- THIS PLAN HAS BEEN CARRIED OUT TO TOPOGRAPHICAL STANDARDS. ALL LEVELS SHOWN ARE CORRECT AT TIME OF VERIFICATION. CRITICAL DIMENSIONS AND LEVELS SHOULD BE VERIFIED.
- BOUNDARIES SHOWN ON THIS PLAN HAVE BEEN ADOPTED FROM THE BOUNDARY DEFINITION SURVEY SHOULD BE CARRIED OUT TO ESTABLISH EXACT BOUNDARY POSITIONS ON SITE.
- DRAINAGE IS PUBLIC UNLESS OTHERWISE SHOWN.
- THIS PLAN MAY NOT PROVIDE ENOUGH INFORMATION FOR THE DESIGN OF FOUNDATIONS. FOUNDATIONS FOR BUILDINGS OR PAVEMENTS SHOULD BE DESIGNED TO MEET CONVECTILES HEIGHT IN RELATION TO BOUNDARY CONTROLS. HARRISON GREYSON SHOULD BE CONSULTED.
- DRAINAGE AND WATERWAYS HAVE BEEN OBTAINED FROM COUNCIL GIS AND SHOULD BE VERIFIED ON SITE.
- THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN.
- THIS PLAN IS ISSUED FOR A SPECIFIC PROJECT AND MAY NOT BE ALTERED OR USED FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF HARRISON GREYSON.

1A. LEGAL DESCRIPTION  
 COMPRESSES PART 558999  
 TOTAL AREA 13.8821HA

**LOTS 1 & 2 BEING A SUBDIVISION OF LOT 2 DP 437303**



AUCKLAND OFFICE  
 LEVEL 4, 98 ST GERMES BAY ROAD  
 PARNELL, AUCKLAND 1052  
 W www.hcg.co.nz

A. CLIENT ISSUE	SRM 10.05.22
B. ISSUE DATE	DP 1 DATE

AUCKLAND MEMORIAL PARK  
 EAST COAST ROAD  
 SILVERDALE

**NoR 13 #22**  
 SCHEME PLAN  
 SHEET 1 OF 2

ORIGINATOR	DATE	NOT BY:
ZC	02.05.22	
MR	02.05.22	
ZC	02.05.22	
CHIEF	DATE	SRM
02.05.22		
APPROVED	DATE	SRM
02.05.22		
ISSUE TYPE		

PROJECT NO:	1:1000-P1
CLIENT PROJ NO:	1:2000-A3
DRAWING NO:	
SCALE:	
CLIENT ISSUE	
REV	
A1	
REV	
A	



BUNK0406636  
 Approved Resource Consent Plan  
 17/10/2022

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT	CREATED BY
RIGHT OF WAY, RIGHT TO CONVEY TELECOMMUNICATION, GAS AND WATER, RIGHT TO DRAIN, SERVICE AND WATER, PEDESTRIAN ACCESS AND PARKING	LOT 2 DP 437303	LOT 2 HEREON	LOT 2 DP 393519	9457391.13
POWER	AREA A DP 437303	LOT 1 DP 437303	LOT 2 HEREON	9457397.12

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT	CREATED BY
EXISTING APPURTENANCE EASEMENTS TO BE REVOKED IN PART AS TO LOT 1	AREA A DP 437303	LOT 1 DP 437303	LOT 2 HEREON	9457397.12
PEDESTRIAN ROW	AREA Z DP 556756	LOT 1 DP 556756	LOT 2 HEREON	12091778.5
PLANTING	AREA W DP 556756	LOT 1 DP 556756	LOT 2 HEREON	12091778.5

**NOTES**

- LEVELS ARE IN TERMS OF AUCKLAND VERTICAL DATUM 1946 (MSL) ORIGIN OF LEVELS CA 14 50 49526 RL 75.775
- CONTOURS ARE AT 0.2M INTERVALS. CONTOURS SHOWN ON THIS PLAN HAVE BEEN ELECTRONICALLY COMPUTED FROM SPOT HEIGHT DETERMINATIONS AND MAY NOT REPRESENT THE TRUE SURFACE. SPOT HEIGHTS SHOULD BE VERIFIED AND RECORDED ON SITE PRIOR TO DESIGN AND CONSTRUCTION COMMENCEMENT.
- THIS PLAN HAS BEEN CARRIED OUT TO TOPOGRAPHICAL SURVEYING STANDARDS AND CRITICAL DIMENSIONS AND LEVELS SHOULD BE VERIFIED.
- BOUNDARY SURVEY ON THIS PLAN HAS BEEN ADAPTED FROM UNDERLYING SURVEY PLANS AND HAVE NOT BEEN SURVEYED. A BOUNDARY DEFINITION SURVEY SHOULD BE CARRIED OUT TO ESTABLISH EXACT BOUNDARY POSITIONS ON SITE.
- DRAINAGE IS PUBLIC UNLESS OTHERWISE SHOWN.
- THIS PLAN MAY NOT BE USED FOR ANY PURPOSES, INCLUDING BUT NOT LIMITED TO, BUILDING OR PART THEREOF IS REQUIRED TO MEET COUNCILS HEIGHT IN RELATION TO BOUNDARY CONTROLS, HARRISON GRIERSON SHOULD BE CONSULTED.
- DRAINAGE AND WATERMAINS HAVE BEEN OBTAINED FROM COUNCIL GIS AND SHOULD BE VERIFIED ON SITE.
- THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN.
- THIS PLAN IS ISSUED FOR A SPECIFIC PROJECT AND MAY NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE PRIOR WRITTEN CONSENT OF HARRISON GRIERSON.
- LEGAL DESCRIPTION COMPRISED IN RT 563999 TOTAL AREA 13.8824HA

LOT 1 0.1858ha  
 LOT 2 13.70 ha

DP 437303  
 DP 508342

**LOTS 1 & 2 BEING A SUBDIVISION OF LOT 2 DP 437303**



AUCKLAND OFFICE  
 LEVEL 4, 98 ST GERMES BAY ROAD  
 PARNELL, AUCKLAND 1052  
 W www.harrisongrierison.com

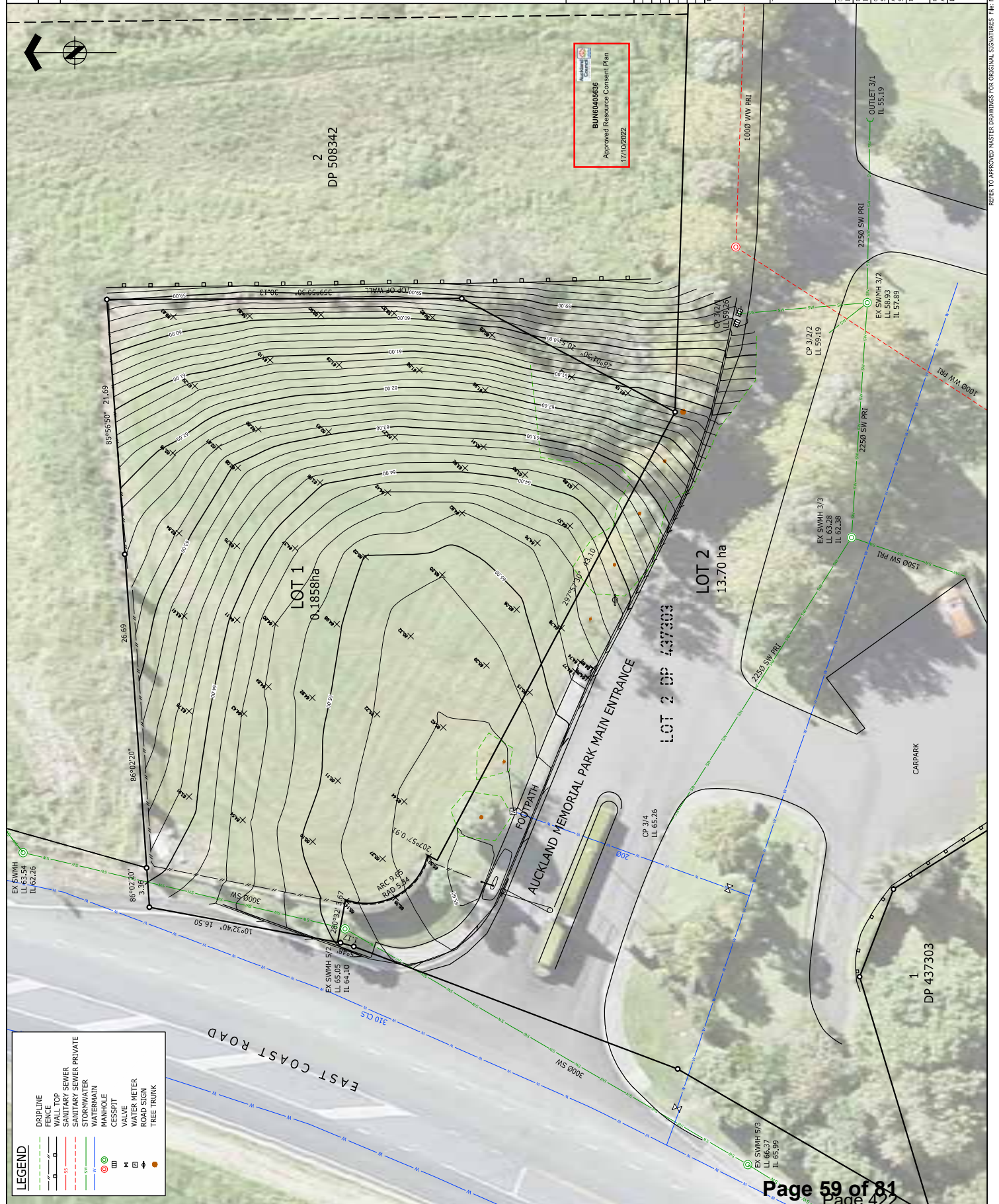
NO.	DESCRIPTION	DATE
1	CLIENT ISSUE	20.05.22
2	REVISIONS	
3		
4		
5		
6		
7		
8		
9		
10		

AUCKLAND MEMORIAL PARK  
 EAST COAST ROAD  
 SILVERDALE

**NoR 13 #22**  
 SCHEME PLAN  
 SHEET 2 OF 2

DATE	BY	DESCRIPTION
20.05.22	SM	ISSUE
03.06.22	SM	ISSUE
03.06.22	SM	ISSUE
14.05.18	SM	ISSUE

CLIENT ISSUE  
 SCALES: 1:150-A1  
 1:300-A3  
 PROJECT NO: A21174000  
 DRAWING NO: 2111740-HG-XX-DR-XX-G-SC02  
 REV: A



**LEGEND**

- DRAIN LINE
- FENCE
- WALL TOP
- SANITARY SEWER PRIVATE
- SANITARY SEWER PUBLIC
- WATERMAIN
- MANHOLE
- CESSPIT
- VALVE
- WATER METER
- ROAD SIGN
- TREE TRUNK

**BU1606406506**  
 Approved Resource Consent Plan  
 17/10/2022





**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **563999**  
**Land Registration District** **North Auckland**  
**Date Issued** 02 August 2013

**Prior References**

374322 NA942/153

---

**Estate** Fee Simple  
**Area** 13.8892 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 437303  
**Purpose** Denominational burial ground  
**Registered Owners**  
The Hibiscus Trust

---

**Interests**

Appurtenant to part herein formerly Lot 1 DP 393519 is a right of way specified in Easement Certificate B152361.4 - 25.2.1983 at 2:02 pm

C499364.1 Certificate declaring the adjoining road to be a limited access road - 20.7.1993 at 10:22 am

9457397.8 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2013 at 4:09 pm

Appurtenant hereto is a power easement created by Easement Instrument 9457397.12 - 2.8.2013 at 4:09 pm

The easements created by Easement Instrument 9457397.12 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way, right to convey electricity, telecommunications, gas & water, right to drain sewage & water, pedestrian access and parking easements over the within land created by Easement Instrument 9457397.13 - 2.8.2013 at 4:09 pm

Appurtenant hereto is a right of way, right to convey electricity, telecommunications, gas & water, right to drain sewage & water, pedestrian access and parking easements created by Easement Instrument 9457397.13 - 2.8.2013 at 4:09 pm

The easements created by Easement Instrument 9457397.13 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a pedestrian right of way and a planting easement created by Easement Instrument 12091778.5 - 16.4.2021 at 1:41 pm

Land Covenant in Covenant Instrument 12091778.8 - 16.4.2021 at 1:41 pm





1030-129608-01

Land District: North Auckland

Digitally Generated Plan

Generated on: 16/08/2013 11:53am, Page 3 of 4

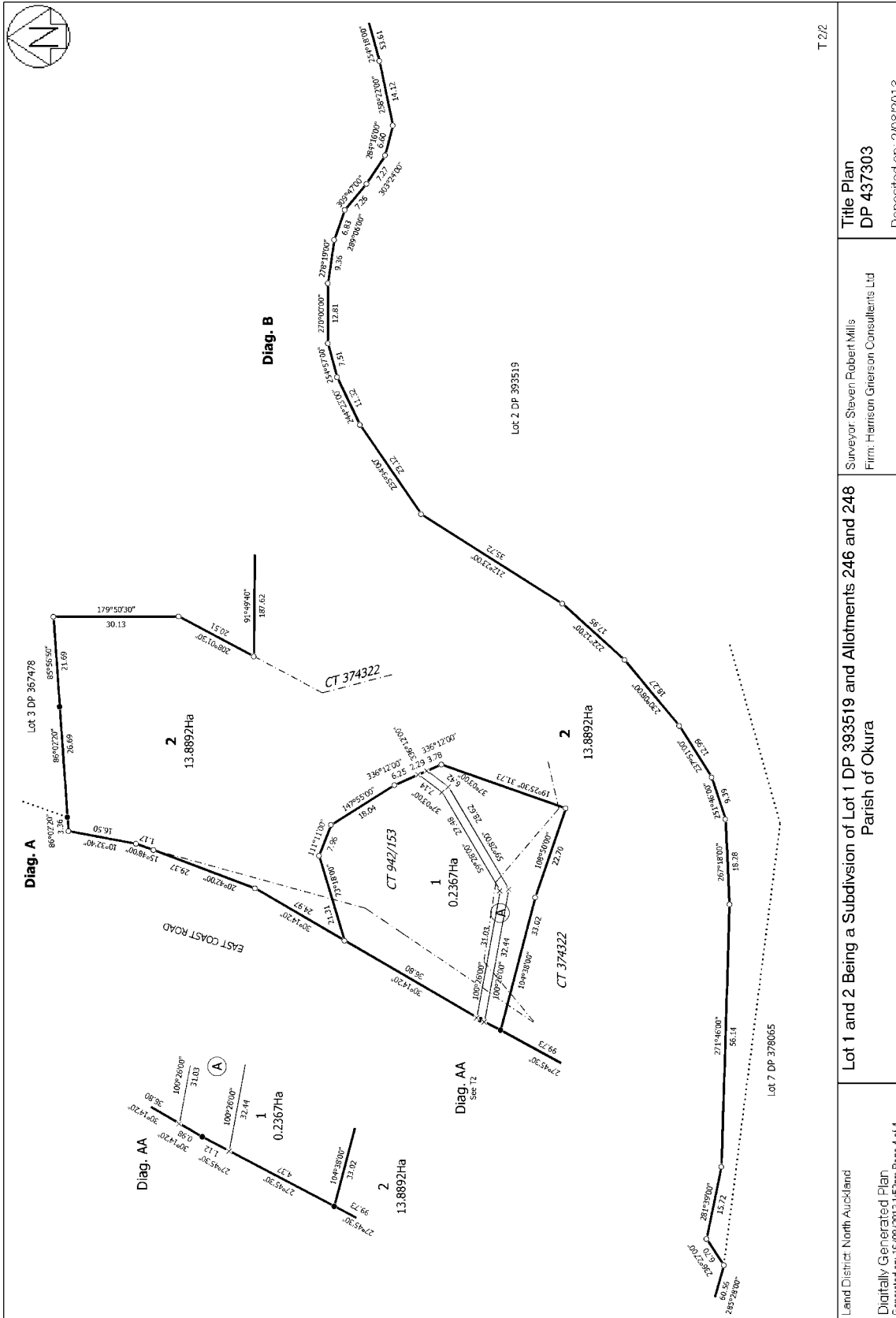
Lot 1 and 2 Being a Subdivision of Lot 1 DP 393519 and Allotments 246 and 248  
Parish of Okura

Surveyor: Steven Robert Mills  
Firm: Harrison Gieson Consultants Ltd

Title Plan  
DP 437303

Deposited on: 20/08/2013

T 1/2



T 2/2

Title Plan  
DP 437303

Surveyor: Steven Robert Mills  
Firm: Harrison Gierison Consultants Ltd

Lot 1 and 2 Being a Subdivision of Lot 1 DP 393519 and Allotments 246 and 248  
Parish of Okura

Land District: North Auckland  
Digitally Generated Plan  
Generated on: 16/08/2013 11:53am Page 4 of 4

Deposited on: 2/08/2013



## Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

### Address

2163 East Coast Road Stillwater 0993

### Legal Description

Lot 2 DP 437303

### Appeals

### Modifications

Notice of Requirements, NoR 13 - Upgrade to East Coast Road (AT), Designations, [View PDF](#), Notified, 16/11/2023

Plan Changes, Plan Change 78 - Intensification, Multiple Layers, [View PDF](#), Proposed, 18/08/2022

### Zones

Special Purpose - Cemetery Zone

### Precinct

### Controls

Controls: Macroinvertebrate Community Index - Rural

Controls: Macroinvertebrate Community Index - Urban

### Overlays

### Designations

nearmap



50 m

Sat Jun 10 2023  
© 2023 Nearmap, HERE







0 30 60 90  
Meters

Scale @ A4  
= 1:5,000


Date Printed:  
12/12/2023

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## NOTATIONS


### Appeals to the Proposed Plan

 Appeals seeking changes to zones or management layers

### Proposed Modifications

 Notice of Requirements

 Plan Changes

 Future Coastal Hazards Plan Change

### Tagging of Provisions:

[ i ] = Information only

[ rp ] = Regional Plan





[ rcp ] = Regional Coastal Plan

[ rps ] = Regional Policy Statement

[ dp ] = District Plan (only noted when dual provisions apply)

## ZONING


### Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








### Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

### Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



### Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone

### Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

### Infrastructure

-  Special Purpose Zone - Airports & Airfields  
Cemetery  
Quarry  
Healthcare Facility & Hospital  
Tertiary Education  
Māori Purpose  
Major Recreation Facility  
School
-  Strategic Transport Corridor Zone

### Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone



Precincts

--- Rural Urban Boundary

--- Indicative Coastline [i]

**Natural Resources**

- Terrestrial [rp/dp]
  - Marine 1 [rcp]
  - Marine 2 [rcp]
  - Water Supply Management Areas Overlay [rp]
  - Natural Stream Management Areas Overlay [rp]
  - High-Use Stream Management Areas Overlay [rp]
  - Natural
  - Urban
  - High-Use Aquifer Management Areas Overlay [rp]
  - Quality-Sensitive Aquifer Management Areas Overlay [rp]
  - Wetland Management Areas Overlay [rp]
- } Significant Ecological Areas Overlay

**Natural Heritage**

- Verified position of tree
  - Unverified position of tree
  - Group of Trees
  - Outstanding Natural Features Overlay [rcp/dp]
  - Outstanding Natural Landscapes Overlay [rcp/dp]
  - Outstanding Natural Character Overlay [rcp/dp]
  - High Natural Character Overlay [rcp/dp]
  - Viewshafts
  - Height Sensitive Areas
  - Regionally Significant Volcanic Viewshafts Overlay Contours [i]
  - Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
  - Locally Significant Volcanic Viewshafts Overlay Contours [i]
  - Modified
  - Natural
  - Local Public Views Overlay [rcp/dp]
  - Extent of Overlay
  - Subdivision Schedule
- } Notable Trees Overlay
- } Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
- } Waitakere Ranges Heritage Area Overlay

**Infrastructure**

- Airport Approach Surface Overlay
  - Aircraft Noise Overlay
  - City Centre Port Noise Overlay [rcp / dp]
  - Quarry Buffer Area Overlay
  - National Grid Subdivision Corridor
  - National Grid Substation Corridor
  - National Grid Yard Compromised
  - National Grid Yard Uncompromised
- } National Grid Corridor Overlay

**Historic Heritage & Special Character**

- Historic Heritage Overlay Place [rcp/dp]
- Historic Heritage Overlay Extent of Place [rcp/dp]
- Special Character Areas Overlay Residential and Business
- Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
- Auckland War Memorial Museum Viewshaft Overlay Contours [i]
- Stockade Hill Viewshaft Overlay – 8m height area
- Stockade Hill Viewshaft [i]

**Mana Whenua**

- Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]

**Built Environment**

- Identified Growth Corridor Overlay

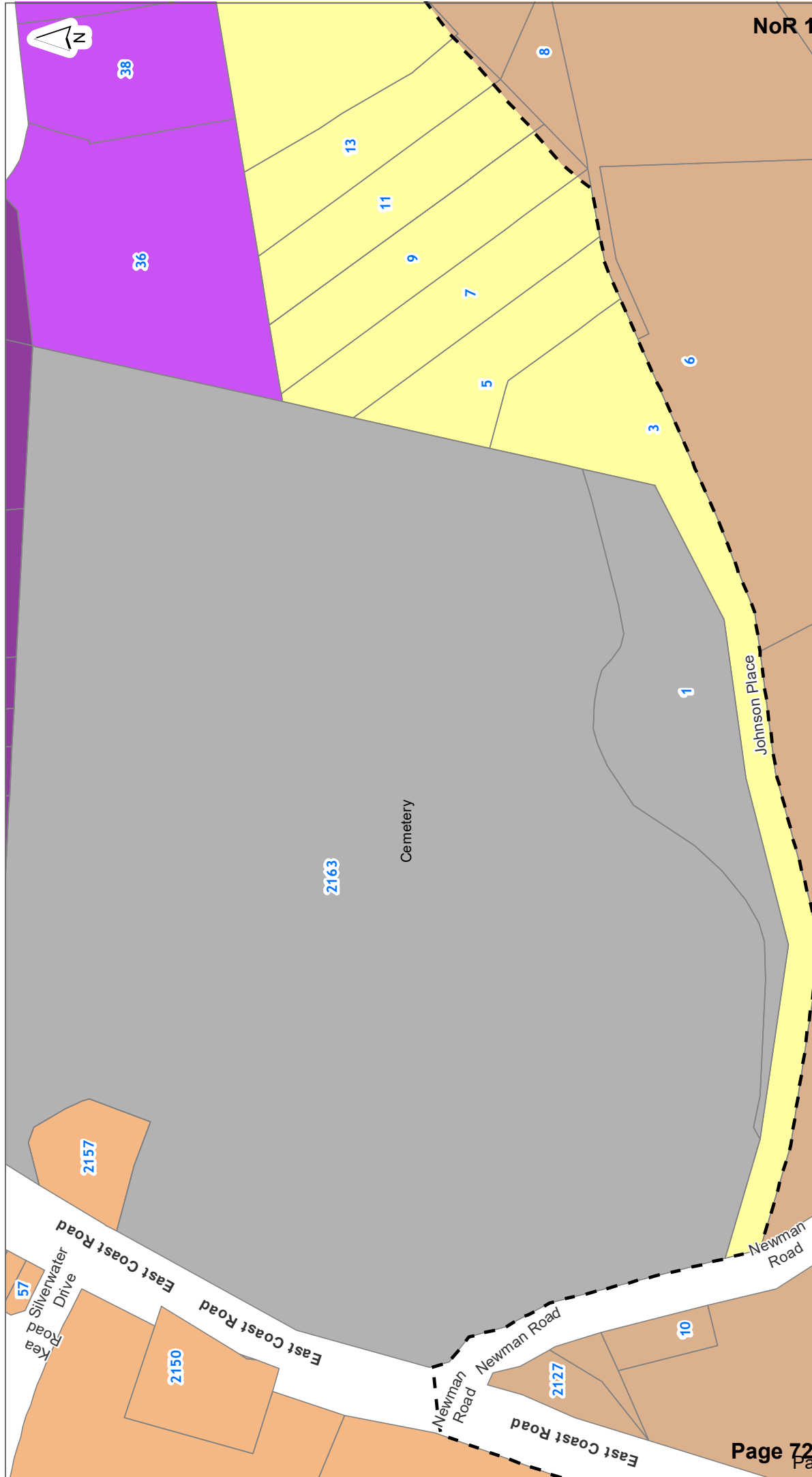
**Controls**

- Key Retail Frontage
  - General Commercial Frontage
  - Adjacent to Level Crossings
  - General
  - Motorway Interchange Control
  - Centre Fringe Office Control
  - Height Variation Control
  - Parking Variation Control
  - Level Crossings With Sightlines Control
  - Arterial Roads
  - Business Park Zone Office Control
  - Hazardous Facilities
  - Infrastructure
  - Macroinvertebrate Community Index
  - Flow 1 [rp]
  - Flow 2 [rp]
  - Subdivision Variation Control
  - Indigenous Vegetation 749.7 ha
  - Freshwater Wetland 14.6 ha
  - Surf Breaks [rcp]
  - Cable Protection Areas Control [rcp]
  - Coastal Inundation 1 per cent AEP Plus 1m Control
- } Building Frontage Control
- } Vehicle Access Restriction Control
- } Emergency Management Area Control
- } Stormwater Management Area Control
- } Kawau Island Rural Subdivision SEAs Control

