

As with EB3C (and as detailed in section 9.4.17), AT has been actively engaging with AC Parks in regard to the Project's impacts on open space sites. As part of those discussions and the process of obtaining landowner approval from AC Parks, improvements to other reserves have been identified. For EB4L, two other reserves have been identified as potential mitigation locations:

- Haven Park (34R Haven Drive)
- Huntington Park (30R Huntington Drive).

Both of these reserves are located within walking distance of both Guys Reserve and Whaka Maumahara. Potential mitigation at these reserves could include:

- Haven Park (34R Haven Drive)
 - Outdoor seating/tables
- Huntington Park
 - Improved play elements to cater for all abilities and ages
 - A better planned, welcoming space for the community
 - Upgrading of the 3 on 3 basketball court
 - Wayfinding.

Again, as with EB3C, these EB4L open space mitigation measures are subject to further engagement with AC Parks, the Howick Local Board, mana whenua and other stakeholders. This engagement is required under EB4L's conditions relating to the Project's CCP and mana whenua framework, while the delivery of mitigation in these reserves is also governed by the UDLP and its certification by Auckland Council.

Based on the above, the construction phase open space effects of EB4L will be no more than minor.

9.6.15 Summary of Construction Effects

As with EB3C, AT and EBA have worked to develop a construction methodology, design and conditions set which address all actual and potential adverse environment effects arising from the construction of EB4L. The use of management plans required by consent conditions will ensure that construction will be undertaken in an appropriate manner, including consultation with mana whenua, key stakeholders, and the local community. As such, the construction effects of EB4L can be mitigated and the effects will be no more than minor.

9.7 Operational Effects – EB4L

Given the scale of EB4L and its potential to reshape the surrounding urban form, the following operational effects are detailed in the following sub-sections:

- Transport effects
- Visual and landscape effects
- Open space effects
- Cultural effects
- Noise effects
- Stormwater effects.

9.7.1 Transport Effects

9.7.1.1 General Transport Benefits

The primary driver for EB4L, as with EB3C, is to improve the overall functioning of southeast Tāmaki Makaurau Auckland’s transport network. While the positive effects of the wider Project are detailed in Section 9.3, it is considered appropriate to further consider the Project’s benefits, including:

- Better connections and sustainable travel options for pedestrians, cyclists, motorists, bus and train customers
- A reliable 40-minute bus and train trip between Botany Town Centre and Britomart (saving 20-minutes)
- Increase in public transport trips from 3,700 to 18,000 per day by 2028
- Increase in public transport mode share from 7% to 25% by 2028
- 24,000 more people with access to a rapid transit bus station within 1 km from home
- 5 km of busway between Pakuranga and Botany fully separated from other traffic
- 5 new bus stations with quality facilities
- 12 km of safe and separated walking and cycling infrastructure
- Reductions in vehicle congestion around Pakuranga Town Centre
- Accommodates electric buses, a key part of AT’s low-emission vehicle fleet by 2040.

9.7.1.2 General Transport Effects

Similar to EB3C, the ITA has undertaken modelling to determine operational traffic volumes expected in the AM and PM peaks with the ‘do-minimum’ scenario and with the EB2/EB3R/EB3C and EB4 scenario with a 2028 horizon year at a number of locations within the wider area. The results are detailed by Table 15 of the ITA.

With respect to the EB4L area, reduced traffic volumes are expected along Tī Rākau Drive between Huntington Drive and Te Irirangi Drive in the westbound direction during the AM and PM peaks, but eastbound traffic volumes are expected to increase during the PM peak. This is attributed to the number of lanes going back to three lanes along Tī Rākau Drive east of Guys Reserve and outbound traffic from Panmure during the PM peak.

As mentioned previously in Section 9.5.1.2, travel time improvements are expected in the majority of four routes that have been modelled for the ITA. The modelling has considered AM and PM peak routes for both westbound and eastbound traffic, comparing both the ‘do-minimum’ scenario and the EB2/EB3R/EB3C and EB4 scenarios. It should be noted that the EB4L option is an offline option, with most of the route avoiding going through arterial road corridors. Given these factors, the ITA has determined that Travel times once the EB4L section is built will not be negatively impacted.

9.7.1.3 Intersection Performance

When considering intersection performance with the completion of the Project, it is important to consider that an objective of the Project is to promote the uptake of public transport. To accommodate this objective, bus services will be accommodated on dedicated bus lanes and with dedicated phasing at signalised intersections. This reprioritisation of intersection operations will require reductions in green signal phasing for general road traffic. This does result in some increased queuing and delay of general traffic, decreasing the average performance of some intersections. This too has also increased queuing and delays of some general traffic movements.

Within the EB4L area, there is expected to be increased delays at the intersection of Te Irirangi Drive/Town Centre Drive, although this intersection will still operate at LOS E. Within the PM peak periods, there is expected to be improvements to the intersection delay times at the intersection of Te Irirangi Drive/Te Koha Road/Busway in EB4L.

Like EB3C, during PM peak, signal coordination will be implemented, along with fixed time cycles and offsets to manage the heavy demand along Tī Rākau Drive in the eastbound direction. The modelling undertaken by the ITA demonstrates that acceptable intersection performance will be provided once the busway is operational.

Overall, these measures are expected to improve roading operations, reduce congestion for general traffic across the network and improve bus movements in the Project area. The use of these measures will be subject to AT's day-to-day management of the regional roading network. As such, the imposition of conditions for these measures under the NoR is considered inappropriate.

9.7.1.4 Effects on Bus Services

The Project will result in more reliable services given the segregated route from general traffic provided by EB4L. Service headways are expected to improve for the majority of services, except for Route 353 where the headways are expected to remain the same (i.e., operating at a 30-minute frequency). Routes 705 and 706 will begin operations once the Busway is operational. The increase in bus service frequency enabled by the Project will encourage greater use of public transport, thereby increasing public transport patronage and related mode share on the network. This is expected to result in reducing congestion and transport related greenhouse gas emissions.

As noted previously in Section 9.5.1, bus travel times will improve as a result of the Project. To summarise, EB4L will result in improved bus travel times and avoids service delay at the Te Irirangi Drive / Tī Rākau Drive intersection. Bus service frequency and reliability will also improve due to the offline design used for EB4L. These improvements will help support an uptake in public transport patronage, thereby helping addressing road congestion and supporting the community's access to work, employment, health, education and recreational opportunities.

9.7.1.5 Effects on Pedestrians and Cyclists

EB4L will provide dedicated footpaths and cycleways to improve pedestrian and cyclist amenity and safety to, from and across the wider area. These connections will also improve accessibility to bus services, which will be provided from the existing bus stops along Town Centre Drive.

EB4L will provide a dedicated shared path, which will connect to the EB3C footpaths and cycle lane. These separated cycling facilities will provide for a safer journey for cyclists, reducing the need for cyclists to share road space with motor vehicles.

Improved footpaths (a shared path) and pedestrian crossings will be provided through EB4L, including new facilities within Guys Reserve and Whaka Maumahara.

9.7.1.6 Summary of Transport Effects

Overall, the ITA demonstrates the significant benefits that EB4L and the wider Project will deliver with regard to the operation of the Tāmaki Makaurau Auckland's transport network. In particular, the functioning of the region's bus services will experience a transformation, with the ability to provide

increased services, reduced journey times and improvements in the ability to transfer between services. The passenger experience will also benefit from the provision of new bus shelters, real time information and general safety. EB4L also delivers improvements to walking and cycling transport modes, with dedicated and improved infrastructure. This will allow for safer journeys and better connectivity to local activities.

These benefits are delivered in a manner which also avoids significant disruptions to general traffic. While some intersections will experience minor delays, as some of the available signal green time will be reallocated away from general traffic movements to buses at intersections, these are offset by the improved performance by other components of the transport network. In addition, these delays are further offset by the modal shift towards public and active transport modes.

Given the above, EB4L will deliver significant transport benefits.

9.7.2 Visual and Landscape Effects

As detailed in the Natural Character, Landscape and Visual Effects Assessment (Appendix 9) a range of operational phase visual and landscape effects are anticipated.

Firstly, there will not be any further change to the landform during operation of the project and the stormwater pond in Whaka Maumahara is unaffected. Areas of cleared vegetation will be mitigated through new landscaping in both Guys Reserve and Whaka Maumahara. This includes either side of the proposed Busway, in the northern portion of Guys reserve supplementing the existing planted areas, along a portion of the southern edge of Guys Reserve where it meets neighbouring properties in addition to grass areas along the interface of Te Irirangi Drive and south of the busway in Whaka Maumahara. It is considered that initially, following replanting, the effects on the vegetation attributes of the site would still be low adverse, as the vegetation would not be as established as that which was removed. Once established, it is considered the vegetation will result in vegetation of a similar extent and value to that currently contained within these areas of open space although it is noted that the location of the busway within Guys Reserve does reduce the extent of margin/ riparian planting along the tributary.

The completed Project will permanently occupy areas of both Guys Reserve and Whaka Maumahara. However, the Project is primarily contained along the northern fringe of these reserves, where it is currently limited to informal recreational use given the lack of any recreational infrastructure (e.g. footpaths, a playground or playing fields), as well as being immediately adjacent to rubbish storage and vehicle circulation spaces at The Hub. It is noted that the Project will also provide a new cycling and walking shared path within Guys Reserve, which improves integration of this open space with the surrounding area and is in keeping with the informal recreation categorisation of Guys Reserve by the AUP(OP).

Permanent occupation of part of Whaka Mauhara will also occur, with Bridge C running along the reserve's northern boundary. New landscaping is proposed to the south of Bridge C and that will run to the edge of the stormwater pond. It is also noted that Bridge C will run beside parking and vehicle circulation roads at The Hub, which have the lowest amenity values within Whaka Mauhara itself. Combined with other landscaping in the reserve, as well as proposed walking and cycling infrastructure, the landscape values associated with open space at Whaka Mauhara will not be significantly affected.

The Natural Character, Landscape and Visual Effects Assessment (Appendix 9) notes that within a visual context, the Project will operate as part of an existing urban landscape. This urban landscape includes large format retail premises, rubbish and loading areas for The Hub, regional arterial corridors and

housing. In general, the assessment has not identified any significant visual effects arising from EB4L’s operation. It notes that the adjoining business sites, such as The Hub, are inwards facing with their views of EB4L contained within an urban visual catchment.

Similarly, views for travelling audiences (e.g., along Ti Rākau Drive) will have intermittent views given the topography of the area and screening from existing buildings. Regardless, the Project only minimally affects the legibility of the two reserves’ open space visual values. Furthermore, these views will also incorporate the landscaping proposed and required as part of the UDLP, which will contribute positively to open space visual values.

The Project’s operational effects on residential viewing audiences have also been considered. Residential viewing audiences to the west (along Huntington Drive), and south (Saidia Place, Cottesmore Place, Guys Road and Waihi Way) would obtain views of the completed Project. Those along the northern portion of Saidia Place and Cottesmore Place will however obtain filtered views due to the close board fences along their northern boundaries. Vegetation is proposed along the interface of properties along the eastern extent of Cottesmore Place where they meet Guys Reserve as views will be more proximate to the elevated busway than residents in northern portions of Guys Reserve. Moreover, vegetation established as part of the UDLP, will flank the elevated busway and visually soften its profile. Views of the cycleway and footpath are unlikely to be attainable as they will occur behind their boundary fences. However, if views are possible, it is unlikely that such elements will be detrimental to the overall amenity of their views. In addition, EB4L will be viewed within an existing urban landscape. This includes The Hub, whose service and storage areas face the residential areas to the south and east of both reserves. As such, the visual effects for these audiences are generally low to moderate.

Lastly, the effects on the reserves’ users have been assessed as very low. While there will be permanent occupation within both reserves, the Project is restricted to the northern aspect of both reserves and avoids any occupation of the stormwater pond, tributary and much of the associated riparian planting. As such, the amenity values of those open space features will be retained and contributed to by the new landscaping proposed.

Given the above commentary and proposed mitigation, the visual and landscape effects of EB4L will be no more than minor.

9.7.3 Cultural Effects

As previously discussed in Section 9.4.12, AT has been working with mana whenua throughout the development of the Project. While the temporary effects of EB4L can be addressed through the proposed management plans, AT is cognisant of the importance of incorporating cultural values into EB4L’s long-term elements. As such, opportunities will be provided for mana whenua to contribute to the UDLP and EB4L’s stormwater design.