**Designations**

- Designations

- Airspace Restriction Designation page 434



NoR 13 #22



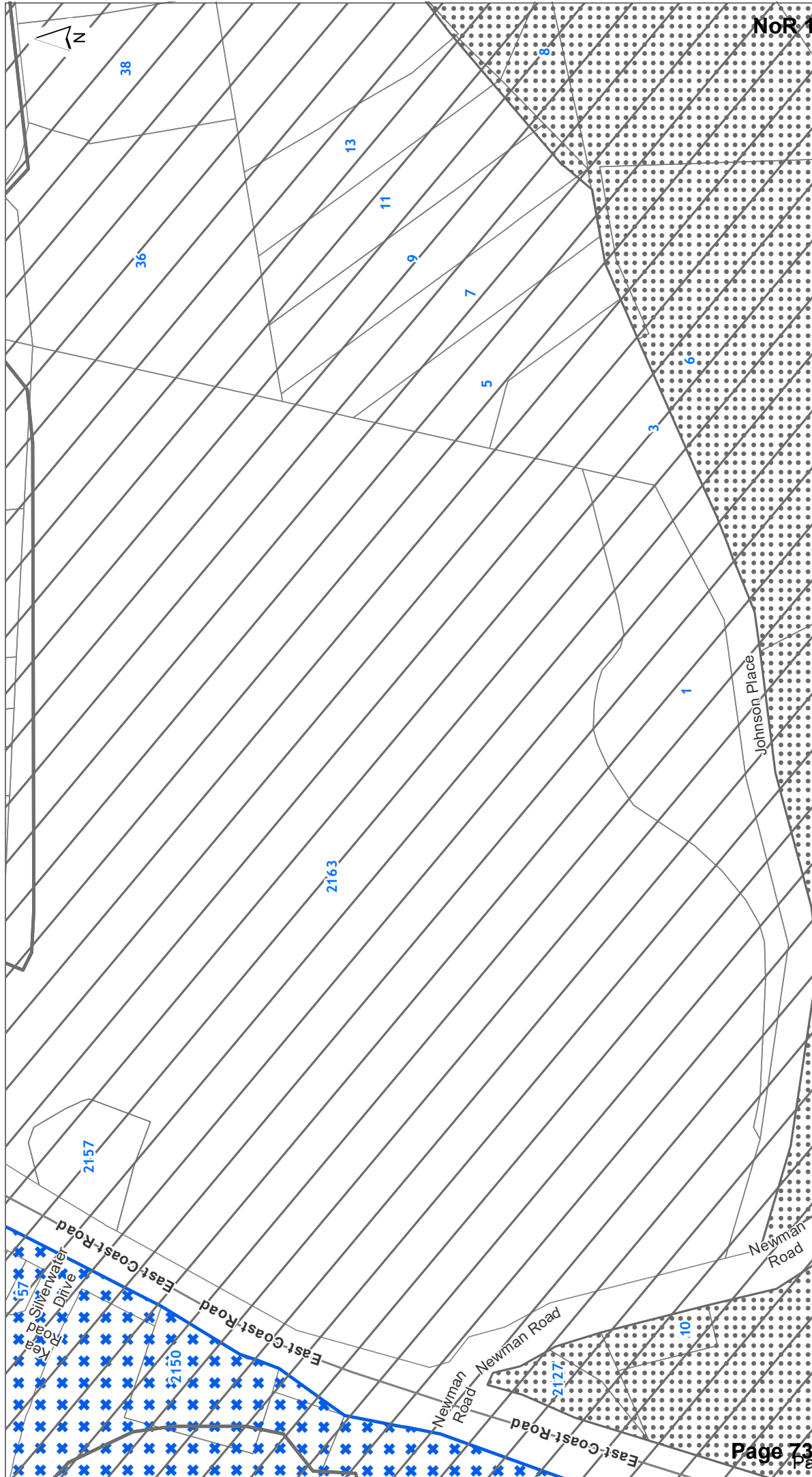
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Date Printed:  
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### Zones and Rural Urban Boundary

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NoR 13 #22



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Meters

Scale @ A4  
= 1:2,500

Date Printed:  
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### Controls

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NoR 13 #22



0 10 20 30  
Meters

Scale @ A4  
= 1:2,500

Date Printed:  
12/12/2023

### Built Environment

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### Designations

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Meters

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### Historic Heritage and Special Character

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### Infrastructure

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Meters

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Mana Whenua

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### Natural Heritage

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NoR 13 #22



0 10 20 30  
Meters

Scale @ A4  
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Date Printed:  
12/12/2023

### Natural Resources

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NoR 13 #22



0 10 20 30  
Meters

Scale @ A4  
= 1:2,500

Date Printed:  
12/12/2023

### Precincts

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**From:** [NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** [ID:1195] Notice of Requirement online submission - Maria Walker-Kinnell  
**Date:** Thursday, 14 December 2023 11:00:37 am

---

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

**Contact details**

Full name of submitter: Maria Walker-Kinnell

Organisation name:

Full name of your agent:

Email address: walkerinnell12@gmail.com

Contact phone number: 0273539503

Postal address:  
1959 East Coast Road  
Silverdale Auckland  
Silverdale  
Auckland 0993

**Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

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:

I have found the Notice of Requirement to be quite lackluster in its meaning and impact so, as such, I am finding it hard to form a strong opinion when the information is presented in such a vague way. In the next question I have provided questions for clarification and suggestions surrounding the notice.

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

I find the information presented in the Notice of Requirement to be vague regarding the extent and impact of the proposed works. Firstly, will there be any additional public transport along East Coast Road? While I largely disagree with the urbanisation of a rural/country area, if there is planning to make the district more urban, it would make sense to include public transport options up East Coast Road. This would increase the desirability of the area, especially for people who are too young or choose not to drive, and encourage further use of public transport which is clearly a goal for Auckland Council. I do not drive, so regularly I catch a bus to the Hibiscus Coast Bus Station and then need to walk up East Coast Road, often in the rain, dark or hot summer. Adding onto this, are there any plans for street lights or footpaths up along East Coast Road. Once past the new East Coast Heights Housing, there is no more proper footpaths through the more Rural parts of East Coast Road, nor are there street lights. This presents another issue for people who are walking up East Coast Road, especially in terms of personal safety. It is completely unfair to expect people who live up East Coast Road and don't drive to have to walk along the side of the road, no footpaths, and no lighting for when it is dark, the latter of which also poses a threat to personal safety as the lack of lighting in the dark increases chances of car+pedestrian accidents, as well as criminals taking advantage of this dangerous setting to physically attack people. Yet this is what Auckland Council forces such residents to do. As urbanisation increases as will demand for public transport,

23.1

23.2

something which is already well overdue. I am also wondering the impacts this will have on property owners. The Notice is not clear on how this will impact subdivision of land and subdivision potential. I am asking for further clarification on if this will still be allowed and how any protocols may change surrounding it. Furthermore, I am seeking more clarification on the impact on vegetation within boundaries, as in, how will this affect rules surrounding personal plantings. Auckland Council is also yet to provide an estimated timeframe for the work which I am also looking for.

23.3

23.□

Submission date: 14 December 2023

**Attend a hearing**

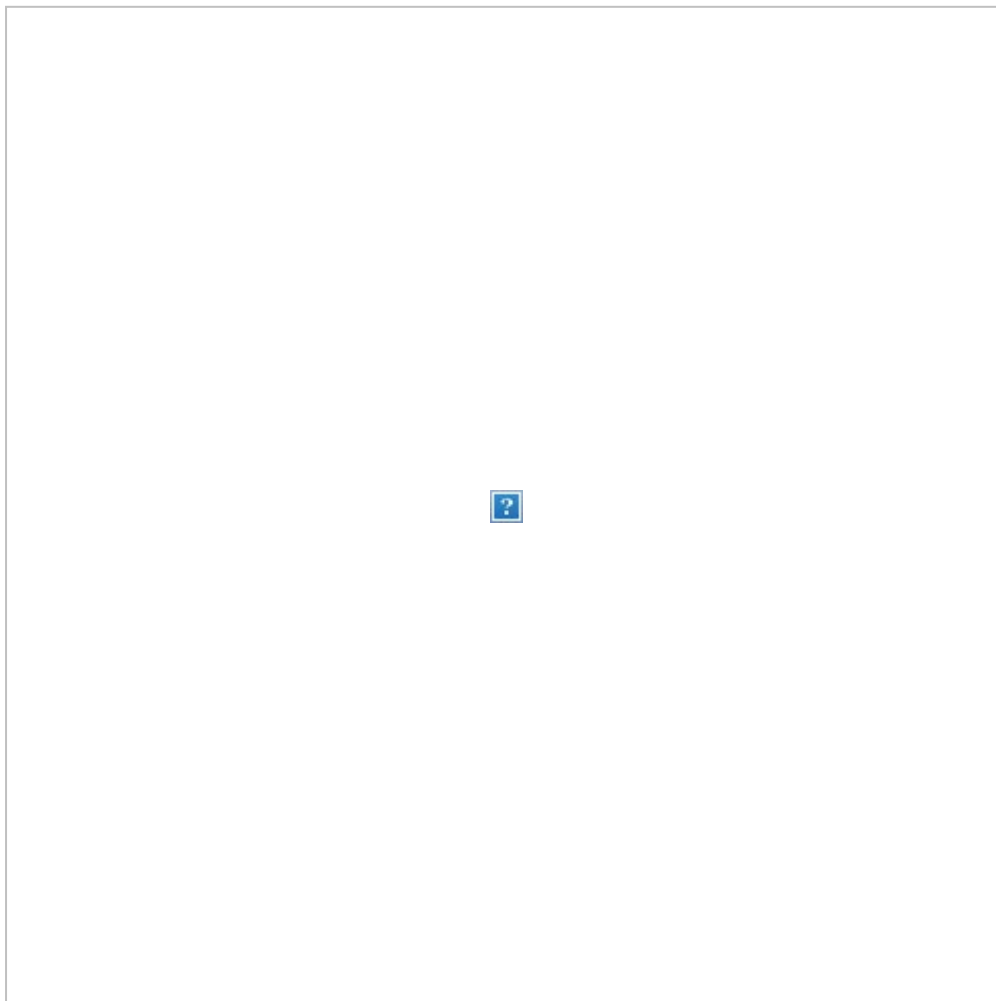
Do you wish to be heard in support of your submission? Yes

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 following customer has submitted a Notice of Requirement online submission.

### Contact details

Full name of submitter: Ratenesh Sharma

Organisation name: Homes of Choice

Full name of your agent: n/a

Email address: [ratenesh.sharma@homesofchoice.org.nz](mailto:ratenesh.sharma@homesofchoice.org.nz)

Contact phone number: 0277027753

Postal address:

[ratenesh.sharma@homesofchoice.org.nz](mailto:ratenesh.sharma@homesofchoice.org.nz)

Greenlane

Auckland 1546

### Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1942 East Coast Rd, NA26A/574

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:

Understand the need, however, would like to discuss the process, implication and timing. Homes of Choice is a community housing provider, and our core business is disability housing. We would like to seek an opportunity to meet and discuss intention regarding purchase of this property, how market value is determined and the timeframe. This is considered as a long-term asset for Homes of Choice as disability housing is needed within this area. Recently we have invested over \$150,000 in this property.

2 of 1

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

We want the purchase price to be above market value as if the project was not going ahead, due to the fact that this is specialized disability housing. And to relocate our residences we need to lease the same property for at least 2 years, this will allow us time to build a new purpose build building for disability housing within close proximity to 1942 East Coast Rd.

Submission date: 14 December 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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**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) Lingyan (Clara) Zhao

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

**Address for service of Submitter**

2118 East Coast Road, Stillwater

Lot 2 DP 200971 (NA129D/12)

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

North: (NoR 13) Upgrade to East Coast Road between Silverdale and Redvale

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

2118 East Coast Road, Stillwater - Refer attached submission

**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:**

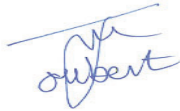
Refer attached submission

(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).

Refer attached submission

- 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)

12/14/2023  
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.

Our Ref: 47920

14 December 2023

Attn: Planning Technician  
Auckland Council  
Level 16, 135 Albert Street  
Private Bag 92300  
Auckland 1142

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

Dear Sir / Madam

**SUBJECT: SUBMISSION ON A REQUIREMENT FOR A DESIGNATION OR AN ALTERATION TO A DESIGNATION SUBJECT TO FULL OR LIMITED NOTIFICATION**

**Client:** Lingyan (Clara) Zhao

**Location:** 2118 East Coast Road, Stillwater

#### 1. Introduction STATE HIGHWAY 1 IMPROVEMENTS (NOR 4

Lingyan (Clara) Zhao (“**Me Zhao**”) is the owner of the 1.7896 ha property at 2118 East Coast Road, Stillwater (Lot 2 Deposited Plan 200971) (“**Site**”). The location is marked with a red star as shown in **Figure 1** below. An aerial photo of the Site and surrounds are shown in **Figure 2** below. The Site has a Residential – Mixed Housing Urban zoning under the Auckland Unitary Plan (Operative in Part) (“**AUP**”).



**Figure 1: AUP and Supporting Growth – the Site shown as a red star**

The general arrangement of NoR 13 East Coast Road Upgrade as it relates to the Site is shown in **Figure 2** below. Based on the current ground levels, the NoR proposes a “Cut Batter” over the Site to upgrade East Coast Road.

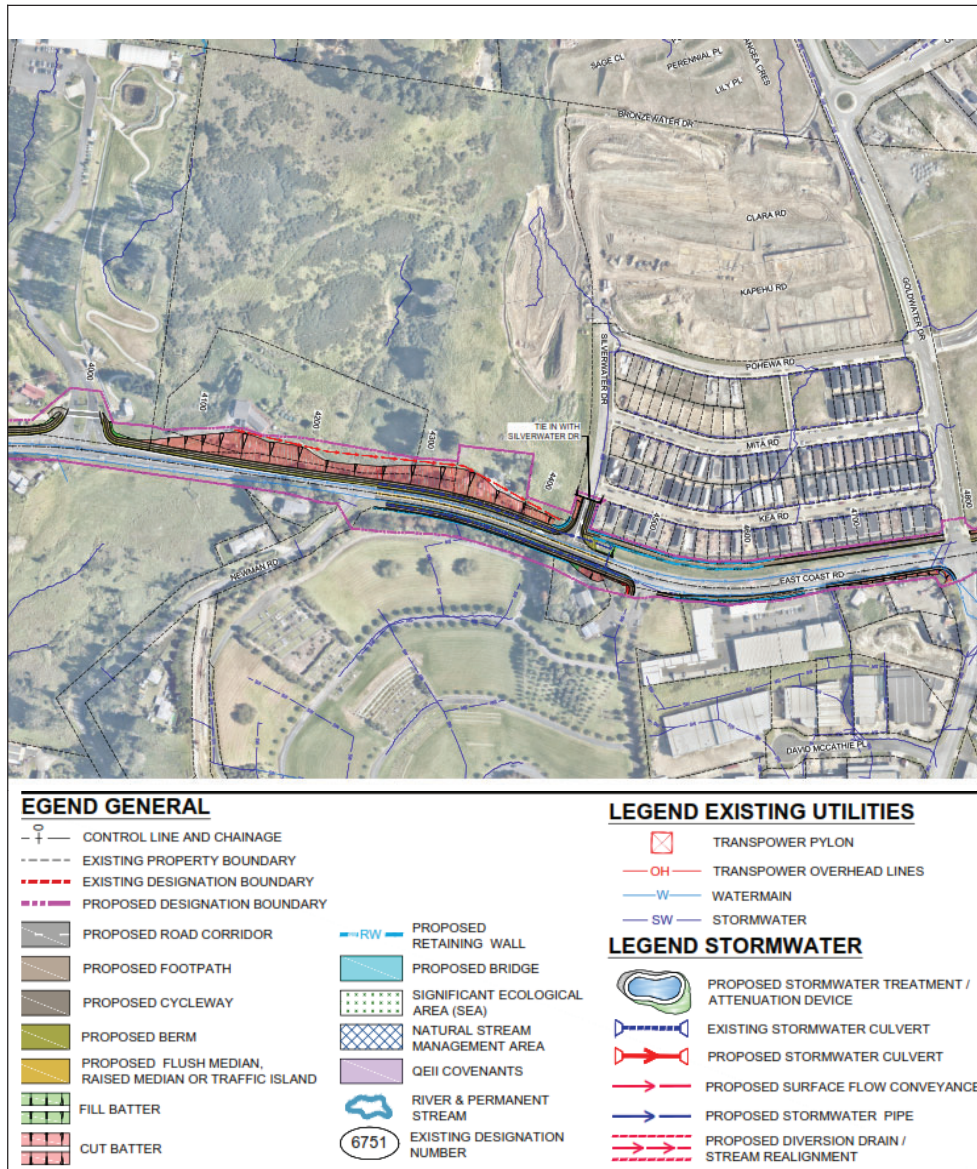


Figure 2: NoR 13 East Coast Road Upgrade – the Site shown as a red star

Directly north and west of the Site is 1 Silverwater Drive, 17 Small Road, 39 Small Road and 53 Small Road, Silverdale (refer blue outlined property in **Figure 3** below), which has a bulk earthworks consent (Council reference: BUN60417082). The extent of the approved consent is shown in **Figure 4** below. A consent to enable urban development (Council reference: BUN60394715) is currently being processed by the Council.



Figure 3: Site and neighbouring site

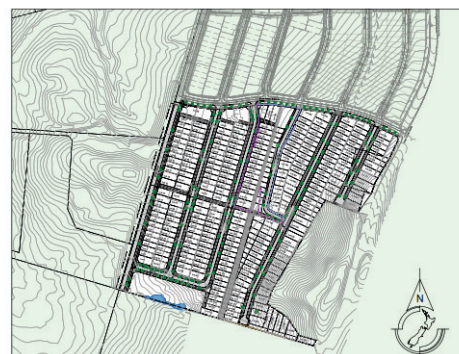
**RESOURCE CONSENT DRAWINGS:**

**EARTHWORKS EW200**

- EW200 CONTENTS PAGE
- EW201 PROPOSED CONTOUR PLAN
- EW202 PROPOSED CUT AND FILL DEPTH CONTOUR PLAN
- EW203 PROPOSED EROSION AND SEDIMENT CONTROL PLAN
- EW204-210 PROPOSED EROSION AND SEDIMENT CONTROL DETAILS
- EW211 PROPOSED EARTHWORKS SECTIONS PLAN
- EW212-222 PROPOSED EARTHWORKS SECTIONS



SITE LOCALITY



LUC60412625/WAT60417083  
 Approved Resource Consent Plan  
 01/06/2023

Figure 4: BUN60417082 extent – the Site shown as a red star

Me Zhao has had a concept subdivision plan prepared in 2021. As shown the subdivision relies on a connection to the roading network with the neighbouring development. The NoR considerably reduces the development potential of the Site.



Figure 4: concept subdivision plan

## 2. Scope of Submission

Me Zhao has a specific interest in the NoR 13 East Coast Road Upgrade in respect to certainty on the detail design and its implications on property value and development potential. A meeting has been held on Wednesday, 29 November 2023 with relevant members of the Supporting Growth Team.

Me Zhao’s submission seeks to play a part in the timing and detail design of NoR 13 East Coast Road Upgrade and the sustainable management and efficient use and development of natural and physical resources, including the Site.

## 3. Submission

Me Zhao acknowledges that NoR 13 East Coast Road Upgrade protects land for future implementation of the required strategic transport corridors/infrastructure in the form of designations to enable the future construction, operation and maintenance of these required transport corridors. Me Zhao in particular acknowledges the upgrade is required to support future and currently occurring urban growth in the area and to provide resilience to SH1, forming an alternative corridor and providing connectivity to SH1 in a number of locations (including the interchanges at Wilks Road and Ō Mahurangi Penlink (Redvale)).

The submission is further detailed in **Attachment 1**.

Yours sincerely

**CATO BOLAM CONSULTANTS LTD**

A handwritten signature in blue ink, appearing to read 'Kaaren Joubert', with a horizontal line above the first few letters.

**Kaaren Joubert**  
**PLANNING MANAGER**



**Attachment 1**

	NoR 13 East Coast Road Upgrade	Submission point	Relief sought
	<p><b>NoR 13 Lapse Period</b>                      Extended lapse period of 30 years</p>	<ul style="list-style-type: none"> <li>• Oppose:                             <ul style="list-style-type: none"> <li>○ Creates uncertainty over an extended period without information on funding and materialisation of the designation</li> <li>○ The environment and legislative framework/landscape could be vastly different in 30 years</li> <li>○ This extended laps period reaches beyond the lifetime of the:                                     <ul style="list-style-type: none"> <li>▪ Auckland Plan 2050; and</li> <li>▪ the AUP</li> </ul> </li> </ul> </li> </ul>	<p>Maximum 20 year laps period</p>
<p><b>AEE 20.3.2 Land Use and the Section 176(1)(b) Process</b></p> <p>1. <i>Where feasible, AT and Waka Kotahi will work with landowners and developers through the section 176(1)(b) process to help them integrate earthworks, road upgrades (or extensions to roads), stormwater solutions and development so that those works will not prevent or hinder the work authorised by the designation and enable written consent to be provided. The Project Information condition will include a requirement for information on this process to be included on the relevant project websites.</i></p>		<ul style="list-style-type: none"> <li>• This submission raises particular interest in further engaging with Auckland Transport (the requiring authority) to obtain approval through the Resource Management Act, 1991 s176(1)(b) and/or s178 process to enable feasible development (including integrate earthworks, stormwater solutions) of the Site long before the construction on NoR 13 East Coast Road Upgrade will start..</li> </ul>	
	<p><b>Auckland Transport North Conditions (NoR 13)</b></p>		
<p>2. General Conditions 1 – 3, 6</p>		<ul style="list-style-type: none"> <li>• Support</li> </ul>	
<p>3. Pre-construction Conditions 7, 8, 10, 11</p>		<ul style="list-style-type: none"> <li>• Support</li> </ul>	
<p>4. Flood Hazard Conditions 12 &amp; 13</p>		<ul style="list-style-type: none"> <li>• Support</li> </ul>	
<p>5. Construction Conditions 14 – 22, 26</p>			

Lingyan (Clara) Zhao Location – 2118 East Coast Road, Stillwater

	NoR 13 East Coast Road Upgrade	Submission point	Relief sought
6.	Operational Conditions 29 - 35	<ul style="list-style-type: none"> <li>• Support</li> <li>• Support</li> </ul>	

**SUBMISSION ON NOTICES OF REQUIREMENT FOR A DESIGNATION**

**JOINT NOTIFICATION OF 13 SEPARATE NOTICES OF REQUIREMENT BY  
AUCKLAND TRANSPORT AND WAKA KOTAHİ NZ TRANSPORT AGENCY TO  
PROTECT ROUTES IN DAIRY FLAT, REDVALE, STILLWATER, SILVERDALE AND  
WAINUI EAST**

**TO:** Auckland Council (“**Council**”)  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**NAME OF SUBMITTER:** ACGR Old Pine Limited (“**Submitter**”)

**ADDRESS FOR SERVICE:** C/- JGH Advisory  
[james@jgh.nz](mailto:james@jgh.nz)

**COPY TO:** Auckland Transport, C/- Sophia Coulter  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Introduction**

---

1. This is a submission on notices of requirement from Auckland Transport for designations, with notice given by Ms Coulter as follows:

I am writing because Auckland Transport and Waka Kotahi NZ Transport Agency propose to change the Auckland Unitary Plan by issuing notices of requirement and altering existing designations to protect specific areas of land from being used in a way that would prevent the undertaking of proposed public work(s). Protecting these routes will enable a new Rapid Transit Corridor and stations, improvements to State Highway 1, as well as upgrades to key existing routes and new connections at a later date.

You either own and/or live in a property that is nearby to or within one or more of the proposed Notices of Requirement, or you may be affected in another way.

**Affected property/ies: 10 Old Pine Valley Road**

2. While Ms Coultier has said:

If you wish to submit on more than one notice of requirement you must lodge a separate submission for each.

this submission is made on each and every notice of requirement that affects 10 Old Pine Road, particularly given that Ms Coultier has given notice of each notice of requirement in a global way to the Submitter. It would be perverse if Ms Coultier could give notice to the Submitter on a global basis, but the Submitter could not then itself submit on a global basis.

3. That said, on the basis of Ms Coultier’s notification, the Submitter has been notified more explicitly in Ms Coultier’s letter of:

- Notice of Requirement - New Rapid Transit Corridor, including a walking and cycling path (NoR 1).

- Notice of Requirement - New Rapid Transit Station at Pine Valley Road /NoR 3)
  - Notice of Requirement - Upgrade to Pine Valley Road (NoR 7)
4. The Submitter is submitting on all and any notice of requirements (**NoRs**) that may affect its land or interests.
  5. The Submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

**Specific provisions of the notice of requirement that the submission relates to**

6. The Submitter is particularly interested in any and all of the NoRs notified to it that affect its interests, such as its land at 10 Old Pine Road ("**Submitter's Land**").

**The submission is**

7. The Submitter opposes all aspects of the notice of requirement(s) that affect the Submitter's Land.

**Submission / Reasons for submission**

8. The Submitter wishes to develop and/ or sell the Submitter's Land. 2□1
9. In respect of sale, the owner has tried but been unable to enter into an agreement for the sale of the Submitters' Land at a price not less than the market value that the Submitters' Land would have had if it had not been subject to NoRs notified to it. 2□1
10. The NORs, as they apply to the Submitter's Land:
  - (a) do not promote the sustainable management of natural and physical resources, and, in fact is contrary to it through frustrating the ability of the Submitter to give effect to its recently granted Resource Consent; 2□2
  - (b) do not enable the social, economic and cultural well-being of the community; 2□3
  - (c) do not meet the reasonably foreseeable needs of future generations; 2□□
  - (d) do not represent integrated management or sound resource management practice; 2□2
  - (e) do not implement and/or give effect to the objectives, policies, and other provisions of the Unitary Plan, and the other relevant planning instruments, including the NPS-UD; 2□□
  - (f) have not adequately considered alternative sites or routes to avoid effects on the Submitter's Land; 2□□

- (g) overall are inconsistent with Part 2 of the RMA and ultimately does not achieve its purpose

202

**Relief sought**

---

11. The Submitter requests the following recommendation from the Council and/or decision from Auckland Transport:
- (a) decline or otherwise refuse the notice of requirement as it relates to the Submitter's Land;
  - (b) amend the notice of requirement so that to reduce any intrusion onto the Submitter's land; and
  - (c) any other amendments to the notice of requirement to avoid, remedy or mitigate effects on the Submitter's Land, or to otherwise address the concerns, issues, and other matters raised in this submission (including any necessary additional or consequential relief).

**Wish to be heard**

---

12. The Submitter wishes to be heard in support of its submission.
13. If others make similar submissions, the Submitter will consider presenting a joint case at any hearing.