9.7.4 Noise Effects

As discussed in Section 9.5.4, a similar assessment methodology was used to determine operational noise effects within EB4L, including the use of noise loggers at Guys Reserve during March 2023. The following results were obtained regarding the existing ambient noise levels within EB4L:

Table 9-16 Existing Noise Levels within Guys Reserve EB4L

Time (15-minute period)	Guys Reserve	
	dB L _{Aeq} (15min)	L _A Fmax
6:30 am	59	72

Time (15-minute period)	Guys Reserve	
	dB L _{Aeq(15min)}	L _A F _{max}
6:45 am	59	65
7:00 am	57	74

This information was used in a modelling exercise to understand operational noise effects. As part of the modelling, an existing 1.8m high noise barrier at Piccolo Park Childcare (415 Tī Rākau Drive) was included. However, other existing boundary fences (of private properties) were not included as their condition was unknown and may not provide effective acoustic shielding. This means that for some properties, the predicted traffic noise levels in the model may be slightly higher than will be actually experienced.

The operational noise levels have been predicted for a representative 15-minute period during the AM peak (7am – 8am). However, given the results of traffic modelling for the ITA, it is possible that traffic in the AM peak may occur before 7am (i.e., during the night-time assessment period according to the AUP(OP) noise criteria). Therefore, the “worst-case” situation where peak bus flows occurs before 7am was assessed.

The modelling found that PPFs along Cottesmore Place and Guys Road, near the EB4L section of the busway, are predicted to experience noise levels up to 48 dB L_{Aeq(15min)} during the AM bus flow peak. While this noise level is above the night-time 40 dB L_{Aeq} criterion set out in the AUP(OP), it is approximately 5-8 dB below the measured ambient noise levels in the area during the early-morning period. Therefore, the Operational Noise and Vibration Assessment concluded that noise from the busway will be negligible from EB4L at the nearest residential receivers and Piccolo Park when compared to existing ambient noise levels.

Given these factors, the operational noise effects of EB4L will be minor.

9.7.5 Open Space Effects

As detailed in the Open Space Effects Assessment (Appendix 10), EB4L will require the permanent occupation of 4,444m² of open space zoned land within Guys Reserve and Whaka Maumahara. The assessment has identified the following potential sources of operational open space effects:

- The fragmentation of Guys Reserve and Whaka Maumahara by the busway corridor
- Loss of road frontage and a resulting decrease in visibility from Waihi Way
- Permanent loss of 4,444m² of open space zoned land.

In order to address these effects, AT has engaged with AC and other stakeholders in the forms of operational phase mitigation that could be provided as part of the Project. This mitigation is detailed in section 4.5.4 of this AEE. To summarise, key mitigation includes:

- Landscaping
- Park furniture
- Improved walking and cycling infrastructure
- Re-instatement of laydown areas
- Improvements to Haven Park including seating and tables
- Improvements to Huntington Park including improved play elements and wayfinding.

Given the potential open space effects, AT has been in ongoing discussions with AC Parks and the Howick Local Board regarding the Project. In general, works within AC reserves will be subject to the Project’s

various management plans and consent conditions, including the UDLF. The Open Space Effects Assessment notes that mitigation could benefit from a co-design exercise with key stakeholders, mana whenua and the community to consider how to activate the remaining open space in a way that attracts people to the Reserve. These co-design practices have been incorporated into AT's proposed conditions, including those for the CCP and mana whenua framework.

Following construction, AT will remove all construction equipment and materials, as well as replant any affected grassed or vegetated areas within Guys Reserve and Whaka Maumahara. This will ensure that longer term amenity values associated with these open spaces are maintained.

Given the above, the operational effects of EB4L on open space will be no more than minor.

9.7.6 Air Quality Effects

The Air Quality Effects Assessment (Appendix 23) has considered the operational air quality effects of both EB3C and EB4L, as discussed in Section 9.4.14 of this AEE. The assessment notes that if buses powered by fossil fuels are operated on the busway, this would result in additional air discharges over the length of the busway compared to the current situation due to potential pollutants in vehicle exhaust, and these emissions will be closer to some sensitive receptors than in the current situation (i.e. the creation of a new road (busway) through the reserves). However, the assessment notes that emissions from the buses are expected to be negligible in the context of other vehicle movements in the surrounding area and have not been specifically assessed. It is expected that there will be no detectable increase in local air quality pollutant concentrations near the busway, and that overall, the beneficial impact to air quality of reducing traffic congestion on Tī Rākau Drive will be seen throughout the alignment area.

Based on the above, the operational air quality effects of EB4L will be less than minor.

9.7.7 Stormwater Effects

As detailed in both the Stormwater Effects Assessment (Appendix 11) and Section 4.4.5, the EB4L design (including minimal changes to the intersection of Te Irirangi Drive/Town Centre Drive) result in an overall reduction of the existing total contaminant load generated from all roads discharging to EB4L outfalls by 6% for TSS, 8% for zinc (based on total zinc), 9% for copper (based on total copper) and 7% for total petroleum hydrocarbons (TPH). The improvements are predominately achieved by reductions to existing contaminant loads generated by Tī Rākau Drive by treatment of previously untreated high contaminant generating roads. No additional mitigation is proposed for water quality as the Project improves overall water quality (i.e., reduces the total combined existing contaminant loads discharged from all roads within outfall catchments).

Having regard to flooding, while EB4L will increase impervious surface areas within the local catchment, this increase will not exacerbate existing flood risks. This is due, in part, to the Project not affecting the flow capacity of the stream within Guys Reserve that will receive stormwater from the Project nor does Bridge C interact with the 100-year flood extent. It is noted that while there are two piers located within an OLFP, the modification of ground levels around these piers will avoid interactions between Bridge C and the OLFP.

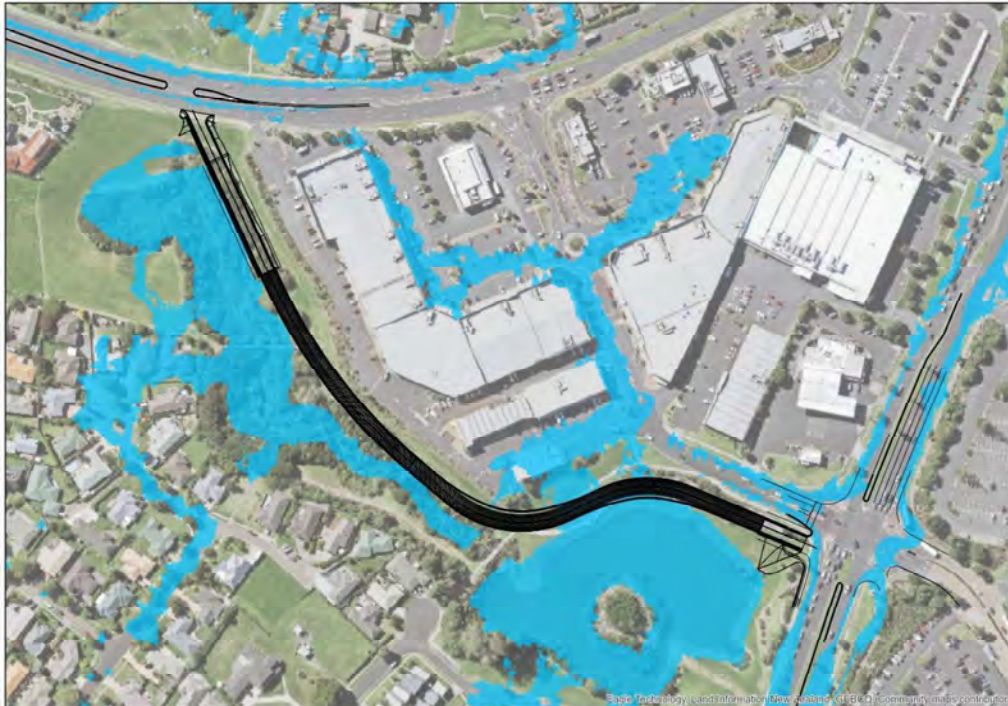


Figure 9-12 EB4L Design Case 100-year Flood Extents

Given the above, the operational stormwater effects of EB4L are positive overall.

9.7.8 Freshwater Ecology Effects

The operational freshwater ecology effects of EB4L have been considered by the Terrestrial and Freshwater Ecological Effects Assessment (Appendix 27). The assessment has identified potential effects on both wetlands and streams.

The proposed upgrades to the current stormwater system are expected to improve discharges to the wider freshwater environment with an overall reduction of the existing total contaminant load generated from all roads discharging to EB4L outfalls by 6% for TSS, 8% for zinc (based on total zinc), 9% for copper (based on total copper) and 7% for total petroleum hydrocarbons.

The construction and operation of stormwater outfalls are not expected to result in a change to water level range or hydrological function of any NPS-FM natural inland wetlands. The construction of the new stormwater outfall in EB4L will not result in any wetland vegetation loss and all surrounding temporary vegetation clearance is proposed to be replaced with native vegetation. In this regard, the underlying character, composition and attributes of wetland habitat values will be maintained.

Based on the above, the freshwater ecological effects of EB4L will be minor.

9.8 Conclusion

Both packages will deliver significant benefits to both the immediate area and the wider region. The Project provides a number of improvements to the transport network, not least in providing more efficient, safer and comfortable public transport connections. These improvements will also provide safer and more legible movements for active transport modes. Overall, these changes will increase

modal shift, assist in addressing congestion, support urban intensification and help reduce transport related greenhouse gas emissions.

AT has prepared a design which contributes to, rather than detracts from, the local area. This approach includes the UDLP and its requirements for new landscaping, open space improvements and improved pedestrian linkages. The works will also help address legacy stormwater issues within the local catchments, while ecological mitigation will help provide quality habitat for native fauna.

EB3C and EB4L will generate a range of adverse effects during construction and operation. Given the Project's urban location some adverse effects are unavoidable, but AT has provided a range of mitigation and management measures to address those effects. This includes a suite of management plans, which build upon practices previously employed elsewhere on the Project and are integrated with ongoing consultation with the community. This mitigation and the Project's design has also taken into account potential cumulative effects, particularly in regard to stormwater and transport effects. The adverse effects of both packages, as mitigated, will be minor.

Lastly, the adverse effects associated with the construction of both EB3C and EB4L will be addressed by the variety of management plans, mitigation and other measures proposed by AT. These will replicate the measures employed for EB2 and EB3R where appropriate but have been adapted to address the circumstance of EB3C and EB4L, including conditions addressing the temporary and permanent effects of works in the CMA and specific heritage features. Adopting this approach ensures consistent environmental management solutions and methodologies are applied across the entire Project. This will aid compliance with the proposed conditions and give greater certainty to the community on how the Project will be built. Lastly, specific coastal and heritage conditions have also been developed for EB3C given the coastal and heritage features present along its route.

10 Notification

AT request that this application package of EB3C and EB4L's resource consents and NoRs undergo public notification pursuant to section 95A(3)(a) of the RMA.

As such, no related notification assessment is required.

11 Statutory Assessment

This chapter addresses the matters for statutory assessment under sections 104 and 171 of the RMA. This includes assessments against sections 104B, 104D, 105, 107, 123, 125 and 171 of the RMA.

As part of these assessments, the following statutory and non-statutory documents were considered:

- *The Hauraki Gulf Islands Marine Park Act 2000 (HGIMA)*
- *Marine and Coastal Area (Takutai Moana) Act 2011*
- *National Policy Statements for Freshwater Management, Urban Development and Indigenous Biodiversity*
- *New Zealand Coastal Policy Statement 2010 (NZCPS)*
- *National Environment Standard for Freshwater*
- *National Environment Standard Assessing and Managing Contaminants in Soil to Protect Human Health*
- *AUP(OP) – RPS, Regional and District Objectives/Policies*
- *The Auckland Plan 2050*
- *The Regional Land Transport Plan*
- *Auckland Transport’s Statement of Intent 2021/22 – 2023/24.*

Lastly, a full assessment under Part 2 of the RMA has also been undertaken.

The gateway test has been applied to EB3C’s bundled resource consent applications given its non-complying status. The application has been demonstrated as meeting the 104D(1) threshold test, given its no more than minor adverse effects and consistency with relevant statutory policy directions.

Overall, the assessment determines that EB3C and EB4L is consistent with all the relevant statutory tests and documents.