**DATED** 14 December 2023



Project Manager for the Submitter

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

## Contact details

Full name of submitter: Snowplanet Limited

Organisation name:

Full name of your agent: Paul Arnesen - Planning Focus Limited

Email address: [pa@planningfocus.co.nz](mailto:pa@planningfocus.co.nz)

Contact phone number: 02102221165

Postal address:

PO Box 911361

Auckland

Auckland 1142

## Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

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:

See attached document

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

See attached document

Submission date: 14 December 2023

Supporting documents

Snowplanet NoR13.pdf

Snowplanet NoR13 - Resource Consents.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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**Form 21 Submission on requirements for designation that are subject to public notification by a territorial authority**

*Section 168 of the Resource Management Act 1991*

**To:** Auckland Council

**Name of submitter:** Snowplanet Limited (**Snowplanet**)

This is a submission on notice of requirement “North: Upgrade to East Coast Road between Silverdale and Redvale NoR13” from Auckland Transport for a designation (the **NoR**) to:

- a) *The upgrade of East Coast Road to an urban arterial corridor with active mode facilities between Silverdale and Ō Mahurangi Penlink (Redvale) Interchange.*
- b) *Tie-ins with existing roads and localised widening around the existing intersections to accommodate new intersection forms.*
- c) *New or upgraded stormwater management systems, bridges and culverts (where applicable).*
- d) *Batter slopes, and associated cut and fill earthworks.*
- e) *Vegetation removal.*
- f) *Other construction related activities required outside the permanent corridor including the regrade of driveways, construction traffic manoeuvring and construction laydown areas*

Located at: *an area of land of approximately 242,588 square metres located in Silverdale and Stillwater in the North growth area. The requirement applies to 86 land parcels (not including legal roads).*

Snowplanet is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

Without limitation, the specific parts of the notice of requirement that the Snowplanet submission relates to are:

- the extent of the land take associated with the NoR as it affects land owned by Snowplanet; and
- the effect of the designation on consented development on the Snowplanet site.

Snowplanet’s submission is:

Snowplanet site and consented development

1. Snowplanet owns the site at 91 Small Road, Silverdale (the **site**), which is located at the end of, and on the eastern side of, Small Road. The eastern boundary of the site has frontage to East Coast Road. The property is referenced 401281 in the NoR. The site is occupied by the Snowplanet ‘snowdome’, which is an indoor ski area, a childcare centre, and a laser tag facility.
2. The Snowplanet site was specifically selected as it provided an ideal downhill slope from East Coast Road for gravity based sports, such as skiing, the zorb, and alpine coaster, with a flat area at the western end of the site providing for parking.



3. In addition to the existing facilities, Snowplanet holds live resource consents for a zorb, alpine coaster, and an extension to the existing snow dome, all of which extend into the eastern extent of the property proximate to the proposed designation, as depicted in Figure 1 below, with the approximate extent of the designation highlighted yellow. Copies of the resource consents and extension of time are attached.
4. In addition to the consented development, Snowplanet are investigating the installation of an array of solar panels at the northern end of the proposed NoR in order to offset the very high cost of powering (cooling) the snowdome.



Figure 1 – Extent of Designation

5. As shown in Figure 1 above, the designation is located clear of the consented snowdome extension and zorb, but encroaches on the alpine coaster.

Effects of the NoR

6. The NoR as proposed would inhibit the installation of the consented alpine coaster.
7. The NoR could affect the future installation of a solar array.
8. The extent of the NoR does not appear to directly relate to the widening of East Coast Road, such that the road could be extended through the establishment of a retaining structure, thus reducing the extent of the NoR and avoiding effects on the consented alpine coaster and solar array.

201

Relief Sought

9. Snowplanet seeks the following recommendation from the territorial authority:
- That the extent of the NoR as it affects 91 Small Road be reduced so as not to impede the establishment of the consented alpine coaster an potential solar array; or
  - Such other relief as may be appropriate.

Section 171 of the RMA

10. Unless the relief sought is granted, the adverse effects of the NoR will be such that there will be no basis for a positive recommendation on the NoR under section 171 of the Resource Management Act 1991.

Snowplanet wishes to be heard in support of its submission.

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

**Signature of submitter**

A handwritten signature in blue ink, appearing to read 'Paul Arnesen', is enclosed in a thin black rectangular border.

Date: 14 December 2023

Email: pa@planningfocus.co.nz

Telephone: 0210 222 1165

Postal address: PO Box 911361, Auckland 1142

Contact person: Paul Arnesen

## Decision on a section 125 application to extend a lapse period under the Resource Management Act 1991



**Application number:** EXT90072174  
**Original consent number:** LAN-60703  
**Applicant's name:** Snowplanet Limited  
**Site address:** 91 Small Road, Silverdale 0992  
**Legal description:** Lot 1 DP 195048

Proposed extension of the lapse period from 5 years to 10 years with a lapse date of 15 October 2023.

### Decision

I have read the application, supporting documents, and the report and recommendations on the section 125 application. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on this application.

Acting under delegated authority, under section 125(1A)(b) this application to extend the lapse period is **GRANTED**, and under section 125 consent LAN-60703 lapses 10 years after the date it was granted.

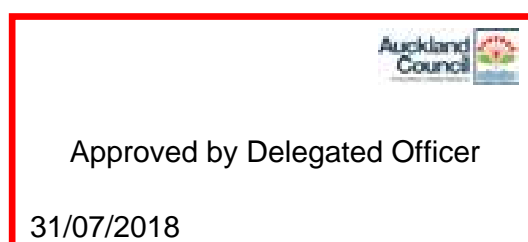
### Reasons

The reasons for this decision are:

- The Council does not consider any persons to be adversely affected by the granting of the extension of time as requested (s125(1a)(b)(i)); and
- It is recognised that substantial effort has been made, and continues to be made towards giving effect to activity towards the completion of consent LAN-60703 issued 15 October 2013 (s125(1A)(b)(ii)); and
- The extension to the lapse date will not result in any adverse effect on the objectives and policies of the Auckland Council District Plan (Rodney Section) and the Auckland Unitary Plan – Operative in Part (s125(1A)(b)(iii)).

### Delegated decision maker:

**Name:** Steve Seager  
**Title:** Team Leader, Resource Consents – North West  
**Signed:**  
**Date:**



Ref: LAN-60703

Snowplanet Limited  
 C/- Planning Focus Limited  
 PO Box 911361  
 Victoria Street West  
 Auckland 1142

## RESOURCE CONSENT LAN-60703 Section 104 and 108 Decision

### APPLICATION DESCRIPTION

Resource consent to establish an Alpine Coaster facility.

### Application and Property Details


Consent Application Number(s):	<b>LAN-60703</b>
Site Address:	91 Small Road, Silverdale 0992
Applicant's Name:	Snowplanet Limited
Legal Description:	<p>Lot 1 DP 195048 (CT 121C/800)</p> <p><u>Legal Restrictions</u></p> <ul style="list-style-type: none"> <li>o Right of Way easement (over Lots 1 &amp; 2 DP 203409 for Lot 1 DP 195048).</li> <li>o Stormwater easement.</li> </ul> <p>Encumbrance D699472.2 (as varied by 5438333.1) – regarding the presence of unsuitable material on the site, which is to be removed prior to the erection of buildings or structures thereon.</p>
Site Area:	14.3749ha
Operative Plans Applying:	Auckland Council District Plan (Rodney Section)
Zoning:	General Rural
Plan Change 123	Special 26 - Recreation
Proposed Auckland Unitary Plan ("PAUP") Zoning & Precinct:	<ul style="list-style-type: none"> <li>o <u>Zone</u> - Business – General Business</li> <li>o <u>Precinct</u> – Silverdale 2 &amp; Silverdale 2, Sub-precinct A</li> <li>o <u>Overlays</u> – Air Quality Transport Corridor Separation, Airport Approach Paths (North Shore Airfield), Aquifer, Designations, High Land Transport Route Noise, Indicative Streams, Stormwater Management Area – Flow 1</li> </ul>

**DECISION UNDER DELEGATED AUTHORITY**

Pursuant to sections 104, 104B and 108 of the RMA, consent is **granted** to the discretionary activity application by Snowplanet Limited to authorise resource consent to establish an Alpine Coaster facility at 91 Small Road, Silverdale, being Lot 1 DP 195075 (Consent Application LAN-60703).

**Signed under Delegated Authority**

Team Leader Resource  
Consents/ ~~Land Surveyor/~~  
~~Senior Planner/ Manager~~  
Resource Consents



Date:

15/10/13

**1.0 REASONS FOR DECISION**

The reasons for this decision are as follows:

- (a) In terms of section 104(1)(a) of the RMA, the actual and potential adverse effects on the environment will be minor, as detailed in section 4.1.5 of this report. In particular, the development will have no greater than minor adverse effect on the landscape character and amenity values of the surrounding environment. In addition, the operation of recreational activities will not adversely affect the aural amenity values or safe and efficient operation of the road network, to a degree that is greater than minor.

This has been confirmed through the assessment of the application and works methodologies by suitably qualified experts for the Applicant and by peer reviews for the Council.

- (b) In terms of section 104(1)(b) of the RMA, the matters arising under the objectives and policies and relevant assessment criteria of the Auckland Council District Plan (Rodney Section) and Proposed Auckland Unitary Plan have been addressed through the assessment of potential adverse effects. In particular, it is considered that the scale of the overall development strikes the right balance maximising the efficient use of the natural and physical resources and avoiding, remedying and mitigating the effects of development on the surrounding environment. In all of these respects the proposal is not contrary to the objectives and policies of the statutory planning documents.
- (c) In terms of section 104(1)(b) of the RMA, the proposal is not contrary with the relevant provisions of the Auckland Council Regional Policy Statement or Part 1, chapter B of the Proposed Auckland Unitary Plan, in particular the integrated management of the Region's natural and physical resources.
- (d) The proposal is consistent with the relevant provisions of the NZ Coastal Policy Statement 2010 and the Hauraki Gulf Marine Park Act 2000 and in particular those regarding the

safeguarding of coastal ecosystems, including marine and intertidal areas of the coastal environment.

- (e) In terms of section 104(1)(c) of the RMA, other relevant matters, including monitoring, and the Draft Silverdale South Integrated Catchment Management Plan (ICMP) have been considered in the determination of the application.
- (f) The proposal will be consistent with Part 2 of the RMA by promoting the sustainable management of natural and physical resources. In particular, any adverse effects on the environment will be avoided, remedied and/or mitigated. In particular, the form of the development and the proposed landscaping ensures that any adverse visual amenity or landscape character effects will be no greater than minor and the operation of the facility will have no greater than minor adverse effect on the safe and efficient operation of the surrounding road network. Overall, it is considered the cumulative safeguards of section 5(2)(a) to (c) have been met and the proposal thereby meets the purpose of the RMA. The proposal is further consistent with sections 6, 7 and 8 in Part 2 RMA in terms of considerations that include the efficient use of resources, amenity values and the quality of the environment.

**2.0 CONDITIONS**

Pursuant to section 108 of the RMA, this consent is subject to the following conditions:

**Activity in accordance with plans**

- 1. The activity shall be carried out in accordance with all information submitted with the application being referenced by the Council as LAN-60703 and the plans:

Reference number	Title	Architect/Author	Date
1227, A010, Rev. 4	Location Plan	Williams Architects	06.09.13
1227, A011, Rev. 4	Existing Site Plan	Williams Architects	06.09.13
1227, A012, Rev. 4	Proposed Site Plan	Williams Architects	06.09.13
1227, A018, Rev. 4	Alpine Coaster Base – L1	Williams Architects	06.09.13
1227, A019, Rev. 4	Alpine Coaster Base - Elevations	Williams Architects	06.09.13
1227, A020, Rev. 1	Coaster Track Sections	Williams Architects	06.09.13
1227, A021, Rev. 4	Alpine Coaster Information	Williams Architects	06.09.13

13192 CO03, Rev E	Overall Landscape Concept Plan	LA4 Landscape Architects	08.10.2013
13192 CO01, Rev D	Landscape Concept Plan	LA4 Landscape Architects	08.10.2013

all signed by Processing Planner Laura Marriott, dated 15 October 2013.

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
  - a) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
  - b) All additional charges imposed under section 36(3) of the RMA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. Servants or agents of Auckland Council shall be permitted to have access to relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.

**Lapse of Consent**

5. Pursuant to section 125 of the RMA, this consent lapses five years after the date it is granted unless:
  - a) The consent is given effect to; or
  - b) The Council extends the period after which the consent lapses.

**Monitoring**

6. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$260.00 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.
7. The \$260.00 (inclusive of GST) charge shall be paid as part of the resource consent fee and the consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice.

**Notification of Commencement**

8. The Team Leader, Compliance Monitoring, Orewa shall be notified at least **seven (7)** working days prior to earthwork activities commencing on the subject site.

**Works**

9. (building restrictions - stormwater control) All stormwater generated from buildings and paved areas approved by this consent shall be collected and disposed of in accordance with the Stormwater Report prepared by Stormwater Solutions, dated 9 September 2013 inclusive of the annotated drawing prepared by Williams Architects, referenced 1227 A012, Revision 4, dated 06.09.2013.
10. All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged from the subject site to either land, stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, works shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader, Compliance Monitoring, Orewa.
11. To prevent discharge of sediment-laden water or other debris into any public stormwater drainage systems or watercourses and therefore into receiving waters, and to prevent nuisance and amenity impacts on users of the road reserve, there shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

**Dust**

12. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that in the opinion of the Team Leader, Compliance Monitoring, Auckland Council, Orewa, noxious, offensive or objectionable.

**Advice Note:**

*In order to manage dust on the site consideration should be given to adopting the following management techniques:*

- *stopping of works during high winds*
- *watering of haul roads, stockpiles and manoeuvring areas during dry periods*
- *installation and maintenance of wind fences and vegetated strips*
- *grassing or covering of stockpiles*
- *retention of existing shelter belts and vegetation*
- *positioning of haul roads, manoeuvring areas and stockpiles or the staging of works (in relation to sensitive receptors such as dwellings)*

*In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:*

- *The frequency of dust nuisance events*
- *The intensity of events, as indicated by dust quantity and the degree of nuisance*
- *The duration of each dust nuisance event*
- *The offensiveness of the discharge, having regard to the nature of the dust*
- *The location of the dust nuisance, having regard to the sensitivity of the receiving environment.*

*It is recommended that potential measures as discussed with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader, Compliance Monitoring, Auckland Council, Orewa for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions".*



### Noise

13. All construction activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction at all times.

### Landscaping

14. A detailed landscape plan, including an implementation and maintenance programme shall be submitted to and approved by the Team Leader, Resource Consents, Orewa prior to any works commencing on the site. The plan shall include details of the plant sizes at the time of planting and intended species. Such a plan shall be in accordance with the landscape concept plans identified in **condition 1** and include appropriate measures to enhance the amenity values of the site.

The plan shall be implemented in the next planting season following completion of the site works by the Consent Holder or nominated party to the satisfaction of the Team Leader, Resource Consents, Orewa, and then maintained for the duration of this consent.

### Operation

15. 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 notional boundary of any dwelling, child care and education facility, hospital, rest-home or a place of worship, during any 15 minute period of assessment within the following timeframes, except that this requirement will not apply to the property to the immediate south, being Part Lot 4 DP 141946.

- |                                                  |             |
|--------------------------------------------------|-------------|
| • Monday to Saturday 6.00 am to 6.00 pm          | 55 dBA Leq  |
| • Sundays and Public Holidays 6.00 am to 6.00 pm | 50 dBA Leq  |
| • Monday to Saturday 7.00 pm to 7.00 am and      |             |
| • Sundays and Public Holidays 7.00 pm to 7.00 am | 45 dBA Leq  |
| • Every day 7.00 pm to 7.00 am the following day | 75 dBA Lmax |

Sound levels shall be measured in accordance with the provisions of NZS 6801:1999 Acoustics - Measurement of environmental sound, and assessed in accordance with the provisions of NZS 6802:1999 Acoustics - Assessment of environmental noise.

### Lighting

16. All exterior private lighting shall comply with the requirements of Rule 16.5 of the Auckland Council District Plan (Rodney Section).

### Review Condition

17. Section 128 of the RMA provides for the Council to review the conditions of a resource consent at any time specified for that purpose in the consent. A consent may specify a time for review of the conditions of a consent for the following purposes:

- to deal with any adverse effects on the environment which may arise from the exercise of consent and which are appropriate to deal with at a later stage; or
- for any other purpose.

The consent authority may review the conditions of this resource consent at the following times:

- June 2015
- June 2016
- June 2017
- And/or at five yearly intervals after either the date of that review (if such review occurs) or after June 2017 whichever is the earlier.

### Advice Notes

1. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
2. *The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
3. **Condition 8** requires the consent holder to notify Council of their intention begin earthworks a minimum of seven working days prior to commencement. Such notification should be sent to the Orewa Compliance Administrator at [ResourceConsentAdmin@aucklandcouncil.govt.nz](mailto:ResourceConsentAdmin@aucklandcouncil.govt.nz) or 0800 4265169 to advise of the start of works.
4. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
5. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
6. *The granting of this resource consent does not in any way allow the applicant to enter and construct drainage within neighbouring property, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the applicant, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions above are required to be in place to the satisfaction of Council.*
7. *Compliance with the consent conditions will be monitored by Council (in accordance with section 35(d) of the RMA). The initial monitoring charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc, all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all*

conditions of the resource consent have been met, will Council issue a letter on request of the consent holder.

8. *The Consent Holder is advised that they will be required to pay to the Council any administrative charge fixed in accordance with Section 36(1) of the Resource Management Act 1991, or any additional charge required pursuant to Section 36(3) of the Resource Management Act 1991 in respect of this consent.*
9. *The Consent Holder is advised that they will be required to pay to the Council any compliance and monitoring cost on an 'actual and reasonable' basis in accordance with Section 36 of the Resource Management Act 1991.*
10. *The Consent Holder is advised that the date of the commencement of this consent will be as determined by Section 116 of the Resource Management Act 1991, unless a later date is stated as a condition of consent. The provisions of Section 116 of the Resource Management Act 1991 are summarised in the covering letter issued with this consent.*
11. *The Consent Holder is referred to Section 124 of the Resource Management Act 1991, which provides for the exercising of a consent while applying for a new consent for the same activity.*
12. *The Consent Holder is advised that, pursuant to Section 126 of the Resource Management Act 1991, if this resource consent has been exercised, but is not subsequently exercised for a continuous period of five years, the consent may be cancelled by the Council unless other criteria contained within Section 126 are met.*
13. *That, in the event of archaeological site evidence (e.g. shells, middens, hangi or ovens, pit depressions, defensive ditches, artifactual material or human bones) being uncovered during construction, operations shall cease in the vicinity of the discovery and the archaeologist, Auckland Council, is contacted so that the appropriate action can be taken before any work may recommence there.*
14. *All archaeological sites are protected under the provisions of the Historic Places Act 1993 (HPA). It is an offence under this Act to destroy, damage or modify any archaeological site, whether or not the site is entered on the New Zealand Historic Places Trust (NZHPT) Register of historic places, historic areas, wahi tapu and wahi tapu areas. Under sections 11 and 12 of the Act, applications must be made to the NZHPT for an authority to destroy, damage or modify an archaeological site(s) where avoidance of effect is not practicable. It is the responsibility of the applicant (consent holder) to consult with the NZHPT about the requirements of the HPA and to obtain the necessary Authorities under the HPA should these become necessary as a result of any activity associated with the proposed development.*
15. *The proposed Base Station will be sited on Allochthon type soils which are expected to be highly expansive and unlikely to comply with NZS3604's definition of "good ground."*
16. *The "Alpine Coaster" is to be registered as an Amusement Device under the provisions of the Machinery Act 1950 and the operator will require an annual permit from Council (Licensing and compliance) for the amusement device.*

## Decision on a section 125 application to extend a lapse period under the Resource Management Act 1991



**Application number:** EXT90067241  
**Original consent number:** LAN-59685 and R41328  
**Applicant's name:** Snowplanet Limited  
**Site address:** 91 Small Road, Silverdale 0992  
**Legal description:** Lot 1 DP 195048

Proposed extension of the lapse period from 5 years to 10 years with a lapse date of 18 March 2023.

### Decision

I have read the application, supporting documents, and the report and recommendations on the section 125 application. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on this application.

Acting under delegated authority, under section 125(1A)(b) this application to extend the lapse period is **GRANTED**, and under section 125 consent LAN-59685 lapses 10 years after the date it was granted.

### Reasons

The reasons for this decision are:

- The Council does not consider any persons to be adversely affected by the granting of the extension of time as requested (s125(1a)(b)(i)); and
- It is recognised that substantial effort has been made towards giving effect to activity towards the completion of consent LAN-59685 issued 18 March 2013 (s125(1A)(b)(ii)); and
- The extension to the lapse date will not result in any adverse effect on the objectives and policies of the Auckland Council District Plan (Rodney Section) and the Auckland Unitary Plan – Operative in Part (s125(1A)(b)(iii)).

### Delegated decision maker:

**Name:** Steve Seager  
**Title:** Team Leader, Resource Consents

**Signed:**

**Date:** 20/11/17

Ref: LAN-59685 & 41328

Snowplanet Limited  
 C/- Planning Focus Limited  
 PO Box 911361  
 Victoria Street West  
 Auckland 1142

## RESOURCE CONSENT LAN-59685 & 41328 Section 104 and 108 Decision

### APPLICATION DESCRIPTION


To strip 2,700m<sup>3</sup> of topsoil and to undertake 16,100m<sup>3</sup> of cut to fill earthworks over an area of approximately 2.68ha associated with development of the site, to establish and to operate a Zorb facility and ropes park and to undertake extensions to the existing Snowplanet building, including establishing a new groomer garage.

#### Application and Property Details

Consent Application Number(s)	<b>LAN-59685 &amp; 41328</b>
Site Address	91 Small Road, Silverdale 0992
Applicant's Name	Snowplanet Limited
Legal Description	Lot 1 DP 195048 (CT 121C/800)
Site Area	14.3749ha
Operative Plans Applying	Auckland Council District Plan (Rodney Section) (ACDP:RS) Auckland Council Regional Plan: Sediment Control (ACRP:SC)
Zoning	General Rural
Proposed Plan Changes Applying	ACDP:RS – Proposed Plan Change 123
Proposed Zoning	Special 26 - Hibiscus Coast Recreation & Entertainment zone

### DECISION UNDER DELEGATED AUTHORITY

Pursuant to sections 104, 104B, 104D, and 108 of the RMA, consent is **granted** to the non-complying activity application by Snowplanet Limited to authorise resource consent for earthworks and to undertake additions to the existing Snowplanet building and to establish a new groomer garage Zorb facility and ropes park, at 91 Small Road, Silverdale, Lot 1 DP 195048 (Consent Application LAN-59685 & 41328).

<b>Signed under Delegated Authority</b>	
Team Leader Resource Consents/ Land Surveyor/ Senior Planner/ Manager Resource Consents	
Date	18/3/13

**1.0 REASONS FOR DECISION**

The reasons for this decision are as follows:

- (a) In terms of section 104(1)(a) of the RMA, the actual and potential adverse effects on the environment will be minor, as detailed in section 4.1.5 of this report. In particular, the development will have no greater than minor adverse effect on the landscape character and amenity values of the surrounding environment. In addition, the operation of recreational activities will not adversely affect the aural amenity values or safe and efficient operation of the road network, to a degree that is greater than minor. The proposed earthworks and stormwater management will be undertaken in accordance with TP90 and TP10 respectively and therefore will have no greater than minor adverse effects on the environment.

This has been confirmed through the assessment of the application and works methodologies by suitably qualified and experienced experts for the Applicant and by peer reviews for the Council.

- (b) In terms of section 104(1)(b) of the RMA, the matters arising under the objectives and policies and relevant assessment criteria of the Auckland Council District Plan (Rodney Section) and Auckland Council Regional Plan: Sediment Control above have been addressed through the assessment of potential adverse effects undertaken by the Applicant. In particular, it is considered that the proposed development is appropriate with regard to the integrated management of the natural and physical resources. It is considered that the scale of the overall development strikes the right balance maximising the efficient use of the natural and physical resources and avoiding, remedying and mitigating the effects of development on the surrounding environment. In all of these respects the proposal is not contrary to the objectives and policies of the statutory planning documents.
- (c) The proposal is consistent with the relevant provisions of the Auckland Council Regional Policy Statement.
- (d) In terms of section 104(1)(c) of the RMA, other relevant matters, including monitoring, development contributions, the Draft Silverdale South Integrated Catchment Management Plan (ICMP) and proposed Plan Change 123 – Hibiscus Coast Recreation and Entertainment Zone have been considered in the determination of the application.

- (e) For the reasons in (a) to (c) above, the adverse effects of the proposed activity on the environment will be minor and the application is for an activity that will not be contrary to the objectives and policies of the relevant statutory plans. The application therefore meets at least one of the “tests” of section 104D RMA for non-complying activities.
  
- (f) The proposal will be consistent with Part 2 of the RMA by promoting the sustainable management of natural and physical resources. In particular, any adverse effects on the environment will be avoided, remedied and/or mitigated. In particular, the form of the development and the proposed landscaping ensures that any adverse visual amenity or landscape character effects will be no greater than minor and the operation of the facility will have no greater than minor adverse effect on the safe and efficient operation of the surrounding road network. Overall, it is considered the cumulative safeguards of section 5(2)(a) to (c) have been met and the proposal thereby meets the purpose of the RMA. The proposal is further consistent with sections 6, 7 and 8 in Part 2 RMA in terms of considerations that include the efficient use of resources, amenity values and the quality of the environment.

**2.0 CONDITIONS**

Pursuant to section 108 of the RMA, this consent is subject to the following conditions:

**Activity in accordance with plans**

1. The activity shall be carried out in accordance with all information submitted with the application being referenced by the Council as LAN-59685 & 41328 and the plans:

<b>Reference number</b>	<b>Title</b>	<b>Architect/Author</b>	<b>Date</b>
1227, A010, Rev. 1	Location Plan	WA Architecture	08.01.13
1227, A011, Rev. 1	Existing Site Plan	WA Architecture	08.01.13
1227, A012, Rev. 2	Areas Plan	WA Architecture	07.02.13
1227, A013, Rev. 3	Base Extension Plan	WA Architecture	08.01.13
1227, A014, Rev. 1	Slope Extension Plan	WA Architecture	08.01.13
1227, A015, Rev. 1	Elevations	WA Architecture	08.01.13
1227, A016, Rev. 1	Sections	WA Architecture	08.01.13
1227, A017, Rev. 1	Zorb Terminal – Level 1	WA Architecture	08.01.13

1227, A018, Rev. 1	Zorb Terminal – L2	WA Architecture	08.01.13
1227, A019, Rev. 1	Zorb Terminal – Elevations	WA Architecture	08.01.13
1227, A020, Rev. 1	Zorb Terminal – Sections	WA Architecture	08.01.13
1227, A021, Rev. 1	Groomer Garage	WA Architecture	08.01.13
1227, A022, Rev. 1	Signage Details	WA Architecture	08.01.13
12117 CO01, Rev A	Landscape Concept Plan	LA4 Landscape Architects	15.01.2013
33450, RC100 Rev A	Existing Site Plan	MSC	15.01.13
33450, RC101 Rev A	Proposed Development	MSC	15.01.13
33450, RC102 Rev A	Existing Civil Services	MSC	15.01.13
33450, RC103 Rev A	Proposed Civil Services	MSC	15.01.13
33450, RC104 Rev A	Existing Utility Services	MSC	15.01.13
33450, RC105 Rev A	Proposed Utility Services	MSC	15.01.13
33450, RC106 Rev A	Existing Stormwater	MSC	15.01.13
33450, RC107 Rev A	Proposed Stormwater	MSC	15.01.13
33450, RC108 Rev A	Existing Sanitary Sewer	MSC	15.01.13
33450, RC109 Rev A	Proposed Sanitary Sewer	MSC	15.01.13
33450, RC110 Rev A	Existing Water Supply	MSC	15.01.13
33450, RC111 Rev A	Proposed Water Supply	MSC	15.01.13
33450, RC112 Rev A	Finished Contour Plan	MSC	15.01.13
33450, RC113 Rev A	Earthworks Cut/Fill Plan	MSC	15.01.13



33450, RC114 Rev C	Sediment & Erosion Control Plan	MSC	27.02.13
33450, RC115 Rev A	Sediment & Erosion Control Details Sheet 1 of 2	MSC	15.01.13
33450, RC116 Rev A	Sediment & Erosion Control Details Sheet 2 of 2	MSC	15.01.13

all signed by Processing Planner Laura Marriott, dated 18 March 2013.

2. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
  - (a) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
  - (b) All additional charges imposed under section 36(3) of the RMA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. Servants or agents of Auckland Council shall be permitted to have access to relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples.
5. All personnel working on the site shall be made aware of and have access to the contents of this consent document and the associated erosion and sediment control plan and methodology.

#### **Lapse of Consent**

6. Pursuant to section 125 of the RMA, this consent lapses five years after the date it is granted unless:
  - (a) The consent is given effect to; or
  - (b) The Council extends the period after which the consent lapses.

#### **Pre-commencement meeting**

7. Prior to any earthworks commencing on the site in each period between October 1 and April 30 that this consent is exercised, a pre-construction site meeting between Auckland Council and all relevant parties, including the primary contractor shall be arranged and conducted. The meeting shall discuss the erosion and sediment control measures, the earthworks methodology and shall ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

#### **Advice Notes:**

- *Commencement of earthworks means the time when the earthworks, including any site preparation works or bulk earthworks, are to commence.*

- *Auckland Council representatives should include, but is not limited to, a compliance officer from the Earthworks and Contaminated Land Team, NRSI or appointed consultant working on behalf of the processing officer.*

#### Notification of Commencement

8. The consent holder must give the Team Leader, Earthworks and Contaminated Land – NRSI, Auckland Council and Team Leader, Compliance Monitoring, Auckland Council, Orewa at least **7 working days'** notice of the on-site pre-construction meeting. 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 Corridor Access Request;*
- *The relevant Resource or Subdivision Consent (and all conditions attached thereto);*
- *Copies of any other Auckland Council Consents necessary for the works;*

#### Construction Management Plan

9. At least **7 working days** prior to the commencement of works on the site, the consent holder must submit a detailed Construction Management Plan to the Team Leader, Earthworks and Contaminated Land – Natural Resources and Specialist Input, Auckland Council and Team Leader, Compliance Monitoring, Auckland Council, Orewa for written approval. The Construction Management Plan must include specific staging and sequencing information, as well as activity-specific construction methodologies.

#### Sediment Control

10. All perimeter controls shall be operational before earthworks commence. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.

*Advice Note: perimeter controls include cleanwater diversions, silt fences and any other erosion control devices that are appropriate to divert stabilised upper catchment runoff from entering the site, and to prevent sediment-laden water from leaving the site.*

11. All clean water diversion channels shall be stabilised against erosion in accordance with TP90 where constructed on gradients greater than 2%.
12. The proposed activity and erosion and sediment control measures shall be carried out in accordance with those described in Land Use Consent: Sediment Control Application No. 41328 and the supporting documents and specifications, received by Auckland Council on 24 January 2013 (Application Report), and 20 and 27 February 2013 (S92 Response), and as identified in the resource consent conditions above and below.
13. The site shall be progressively stabilised against erosion as soon as practicable as earthworks are finished over various areas of the site. Site stabilisation shall mean when the site is covered by a permanent erosion proof ground cover such as aggregate and includes vegetative cover which has obtained a density of more than 80% of a normal pasture sward.

14. A stabilised entrance, constructed in accordance with TP90, shall be established at the ingress and egress of the earthworks site. This entrance shall be maintained throughout the duration of the consent.
15. In the event that any sediment & or soil is deposited onto the site's surrounding roading network, immediate action to clean the surrounding roading network shall be undertaken. Cleaning in this regard shall be to the satisfaction of the Team Leader, Compliance Monitoring, Auckland Council, Orewa, or delegated representative.
16. Notwithstanding condition 15 above, suitable protection in accordance with TP90, shall be installed and maintained over the surrounding roading network's cesspits, at the direction of the Council's monitoring officer or delegated representative.
17. Inspection advice notes issued on site by the Auckland Council or its representatives are to be actioned within the timeframes stipulated. Where there is disagreement as to the suitability of the action requested, immediate contact with the Team Leader - Earthworks and Contaminated Land, NRSI is required.
18. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.
19. Sediment control measures shall be inspected to ensure effective operation on a daily basis or immediately after a significant storm event during construction by the contractor. The engineering representative shall also inspect the sediment control measures on their regular site inspections.
20. Any amendments to the erosion and sediment control plan and / or earthworks methodology shall be submitted in writing and approved by the Team Leader - Earthworks & Contaminated Land, NRSI, and Team Leader, Compliance Monitoring, Auckland Council, Orewa, prior to any amendment being implemented.
21. All sediment and erosion controls implemented within the site should be inspected on a weekly basis or within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls. A record must be maintained of the date, time and any maintenance undertaken in association with this condition which must be forwarded to the Manager upon request.
22. Accumulated sediment must be removed from sediment retention devices before the sediment reaches 20% of the live storage capacity of the device.
23. Sediment removed from treatment devices must be placed on stable ground where the sediment will not re-enter the pond or be washed into any watercourse.
24. To prevent discharge of sediment-laden water or other debris into any public stormwater drainage systems or watercourses and therefore into receiving waters, and to prevent nuisance and amenity impacts on users of the road reserve, there shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.
25. If work on site is abandoned, adequate preventative and remedial measures shall be taken to control sediment discharge and shall thereafter be maintained for so long as necessary to prevent sediment discharge from the site. All such measures shall be of a type and to a standard which are to the satisfaction of the Team Leader – Earthworks & Contaminated Land, Natural Resources & Specialist Input (NRSI) unit.

**Conditions Specific to 41328 – Earthworks**

26. This consent shall expire on **30 April 2018** unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.
27. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer shall be submitted to the Auckland Council (Earthworks and Contaminated Land Team, NRSI), to certify that the erosion and sediment controls have been constructed in accordance with the erosion and sediment control plans as specified in **condition 12** of this consent.
- Certified controls shall include the sediment retention pond, decanting earth bunds, silt fences and diversion channels/bunds. The certification for these subsequent measures shall be supplied immediately upon completion of construction of those measures. Information supplied if applicable, shall include:
- a) Contributing catchment area;
  - b) Shape of structure (dimensions of structure);
  - c) Position of inlets/outlets; and
  - d) Stabilisation of the structure.
28. Notwithstanding **condition 27** above, erosion and sediment control measures shall be constructed and maintained in general accordance with TP90 and any amendments to this document, except where a higher standard is detailed in the documents referred to in **condition 27** above, in which case the higher standard shall apply.
29. Prior to the commencement of bulk earthworks at the site, a Chemical Treatment Management Plan (CTMP) shall be submitted for the written approval of the Team Leader - Earthworks & Contaminated Land, NRSI. The plan shall include as a minimum:
- a) Specific design details of the chemical treatment system based on a rainfall activated methodology for the site's sediment retention ponds and a batch dosing methodology for the decanting earth bund;
  - b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
  - c) Details of optimum dosage (including assumptions);
  - d) Results of initial chemical treatment trial;
  - e) A spill contingency plan; and
  - f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.
30. The CTMP referred to under **condition 29** above, shall be implemented prior to the start of any bulk earthworks at the site.
31. Any amendments to the CTMP shall be submitted in writing to the Team Leader - Earthworks & Contaminated Land, NRSI, prior to implementation.
32. Prior to any erosion and sediment control measures being removed, the consent holder must obtain the Approval of the Team Leader, Earthworks and Contaminated Land – Natural Resources and Specialist Input, Auckland Council.
33. All machinery must be operated in a way that ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities must be carried out away from any water body such that any spillage can be contained so it does not enter the receiving environment. The use of grouts and concrete products must also be limited with all mixing of products carried out outside the 100 year floodplain area such that any spillage can be contained so it does not enter the downstream receiving environment.

### Seasonal Restrictions

34. No vegetation removal or earthworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Team Leader – Earthworks and Contaminated Land Team, NRSI at least two weeks prior to 30 April of any year. Earthworks in this regard refer to bulk earthworks (cut/fill/waste) associated with the site.
35. Revegetation/stabilisation is to be completed by 30 April in the year of bulk earthworks in accordance with measures detailed in TP90 and any amendments to this document, unless a later date is approved in writing by the Team Leader – Earthworks and Contaminated Land Team, NRSI, at least two weeks before 30 April.

### Conditions Specific to LAN-58473

#### Monitoring

36. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$256.00 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.
37. The \$256.00 (inclusive of GST) charge shall be paid as part of the resource consent fee and the consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice.

#### Works

38. (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, Auckland Council, Orewa.
39. (geotechnical assessment) Prior to the start of any earthworks a geotechnical assessment shall be provided in terms of the Council's Engineering Standards clause 203.4.
40. The construction of permanent earth bunds, retaining walls and building foundations and the cutting of and placement & compaction of fill material shall be supervised by a suitably qualified engineering professional. In supervising the works, the suitably qualified engineering professional shall ensure that the works are constructed and otherwise completed in accordance with any recommendation set by the report provided to satisfy **Condition 39**.
41. Certification from a suitably qualified engineering professional responsible for supervising the works shall be provided to the Team Leader, Compliance Monitoring Orewa confirming that the works have been completed in accordance with **Condition 40**, within ten (10) working days following completion. Written certification shall be in the form of a geotechnical completion report, producer statement or any other form acceptable to Council.
42. (building restrictions - stormwater control) All stormwater from buildings and paved areas on Lot 1 DP 195048 shall be collected and disposed of in accordance with the Stormwater Report prepared by Stormwater Solutions, reference 1341-Snowplanet, dated 10/2/2013 inclusive of the MSC drawing RC107 Rev A. 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.
43. (operational commencement) The facilities extensions, approved under this consent, shall not become operational until such time as the Small Road realignment, terminating at a signalled intersection with Hibiscus Coast Highway is operational.

## Dust

44. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that in the opinion of the Team Leader, Compliance Monitoring, Auckland Council, Orewa, noxious, offensive or objectionable.

### **Advice Note:**

*In order to manage dust on the site consideration should be given to adopting the following management techniques:*

- *stopping of works during high winds*
- *watering of haul roads, stockpiles and manoeuvring areas during dry periods*
- *installation and maintenance of wind fences and vegetated strips*
- *grassing or covering of stockpiles*
- *retention of existing shelter belts and vegetation*
- *positioning of haul roads, manoeuvring areas and stockpiles or the staging of works (in relation to sensitive receptors such as dwellings)*

*In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:*

- *The frequency of dust nuisance events*
- *The intensity of events, as indicated by dust quantity and the degree of nuisance*
- *The duration of each dust nuisance event*
- *The offensiveness of the discharge, having regard to the nature of the dust*
- *The location of the dust nuisance, having regard to the sensitivity of the receiving environment.*

*It is recommended that potential measures as discussed with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Team Leader, Compliance Monitoring, Auckland Council, Orewa for more details. Alternatively, please refer to the Ministry for the Environment publication "Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions".*

## Noise

45. All construction activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics – Construction at all times.

## Construction Access

46. A detailed Traffic Management Plan submitted to and approved by the Consents Engineer, Auckland Council, Orewa prior to any work relating to earthworks or construction commencing on the site. This TMP must be prepared in accordance with the Code of Practice for Temporary Traffic Management specifically addressing ingress and egress at the site for construction related vehicles, the loading and unloading arrangements as well as the parking at the site for construction related traffic and traffic control adjacent to the site, and the protection of the public, shall be submitted to the Consents Engineer, Auckland Council, Orewa.

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.

47. There shall be no obstruction of access to public footpaths, berms, private properties, public services/utilities, or public reserves resulting from the construction activity. All materials and equipment shall be stored within the subject site's boundaries.
48. There shall be no damage to public roads, footpaths, berms, kerbs, drains, reserves or other public asset as a result of the earthworks activity. In the event that such damage does occur, the Team Leader, Compliance Monitoring, Auckland Council, Orewa will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original condition will be met by the consent holder.

**Advice Note:**

*In order to prevent damage occurring during the earthwork activity, the consent holder should consider placing protective plates over footpaths, kerbs, and drains. Where necessary, prior to works commencing, photographing or video recording of roads, paths and drains may be appropriate.*

*If you would like further details or suggestions on how to protect public assets during the earthwork phase, please contact the Team Leader, Compliance Monitoring, Orewa.*

**Lighting**

49. All exterior private lighting shall comply with the requirements of Rule 16.5 of the Auckland Council District Plan (Rodney Section).

**Signage**

50. The existing free-standing Snowplanet sign facing State Highway 1 shall be removed immediately following the erection of the new sign approved as part of this development.
51. The new free-standing sign shall be located and sized in accordance with the approved plan listed in **Condition 1** and may be internally lit.

**Advice Note:**

*The NZ Transport Agency (NZTA) have provided approval to this sign on the basis that:*

- *Lettering heights shall not be less than 200mm, and the sign shall be visible to an approaching vehicle from a distance of at least 180m in this speed zone.*
- *No reflective material shall be used in the design of the sign.*
- *Colour combinations shall not conflict with any official road or traffic signs*
- *The level of illumination not to exceed 800 candelas per square metre for signage of over 10.0m<sup>2</sup>.*
- *At any one time, it is recommended that the amount of information be restricted to not more than 7 words, with characters limited to 40 or so.*

**Landscaping**

52. A detailed landscape plan, including an implementation and maintenance programme shall be submitted to and approved by the Team Leader, Resource Consents, Orewa prior to any works commencing on the site. The plan shall include details of the plant sizes at the time of planting and intended species. Such a plan shall be in accordance with the landscape concept plan identified in **Condition 1** and include appropriate measures to enhance the amenity values of the site.

The plan shall be implemented in the next planting season following completion of the site works by the Consent Holder or nominated party to the satisfaction of the Team Leader, Resource Consents, Orewa, and then maintained for the duration of this consent.

#### Hours of operation

53. The facilities approved by this consent shall operate between the hours of 8:00am to 1:00am the following day. Heavy service vehicles, excluding the snow grooming machines (which operate within the structure outside opening hours) shall not operate outside the hours of 7:00am to 8:00pm daily.

#### Noise

54. The facilities approved by this consent shall comply with the Auckland Council District Plan (Rodney Section) noise performance standards at all times.

#### Review Condition

55. Section 128 of the RMA provides for the Council to review the conditions of a resource consent at any time specified for that purpose in the consent. A consent may specify a time for review of the conditions of a consent for the following purposes:

- to deal with any adverse effects on the environment which may arise from the exercise of consent and which are appropriate to deal with at a later stage; or
- to require holders of discharge permits or coastal permits which would otherwise contravene ss15 or 15B of the Act to adopt the best practicable option to remove or reduce any adverse effect on the environment; or
- for any other purpose.

The consent authority may review the conditions of this resource consent at the following times:

- June 2014
- June 2015
- June 2016
- And/or at five yearly intervals after either the date of that review (if such review occurs) or after June 2016 whichever is the earlier.

#### Advice Notes

1. *Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.*
2. *The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
3. **Condition 8** *requires the consent holder to notify Council of their intention to conduct an on-site pre-construction meeting a minimum of seven working days prior to commencement. Such notification should be sent to the Orewa Compliance Administrator at [ResourceConsentAdmin@aucklandcouncil.govt.nz](mailto:ResourceConsentAdmin@aucklandcouncil.govt.nz) or 0800 4265169 to advise of the start of works.*



4. *A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.*
5. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 357A or 357B of the RMA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
6. *The granting of this resource consent does not in any way allow the applicant to enter and construct drainage within neighbouring property, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the applicant, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions above are required to be in place to the satisfaction of Council.*
7. *Compliance with the consent conditions will be monitored by Council (in accordance with section 35(d) of the RMA). The initial monitoring charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc, all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the resource consent have been met, will Council issue a letter on request of the consent holder.*
8. *The Consent Holder is advised that they will be required to pay to the Council any administrative charge fixed in accordance with Section 36(1) of the Resource Management Act 1991, or any additional charge required pursuant to Section 36(3) of the Resource Management Act 1991 in respect of this consent.*
9. *The Consent Holder is advised that they will be required to pay to the Council any compliance and monitoring cost on an 'actual and reasonable' basis in accordance with Section 36 of the Resource Management Act 1991.*
10. *The Consent Holder is advised that the date of the commencement of this consent will be as determined by Section 116 of the Resource Management Act 1991, unless a later date is stated as a condition of consent. The provisions of Section 116 of the Resource Management Act 1991 are summarised in the covering letter issued with this consent.*
11. *The Consent Holder is referred to Section 124 of the Resource Management Act 1991, which provides for the exercising of a consent while applying for a new consent for the same activity.*
12. *The Consent Holder is advised that, pursuant to Section 126 of the Resource Management Act 1991, if this resource consent has been exercised, but is not subsequently exercised for a continuous period of five years, the consent may be cancelled by the Council unless other criteria contained within Section 126 are met.*
13. *That, in the event of archaeological site evidence (e.g. shells, middens, hangi or ovens, pit depressions, defensive ditches, artifactual material or human bones) being uncovered during construction, operations shall cease in the vicinity of the discovery and the archaeologist, Auckland Council, is contacted so that the appropriate action can be taken before any work may recommence there.*
14. *All archaeological sites are protected under the provisions of the Historic Places Act 1993 (HPA). It is an offence under this Act to destroy, damage or modify any archaeological site, whether or not the site is entered on the New Zealand Historic Places Trust (NZHPT) Register of historic places, historic areas, wahi tapu and wahi tapu areas. Under sections 11 and 12 of the Act, applications must be*

*made to the NZHPT for an authority to destroy, damage or modify an archaeological site(s) where avoidance of effect is not practicable. It is the responsibility of the applicant (consent holder) to consult with the NZHPT about the requirements of the HPA and to obtain the necessary Authorities under the HPA should these become necessary as a result of any activity associated with the proposed development.*

15. *In accordance with the letter dated 11 March 2013 from Jacqueline Anthony of Auckland Council, an updated Operation and Maintenance Plan reflecting the changes approved as part of this consent shall be forward to the Team Leader – Stormwater NRSI, Auckland Council in accordance with Condition 9 of Consent 27055.*

**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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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) Nick Roberts - Barker & Associates

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

Fulton Hogan Land Development Limited

**Address for service of Submitter**

Fulton Hogan Land Development Limited

c/- Barker & Associates (Attn: Nick Roberts), PO Box 1986, Shortland Street, Auckland, 1140

Telephone:  Email:

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

<b>By::</b> Name of Requiring Authority	<u>Auckland Transport</u>
<b>For:</b> A new designation or alteration to an existing designation	<u>North: (NoR 13) Upgrade to East Coast Road between Silverdale and Redvale</u>

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

As set out in the attached submission.

**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:**

As set out in the attached submission.

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(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).*

As set out in the attached submission.

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- 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)*

12/14/2023  
 \_\_\_\_\_  
 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 a Requirement for a Designation or an Alteration to a Designation**

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

SUBMITTER DETAILS

**Name of Submitter:** Fulton Hogan Land Development Limited (“FHLD”)

1. FHLD makes this submission on a designation to upgrade East Coast Road between Silverdale and Redvale, to an urban arterial corridor with active mode facilities (“NoR 13”) lodged by Auckland Transport to the Auckland Unitary Plan – Operative in Part (“AUP”) in accordance with Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act (“RMA”) 1991 as follows.
2. FHLD could not gain advantage in trade competition through this submission.
3. FHLD is directly affected by the effects of the subject matters of the submission that –
  - a. Adversely affects the environment; and
  - b. Do not relate to trade competition or the effects of trade competition.
4. FHLD wishes to be heard in support of their submission.
5. If any other submitters make a similar submission, FHLD will consider presenting a joint case with them at a hearing.

OVERVIEW OF FULTON HOGAN LAND DEVELOPMENT LIMITED

6. FHLD is one of New Zealand’s largest residential land development companies and has made a significant contribution to housing supply in the Auckland region over the past 20 years through developments such as Dannemora, Millwater, and more recently Milldale. FHLD has also commenced earthworks at Drury in it’s latest Auckland development.
7. By way of background, FHLD in conjunction with Fletchers has recently lodged a private plan change request to the AUP to rezone 107.35ha of land within the Silverdale West Structure Plan Area from Future Urban zone to predominantly Business - Light Industry zone.
8. FHLD has an interest in NoR 13 that is greater than the interest of the general public. While FHLD’s landholdings are not directly impacted by the NoR, it has a wider interest in the NoR as one of the parties progressing the Silverdale West Industrial Precinct Private Plan Change which includes transport upgrades within the footprint of the NoR.

**Barker & Associates**

+64 375 0900 | admin@barker.co.nz | barker.co.nz

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9. There are broader land use integration issues with NoR 13 that appear to have arisen out of a lack of consultation with affected landowners. The Assessment of Environmental Effects supporting the NoR acknowledges that the Silverdale West Industrial Area is anticipated for development now, and that a Council-led plan change is being progressed. As noted, Council is not progressing a public plan change for the Silverdale West Industrial Area at this time, however FHLD and others are progressing the Private Plan Change. There are clearly areas of overlap between that process and the NoR (and the North Project NoRs more broadly), and associated opportunities for coordination and integration of outcomes.
10. FHLD notes that it is critical that any future planned land use and transport infrastructure is integrated, to avoid significant and unnecessary disruption to the area in the future, and to ensure cohesive urbanisation of the area, over the long-term.
11. FHLD also notes that there has been no consideration of the transport upgrades required and works being undertaken by developers as part of the development of the Silverdale West area, nor any attempt from SGA to coordinate these works or recognise these infrastructure upgrades through NoR 13 as lodged. The Silverdale West Industrial Precinct Plan Change includes a suite of transport upgrades as prerequisites to development, some of which clearly overlap with infrastructure addressed in NoR 13. In particular, the Plan Change Request includes the signalisation of the East Coast Road / Wilks Road intersection.
12. Overall, the Northern Network and NoR 13 in particular has the potential to give rise to adverse effects to the environment that would directly affect FHLD.

#### SCOPE OF SUBMISSION

13. The submission relates to NoR 13 as a whole.
14. FHLD **opposes** NoR 13 for the following reasons:
15. FHLD opposes the spatial extent of the designation boundary, which extends beyond the anticipated extent of works. The area of land proposed to be designated is much greater than what is required for the proposed road upgrade design. Insufficient consideration and reasoning have been given to the overall area of land being proposed to be designated, as the designation boundary is significantly greater than the area of land that is required for the proposed upgrades, which has the consequential effect of limiting or preventing future development opportunities for land subject to the designation. This does not represent the sustainable management of a natural and physical resource, and therefore would not meet the sustainable management purpose of the RMA 1991.
16. FHLD opposes the spatial extent and proposed design of the East Coast Road and Wilks Road intersection upgrade in NoR 13. FHLD notes that the upgrade of the East Coast Road and Wilks Road intersection to a signalised intersection is a prerequisite to development in the Plan Change, and the signalised intersection requires a much lesser land take than the proposed roundabout design.
17. FHLD opposes the lapse date proposed at Condition 4, of 30 years. The extension of 25 years to the lapse period proposed is excessive and will prevent future development opportunities progressing

in a cohesive and integrated manner. Sterilising the land until funding is allocated does not represent the sustainable management of a natural and physical resource, and therefore would not meet the sustainable management purpose of the RMA 1991.

18. FHLD opposes NoR 13 as it does not appropriately integrate transport upgrades with land use activity in the locality. Despite the assertion that the NoRs are collectively being progressed to integrate transport upgrades with land use, there appears to have been a distinct lack of engagement with landowners to understand and integrate with land use projects actively being progressed across the wider locality. FHLD submits that there are opportunities to coordinate and integrate the following within NoR 13 and the associated Conditions of Designation as a means of providing greater clarity to impacted landowners, and the public more generally:

- (i) scope to have phased delivery of the works described in NoR 13;
- (ii) scope for mixed methods of delivery, including through public and private works;
- (iii) early delivery of upgrades to support the live zoning of land within the Silverdale West Industrial Area; and
- (iv) acknowledgement and alignment of the NoR footprint within the Plan Change Request.

19. FHLD opposes NoR 13 including a 30-year timeframe for implementation. While FHLD has already identified some existing land use and transport integration issues existing at this time, it is inevitable that there will be more in the future as North Project elements are implemented over time. FHLD broadly supports the inclusion of Condition 10 (Land Use Integration Process) (LIP) and its focus on providing a direct avenue for discussions between the Requiring Authority and the development community. FHLD requests that condition 10 be amended to clarify:

- (i) that this is an avenue for open and honest two-way collaboration for the purposes of integration of transport infrastructure and land use
- (ii) that it is not simply a mechanism for land use to coordinate with transport infrastructure, but that where appropriate, transport infrastructure may be amended to align with or accommodate proposed land use

While the above can ensure future transport and land use integration, the lack of engagement now can only be addressed by engagement now and changes to the NoR.