11.1 Introduction

The RMA is the principal statutory document governing the use of land, air and water. The purpose of the RMA, as set out in section 5, is to ‘promote the sustainable management of natural and physical resources’. The RMA sets out a statutory framework, within which resources are managed. The framework sets out a hierarchy of tests that must be employed to confirm the appropriateness of a NoR and/or a resource consent application. This section of the AEE sets out the framework under the RMA that applies to both the NoR and resource consents for both packages.

As noted in Section 7 of this AEE, the overall activity status of EB3C is non-complying, and EB4L is discretionary. As such, it is necessary to consider the resource consent applications under the decision-making framework of section 104(1), 104B and 104D¹⁰⁷ of the RMA and to assess the NoRs in accordance with section 171 of the RMA.

11.2 Actual and Potential Effects

With respect to section 104(1)(a) of the RMA, the actual and potential effects on the environment of both EB3C and EB4L are summarised in section 9 of this AEE (with further detail provided in the technical assessments). As set out below, this assessment of the actual and potential effects is also

¹⁰⁷ Section 104D is relevant to the resource consents for EB3C given its bundled non-complying activity status. Section 104D does not apply to EB4L given its bundled discretionary activity status.

relevant to the statutory assessment required for the NoRs under section 171 of the RMA. Overall, it is concluded that the adverse effects of EB3C and EB4L will be acceptable.

This is based on a range of technical assessments, the design of EB3C and EB4L, the use of numerous management plans and AT’s proposed conditions. While some adverse effects are anticipated, they are predominantly related to construction and offset by the longer term significant positive effects generated by both packages, not least the improvements to the transport network’s functioning. As is described below, there are no significant adverse effects that would trigger section 171(1)(b)(ii).

11.3 Relevant Statutory Planning Instruments

With regards to section 104(1)(b) and 171(1)(a) of the RMA, an assessment of the relevant statutory documents was undertaken by reviewing the documents specified in Figure 11-1 below and identifying the key objectives and policies within these documents that are relevant to EB3C and EB4L. Where similar themes were identified across the documents, the provisions were grouped and assessed collectively. Table 11-1 provides this assessment.

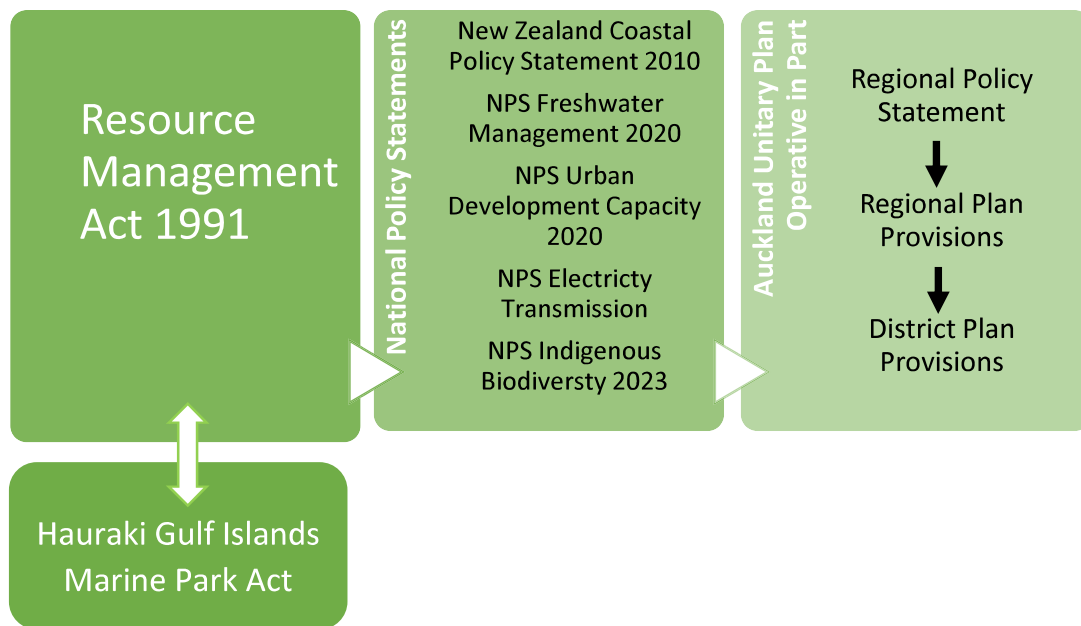


Figure 11-1 Relevant Statutory Planning Instruments

Table 11-1 Assessment Against Relevant Objectives and Policies

Key Objectives and Policies	Analysis
<p>Urban growth and intensification</p> <p>NPS – UD Objectives 1, 4, 6 and 8. Policies 1, 6.</p> <p>RPS B2.2.1 (1 - 5); B2.2.2 (4 - 6), (7); B2.2.3 (1 - 3); B2.3.2 (1 - 4); B2.4.1 (1 - 3); B2.4.2 (2 - 3), 6, 9; B2.5.1 (2 - 3); B2.5.2 (1 - 3); B2.7.1 (1 - 2); B2.7.2 (1- 3), (7), (10).</p>	<p>Summary of Objectives and Policies</p> <p>The objectives and policies promote a quality compact urban form that enables the efficient provision of new infrastructure and improved and more effective public transport. Urbanisation is primarily accommodated within the existing urban area with increased residential intensification enabled in and around centres, along identified corridors and close to public transport. Further urban intensification is also intended to be implemented by PC78 to the AUP(OP), which aims to (once decisions have been made) give effect to the Government’s Medium Density Residential Standards and the intensification directives of the NPS-UD and RMA.</p> <p>A quality-built environment is promoted which responds and adapts to the effects of climate change, promotes the health and safety of people and communities, and maximises resource and infrastructure efficiency. This includes contributing to the safety of the street, developing street networks that provide good access and a range of travel options and meeting the functional and operational needs of activities. Walking, cycling, and public transport is enabled, and vehicle movements are minimised. The main functions of streets will be balanced as places for people and as routes for the movements of vehicles.</p> <p>Land in close proximity to public transport is a primary focus for residential intensification that supports a well-functioning urban environment and appropriate non-residential activities are provided in residential areas to support the needs of people and communities. Adequate infrastructure should be provided prior to or at the same time as intensification. Commercial growth and activities are focussed within a hierarchy of centres to support a compact urban form.</p> <p>Recreational needs of people and communities are met, the physical connection of open spaces is promoted and public access to the CMA is maintained and enhanced. Significant adverse effects of development on open spaces and recreation facilities will be avoided, remedied, and mitigated.</p> <p>Assessment</p> <p>EB3C and EB4L, as part of the wider Project, are critical in the delivery of the quality compact urban form sought by the AUP(OP) and a well-functioning urban environment as sought by the NPS-UD. This urban form relies heavily on the redevelopment and intensification of existing urban areas, focused in areas with infrastructure capacity to absorb this growth. EB3C delivers additional capacity and overall transport network improvements to Pakuranga Town Centre and wider southeast Tāmaki Makaurau Auckland. EB3C will also directly benefit the Burswood area, given the provision of a new bus station on the proposed busway.</p>