20. FHLD notes that NoR 13 includes a raft of conditions whereby management plans are to be provided “prior to construction”. These triggers would be more useful and of more relevance to landowners and developers if they were amended to “at the time of the Outline Plan is applied for”. Examples of where this trigger may be more appropriate include the Urban and Landscape Design Management Plan (Condition 11), Construction Environmental Management Plan (Condition 14), and Stakeholder and Communication and Engagement Management Plan (Condition 15).

DECISION SOUGHT

21. FHLD seeks the following relief on NoR 13:

- (a) That the extent of the designation boundary of NoR 13 be reviewed and reduced to minimise the required land take, and reflect the actual and reasonable area of land that is needed to accommodate the appropriate future design for the upgrade to East Coast Road, between Silverdale and Redvale;
- (b) That the designation boundary be amended to show the operational extent around what will be the legal road reserve, and the construction extent (two separate designation boundaries);
- (c) That Schedule 1 of the proposed conditions of NoR 13 be amended following review of the extent of the designation boundary;
- (d) That the lapse date is reviewed and reduced to be consistent with section 184(1) of the RMA. The lapse date should be 5 years after the date on which the NoR is included in the district plan unless it is given effect to, substantial progress or effort has been made to give effect to, or a different period is specified when incorporated into the plan. Pursuant to section 184(1)(c) of the RMA, AT proposes an extended lapse period of 30 years for implementation of the proposed designation, however this lapse period is excessive and needs to be reduced; and
- (e) any such further relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

**Address for Service:**

Barker & Associates Limited  
Attn: Nick Roberts  
  
PO Box 1986  
  
Shortland Street  
  
Auckland 1140

Contact Number: 029 666 8330

Email: [nickr@barker.co.nz](mailto:nickr@barker.co.nz)

**Copied to:**

Fulton Hogan Land Development Limited  
c/- Gregory Dewe, Operations Manger  
Email: [Gregory.Dewe@fultonhogan.com](mailto:Gregory.Dewe@fultonhogan.com)



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

## Contact details

Full name of submitter: Benjamin White

Organisation name:

Full name of your agent:

Email address: [ben@redvalerv.com](mailto:ben@redvalerv.com)

Contact phone number:

Postal address:  
1722 East Coast Road  
Redvale  
Auckland 0794

## Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1722 East Coast Road - Total acquisition

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:

Turning my property into a pond is obviously not ideal . I have a 4 year old house and run my business from home. But not only that, 35 years ago my parents purchased this land and over the time have subdivided it into 3 lots, I own 1722 East Coast Road. My brother owns 1724 and my parents own 1726. The setup here at White Acres is extremely unique. We have worked so hard to get to this stage and now we are about to lose it all! Our kids can go visit the neighbours safely. We share graze the land with our sheep. Grand parents are onsite to help if need be. The list goes on and on! I had also been banking on the plan of subdividing my property even further in the future as we are zoned future urban , and from what I understand it will be zoned urban sooner rather than later! So not only has this NOR destroyed our family plan now, it could destroy my retirement plan too ( I'm only 35 at present ), so a wee while off.

2 of 1

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

We seek for an early payout ( for all 3 properties ) so we can take time to find another block of land on which we can recreate what we have now. We also would require time at our current address's as it would take years and years to get a new property up to the standard of ours right now. The payout would need to be enough to cover what we have now eg , a 5 acre property 20 min from the harbour bridge , neighbouring my parents and brothers new lands, the cost of relocation of both home and business and any other costs that would be involved. Oh and the new property would need to be future urban too!

Submission date: 14 December 2023

Supporting documents  
1722 East Coast Road[46].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.

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.



Te Tupu Ngātahi  
Supporting Growth  
PO Box 105218  
Auckland 1143

30 May 2023

BM White & AH Williams  
1722 East Coast Road  
RD 4  
Albany 0794

Kia ora

**Property Address:** 1722 East Coast Road  
**Record of Title number:** 707795  
**SG Reference Number:** 302627

**North Auckland – Future Transport Projects - important information relating to your property**

This letter follows on from previous communications with you about future transport projects in North Auckland and the Notice of Requirement (NoR) process to route protect certain areas of land for that purpose.

These projects are part of Te Tupu Ngātahi Supporting Growth, an alliance between Auckland Transport and Waka Kotahi NZ Transport Agency responsible for identifying and protecting the land needed for Auckland's future transport connections through a designation/NoR process.

As part of the Detailed Business Case and NoR process we wrote to and met with potentially impacted landowners in 2022 and have completed environmental and technical assessments of the proposed routes. **If these proposed routes are confirmed, this could have a direct impact on your property.**

We would like to talk with you about the ongoing steps involved in the NoR process, answer any questions you have and see what support you may need prior to the NoRs being lodged with Auckland Council.

Enclosed with this letter is a map showing a draft designation boundary and the extent of potential impact on your property.

**Please contact us to book a time to meet up to 30 June. We are available to meet with you over the phone, via an online meeting, or in person at a pre-booked venue.**

To book an online or in-person meeting:

- Scan the QR code or visit: <https://calendly.com/d/yj5-c23-bwh>
- Email us: [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz)
- Freephone 0800 GROW AKL (0800 4769 255)



Please take the opportunity to meet with the Te Tupu Ngātahi team leading this project.

There may still be some refinements to the proposed routes as part of our landowner and stakeholder discussions. Once we finalise the project routes, we are planning to seek approvals for the NoRs under the Resource Management Act 1991.

### **What is a Notice of Requirement (NoR)?**

This is a statutory process to officially designate and protect the land for infrastructure such as transport projects. It is similar to applying for resource consent under the Resource Management Act 1991. Once the designation is in place, property owners, with some limitations, can continue to use, own, or sell their designated land until it is needed for construction.

These projects are not currently funded which means we are not seeking to purchase the land until funding becomes available, which may be around 10 to 30+ years.

You can find information that explains the route protection and Notice of Requirement processes on our website at: [www.supportinggrowth.govt.nz/property-owner-information/](http://www.supportinggrowth.govt.nz/property-owner-information/)

### **What happens next?**

We expect to complete our Detailed Business Case in mid-2023 for consideration by the Auckland Transport and Waka Kotahi Boards. Lodgment of the NoRs to support route protection of the preferred options would happen following this approval process. This is currently planned to be August/September 2023

Auckland Council will then formally notify property owners, who can submit to support or oppose the designation and take part in a hearing if they choose, as part of the decision-making process.

We hope this letter provides more clarity on the process ahead, how you may be impacted and what actions you can take.

**Auckland Council consultation on the Future Development Strategy for Auckland**

You may also be interested in Auckland Council's consultation from 6 June on their draft Future Development Strategy (FDS). The FDS aims to provide long term guidance on how the Council plans for the location and timing of urban development and the timing and sequencing of infrastructure to support development. The FDS seeks to provide a long-term strategy for growth that responds to factors such as climate change and natural hazards.

The outcome of the FDS consultation will be an important consideration in Te Tupu Ngātahi projects. You can share your thoughts on the FDS by following this link:

[akhaveyoursay.nz/futureauckland](http://akhaveyoursay.nz/futureauckland)

Ngā mihi nui



**Deepak Rama**  
Owner Interface Manager  
Waka Kotahi NZ Transport Agency



**Alastair Lovell**  
Owner Interface Manager  
Auckland Transport



**Translation Support**  
**Tautoko Takatau**  
 翻译支持  
 번역 지원

**Lagolago Faaliliu**  
**Tokoni ki he Liliu Leá**  
 ਅਨੁਵਾਦ ਸਹਾਇਤਾ

ترجمہ سپورٹ

If you would like this letter translated, or for a translator to support you during a meeting, please contact [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz) or call us on 0800 Grow Akl (0800 4769 255) and we can help arrange this.

#### Te reo Māori

Mēnā, e hiahia ana koe he reta Reo Māori, he kaiwhakamāori rānei hei tautoko i a koe i roto i te hui. Tuku īmera mai ki [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz) He karere rānei ki te nama 0800 Grow Akl (0800 4769 255) ā, kātahi mātou ka āwhina ki te whakarite.

#### 中文

如果您希望翻译这封信，或希望翻译人员在会议期间为您提供支持，请联系[info@supportinggrowth.nz](mailto:info@supportinggrowth.nz) 或致电 0800 Grow Akl (0800 4769 255) 我们可以帮助安。

#### 한국어

이 편지의 번역을 원하시거나 회의 중에 번역가의 도움을 받으려면 [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz) 로 연락하거나 0800 Grow Akl (0800 4769 255) 로 전화해 주시면 준비를 도와드릴 수 있습니다.

#### Gagana fa'a Sāmoa

Afai e mana'omia se fesoasoani i le fa'aliliuina o lenei tusi i le tatou gagana Samoa, ae fa'apea fo'i e mana'omia se tagata e fa'aliliuina o le gagana Samoa i le gagana Peretania i le taimi o le fonotaga, fa'amolemole fa'afeso'ota'i le [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz), pe vala'au mai i le 0800 GrowAkl (0800 4769 255) ona e mafaiona matou fesoasoani i lenei mataupu matagofie.

#### Lea faka-Tonga

Kapau 'oku ke fie ma'u ke liliu 'a e tohi ni, pe ko ha tokotaha liliu lea ke poupuu'i koe lolotonga ha fakataha, kataki 'o fetu'utaki ki he [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz) pe telefoni mai kiate kimautolu 'i he 0800 tupu Akl (0800 4769 255) pea 'e lava ke mau tokoni 'i hono fokotu'utu'u 'eni.

#### ਪੰਜਾਬੀ

ਜੇਕਰ ਤੁਸੀਂ ਇਸ ਚਿੱਠੀ ਦਾ ਅਨੁਵਾਦ ਕਰਨਾ ਚਾਹੁੰਦੇ ਹੋ, ਜਾਂ ਇੱਕ ਅਨੁਵਾਦਕ ਲਈ ਇੱਕ ਮੀਟਿੰਗ ਦੌਰਾਨ ਤੁਹਾਡੀ ਮਦਦ ਕਰਨ ਲਈ, ਕਿਰਪਾ ਕਰਕੇ [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz) ' ਤੇ ਸੰਪਰਕ ਕਰੋ ਜਾਂ ਸਾਨੂੰ 0800 Grow Akl (0800 4769 255) 'ਤੇ ਕਾਲ ਕਰੋ ਅਤੇ ਅਸੀਂ ਇਸਦਾ ਪ੍ਰਬੰਧ ਕਰਨ ਵਿੱਚ ਮਦਦ ਕਰ ਸਕਦੇ ਹਾਂ।

اردو

اگر آپ چاہتے ہیں کہ اس خط کا ترجمہ ہو، یا کسی مترجم کے لیے ملاقات کے دوران آپ کی مدد کرے، تو براہ کرم [info@supportinggrowth.nz](mailto:info@supportinggrowth.nz) 0800 Grow Akl (0800 4769 255) پر رابطہ کریں یا ہمیں 0800 کرم اور ہم اس کا بندوبست کرنے میں مدد کر سکتے ہیں۔

**DRAFT**

NOR13 # 29



Aerial imagery supplied by Nearmap Australia Pty Ltd  
Road names LINZ and ESRI Community Maps

**LEGEND**

	Your Property		Earthworks		Station Footprint		Cycleway
	Indicative area of your property within draft designation boundary		Verge		Road Corridor		Verge Material/Median
			Bridge		Footpath		Stormwater Wetland/ Attenuation Device/ Swale

Owner ID:302627  
Title No: 707795  
1722 East Coast Road  
**NOR 13;NOR 4**

Date : 26/05/2023

**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 the proposed designation may also include areas to enable temporary construction works to take place

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 North Area 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.



Path: \\beacon\it\projects\381138\10934\TIG\01 Map\06 ArcGIS Pro\02 North\SCA\_Pro\_N\_PropertyPlans.aprx;Name: SCA-EN-N-014-Overlaps

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

## Contact details

Full name of submitter: Maureen Patricia and Geoffrey Alan White

Organisation name:

Full name of your agent: Maureen White

Email address: [maureen.white55@gmail.com](mailto:maureen.white55@gmail.com)

Contact phone number: 021626069

Postal address:  
1726 East Coast Road  
Redvale RD4  
Albany  
Albany 0794

## Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1726 East Coast Road Redvale RD4 Albany 0794

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 have lived at this address for over 35 years, we raised our children and then worked towards establishing a unique family, living environment, where our sons could raise their families and share this lifestyle with us. In order to do this, we needed to subdivide our 15 acre property so that our sons could build their family homes on their 5 acre lot and raise their children in an extended family environment. Substantial money was spent to i) complete all Council subdivision requirements, in order to be able to obtain more titles for our sons and ii) considerable money has been spent on establishing the homes we all now reside in. We are able to live and work on the property together and have a wonderful set up with being able to be available for helping with our grandchildren, providing support as necessary, as we all live next to each other. A very unique and wonderful lifestyle, which our life's work has enabled us to enjoy. We live at 1726, our sons and their families live at 1724 and 1722 East Coast Road, respectively.

30.1

30.2

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

We have been advised that our property (1726) will be a total requirement, our son who lives at (1722) has been advised that his property will be a total acquisition also. However, our other son (1724) has been advised his property will only be partially acquired. We fail to see how he could be able to reside in this untenable position. We would want all properties to be fully acquired in order to be able to replicate what we have spent many years of blood, sweat and tears into building and developing. We also see that we would need a considerable length of time left living on the existing properties, once money has been paid for the properties, in order to search for a property that would have the titles and possibility for re-establishing what we have uniquely developed here at White Acres.

Submission date: 14 December 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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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 Shane Charlton & Mrs Katie Charlton

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

N/A

**Address for service of Submitter**

1857 East Coast Road, RD4, Albany 0794

Telephone:  Email:

Contact Person: (Name and designation if applicable)

**This is a submission on a notice of requirement:**

<b>By::</b> Name of Requiring Authority	Auckland Transport
<b>For:</b> A new designation or alteration to an existing designation	North: (NoR 13) Upgrade to East Coast Road between Silverdale and Redvale

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

We object to the proposed designation at 1857 East Coast Road.  
Plus, proposed designations at 1852 and 1862 East Coast Road, which face similar issues to our own property as detailed below.

**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 extent to which our property is impacted by the NoR is completely unwarranted. The concept engineering plans show a wholly unnecessary cut batter extending ~6m into our property. A more suitable alternative would be a minor ~2m high retaining wall along the existing boundary. This would avoid any need to encroach more than ~1m onto our property. This superfluous over-reach is subsequently compounded by designating

our entire home as a potential construction area, with the resulting designated zone extending up to ~30m onto our property. This proposal is utterly unwarranted and unjustified. Not only does it cause us significant and unnecessary stress and limit our use of our property for the next estimated ~30 years, but also exposes AT to the very real risk of having to make an early acquisition of our entire property, because the NoR will make it unsellable.

(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).

Withdraw the NoR on our property entirely or,  
Reduce the extent of the designation to a ~1m wide section along our road frontage.  
Proceeding as per the current proposal is completely unacceptable. We request an in person site meeting, with appropriate representation from all parties, to assess a more appropriate course of action.

- 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

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

12/14/2023  
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 following customer has submitted a Notice of Requirement online submission.

## Contact details

Full name of submitter: sam white

Organisation name:

Full name of your agent: sam white

Email address: [sam@electric-city.co.nz](mailto:sam@electric-city.co.nz)

Contact phone number: 0211191358

Postal address:

[sam@electric-city.co.nz](mailto:sam@electric-city.co.nz)

Auckland

Auckland 0794

## Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1724 East Coast 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:

We oppose NOR. Reason for our views are as follows: Firstly, we are located at 1724 East coast road, we adore where we live. We have put countless hours, days and weeks into growing this property for our family, to accommodate us uniquely. We have family surrounding us on both sides of us, we run our business from our home which we have just finished spending another \$200,000 on to complete and run successfully. We have the support of our family on both sides of us, our children can visit their cousins safely and solely and not only that I have lived here my entire life, I planned on raising my children here and I planned on my children raising their children here and NOR has completely and utterly destroyed this amazingly unique family legacy that my parents put there blood, sweat, tears and unconditional love into. My mother and Father are located at 1726 and my brother and sister located at 1722 and it is to our knowledge you want to take full acquisition of these two property and leave us smack bang in the middle of major road works, earth works and land development that will be going 24/7 for what feels like years. We have 2 beautiful children, 2 and 4, and my oldest is special needs. He has a chromosome deletion, he is autistic and suffers from seizures. You cannot under any circumstances leave us here with all of that going on around us, he would not cope in any way, not to mention the land of ours you are wanting to take away from us is back to back with my children's bedrooms. I also do not feel comfortable letting my children play freely in which was their back yard with that amount of machinery, chaos and strangers all over our once very peaceful home. We are extremely lucky to have our family next door as having 2 very young children and one of very high needs is extremely difficult as is but having our family there helps us in our day to day life, they're able to come down at any moment of the day if my son is having an episode and we need that extra support.

32.1

32.2

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

We seek the following: We seek that you buy our property along with addresses 1722 and 1726, with early payout to give us the opportunity to find somewhere we are able to replicate what we have now.

This payout would have to resemble a property of 5 acres, 10 minutes from shopping facilities, 20 minutes from the harbor bridge, an future urban zone, a business that is self contained and away from the living quarters.

Submission date: 14 December 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.

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.



**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: Auckland Council  
Unitary Plan  
Private Bag 92300  
Auckland 1142  
[unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

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

Address for service: Incite (Agent for the Ministry of Education)  
PO Box 3082  
Auckland 1140

Attention: Chris Horne

Phone: 09 369 1465

Email: [chris@incite.co.nz](mailto:chris@incite.co.nz)

**This is a submission on the 13 Te Tupu Ngātahi Notices of Requirement for North Auckland as follows:**

- **North Transport Project NoR 1: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)**
- **North Transport Project NoR 2: North: New Rapid Transit Station at Milldale (Waka Kotahi NZ Transport)**
- **North Transport Project NoR 3: North: New Rapid Transit Station at Pine Valley Road (Waka Kotahi NZ Transport)**
- **North Transport Project NoR 4: North: State Highway 1 Improvements – Albany to Orewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (Waka Kotahi NZ Transport)**

- **North Transport Project NoR 5: North: New State Highway 1 Crossing at Dairy Stream (Auckland Transport)**
- **North Transport Project NoR 6: North: New Connection between Milldale and Grand Drive, Orewa (Auckland Transport)**
- **North Transport Project NoR 7: North: Upgrade to Pine Valley Road (Auckland Transport)**
- **North Transport Project NoR 8: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (Auckland Transport)**
- **North Transport Project NoR 9: North: Upgrade to Dairy Flat Highway between Dairy Flat and Albany (Auckland Transport)**
- **North Transport Project NoR 10: North: Upgrade to Wainui Road (Auckland Transport)**
- **North Transport Project NoR 11: North: New Connection between Dairy Flat Highway and Wilks Road (Auckland Transport)**
- **North Transport Project NoR 12: North: Upgrade and Extension to Bawden Road (Auckland Transport)**
- **North Transport Project NoR 13: North: Upgrade to East Coast Road between Silverdale and Redvale (Auckland Transport)**

**The Ministry is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.**

**The specific parts of the notice of requirement that this submission relates to are:**

Those parts of the proposals that either physically affect proposed and existing schools, and/or conditions to ensure that detailed design appropriately addresses integration with adjacent schools and construction effects including heavy traffic routes. This includes the physical extent of the proposed designations and general arrangements in NoR 6, NoR 8 and NoR 10, and conditions relating to designation review and the Land Integration Process in NoRs 5-13, and the stakeholder engagement and construction traffic management conditions in all NoRs.

### **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. This is 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 in the Auckland region.

**The Ministry of Education's submission is:**

The Ministry is neutral on whether the various projects set out in the NoRs should proceed. However, the Ministry **opposes the proposed designations in part** unless the matters set out in this submission are appropriately addressed.

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, Waka Kotahi NZ Transport Agency and Auckland Transport have lodged 13 Notices of Requirement (NoR) to designate land, or in the case of NoR 4 to alter existing designations, for future strategic transport projects in North Auckland (the Project). These designations enable the future construction, operation and maintenance of transport infrastructure to support anticipated growth in the north of Auckland between Orewa and Silverdale over the next 30 years or more.

The location of each NoR in relation to and the Ministry's assets is shown in **Figure 1**,

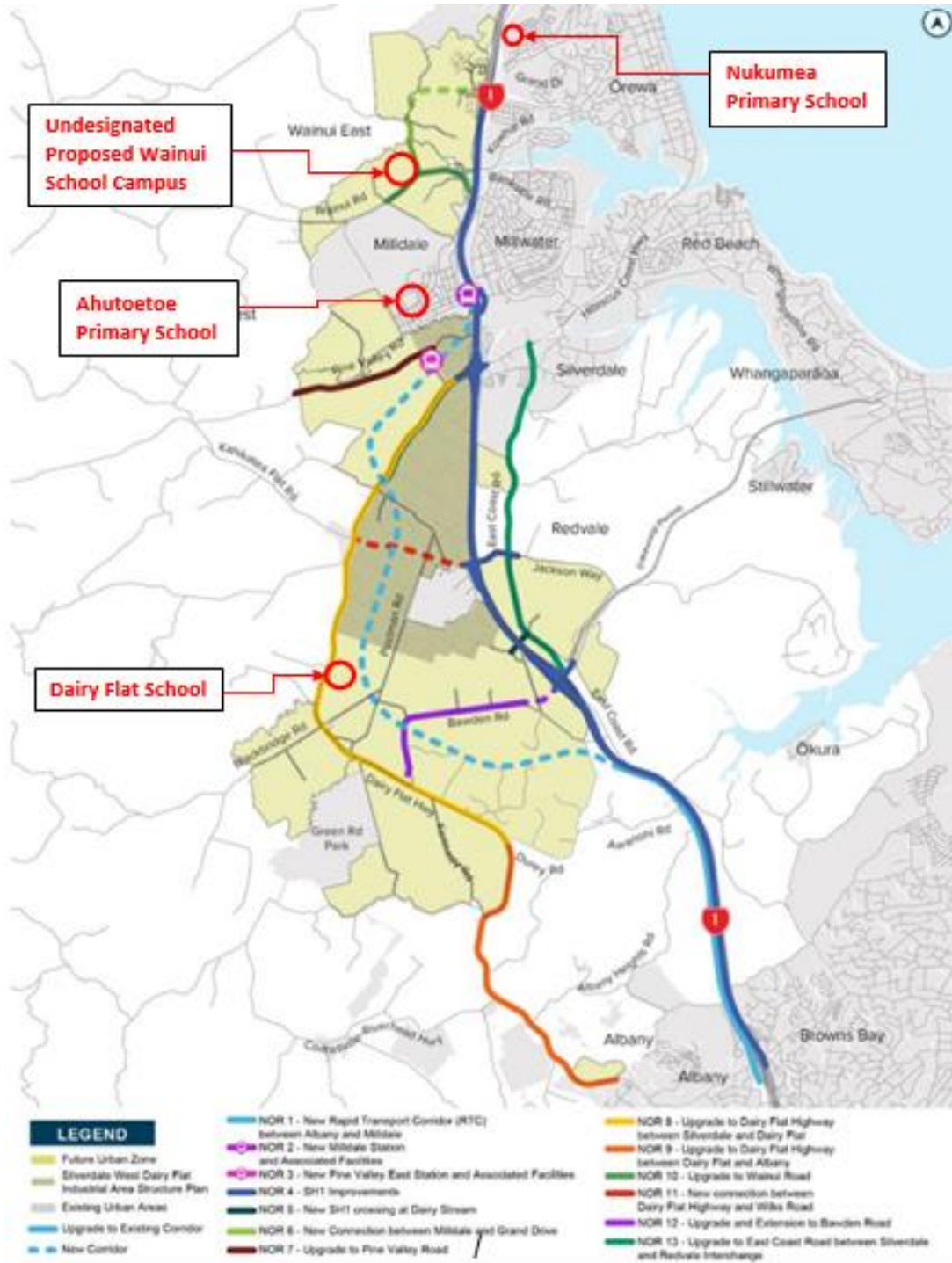


Figure 1: Project Overview - Location of NoRs in relation to the Ministry of Education's School Network.

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, two school sites are directly affected by the Project. These are:

- Dairy Flat School, a primary school at 1220 Dairy Flat Highway (Designation ID 4563), affected by NoR 8; and
- Land at 15-37 Upper Orewa Road, Wainui (three titles, two of which are acquired and the third under negotiation for purchase) on which the Ministry proposes a campus with a secondary school, primary school and special school, affected by NoR 6.

NoR 10 affecting Wainui Road will also impact on future access solutions to the proposed future Wainui school campus site.

Other schools in the project area include Ahutoetoe Primary School, 89 Maryvale Road (Designated ID 4664 – designated as Milldale Primary School), and the recently opened Nukumea Primary School, 11 Crozier Place, Orewa (Designation ID 4666). Nukumea Primary School is adjacent to the SH1 corridor, but it has no direct connection and there are no changes to the State Highway designation at this location.

Aside of direct impacts on adjacent schools, 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 6, NoR 8, and NoR 10. Additionally, the general approach to construction management and the use of heavy vehicles during construction and their routes in relation to all NoRs is of interest to the Ministry in regard to potential adverse effects on existing and potential future schools at peak pick-up and drop-off times.