Key Objectives and Policies	Analysis
	<p>The justification and background to both packages has been detailed in Sections 2 and 3 of this AEE. To summarise, the Howick Local Board area is projected to experience significant population growth over the coming decades, with existing transport infrastructure unable to adequately meet the demand of current users. The planned urban intensification, combined with increases in freight movements, is projected to place further stress on roading and other transport connections. As such, the Project will deliver additional roading capacity, improved public transport reliability and capacity, rationalise traffic movements, improved active transport infrastructure, provide greater transport choice and safer travel for all users. The Project will provide for integrated land use and infrastructure and support planned intensification by ensuring areas are well-serviced by public transport.</p> <p>Both these Project packages will assist regional efforts to reduce transport related emissions. This is principally through improving public and active transport infrastructure, helping support a shift towards these transport modes. Furthermore, better management of congestion will reduce vehicle wait times with more efficient use of fossil fuels.</p> <p>The effects of EB3C and EB4L on open space have been considered. Both packages will require permanent occupation within Council reserves, including Burswood Esplanade Reserve, Bard Reserve and Guys Reserve. This occupation has been minimised, where practicable, and includes both busway and stormwater infrastructure. Open space enhancement works are also proposed, both within reserves that will be directly occupied by the Project, as well as reserves within the wider open space network. This includes a pump track, landscaping, seating and wayfinding. In addition, both packages will feature extensive replanting and landscaping to both mitigate the Project's structures and contribute to the amenity values of the surrounding areas. In addition, both packages involve new and improved active transport linkages through open spaces, thereby improving connectivity between Council reserves and the surrounding neighbourhoods.</p> <p>Lastly, it is noted that EB3C requires permanent occupation of the CMA by Bridges A and B, two areas of reclamation and stormwater outfalls. This occupation and the temporary structures required during their construction, will not affect the ability of the public to access the CMA at this location. This is due to the limited access that currently exists from the adjoining shorelines and the continued access to the main channel of Pakuranga Creek.</p>
Enabling Infrastructure	
<p>NZCPS Objective 6; Policy 6 RPS</p>	<p>Summary of Objectives and Policies</p> <p>The objectives and policies recognise the benefits of infrastructure and promote and enable the development, operation, maintenance, and upgrading of infrastructure while managing adverse effects. The functional and operational needs of infrastructure are recognised and provided for. In particular, it is recognised that there can be a need to be located in areas with natural and physical resources that have been scheduled in recognition of</p>

Key Objectives and Policies	Analysis
<p>B3.2.1 (1), (2), (3), (4), (5), (6), (7), (8); B3.2.2 (1), (2), (3), (6), (7), (8), (9); B3.3.1 (1); B3.3.2 (1), (2), (3), (4), (5), (7).</p> <p>AUP</p> <p>E26.2.1 (1 – 5, 9); E26.2.2 (1 -2, 4 – 6, 14); E27.2 (1 – 2, 5); E27.3 (14),</p>	<p>significant ecological values and/or historic heritage values in the AUP(OP), notwithstanding the strong directions contained in chapter D9 of the AUP(OP). However, a wide range of issues must be balanced before a decision on the appropriateness of infrastructure in any given location can be determined.</p> <p>With specific regard to transport infrastructure, the objectives and policies promote effective, efficient transport that enables the movement of people, goods and services. Existing and future areas and routes for developing transport infrastructure should be identified and protected. Land use and transport should be integrated and provide effective pedestrian and cyclist connections.</p> <p>The adverse effects from the construction and operation of transport infrastructure should be avoided, remedied or mitigated.</p> <p>Assessment</p> <p>EB3C and EB4L represent a significant transport infrastructure project for Tāmaki Makaurau Auckland, which will deliver significant benefits to both the local community and the wider region.</p> <p>Given the current transport network limitations and the projected population growth of southeast Tāmaki Makaurau Auckland, AT has developed the design of EB3C and EB4L in sympathy to the existing environment.</p> <p>The Project’s brownfield location does mean that some adverse effects will be experienced during both construction and operation, but efforts have been made to limit these effects. This will include the extensive use of management plans, such as the CEMP, CTMP and CNVMP. Operational effects will be addressed through the packages’ design, the implementation of the UDLP and noise mitigation. This will ensure that both packages are integrated with the existing and planned urban form of the wider area.</p> <p>EB3C’s construction will occur within a marine SEA. While the planning instruments detailed above enable infrastructure, they also place restrictions on the occupation and disturbance of significant ecological areas and historic heritage. Similarly, these instruments also restrict the use of reclamation within the CMA. These two potentially conflicting policy outcomes require careful consideration and balancing when determining infrastructure projects like EB3C and EB4L.</p> <p>It is noted that there is a lack of practicable opportunities available to avoid the Marine SEA or historic heritage extent of place, as detailed in section 5 of this AEE. AT has undertaken a detailed option assessment of the Project’s overall alignment, as well as the form that the Project’s crossing of Pakuranga Creek should take. The option assessment clearly articulates the limited options available, and the practicality of the coastal crossing selected by AT. Regarding the use of reclamation, again AT has undertaken a design process, which has developed a practical and affordable method for Bridge B and the busway. A construction methodology has been developed</p>