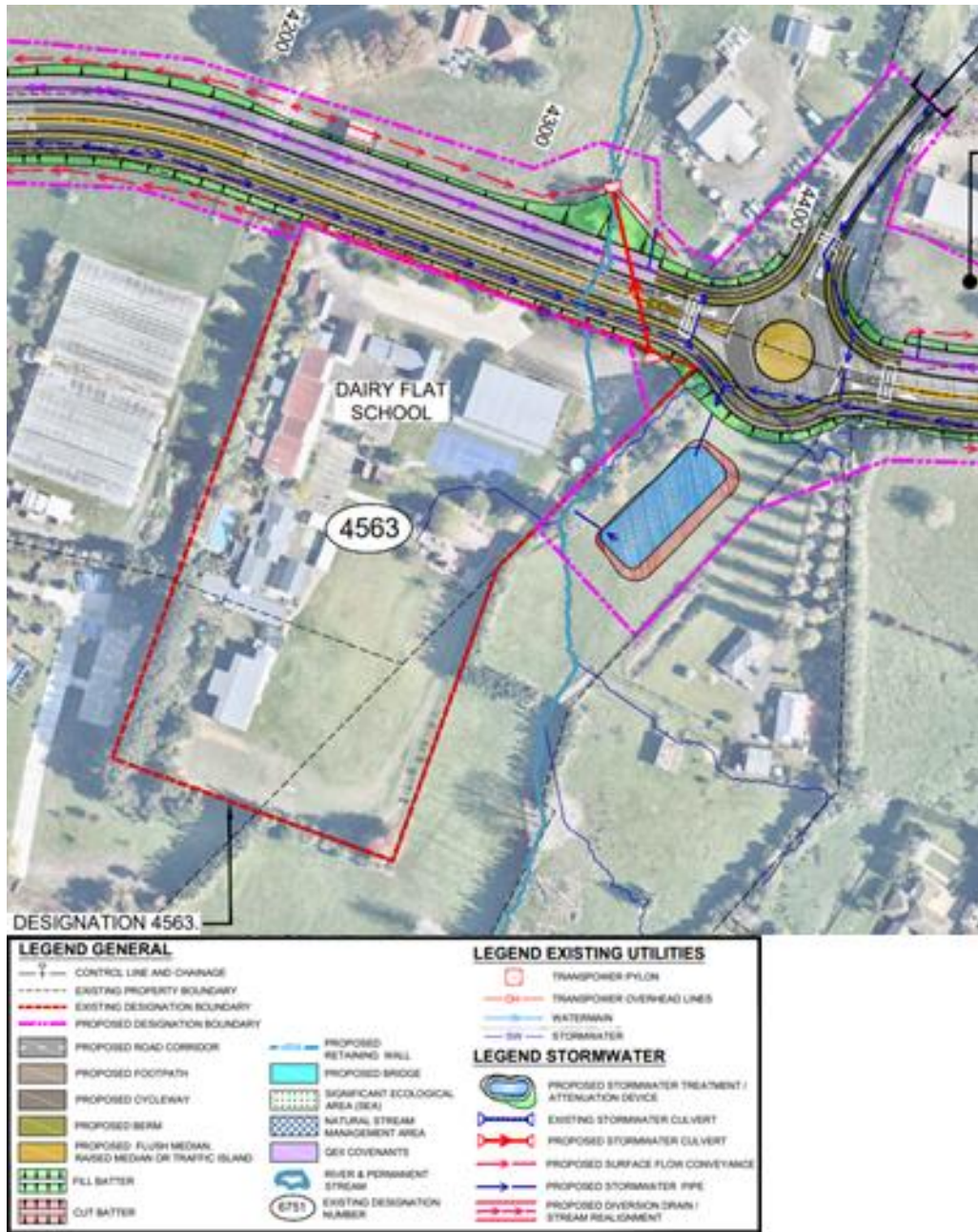


Figure 2: Proposed works in proximity to the Dairy Flat School

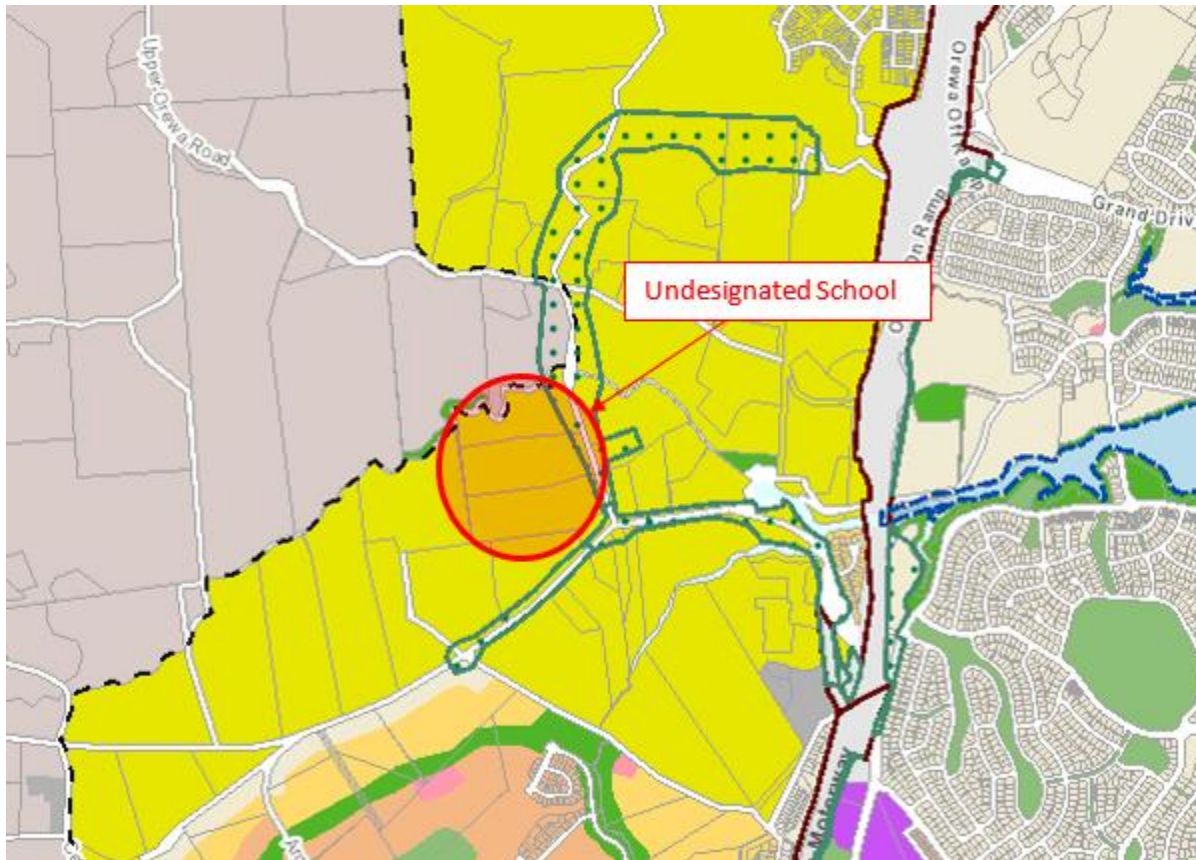


Figure 3: NoR 6 and 10 Footprints in relation to proposed Wainui School campus on Upper Orewa Road

### 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 and will reduce 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 generally provide adequate cycling and walking infrastructure to the schools in Orewa.

Regarding NoR 8 at Dairy Flat School, a two-lane rural arterial is proposed on this section with a 60km per hour speed limit area proposed (noting that one side of this road is zoned for future urbanisation). As public bus stops across the road are used by school children, the Ministry requests that this section of Dairy Flat Highway has a 50 km/hr speed limit and a pedestrian crossing is installed as part of the project when it proceeds, which will be more reflective of its future urban context. Also, for all existing school sites at the time works proceed, at least a 3m wide footpath should be installed along school frontages if not already implemented.

### Dairy Flat School – NoR 8

NoR 8 comprises a proposed two-lane rural arterial adjacent to the school with separated cycle and pedestrian facilities and a 60 km/hr speed limit. A proposed three leg round-a-bout is also generally adjacent to the school (see Figure 2 above). In consultation with the school, the Ministry has identified the following issues:

- The designation footprint impacts on part of the existing school car park which affects the turning area and approximately 3 parking spaces. It is unclear if this is for construction only or will permanently impact the car park. Reconfiguration may be required. It is noted that the area affected is already designated for educational purposes which has priority of any later designation by Auckland Transport. Access to this area and/or part removal of the school designation would be dependent on any issues identified being appropriately mitigated. AT will need to obtain 176(1)(b) approval from the Minister of Education (via the Ministry) prior to any use of this land, as it will affect the Ministers Education purpose designation.
- Widening along Dairy Flat Highway will impact on the existing road berm area used for pick-up and drop-off. This is an existing rural school and relies on this area for practical provision of pick up and drop off. Loss of this area is of concern to the school. It is unclear how it can be mitigated by the project.
- There is a public bus stop on the opposite side of the road used by students. There is no pedestrian crossing at this location as it is currently a rural road with an 80km/hr speed limit. The area will become more urban over time. As part of its future upgrade to an arterial, a 50 km/hr speed limit past the school and provision of a pedestrian crossing are requested.
- Reconfiguration of the road and bus stops (both sides of the road) needs to ensure buses can be safely accommodated including bus queuing.
- Any future footpath along the school frontage should be a minimum width of 3m to accommodate peak usage at pick-up and drop-off times.
- Drainage works are proposed including a new culvert crossing the highway that has an outlet terminating adjacent to the school frontage, and a stormwater pond discharging to the stream adjacent to the school. The Ministry wishes to ensure the design properly takes mitigates any flood risks to the school.
- It is unclear how the new arterial would affect the safety of the existing school access. Alternative access needs to be considered. An option that should be considered is a fourth leg off the round-a-bout adjacent to the proposed stormwater pond to provide alternative access to the school. This land may also provide opportunities to address loss of on-site car parks and removal of pick-up and drop-off on the existing road berm. This could also potentially improve efficiency of the road if it became the primary entry for pick-up and drop-off activity.
- Reinstatement of fencing on the road boundary to protect the health and safety of young children on the future arterial requires consideration.

Amendments to proposed designation conditions are sought to ensure these matters are properly addressed as part of land use integration and stakeholder engagement.

### Proposed Wainui School Campus – Upper Orewa Road – NoRs 6 and 10

NoR 6 proposes an upgrade to Upper Orewa Road including its connection to Wainui Road, and extension of a road corridor through to the Orewa Interchange. The intent of this work is supported as it will provide better connectivity for the future catchment of the proposed Wainui School campus which is envisaged to have a secondary school, primary school and specialist school. It will therefore be a strategic educational asset for this part of Auckland. Designation for this school is expected to be sought in 2024 when all land acquisition processes are finalised. An upgrade to the interaction between Upper Orewa Road and Wainui Road is also supported.

NoR 6 has a significant impact on the frontage of the properties the Ministry has acquired or is acquiring for the school. As shown in Figure 4 below, the general arrangement shows a relatively large impact on the school from the batters may not be conducive to a suitable school access and interface between the school and the road. The Ministry has had previous discussions with Auckland Transport about this school proposal and whilst the school proposal is acknowledged in the NoR documents, the indicative arrangement shown is of concern in regard to compatibility with the school campus. The school campus site is shown in the draft structure plan prepared by Fulton Hogan as part of its private plan change proposal to urbanise adjacent land.



Figure 4: NoR 6 Future School Campus Site indicated by stars (east is at the top of this plan)

The Ministry also wishes to ensure that any culverts across Upper Orewa Road are properly sized and road levels set to ensure any high rainfall events do not cause any flooding events on the future school campus site.

NoR 10 is also relevant as it involves an upgrade to Wainui Road, and intersection upgrades at both Upper Orewa Road and Lysnar Road. The Ministry envisages that the future school campus would require access from both Upper Orewa Road and an extension to Lysnar Road as the school reaches its full masterplan roll. The Ministry is working with Fulton Hogan who owns the land needed to connect an extension of Lysnar Road to the proposed school campus. As the majority of students for the secondary school reside in the Milldale residential development, south of Wainui Road, the Ministry considers that a signalised intersection to Lysnar Road would provide for more suitable active mode connections across Wainui Road.

#### Designation boundary overlap

The Ministry supports proposed Condition 3 of the proposed Auckland Transport designation (NoRs 5-13), which requires the Requiring Authority to review the physical extent of the designation and pull it back after construction.

When the Ministry develops its Wainui site or any other site that may be affected by these designations in the future given the long lapse periods, 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 may change the gradient and interface on the school campus 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 campus site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks before the road project proceeds, then the NoR boundaries can be revised.

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

### **All NORs - General Matters Relating to Existing and Future Schools**

#### Construction noise and vibration

**33.1** Existing and future schools may be affected by construction noise and vibration. Under proposed Condition 19 for NoRs 1-3, Condition 17 for NoR 4 and Condition 19 for NoRs 5-13, the Requiring Authorities are required to develop a Construction Noise and Vibration Management Plan (CNVMP) before construction commences. The Ministry requests that the Ministry and any affected schools are engaged with regard to any potential construction noise and vibration impacts. In addition, the Ministry requests that any construction activities that could be expected to significantly exceed the permitted noise and/or vibration levels are undertaken outside of study and exam periods to minimise disruptions to students' learning.



### Construction traffic effects

Construction of all projects has the potential to cause traffic safety issues for existing and potential future schools that may be in operation before the road projects proceed. This is particularly in regard to works outside or adjacent to schools, and heavy traffic routes for construction traffic which may pass in the vicinity of school sites. The primary traffic safety concern is for students walking and cycling to school at peak pick-up and drop-off times.

**33.2** Each NoR includes a condition requiring 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 provide a more explicit focus on the need to manage heavy traffic routes that pass in the vicinity of schools during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school.

### Stakeholder engagement

**33.3** The Ministry supports the establishment of a Stakeholder Communication and Engagement Management Plan (SCEMP) as a proposed condition. We consider that the Ministry, Dairy Flat School (in specific regard to NoR 8), and future schools (currently this includes the Wainui School campus affected by NoRs 6 and 10) are all key stakeholders in this Project and specific engagement with all parties is required to manage the construction effects on the schools.



**Decision sought**

If the consent authority is of a mind to recommending that the NoRs be confirmed, the Ministry requests the following relief and any consequential amendments required to give effect to the matters raised in this submission.

The Ministry also requests further engagement with Auckland Transport over the alignment of the road and extent of proposed works specifically in regard to Dairy Flat School and the proposed Wainui School Campus on Upper Orewa Road, and the intersection treatment of Wainui Road and Lysnar Road, to ensure there are suitable outcomes for these schools, while still achieving the intended outcomes of the Project.

Changes to Conditions

The Ministry seeks the following relief for the conditions below (additions are underlined):

33. □

**Designation Review (NoRs 5-13)**

**Amend** Condition 3 as follows:

- (a) *The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable or where a portion of the works are delivered by a third-party Developer or Development Agency:*
  - (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.*

33. □

**Land Integration Process (NoRs 5-13)**

**Amend** Condition 10 as follows:

*The Requiring Authority shall set up a Land use Integration Process for the period between confirmation of the designation and the Start of Construction. The purpose of this process is to encourage and facilitate the integration of master planning and land use development activity on land directly affected or adjacent to the designation. To achieve this purpose:*

- (a) *Within twelve (12) months of the date on which this designation is included in the Auckland Unitary Plan, the Requiring Authority shall include the contact details of a nominated contact on the project website (or equivalent information source) required to be established by Condition 2(a)(iii).*
- (b) *The nominated contact shall be the main point of contact for a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the designation.*
- (c) *At any time prior to the Start of Construction, the nominated contact will be available to engage with a Developer or Development Agency for the purpose of:*



- (i) *responding to requests made to the Requiring Authority for information regarding design details that could assist with land use integration; and*
- (ii) *(receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration.*
- (iii) **Integrating any Developer or Development Agencies designs into the Requiring Authority's development plan to be included in any Outline Plan of Works.**
- (d) .....

**Stakeholder and Communication and Engagement Management Plan (SCEMP) (NoRs 1-13)**

33.3

**Amend** Condition 13 (NoRs 1-3), Condition 11 (NoR 4) and Condition 15 (NoRs 5-13) as follows:

- (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) *a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with;*
  - (v) **methods for engaging with the Ministry of Education and schools in the Project area including any future schools that have or are being acquired but are not yet designated;**
  - (vi) .....

**Construction Traffic Management Plan (CTMP) (NoRs 1-13)**

33.2

**Amend** Condition 16 (NoRs 1-3), Condition 14 (NoR 4) and Condition 18 (NoRs 5-13) as follows:

- (a) *A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. 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, **and in particular the avoidance of heavy traffic in the vicinity of schools around peak pick-up and drop-off times,** 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;*
- (vi) *methods to maintain 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 to be achieved during the construction phase, including any measures to monitor compliance with the performance parameters; and*
- (xi) *(xi) details of any measures proposed to be implemented in the event of thresholds identified in (x) being exceeded.*

Site Specific Matters – Design Outcomes (NoRs 6, 8 and 10 only)

The Ministry will use the Land Integration Process and stakeholder engagement to seek the following design outcomes:

**NoR 8: Dairy Flat School**

That detailed design specifically considers the matters set out in relation to NoR 8 in this submission including:

- Suitable vehicle access to the school site, which may be a fourth leg to the proposed round-about.
- provision of suitable and pick up and drop off areas to mitigate any loss of these facilities.
- safe configuration of on-street public bus stops.

- implementation of a 50 km/hr speed limit area adjacent to the school and provision of a pedestrian crossing to provide safe access to the bus stop across Dairy Flat Highway.
- design of stormwater infrastructure to mitigate any stormwater effects on the school.
- a minimum 3m wide footpath on the school side of the road.
- Provision of suitable fencing at the road and school interface.

***NoR 6: Upper Orewa Road – integration with proposed Wainui School***

That the Requiring Authority reviews the extent of the designation footprint on the proposed Wainui School campus with the adjacent proposed school in mind to ensure it is necessary and appropriate for the proposed works.

That detailed design specifically considers the matters set out in relation to NoR 6 in this submission including:

- The interface between any road upgrades and the proposed adjacent school campus is addressed. In particular, the levels of Upper Orewa Road relative the adjacent school site will need to be considered to ensure the interface is practical and appropriate.
- Any culverts across Upper Orewa Road are properly sized and road levels set to ensure any high rainfall events do not cause flooding on the future school campus site.

***NoR 10: Wainui Road Upgrade – Form of Intersection upgrade with Lysnar Road to integrate with proposed Wainui School***

That the Requiring Authority implement a signalised intersection rather than a round-a-bout to improve connectivity between the existing extent of the Milldale residential development and the proposed school for active modes.

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 submission.**

**The Ministry does not wish to present a joint case with other submitters.**



**Te Tāhuhu o  
te Mātauranga**  
Ministry of Education

A handwritten signature in blue ink, appearing to read 'Chris Horne', written over a light yellow rectangular background.

**Chris Horne**  
**Consultant Planner for Ministry of Education**

**Date:** 14 December 2023

**SUBMISSION NOTICE OF REQUIREMENT FOR A DESIGNATION THAT IS SUBJECT TO PUBLIC NOTIFICATION  
UNDER SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991**

**To: Auckland Council**

Attention: John Duguid, Manager – Plans & Places

By email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**cc Auckland Transport**

c/- Supporting Growth Alliance

By email: [submissions@supportinggrowth.nz](mailto:submissions@supportinggrowth.nz)

**Name of Submitter:** Fletcher Development Limited (**Fletcher**)

**Submission on:** Notice of requirement from Auckland Transport: NoR 13 North: Upgrade to East Coast Road between Silverdale and Redvale ('**NoR 13**' or '**the NoR**').

**Introduction**

1. Fletcher owns the property at 1660 Dairy Flat Highway, Dairy Flat, Auckland 0792, being a 20.2ha rural property, located within the Future Urban Zone under the Auckland Unitary Plan (Operative in Part) (**Unitary Plan**).
2. Auckland Council published the Silverdale West Dairy Flat Industrial Area Structure Plan (**Structure Plan**) in April 2020. The intention at that time, and as set out in the Future Urban Land Supply Strategy 2017 which applied at the time, was for the Council to progress a public plan change to rezone the Stage 1 land, being approximately 87ha and including the Fletcher property, to Business - Light Industry Zone. The staging plan within the Structure Plan identifies that the Stage 1 area would provide for the industrial land demand in the area from 2022 to 2038. The public plan change never eventuated.
3. Fletcher, together with Fulton Hogan Land Development who own adjoining land immediately to the south of 1660 Dairy Flat Highway, are the requestors of the proposed Silverdale West Industrial Precinct Private Plan Change (**Private Plan Change**). The Private Plan Change:

- (a) Seeks to rezone 107.35ha of Future Urban Zoned land between Dairy Flat Highway and State Highway 1 (refer to **Attachment 1** to this submission) to Business - Light Industrial Zoned land. While the footprint of the Plan Change Area differs from that of Stage 1 as detailed within the Structure Plan, it aligns broadly with the land use anticipated under the Structure Plan.
  - (b) Includes a suite of transport upgrades as prerequisites to levels of development, some of which clearly overlap with infrastructure addressed in NoR 13. In particular, the Plan Change Request includes the signalisation of the East Coast Road / Wilks Road intersection.
  - (c) The Private Plan Change was lodged with Auckland Council on 25 August 2023 and is expected to be notified in early 2024.
- 4. Fletcher has an interest in NoR 13 that is greater than that of the general public. While Fletcher's landholding is not directly impacted by the NoR, it has a wider interest in the NoR as one of the parties progressing the Private Plan Change which includes transport upgrades within the footprint of the NoR.
  - 5. Fletchers repeat and adopt for NoR 13 a number of points made in its submission on NoR 3, NoR 4 and NoR 8.
  - 6. Fletcher could not gain an advantage in trade competition through this submission.

**Scope of submission**

- 7. This submission relates to NoR 13 in its entirety but particularly to extent it overlaps with transport upgrades being proposed as part of the Private Plan Change.

**Nature of submission**

- 8. Fletcher supports the intent of NoR 13 to upgrade of East Coast Road to an urban arterial corridor between Hibiscus Coast Highway and the Ō Mahurangi Penlink (Redvale) Interchange.
- 9. There are broader land use integration issues with NoR 13 that appear to have arisen out of a lack of consultation with affected landowners. The Assessment of Environmental Effects supporting the





NoR acknowledges that the Silverdale West Industrial Area is anticipated for development now, and that a Council-led plan change is being progressed. As noted, Council is not progressing a public plan change for the Silverdale West Industrial Area at this time, however Fletcher and others are progressing the Private Plan Change. There are clearly areas of overlap between that process and the NoR (and the North Project NoRs more broadly), and associated opportunities for coordination and integration of outcomes.

10. Fletcher opposes NoR 13 in its current form, subject to the adverse effects associated with the location and extent of NoR 8 being addressed, including by:
  - (a) modifying NoR 13 to accommodate and integrate the transport network needs associated with development of the Silverdale West Industrial Precinct, as programmed within Auckland Council's Future Development Strategy
  - (b) conditions are imposed that ensure the adverse effects on Fletchers and the broader Silverdale West Industrial Precinct development area are addressed.

**Reasons for submission**

11. The reasons for this submission are that, if confirmed as currently proposed, NoR 8:
  - (a) will not promote the sustainable management of natural and physical resources and is therefore contrary to or inconsistent with Part 2 and other provisions of the Resource Management Act 1991 3□2
  - (b) does not promote the efficient use and development of land resources 3□2
  - (c) is inconsistent with other relevant planning documents including the Auckland Unitary Plan 3□3
  - (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□2

Specific reasons for submission

12. Without limiting the generality of the above reasons, the specific reasons for the submission are that NoR 13:

(a) does not represent an efficient use of land because:

- (i) it does not integrate with programmed land use and development within the Silverdale West Industrial Precinct; and
- (ii) the spatial extent of the NoR project footprint and identified land requirements exceed the land required for the proposed works; and

3□3

3□□

(b) will not result in the most appropriate transport outcomes when compared to possible alternative alignment options that integrate with planned land use in the area.

3□□

(c) The 30-year lapse date proposed at Condition 4. The extension of 25 years to the lapse period is excessive and will prevent future development opportunities progressing in a cohesive and integrated manner. The proposed lapse period would have the effect of neutralising the ability for that land to be developed until funding for the NoR 13 works is allocated, which is contrary to the sustainable management of natural and physical resources and would not meet the sustainable management purpose of the RMA.

3□□

(d) does not appropriately integrate transport upgrades with land use activity in the locality. Despite the assertion that the NoRs are collectively being progressed to integrate transport upgrades with land use, there appears to have been a distinct lack of engagement with landowners to understand and integrate with land use projects actively being progressed across the wider locality. Fletcher submits that there are opportunities to coordinate and integrate the following within NoR 13 and the associated Conditions of Designation as a means of providing greater clarity to impacted landowners, and the public more generally:

3□□

- (i) scope to have phased delivery of the works described in NoR 13
- (ii) scope for mixed methods of delivery, including through public and private works; and
- (iii) early delivery of upgrades to support the live zoning of land within the Silverdale West Industrial Area

(e) includes a 30-year timeframe for implementation. While Fletcher has already identified some existing land use and transport integration issues that already exist, it is inevitable that there will be more in the future as North Project elements are implemented over time. Fletcher broadly

3□□

supports the inclusion of Condition 10 (Land Use Integration Process) (LIP) and its focus on providing a direct avenue for discussions between the Requiring Authority and the development community. Fletcher requests that condition 10 be amended to clarify:

- (i) that this is an avenue for open and honest two-way collaboration for the purposes of integration of transport infrastructure and land use
- (ii) that it is not simply a mechanism for land use to coordinate with transport infrastructure, but that where appropriate, transport infrastructure may be amended to align with or accommodate proposed land use

While the above can ensure future transport and land use integration, the lack of engagement to date can only be addressed by engagement now and changes to the NoR.

- (f) includes a raft of conditions whereby management plans are to be provided “prior to construction”. These triggers would be more useful and of more relevance to landowners and developers if they were amended to “at the time of the Outline Plan is applied for”. Examples of where this trigger may be more appropriate include the Urban and Landscape Design Management Plan (Condition 11), Flood Hazard (Condition 12), Stakeholder and Communication, and Construction Environmental Management Plan (Condition 14), and Engagement Management Plan (Condition 15).



### Recommendation sought

- 13. Fletcher seeks the following relief on NoR 13:
  - (a) That NoR 13 is modified to accommodate the transport network needs associated with development of the Silverdale West Industrial Precinct, as programmed within Auckland Council’s Future Development Strategy
  - (b) That the extent of the designation boundary of NoR 13 be reviewed and reduced to minimise the required land take, and reflect the actual and reasonable area of land that is needed to accommodate the appropriate future design for improvements to East Coast Road
  - (c) That the designation boundary be amended to show the operational extent around what will be the legal road reserve, and the construction extent (two separate designation boundaries)

- (d) That schedule 1 of the proposed conditions of NoR 13 be amended following review the extent of the designation boundary
- (e) Any such further relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

**Appearance at hearing**

- 14. Fletcher wishes to be heard in support of its submission.
- 15. If others make a similar submission, Fletcher will consider presenting a joint case with them at any hearing.
- 16. Fletcher has also lodged a submission on the following North Project Notices of Requirement as they, to varying degrees, interact with transport network upgrades upon which the Plan Change Request is contingent:
  - (a) NoR 3 – North: New Rapid Transit Station at Pine Valley Road (**NoR 3**), being progressed by Waka Kotahi NZTA
  - (b) NoR 4 – North: State Highway 1 Improvements – Albany to Ōrewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (**NoR 4**), being progressed by Waka Kotahi NZTA
  - (c) NoR 8 – North: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (**NoR 8**), being progressed by Auckland Transport

**DATED** at this day of 14 December 2023



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Ross Cooper

**Tattico**

**For and on behalf of Fletcher Development Limited**

Electronic address for service of Submitter: [ross.cooper@tattico.co.nz](mailto:ross.cooper@tattico.co.nz)

c/- Tattico

PO Box 91562, Victoria Street, Auckland 1142

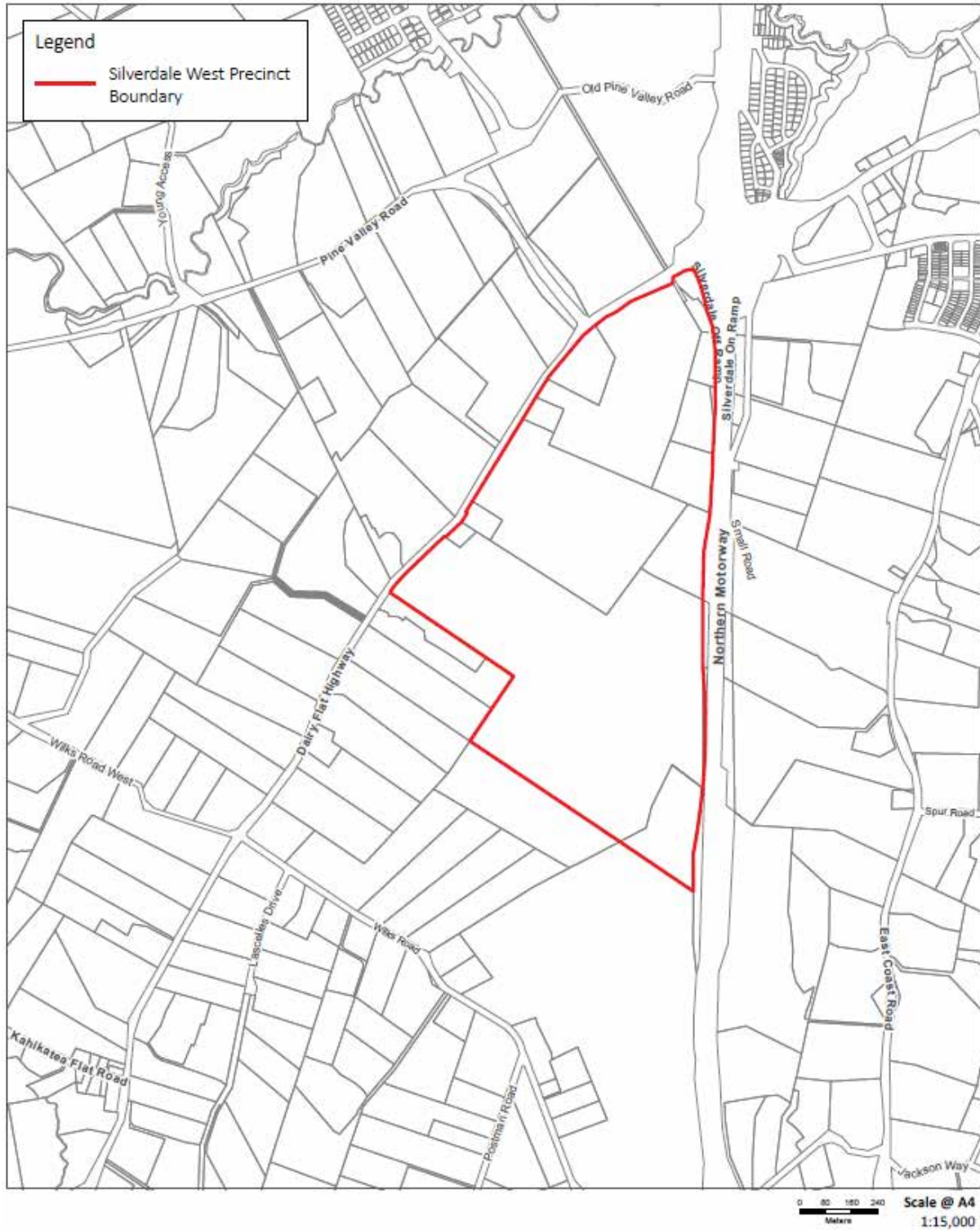
Contact person: Ross Cooper

Telephone: +6421 740 410

Email address: [ross.cooper@tattico.co.nz](mailto:ross.cooper@tattico.co.nz)

ATTACHMENT 1

SILVERDALE WEST INDUSTRIAL PRECINCT BOUNDARY



**Submission on the Thirteen Notices of Requirement for the North Projects lodged by Waka Kotahi NZ Transport Agency and Auckland Transport as requiring authorities 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 North Projects

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

**ADDRESS FOR SERVICE:** Mark Bishop  
Regulatory & Policy Manager  
Watercare Services Ltd  
Private Bag 92 521  
Wellesley Street  
AUCKLAND 1141  
Phone:022 010 6301  
Email: [Mark.Bishop@water.co.nz](mailto:Mark.Bishop@water.co.nz)

**DATE:** 14 December 2023

**1. INTRODUCTION**

- 1.1 Watercare is pleased to have the opportunity to make a submission on the thirteen NoRs for the "North Projects" lodged by Waka Kotahi NZ Transport Agency ("**Waka Kotahi**") and Auckland Transport as requiring authorities under the Resource Management Act 1991 ("**RMA**").
- 1.2 Watercare neither supports nor opposes the NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made to confirm the NoRs 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 ("Council"). Watercare has a significant role in helping Auckland Council achieve its vision for the city. Our services are vital for life, keep people safe and help communities to flourish.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.7 million people in the Auckland region. Over the next 30 years, from 2023 – 2053, this is expected to increase by another 520,000 people, potentially requiring another 200,000 dwellings along with associated drinking water, stormwater and wastewater infrastructure. The rate and speed of Auckland's population growth puts pressure on our communities, our environment, and our housing and infrastructure networks. It also means increasing demand for space, infrastructure, and services necessary to support this level of growth.
- 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.<sup>1</sup>
- 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 recently adopted Auckland Council Future Development 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.<sup>2</sup>

## 3. PLANNED AND EXISTING WATERCARE ASSETS

- 3.1 The Assessment of Effects on the Environment for the NoRs does not identify any Watercare assets within the NoR project areas.<sup>3</sup> However, some of the project areas for the NoRs are within areas where Watercare has planned for future infrastructure development, as detailed at paragraph [3.4].
- 3.2 Water and wastewater infrastructure to be developed within the areas covered by the NoRs broadly falls in two categories; developer-led infrastructure to service growth at a local network level, and Watercare-led infrastructure to service growth at a bulk level.
- 3.3 Watercare may have some awareness of developer-led infrastructure projects within the covered areas, but it is important to clarify that Watercare is not responsible for and does not have direct control over these projects until they are finished and officially vested. It is also worth noting that Watercare has limited insight into the details of developer-led infrastructure projects, however as previously noted, wishes to remain involved in future engagement to ensure alignment between infrastructure providers.

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<sup>1</sup> LGA, s 59.

<sup>2</sup> Local Government (Auckland Council) Act 2009, s 57.

<sup>3</sup> Assessment of Effects on the Environment for the North Project (dated September 2023).



3.4 Specific commentary regarding known projects within Watercare's Asset Management Plan to service growth at a bulk level is outlined below. Solutions and alignments/locations are subject to change as we learn more, progress our projects and the area develops. There is also potential for new needs to surface, necessitating further bulk infrastructure. Ongoing engagement is critical to maintain alignment.

**a) NoR North Projects: New Rapid Transit Corridor, including a walking and cycling path (NoR 1)<sup>4</sup> – Waka Kotahi (NZTA)**

- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 1.
- Watercare plans to install a new wastewater pump station in Silverdale West which will convey flows to Milldale via a rising main. The location of the pump station and alignment of the rising main are yet to be confirmed, but there is potential for them to intersect with NoR 1.

**b) NoR North Projects: New Rapid Transit Station at Milldale (NoR 2)<sup>5</sup> – Waka Kotahi (NZTA)**

- Watercare is installing a cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will involve a new transmission watermain crossing State Highway 1 at and either side of the Highgate Bridge, which is within NoR 2.

**c) NoR North Projects: New Rapid Transit Station at Pine Valley Road (NoR 3)<sup>6</sup> – Waka Kotahi (NZTA)**

- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with NoR 3.
- Watercare plans to install a new wastewater pump station in Silverdale West which will convey flows to Milldale via a rising main. The location of the pump station and alignment of the rising main are yet to be confirmed, but there is potential for them to intersect with NoR 3.

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<sup>4</sup> For a designation for a new Rapid Transit Corridor between Albany Bus Station and Milldale, via Dairy Flat, including a cycleway and/or shared path.

<sup>5</sup> For a designation for a new Rapid Transit Station in Milldale, including transport interchange facilities and active mode facilities.

<sup>6</sup> For a designation for a new rapid transit station at Pine Valley Road, Dairy Flat, including transport interchange facilities, active mode facilities and park and ride facilities.

- d) **NoR North Projects: State Highway 1 Improvements – Albany to Ōrewa and Alterations to Existing Designations 6751, 6760, 6759, 6761 (NoR 4)<sup>7</sup> – Waka Kotahi (NZTA)**
- Watercare plans to install a new cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will require a corridor for a new transmission watermain running from the west of State Highway 1 through to East Coast Road, potentially likely intersecting with sections of NoR 4.
- e) **NoR North Projects: New State Highway 1 Crossing at Dairy Stream (NoR 5)<sup>8</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 5, although it may have future developments where requirements change due to growth.
- f) **NoR North Projects: New Connection between Milldale and Grand Drive, Ōrewa (NoR 6)<sup>9</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 6, although it may have future developments where requirements change due to growth.
- g) **NoR North Projects: Upgrade to Pine Valley Road (NoR 7)<sup>10</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 7, although it may have future developments where requirements change due to growth.
- h) **NoR North Projects: Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat (NoR 8)<sup>11</sup> – Auckland Transport (AT)**
- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 8.
  - Watercare plans to install a new wastewater pump station in Silverdale West which will convey flows to Milldale via a rising main. The location of the pump station and alignment of the rising main are yet to be confirmed, but there is potential for them to intersect with NoR 1.

<sup>7</sup> To alter Designations 6751 State Highway 1 - Albany, 6759 State Highway 1 – Silverdale, 6760 State Highway 1 – Redvale to Silverdale, and 6761 State Highway 1 – Silverdale to Puhoi for State Highway 1 improvements from Albany to Ōrewa.

<sup>8</sup> For a new urban arterial corridor with active mode facilities and State Highway 1 motorway overbridge in the vicinity of Dairy Stream, between Top Road in Dairy Flat and East Coast Road in Stillwater.

<sup>9</sup> For a designation for a new urban arterial corridor with active mode facilities between Wainui Road in Milldale and Grand Drive in Upper Ōrewa.

<sup>10</sup> For a designation for an upgrade to Pine Valley Road in Dairy Flat to an urban arterial corridor with active mode facilities between Argent Lane and the rural-urban boundary.

<sup>11</sup> For an upgrade to Dairy Flat Highway to an urban arterial corridor with active mode facilities between Silverdale Interchange and Durey Road in Dairy Flat.

- i) **NoR North Projects: Upgrade to Dairy Flat Highway between Dairy Flat and Albany (NoR 9)<sup>12</sup> – Auckland Transport (AT)**
- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 9.
- j) **NoR North Projects: Upgrade to Wainui Road (NoR 10)<sup>13</sup> – Auckland Transport (AT)**
- Watercare has no planned projects at this time that intersect with NoR 10, although may have future developments where requirements change due to growth.
- k) **NoR North Projects: New Connection between Dairy Flat Highway and Wilks Road (NoR 11)<sup>14</sup> – Auckland Transport (AT)**
- Watercare plans to install a new cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will require a corridor for a new transmission watermain running from the west of State Highway 1 through to East Coast Road, potentially likely intersecting with sections of NoR 11.
- l) **NoR North Projects: Upgrade and Extension to Bawden Road (NoR 12)<sup>15</sup> – Auckland Transport (AT)**
- Watercare plans to install a new transmission watermain, the Orewa 3 Watermain, which will convey potable water from Albany to Orewa. The alignment is yet to be finalised, but there is a high likelihood it will intersect with sections of NoR 12.
- m) **NoR North Projects: Upgrade to East Coast Road between Silverdale and Redvale (NoR 13)<sup>16</sup> – Auckland Transport (AT)**
- Watercare plans to install a new cross-connection between the Orewa 2 Watermain and future Orewa 3 Watermain, which will require a corridor for a new transmission watermain running from the west of State Highway 1 through to East Coast Road, potentially likely intersecting with sections of NoR 13.

<sup>12</sup> For a designation for an upgrade to Dairy Flat Highway between Durey Road in Dairy Flat and Albany village, including active mode facilities and safety improvements.

<sup>13</sup> For a designation for an upgrade to Wainui Road to an urban arterial corridor with active mode facilities, between Lysnar Road in Wainui, and the State Highway 1 northbound Wainui Road offramp.

<sup>14</sup> For a new urban arterial corridor with active mode facilities between Dairy Flat Highway (at the intersection of Kahikatea Flat Road) and Wilks Road in Dairy Flat.

<sup>15</sup> For an upgrade and extension to Bawden Road to an urban arterial corridor active mode facilities, between Dairy Flat Highway and State Highway 1.

<sup>16</sup> For a designation for an upgrade to East Coast Road to an urban arterial corridor with active mode facilities, between Hibiscus Coast Highway in Silverdale and the Ō Mahurangi Penlink (Redvale) Interchange.

#### 4. SUBMISSION POINTS AND RELIEF SOUGHT

- 4.1 This is a submission on all the NoRs (detailed above) that were publicly notified on 16 November 2023.
- 4.2 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 decisions made on the NoRs 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.

##### *Early engagement*

- 4.3 Watercare seeks to ensure that there is a live and continual process planned forward to recognise that asset management and construction plans are constantly updating and changing.
- 4.4 Watercare acknowledges the proactive approach to engagement shown by the requiring authorities to date. Watercare has been in discussions with the Supporting Growth Alliance, and the preceding 'future urban land use strategy' project work, as well as independent engagement with Waka Kotahi and AT during the development of these NoR's.
- 4.5 Watercare supports in depth collaboration and consultation (including information, data sharing and identification of opportunistic works) across infrastructure providers on the development (or redevelopment) of urban environments and wishes to ensure that there is ongoing and timely engagement and collaboration as these projects develop.
- 4.6 As noted, Watercare seeks early engagement from the requiring authorities for future planning and construction works including prior to detailed design and during implementation of construction works. Early and fulsome engagement with Watercare, along with other infrastructure providers, can enable opportunities to plan and future proof the delivery of assets to provide for well-functioning urban environments. For Watercare, this includes applying for, in a timely manner, "Works Over" Approvals, in compliance with Watercare's "Water Supply and Wastewater Network Bylaw 2015" (updated 2021).
- 4.7 Watercare seeks to ensure the NoRs do not impact its wastewater and water services in the NoR areas now and into the future (these planned projects are detailed in paragraph [3.4] above). Watercare wishes to ensure it maintains access to its assets 24 hours a day, 7 days a week for maintenance, safety and efficient operation of its services and that it is consulted on any works undertaken by the requiring authorities that may impact Watercare's services.

##### *Specific amendments to conditions*

- 4.8 Watercare has filed evidence, and attended, recent NoR hearings for other Supporting Growth Alliance projects (the North West Strategic Network, and the Airport to Botany Bus Rapid Transit Project). The conditions proposed for the NoRs by the requiring authorities for these NoRs are similar to those which have been proposed at the recent North West Strategic Network hearing (in rebuttal evidence).
- 4.9 Watercare supports the intention of conditions proposed by the requiring authority which seek to ensure that there is engagement with relevant stakeholders during the development of all thirteen NoRs (ie the conditions which require a Network Utility Management Plan

("NUMP"), Stakeholders Communication and Engagement Management Plan ("SCEMP"), and Land use Integration Process ("LIP")).

- 4.10 That said, Watercare considers further amendments to the conditions are required to address matters raised in this submission, so that the conditions for all the NoRs adequately provide for engagement with network utilities, in particular during the feasibility and detailed design stage.
- 35.1 4.11 Watercare seeks that a new condition requiring the preparation of a "Network Utility Strategic Outcomes Plan" be added to all thirteen NoRs to futureproof assets in consultation with network utility operators such as Watercare:

**Network Utility Strategic Outcomes Plan (NUSOP)**

- (a) A NUSOP shall be prepared in the project feasibility stage or as early as practicable.
- (b) The objective of the NUSOP is to set out a strategic framework for asset resilience that includes consideration of growth, corridor protection, and asset renewals over time.
- (c) The NUSOP shall:
  - i. consider expected asset life of existing assets;
  - ii. consider expected asset capacity increases or changes; and
  - iii. demonstrate how city and national strategic plans are considered.
- (d) The NUSOP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project, including Watercare.
- (e) The NUSOP shall describe how strategic plans from the Network Utility Operators in relation to its assets have been addressed.
- (f) Any comments received from the Network Utility Operator shall be considered when finalising the NUSOP.
- (g) Any amendments to the NUSOP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.

- 35.1 4.12 If the above condition is not included in the NoRs, Watercare seeks the following amendments (shown in underline) to the NUMP condition in all of the NoRs:

(a) A NUMP shall be prepared after consultation with Network Utility Operator(s) including during the feasibility and detailed design phases, and prior to the lodgement of an Outline Plan of Works for a stage of construction Start of Construction for a Stage of Work.

...

(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 and shall include any s177 consents required for works affecting prior Designations and Watercare 'Works Over Approvals'.

...

(h) The Requiring Authority shall consult with Network Utility Operators during the feasibility and detailed design phases to identify opportunities to enable, or not preclude, the development of new network utility facilities including access to power, water services and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan or Plans prepared for the Project.

35.2 4.13 Watercare also seeks that the LIP condition is included in all of the NoRs (including the NoRs lodged by Waka Kotahi), as opposed to only being included in the Auckland Transport NoRs as is currently proposed.

**5. RECOMMENDATION SOUGHT**

5.1 Watercare seeks that the Council recommend:

- 35.1-35.2
- (a) amendments to the conditions of the NoRs, as set out above in its submissions (and any other 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; and / or
  - (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

5.2 Watercare wishes to be heard in support of this submission.

5.3 If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.



Steve Webster  
**Chief Infrastructure Officer**  
**Watercare Services Limited**

## Form 21

### Submission on the Proposed Supporting Growth North Projects Notices of Requirement (NoRs 4, 5, 12 and 13)

**To:** Auckland Council

**Name of Submitter:** Weiti Green Limited

**Address for Service:** C/- CivilPlan Consultants Limited  
PO Box 97796  
Manukau City  
**Auckland 2241**

Attn: Aaron Grey

**Telephone:** (09) 222 2445

**Email:** aaron@civilplan.co.nz

This is a submission on (collectively, 'the NoRs'):

- A notice of requirement from the New Zealand Transport Agency for alterations to existing designations 6751, 6760, 6759, 6761 for State Highway 1 improvements ('NoR 4');
- A notice of requirement from Auckland Transport for a designation for a new State Highway 1 crossing at Dairy Stream ('NoR 5');
- A notice of requirement from Auckland Transport for a designation for an upgrade and extension to Bawden Road ('NoR 12'); and
- A notice of requirement from Auckland Transport for a designation for an upgrade and to East Coast Road between Silverdale and Redvale ('NoR 13').

While being proposed as separate NoRs, due to their interconnected nature and collective relevance to Weiti Green Limited's landholdings in the Weiti area, the submission points have been combined into one document.

The submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 ('RMA').

This submission relates to the whole of NoRs 4, 5, 12 and 13, but none of the other NoRs proposed by NZTA or AT for the Supporting Growth North Projects.

## 1. Background

### 1.1 The Submitter

Weiti Green Limited ('WGL') forms part of the Hugh Green Group of companies ('HGG').

HGG holds a substantial portfolio of land for farming and development purposes, as well as a number of commercial and industrial property assets within the Auckland and Waikato Regions. Combined, the companies which fall under the Hugh Green Group umbrella conduct a range of businesses on their landholdings, including developing residential property for sale, developing and managing commercial / industrial buildings for lease. The portfolio includes sizeable landholdings strategically located to meet the needs of Auckland's population growth.

HGG is actively working on enabling growth around Auckland, through residential subdivision within various landholdings such as those in Hingaia, Redhills, and Flat Bush, as well as having interest in other locations within Auckland, including their landholdings in Weiti.

WGL owns the following land, shown on Figure 1, below, which is directly adjacent to the land subject to NoRs 4 and 13 and also adjoins the existing Penlink designation (reference 6777):

- 1695 East Coast Road, Stillwater, 55.7 ha in area, legally described as Part Lot 1 DP 100141, held in Record of Title NA52A/374; and
- 1697 East Coast Road, Stillwater, 299.6 ha in area, legally described as Part Lot 3 DP 95982 and Section 6 SO 70765, held in Record of Title 550921.



Figure 1: Weiti Green Limited landholdings (outlined in yellow)



Figure 1, above, shows that approximately 115 ha of these landholdings are subject to the Future Urban zone. As stated in the AEE (on page 18) The NoRs “are intended to support growth in Northern future urban areas and without these projects, growth would be constrained.” Therefore, the NoRs are intended to enable growth within those parts of WGL’s landholdings subject to the Future Urban zone.

### 1.2 Future Development Strategy

Auckland Council’s Future Development Strategy, adopted in November 2023 (shortly before notification of the NoRs) identifies the Weiti area, including WGL’s landholdings that are subject to the Future Urban zone, as planned to support development from 2035. This timeframe is 15 years earlier than any of the other northern future urban areas anticipated to provide for residential growth. Refer to Figure 2, below. Therefore, transport infrastructure to support the Weiti future urban area is expected to be required prior to infrastructure supporting other future residential urban areas (such as Dairy Flat, Wainui East and Upper Orewa).

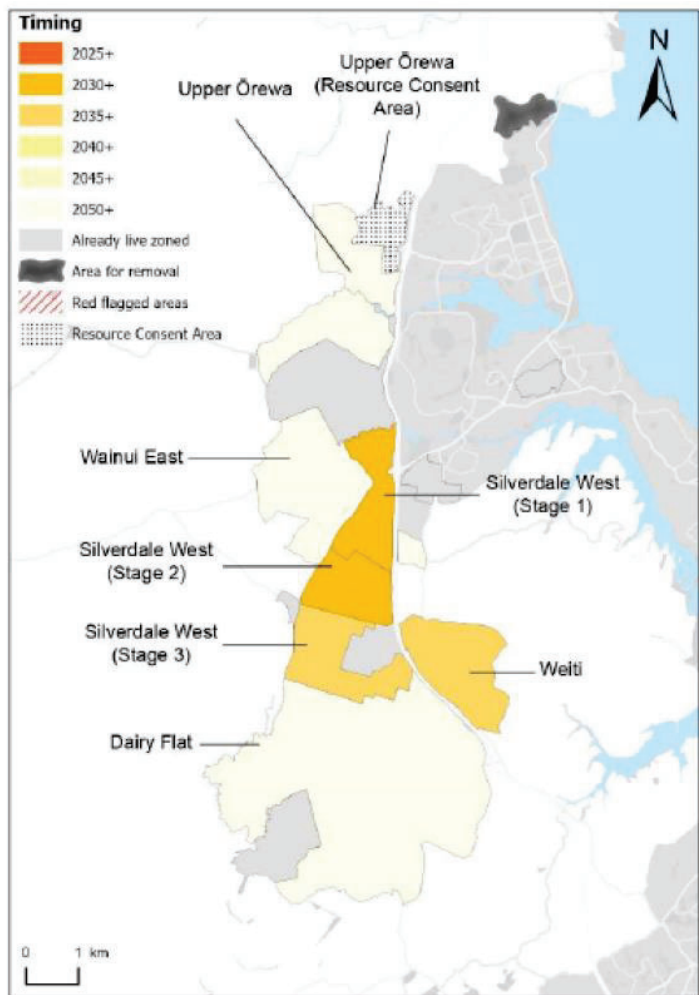
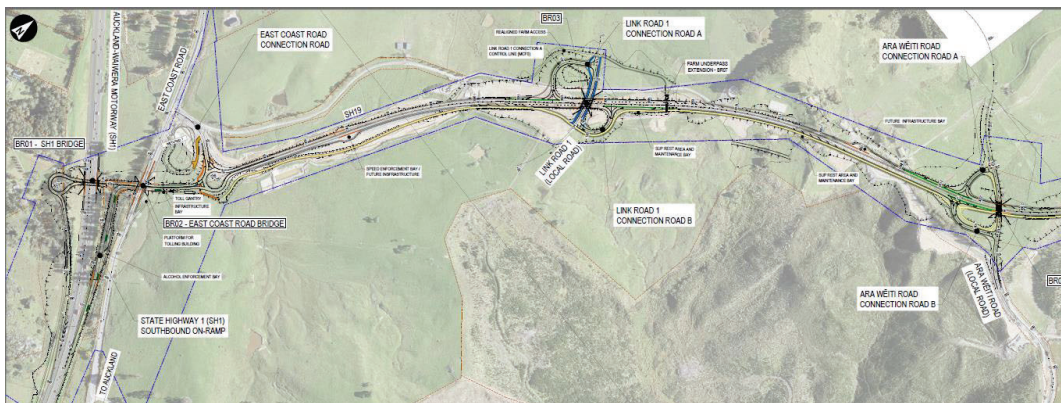


Figure 2: Extract from Future Development Strategy, identifying indicative development timeframes for northern future urban areas

### 1.3 Penlink

O Mahurangi Penlink (henceforth, 'Penlink'), a State Highway between the Northern Motorway and Whangaparaoa, is currently under construction through WGL's landholdings. Penlink is designed to be a limited access road. The current design provides for two 'interchanges' that provide access to the adjacent land. These are referred to as (from south to north) Penlink Link Road 1 and Penlink Link Road 2. The design of Penlink through that part of WGL's landholdings subject to the Future Urban zone is shown in Figure 3, below.