Key Objectives and Policies	Analysis
	<p>that protects the CMA. This includes the use of ssESCPs that will minimise the potential discharge of sediment and remobilisation of marine sediment contaminants during CMA based works.</p> <p>Underpinning the selected design are the range of mitigation measures proposed by AT and captured in the proposed conditions. This includes habitat restoration specifically developed for the banded rail, rubbish clearance, pest plant removal and bank stabilisation plantings. The effects of the Project, with the implementation of the proposed mitigation, avoid any significant effects on native species like the banded rail. This represents a suitably precautionary approach to establishing infrastructure and undertaking reclamation in a coastal environment.</p> <p>Beyond the immediate effects of the bridges, outfalls and reclamation, AT has considered the stormwater discharge effects of the Project. While a stormwater consent is not required, given the proposed use of Healthy Water's NDC, the Project will help improve stormwater discharge quality across its corridor. These improvements will benefit the ecological values of Pakuranga Creek, not least through reductions in contaminants entering the CMA.</p> <p>Lastly, the proposed works will include improved connectivity and efficient movement for pedestrians and cyclists. This will be achieved through improved and new active transport connections, including cycleways through Council reserves.</p>
Indigenous Biodiversity and Ecological Values (including Coastal Values)	
<p>NPS-IB Objective 1, Policies 1 – 10, 14 – 15.</p> <p>NZCPS Objectives 1 – 3, 6; Policies 1 – 2, 4, 6, 10 – 15.</p> <p>NPS-F Objectives 1 – 3, 6; Policies 1 – 2, 4, 6, 10 – 15.</p> <p>RPS B7.2.1 (1 – 2); B7.2.2 (5), B7.</p> <p>AUP</p>	<p>Summary of Objectives and Policies</p> <p>The NPS-IB seeks that indigenous biodiversity across Aotearoa New Zealand is maintained so that there is at least no overall loss in indigenous biodiversity. This NPS also requires mana whenua's kaitiaki role is acknowledged in resource management processes. Furthermore, the NPS-IB requires the use of the precautionary approach when considering adverse indigenous biodiversity effects, while significant terrestrial based natural areas (i.e., SEAs) are protected by avoiding and managing effects from new development. The NPS-F requires activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing are recognised and provided for, including specified infrastructure. In addition, the NZCPS seeks to preserve the natural character of the coastal environment through such measures as avoiding reclamation and employing a precautionary approach to assessing activities in the coastal environment. Policy 11 of the NZCPS seeks that effects on indigenous threatened or at-risk taxa are avoided.</p> <p>The AUP(OP) seeks to protect areas of significant indigenous biodiversity value from adverse effects arising from subdivision, use and development. These sensitive areas include terrestrial, freshwater and coastal marine areas,</p>

Key Objectives and Policies	Analysis
<p>D9.2 (1 – 3), D9.3 (1 – 3, 6 – 12, 15), E15.2 (1), (2); E15.3 (1), (2), (4), (7); F2.2.2 (1), F2.2.3 (1 – 3, 5 – 6)</p>	<p>with the objectives seeking to maintain biodiversity values, or restore and enhance values in areas that have been degraded.</p> <p>Its policies to avoid – as far as practicable – significant adverse effects on biodiversity values, and avoid, remedy, or mitigate other adverse effects. The AUP(OP) delivers this through the identification of Significant Ecological Areas (SEAs). The AUP(OP) (E15.3(7)) also recognises that, in managing adverse effects, it is not always practicable to locate or design infrastructure to avoid areas with indigenous biodiversity values. Lastly the AUP(OP) reflects the NZCPS, in that reclamation should be avoided unless otherwise required to enable and construct infrastructure.</p> <p>Assessment</p> <p>EB3C will involve works within a SEA-M2 Overlay which the AUP describes as “Areas are of regional, national or international significance which do not warrant an SEA-M1 identification as they are generally more robust.” Given the works proposed within the SEA-M2, both terrestrial and marine ecological assessments have been undertaken (Appendix 27 and Appendix 28 respectively), which highlight the ecological values present within the CMA, on-land and across both environments. These assessments have demonstrated the limited effects anticipated from works within the CMA given both the limited area of overall mangrove habitat which will be disturbed, and the low ecological values present, as well as efforts to minimise the Project’s operational footprint within this SEA. It is noted that the Project will also benefit coastal ecological values through improved stormwater treatment and restoration planting at coastal margins.</p> <p>The NPS-IB specifically identifies that a precautionary approach is required when considering biodiversity effects. This is similar to the requirements of the NZCPS and is most relevant when assessing effects on transitory or at-risk species (e.g., the banded rail). The coastal ecology and avian fauna assessment has not identified any significant effects on marine species, while similar conclusions were provided by the Terrestrial and Freshwater Ecological Effects Assessment. It is noted that no banded rail or native bats have been observed within the Project area, based on fieldwork undertaken for the Project. An appropriate precautionary approach has been employed, principally based on the aforementioned fieldwork and reviews of earlier ecological surveys. Based on that data and the technical assessments provided with the applications, a more restrictive approach to the Project’s design, mitigation and offsetting is not required.</p> <p>Both EB3C and EB4L involve works within or in proximity to streams and wetlands. While some vegetation clearance and land disturbance are required within freshwater environments and their riparian margins, AT has proposed a range of measures to limit the Project’s effects on ecological values. This includes replacement plantings, habitat restoration measures, restrictions of vegetation clearance during native bird nesting, stormwater discharge improvements and the use of an ESCP. Habitat restoration and replanting will also address potential terrestrial ecological effects, principally those associated with native herpetofauna.</p>

Key Objectives and Policies	Analysis
	<p>Furthermore, an UDLP will be employed to provide for new landscaping across both packages, with the UDLP focusing on the use of native species which would have been present prior to land clearance. Planting undertaken within reserves will also focus on the use of native species and will provide an opportunity to improve linkages across Council reserves and natural landscape features (e.g., riparian margins).</p> <p>Lastly, the proposed works will enable specified infrastructure that will deliver regional public benefits. The NPS-IB provides for such infrastructure within ecologically significant locations and does not require that effects on indigenous biodiversity are avoided¹⁰⁸. While minimal effects are anticipated as a result of the Project, these effects are suitably managed, mitigated and offset by the various measures proposed by AT, and as required by the proposed conditions.</p> <p>Similarly, and as discussed under “Enabling Infrastructure” in this table, the proposed reclamation is necessary to enable construction of the busway from Pakuranga Creek to Burswood. As demonstrated by section 5 of this AEE, AT have considered a range of alternatives for the crossing of Pakuranga Creek and the busway’s alignment. On balance, the proposed design and construction methodology of the Project’s CMA works is necessary to enable infrastructure that will deliver significant benefits to the community. The mitigation measures proposed by AT, suitably address the Project’s direct effects on the coastal environment. This includes the proposed banded rail habitat restoration, which while no individuals of that species were observed in the EB3C area, AT has adopted a precautionary approach to address potential effects on that bird species.</p>
Freshwater	
<p>NPS-FM</p> <p>Objective 1; Policies 1 – 4, 6 – 7, 9, 13, 15</p> <p>RPS</p> <p>B7.3.1 (1 – 3); B7.3.2 (1, 3 – 6)</p> <p>AUP(OP)</p>	<p>Summary of Objectives and Policies</p> <p>The objective of the National Policy Statement for Freshwater Management 2020 (NPS-FM) is to ensure that the natural and physical resources are managed in a way that prioritises first, the health and well-being of water bodies and freshwater ecosystems, then, the health needs of people (such as drinking water), then, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. The objectives of the RPS and AUP(OP) seek the enhancement of degraded freshwater systems, the minimisation of freshwater system loss, and the avoidance, remedy, or mitigation of adverse effects on freshwater from changes in land use. Specific AUP(OP) objectives in water quality and integrated management (E1.2) seek to maintain or</p>