**Figure 3: Extract from the July 2023 Penlink General Arrangement Plans, currently under construction, showing Link Road 1 near the centre and Link Road 2 to the right**

The Penlink Alliance is currently consulting with HGG/WGL regarding the final design of the access into the landholdings via Link Roads 1 and 2. Because of this, HGG has engaged Harrison Grierson Consultants Limited ('HGCL') to provide advice regarding the suitability of the existing or planned roading network to provide access to the planned urban residential build out of the site (as should be expected by the sites' future urban zoning), based on a preliminary master plan. HGCL's preliminary advice is attached. The findings include that:

- The current designs of the Link Road 1 and Link Road 2 interchanges are insufficient for the future urban development scenario.
- The upgrade potential for the Link Road 1 and Link Road 2 interchanges is limited by their current design.
- Additional access from East Coast Road will be necessary to support future urban development of WGL's landholdings.
- Due to topographical constraints, there are limited options available to provide access from East Coast Road.
- The connection road between Penlink and East Coast Road and the teardrop roundabout on Penlink will be required to be upgraded to enable access to future urban development of WGL's landholdings via East Coast Road.

The changes to Penlink and East Coast Road proposed by the NoRs were not directly addressed by HGCL's memo (this memo was originally prepared in October 2023 – the attached Rev. 2 version of this memo, dated December 2023, only contains minor amendments). However, in light of HGCL's findings the changes proposed by the NoRs would directly impact the options available for access to WGL's landholdings and are considered further in this submission.

## 2. Submission

WGL is overall supportive of the intent of the NoRs insofar as they seek to protect the routes for the planned arterial network within the northern future urban areas, which will support urban development at Weiti. In particular:

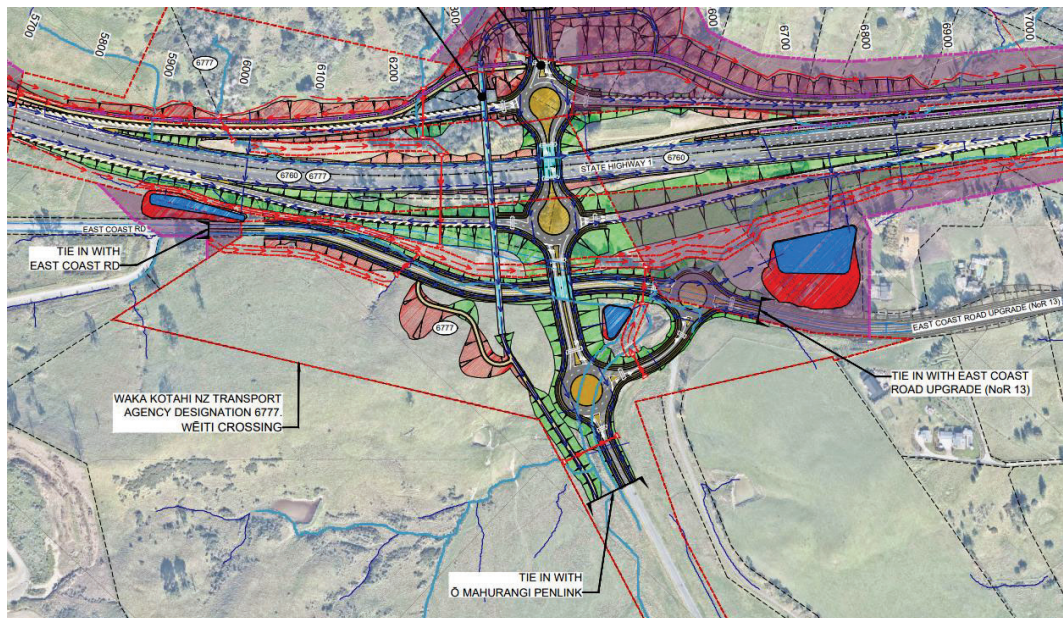
- WGL generally supports NoR 4 on the basis that it ensures that:
  - The capacity of State Highway 1 responds to the increased traffic generation from development of the future urban areas;
  - A walking and cycling path is provided along State Highway 1, increasing transport choice;
  - The Penlink/Redvale interchange is upgraded to include north-facing ramps, providing for all traffic movements from Weiti to the north and south;
  - The Penlink walking and cycling path is connected to the walking and cycling path along State Highway 1, ensuring benefits of network connectivity are achieved;
  - Access in all directions between East Coast Road and Penlink (and therefore State Highway 1) is provided for (as access from East Coast Road onto State Highway 1 is not enabled by the current Penlink construction);
  - A new interchange is provided at Wilks Road, reducing demand on the Penlink/Redvale interchange; and
  - The upgrade to Wilks Road between SH1 and East Coast Road and a new roundabout between these roads and Jackson Way is provided for, enhancing connectivity between Weiti and SH1 and not precluding the future upgrade of Jackson Way to arterial standard.
- WGL generally supports NoR 5 on the basis that it will provide for additional access across State Highway 1 for all modes of transport between Weiti, Dairy Flat and Silverdale West, separate from motorway traffic.
- WGL generally supports NoR 12 on the basis that it will provide for convenient access between Weiti and the future town/metropolitan centre for Dairy Flat (via the Penlink/Redvale interchange) for all modes of transport.
- WGL generally supports NoR 13 on the basis that it will provide for the upgrade of East Coast Road to arterial standard through the Weiti future urban area.

However, WGL has a number of concerns regarding some aspects of these NoRs, which are covered in the subsequent sections:

- The extent of land that NoR 4 applies to.
- Access to WGL's landholdings to support its future urban development (particularly, access from East Coast Road).
- The relationship of the NoRs with future arterial and collector roads and future public transport routes within the Weiti future urban area.

## 2.1 Extent of NoR 4

NoR 4 is the alteration of a variety of existing designations applying to the State Highway 1 (Northern Motorway) corridor. The general arrangement plans show that the works covered by this NoR extend along Penlink (for some 400 m from the existing SH1 designation) and along East Coast Road to either side of Penlink. It is noted that the works under NoR 13 (the upgrade of East Coast Road) are shown to commence approximately 250 m northwest of Penlink. Refer to Figure 4, below.



**Figure 4: Extract from NoR 4 General Arrangement Plans, showing the extent of works proposed adjacent to WGL's landholdings (at the bottom of the image)**

The “General Arrangement Plan Overall” included as part of the application material for the NoRs shows that the extent of NoR 4 covers all of the works described above. However, the “General Arrangement Layout Plan” Sheet 2 for NoR 4 shows that the “Proposed Increase to Existing Designation”, shaded purple, only applies to part of the works described above where outside of the existing designations applying to the State Highway 1 (Northern Motorway) corridor.

Critically, the areas not shown are those covered by the existing designation for Penlink (reference 6777). NoR 4 does not propose to extend designation 6777 for Penlink, nor do any of the other NoRs. Designation 6777 is subject to its own conditions of consent, which include the requirement for all works within the designation to be generally in accordance with the plans contained in Volume 3 of the Notice of Requirement dated 21 October 2014. It is expected that that the works proposed by NoR 4 and shown (on the general arrangement plans) would be beyond those shown on the plans dated 21 October 2014 – otherwise, there would be no need for NoR 4 to show works within this area.

WGL considers that since the works proposed by NoR 4 are a new project to be undertaken after completion of Penlink (under designation 6777), all works should be undertaken in accordance with the conditions of NoR 4, rather than designation 6777. Therefore, WGL requests that the extent of NoR 4 be increased in order to cover all land within designation 6777 (but not already subject to designation 6760) shown on “General Arrangement Plan Overall” as subject to NoR 4. This additional land is indicated in Figure 5, below.



Figure 5: Additional areas (outlined in blue) to be included as part of NoR 4.

## 2.2 Access to WGL's Landholdings (NoRs 4 and 13)

WGL's landholdings both have frontage to East Coast Road and Penlink, while the western landholding (1697 East Coast Road) is also accessible from Jackson Way.

Full structure planning for the WGL landholdings has not yet been completed. However, as part of resolving the design interface and Link Road accesses to/from Penlink (refer to section 1.3, above), WGL has undertaken some preliminary master planning to inform potential site yields in order to determine the future requirements for vehicle access to the site and ensure this can be provided for in the Penlink design.

The attached memo prepared by HGCL has given consideration to the access needs of the potential full urban residential build out of the Future Urban Zoned ('FUZ') land within WGL's landholdings and has identified that these Penlink access roads are inadequate for the future transport needs of residents. The memo predates notification of the current NoRs and the works proposed by them. The memo also identifies that upgrading these interchanges may be difficult. This has the potential to constrain the ability to provide for future growth within the Weiti FUZ area.

Whilst it is recognised that the Penlink designation (6777) is beyond the extent of the current NoRs, this inadequacy in the design of the Penlink interchanges makes it critical that additional access to WGL's landholdings is enabled. In this instance, such access would need to be onto East Coast Road, or the intersection of Penlink with its connection to East Coast Road (currently proposed as a roundabout).

3 □ 1

Any potential access between WGL's landholdings and East Coast Road (or Penlink) must also give consideration to the topography of the land in this location. The gradient of land between the East Coast Road carriageway and the frontage of the adjacent sites (i.e. the land within the existing road reserves) is generally around 1 in 5 (20%), well in excess of the maximum of 8% for a public road under Auckland Transport's standards. Therefore, there are limited practicable potential locations for road access to WGL's landholdings to be provided.

### 2.2.1 Access to 1697 East Coast Road

For WGL's western landholding (1697 East Coast Road), the road upgrades proposed under NoRs 4 and 13 show the construction of a new roundabout at this site's frontage, which connects to an upgraded roundabout on Penlink. The NoRs do not appear to give any consideration to a future road connection off East Coast Road to serve development of the FUZ land.

3□2

The attached advice from HGCL indicates that any arterial or collector road onto East Coast Road would need to be a roundabout or signalised intersection. Without changes to the design shown on the general arrangement plans for NoR 4, this could necessitate three major intersections within a stretch of 300 m, which may not result in an efficient or effective transport network. WGL is of the view that the proposed roading design for East Coast Road and Penlink must be reconsidered in order to allow for a road connection to 1697 East Coast Road in a manner that would not adversely affect the transport network. Otherwise, the NoRs would constrain the ability to provide for future growth within the Weiti FUZ area, which is contrary to the purpose of the NoRs. As outlined above and in HGCL's memo, the access roads onto Penlink currently being constructed have not been designed to cater for full buildout of the Weiti future urban area and so additional routes onto Penlink and State Highway 1 need to be provided for.

### 2.2.2 Access to 1695 East Coast Road

For WGL's eastern landholding (1695 East Coast Road), the road upgrades proposed under NoR 4 show the construction of a shared path along part of the site's frontage. In addition, the proposed carriageway of East Coast Road is almost 200 m from the site's legal frontage (as the existing vested road corridor is approximately 200 m in width).

The NoRs and associated proposed works in their current form give no consideration to future road access to development at 1695 East Coast Road. However, to enable the efficient and effective urban development of this land, a future road access from East Coast Road is imperative so as not to constrain the ability to provide for future growth within the Weiti future urban area, which is contrary to the purpose of the NoRs.

3□3

Access to and from the roundabout on Penlink may also be necessary or desirable in order to support future urban growth at this site. The road upgrades proposed under NoR 4 show the construction of a shared path between the Penlink roundabout and the site, potentially preventing realisation of this road connection. Furthermore, the attached memo prepared by HGCL identified that a two lane roundabout, as shown on the general arrangement plans for NoR 4, would result in LoS F for traffic turning right from the connection road onto Penlink, towards State Highway 1 and Dairy Flat once full build out of the future urban area has occurred.

WGL seeks assurance that such road connections will not be precluded by the proposed works.

For the connection between Penlink and East Coast Road, it is likely that a higher capacity intersection would be necessary, which may require a larger area than provided for by the NoR. Therefore, WGL requests that review their traffic modelling and reconsider the indicative design of the connection between East Coast Road and Penlink to ensure that this will not constraint the ability to provide for future growth within the Weiti future urban area, which would be contrary to the purpose of the NoRs.

### 2.3 Relationship of the NoRs with Future Arterial and Collector Roads (NoRs 4, 5, 12 and 13)

Figure 6, below, shows in relation to the Weiti future urban area:

- The Northern Motorway and new interchanges planned by Supporting Growth in black.
- The arterial road network proposed by Supporting Growth (including those not covered by the NoRs) in solid blue.
- Penlink and its access roads currently under construction also in solid blue.
- The indicative location of additional arterial or collector roads necessary to support urban development of the Weiti future urban area.



Figure 6: Planned and potential arterial and collector roads serving the Weiti future urban area

Figure 6 illustrates that Jackson Way will become a key arterial road along the northern boundary of the Weiti future urban area, providing access to and from Penlink, Silverdale (via East Coast Road), State Highway 1 (south facing ramps only) and the Silverdale West Industrial Area (via Wilks Road). The assessment of alternatives report provided as part of the application material for the NoRs identifies Jackson Way as a recommended arterial road (referenced R22-1), but that it was not within scope for the Detailed Business Case, inferring that it would be delivered outside Te Tupu Ngātahi.

WGL seeks clarification as to how this arterial road upgrade and extension would be delivered, especially for the upgrade works, which may not be possible within the Jackson Way road corridor. It is also noted that standard AT practice expects developers to provide for upgrades to collector road standards (not to arterial road standard) and only on their side of the road. The land on the northern side of Jackson Way is not expected to be developed and the fragmented ownership of the land on Jackson Way makes a developer-led delivery of the road upgrade piecemeal and protracted. For these reasons WGL submits that the upgrade of Jackson Way should be included as part of the current suite of NoRs to complete the required arterial network. WGL would welcome any further information from Auckland Transport and Supporting Growth regarding its expected delivery.

Worsnop Way is likely to become a key access road for trips across the new State Highway 1 Crossing at Dairy Stream (proposed by NoR 5). NoR 5 proposes a roundabout at the intersection of East Coast Road, Worsnop Road and the new road crossing, which is supported.

Figure 6 also illustrates the importance of the connection between East Coast Road and Penlink, as discussed in the previous section of this submission.

## 2.4 Relationship of the NoRs with Future Public Transport Routes (NoRs 4, 5, 12 and 13)

Another key consideration when developing the Weiti future urban area will be the provision of public transport services, in order to support mode shift and minimise greenhouse gas emissions.

The NoRs propose a rapid transit corridor (assumed to be a busway) through the Dairy Flat future urban area. The indicative locations of the rapid transit stations are shown on Figure 53 within the Assessment of Alternatives document. In addition, a rapid transit bus service is expected to run along Penlink, connecting Whangaparaoa to the Northern Busway (as per Auckland Transport's Regional Public Transport Plan, this service is expected to commence in 2027). Based on information available to date, it is unclear if services from Whangaparaoa will, in the future, utilise the proposed rapid transit corridor between Penlink and Albany or continue to use State Highway 1 – the design of NoR 1 does not provide for any entrances or exits onto the rapid transit corridor. Regardless, these two core services will influence the delivery of a wider public transport network to service the Weiti future urban area.

As a rapid transit service along Penlink will directly adjoin the Weiti future urban area, it is considered likely that, as a minimum, bus stops or, ideally, a bus station would be provided for along or adjacent to Penlink. As Penlink is a limited access road, there are few feasible potential locations for such facilities. Feeder buses would then be expected to provide convenient access to the Penlink rapid transit service from the wider Weiti future urban area. In order to also provide convenient access to the rapid transit corridor proposed by NoR 1, these feeder buses could also connect to the future stations along that corridor.



When considering the indicative road network shown in Figure 6, above, two potential options for a public transport network serving the Weiti FUZ area are identified:

- An option with a bus interchange along Penlink is shown in Figure 7, below.
- An option with a bus interchange near East Coast Road is shown in Figure 8, below.

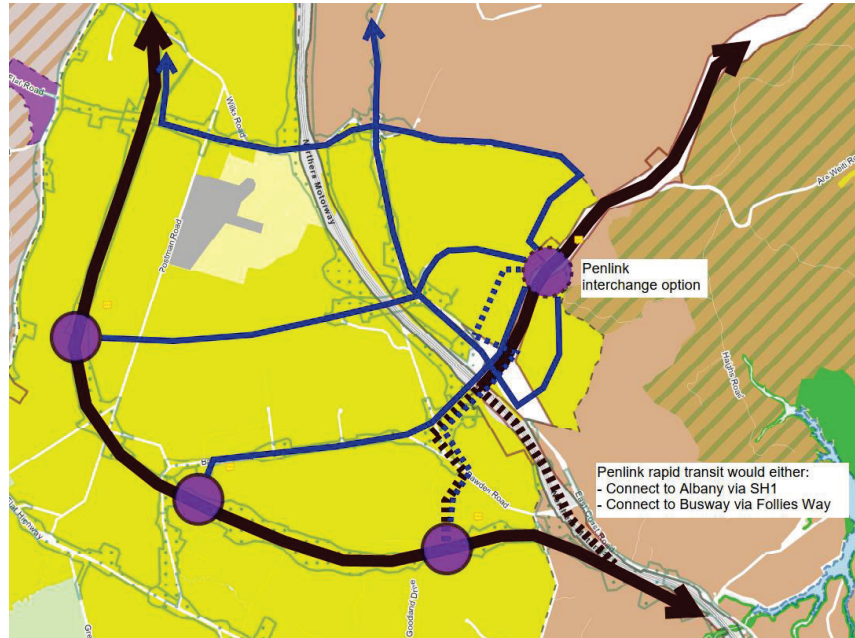


Figure 7: Potential public transport serving the Weiti future urban area with bus interchange along Penlink

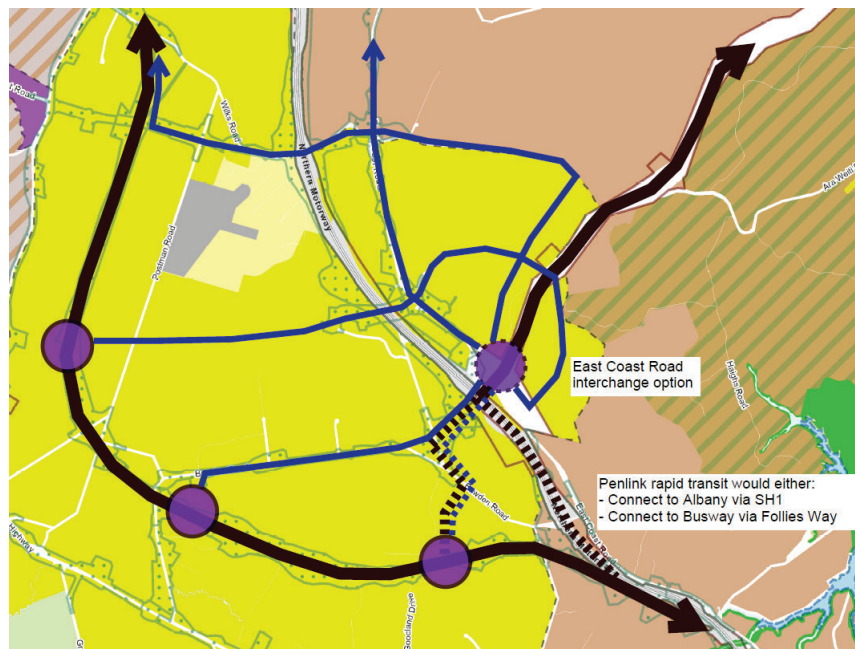


Figure 8: Potential public transport serving the Weiti future urban area with bus interchange at East Coast Road

For similar reasons to that in the attached HGCL memo and discussed above, delivery of the Penlink bus interchange option may not be achievable without significant changes to the design of Penlink and Penlink Link Road 1. Therefore, when considering the NoRs (which do not include any upgrades to the Penlink Link Roads), it should not be assumed that transfers between bus services can be accommodated further along Penlink, outside of areas subject to the NoRs. On this basis, WGL considers that NZTA must ensure that the option for a bus interchange adjacent to East Coast Road and easily accessible from Penlink (in both directions) is not precluded.

The current design of Penlink and East Coast Road shown on the general arrangement plans for NoR 4 does not demonstrate any obvious consideration for future bus service running patterns and therefore constrains the ability to provide for future growth within the Weiti future urban area, which is contrary to the purpose of the NoRs.

If bus stops for the Penlink rapid transit service are to be provided 'on-line' (i.e. directly on either side of Penlink), then convenient pedestrian access between those bus stops and bus stops on East Coast Road needs to be enabled. If bus stops for the Penlink rapid transit service are to be provided 'off-line' (i.e. within a station adjacent to Penlink), then convenient vehicle access to this station location from Penlink, East Coast Road and potential collector roads needs to not be precluded. In either instance, this may require additional bus priority that is not provided for by the current design under NoR 4.



### 3. Relief Sought

WGL seeks the following relief with respect to the comments raised in this submission:

1. That the NoRs be confirmed, subject to the following relief being granted.
2. That the extent of NoR 4 be increased to include those parts of designation 6777 that are to be subject to works proposed by the NoR (refer to Figure 5, above, for these areas), such that the corresponding conditions would also apply to this area.
3. That the following design outcomes are provided for, or not precluded, either through amendments to the general arrangement plans, amendments to conditions or additional conditions:
  - a) Feasible access between the realigned East Coast Road and WGL's eastern landholding (1695 East Coast Road), up to the edge of the existing road reserve.
  - b) Access between the Penlink roundabout and WGL's eastern landholding (1695 East Coast Road).
  - c) Feasible access between the realigned East Coast Road and WGL's western landholding (1697 East Coast Road), which may require amendments to the design of the connection between East Coast Road and Penlink.
  - d) A bus interchange facility for the rapid transit services along Penlink and local bus services along East Coast Road and from WGL's landholdings.

- 4. That the conditions require the requiring authority to:
  - a) Establish a process to encourage and facilitate the integration of master planning and land use development activity on land directly affected by, or adjacent to the designation. This should allow for developers to request information from the requiring authority regarding the design details and for the requiring authority to receive development details from developers. There should then be an expectation that each party would act in good faith to achieve integration of land uses. A similar condition is being proposed as part of Supporting Growth’s North West package of notices of requirement. In relation to WGL’s landholdings, such a process should ensure that the matters listed in relief item 3, above, are provided for.
  - b) Provide for ongoing consultation with WGL prior to and during construction of works under NoRs 4 and 13 where adjacent to WGL’s landholdings, including ensuring that ongoing access to the sites is provided for. In this regard, the SCEMP condition proposed by NZTA should be amended further to apply from 18 months prior to an outline plan being submitted.
  - c) Ensure that, at the time of preparing an outline plan, the final road design is consistent with any structure planning undertaken by Auckland Council or by any other party in support of a private plan change request that covers WGL’s landholdings.
  
- 5. That an additional notice of requirement be notified for the upgrade of Jackson Way to arterial road standard and any necessary upgrades to Penlink Link Road 2.



WGL wishes to be heard in support of this submission.

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

Signature:  .....

Aaron Grey – Associate, CivilPlan Consultants Ltd  
on behalf of Weiti Green Limited

Date: 14 December 2023

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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](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 16, 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)

Andrew Nigel Philipps Kay

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

**Address for service of Submitter**

95 Postman Rd, Dairy Flat 0794

Telephone:

21622016

Email:

anpkay@gmail.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

North: (NoR 13) Upgrade to East Coast Road between Silverdale and Redvale

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

The entire corridor designated by this NoR

**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 Requiring Authority has undertaken extensive studies to prepare a concept design and AEE. However, the concept design assumptions are much too conservative in places (e.g. assuming earthwork cut batters will be wholly in soil, not rock, at 5:1 slope, and assuming all stream crossings will be bridged, not culverted) and this leads

very conservative corridor widths. This conservatism is hugely compounded by the cavalier delineation of proposed designation boundaries, with little apparent regard for the large impact on people's property and homes. In many locations that I have investigated to date, the proposed designation is clearly based on incorrect topo data, or allows excessive construction area, or has as been drawn far too simplistically.

NoR 8 #55

(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).

Field-check all 900 properties affected by the NoR's to confirm the validity of the concept design and reduce the extent of the designation to the practicable minimum. Such field-check to be undertaken jointly by the SG Project Manager and myself (as an experienced engineer who is voluntarily acting as an advocate for the community).

- 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)

12/14/2023  
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:** [ladypenelope522@gmail.com](mailto:ladypenelope522@gmail.com) <[ladypenelope522@gmail.com](mailto:ladypenelope522@gmail.com)>

**Sent:** Tuesday, 5 December 2023 4:10 pm

**To:** Submissions <[submissions@supportinggrowth.nz](mailto:submissions@supportinggrowth.nz)>

**Subject:** Re: Notice of Requirement online submission - Penelope Mary Smalley-Oldfield

Please find below a copy of my on-line submission to Auckland Council which I am also serving on Auckland Transport.

Penelope Smalley-Oldfield

### **Contact details**

Full name of submitter: Penelope Mary Smalley-Oldfield

Organisation name:

Full name of your agent:

Email address: [ladypenelope522@gmail.com](mailto:ladypenelope522@gmail.com)

Contact phone number: 021 100 1697

Postal address:

1862 East Coast Road

RD4

Albany

Auckland 0794

### **Submission details**

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 13 Upgrade to East Coast Road between Silverdale and Redvale

The specific provisions that my submission relates to are:  
1862 East Coast Road RD4 Albany

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 are adversely impacted as our house will be removed if the proposed road widening goes ahead. We stand to lose our home. If we sell, our property value will be reduced if a NOR notice is on the property. The road widening commencement (as we understand it) could be anywhere between 10-30 years. We are senior citizens, so our whole future is affected.

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

We do not support this proposal proceeding. We definitely object to a NOR notice being placed on our property. This is extremely upsetting not only to us but also to the other land owners affected. This proposed project should not be proceeded with.

Submission date: 5 December 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.