¹⁰⁸ Clause 3.11 states:

“Clause 3.10(2) does not apply, and any adverse effects on an SNA of a new subdivision, use or development must be managed in accordance with clause 3.10(3) and (4), if:

(a) the new subdivision, use or development is required for the purposes of any of the following:

(i) construction or upgrade (if the upgrade does not meet the requirements of clause 3.15(2)) of specified infrastructure that provides significant national or regional public benefit...”

Key Objectives and Policies	Analysis
<p>E1.2 (1 – 2), E1.3 (1 -5, 9, 11 – 12, 14, 26); E3.2 (2 – 7), E3.3 (2 – 7, 9 – 13, 15, 17 -18)</p>	<p>progressively improve the mauri of freshwater over time to enable traditional and cultural use of this resource by mana whenua.</p> <p>The policies of the NPS-FM include the management of freshwater in a way that gives effect to Te Mana o te Wai, a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment and protects the mauri of the wai. Also, the NPS-FM sets out a policy on the management of freshwater in a whole-of-catchment basis that considers the effects on the receiving environment. The NPS-FM also sets clear direction that there is to be no further loss of natural inland wetlands, that wetland values are protected, and their restoration is promoted.</p> <p>The policies of the RPS and AUP(OP) seek to avoid the permanent loss and significant modification of freshwater systems, unless a series of conditions apply, which include not having any practicable alternative. In managing the adverse effects on freshwater arising from temporary activities such as construction, the RPS seeks to minimise sediment runoff through promoting measures that retain soil on-land and requiring land disturbing activities to use industry best practice commensurate to its nature and scale and the sensitivity of the receiving environment.</p> <p>The RPS and AUP(OP) also seek the integrated management of freshwater systems, and the identification of freshwater systems to determine whether their enhancement or reduction in adverse effects is promoted. Specific AUP(OP) policies in land disturbance (E12.3) seek to manage land disturbance in a way which maintains the cultural and spiritual values of mana whenua, including in terms of water quality.</p> <p>Assessment</p> <p>It is noted that both packages have freshwater effects associated with their construction and operation. Firstly, construction activities are proposed both within and in proximity to freshwater environments. AT has proposed to address the potential construction effects through a range of proposed management plans and accepted construction practices. This includes the use of a GD05 compliant ESCP and ssESCPs, which will control potential sediment discharges and erosion associated with bulk earthworks. A CLMP will also be employed for works at potentially contaminated sites, while fish capture and relocation will be employed for works in waterbodies.</p> <p>AT also proposes to undertake habitat restoration and riparian replanting to address works around waterbodies and the coastal margins. These measures will appropriately mitigate the potential effects of both packages, including vegetation clearance.</p> <p>AT is worked with mana whenua throughout the development of these Project packages to ensure that cultural values are incorporate in all aspects of its design. AT will continue to work with mana whenua to develop the Project's stormwater responses and the UDLP.</p>
<p>Coastal Water Quality</p>	

Key Objectives and Policies	Analysis
<p>NZCPS</p> <p>Objective 1; Policies 5, 21, 22, 23</p> <p>RPS</p> <p>B7.4.1 (2, 4 - 6); B7.4.2 (1, 4 - 9).</p> <p>AUP(OP)</p> <p>F2.11.2 (2), F2.11.3 (1 - 2, 5 - 7)</p>	<p>Summary of Objectives and Policies</p> <p>A core objective of the NZCPS is to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land. This is to be achieved through maintaining coastal water quality and enhancing it where it has deteriorated from what would otherwise be its natural condition based on where discharges are associated with human activity.</p> <p>This objective is elaborated on by the NZCPS's policies, which detail that steps must be taken to avoid adverse effects of stormwater discharge to water in the coastal environment, on a catchment-by-catchment basis. This approach seeks to avoid stormwater effects (where practicable) through improvement treatment, flow reductions and integrated catchment management.</p> <p>The AUP(OP) reflects this national direction and recognises the importance of safeguarding the life-supporting capacity, as well as the natural, social and cultural values of the coastal waters. The AUP(OP) also directs that mana whenua values, mātauranga and tikanga associated with coastal water are recognised and provided for.</p> <p>Assessment</p> <p>Both packages involve stormwater discharges, with EB3C discharging stormwater directly into the CMA at two new and two upgraded outfalls. The Stormwater Effects Assessment has identified that the natural values of Pakuranga Creek have been compromised by historic urbanisation and associated stormwater discharges. These historic activities have introduced stormwater contaminants into the CMA, some of which have accumulated within marine sediments.</p> <p>However, the packages involve comprehensive stormwater treatment and attenuation measures, including the use of raingardens. These measures will improve the quality of stormwater discharges when viewed as cumulative across the entire Project. This treatment will help reduce the quantities of heavy metals, TSS and TPHs that are regularly discharged into the coastal environment. Scour protection will also be provided, both through hard infrastructure and native flora replanting. This will minimise the potential localised erosion that could arise from stormwater discharges.</p> <p>In addition, AT have proposed mitigation and management practices associated with land and seabed disturbance. This includes the use of sESCPs for coastal work sites that will employ measures identified from Auckland Council's own GD05 document. Areas subject to reclamation will be separated from tidal flows to avoid the movement of deposited fill, while coastal banks will be subject to replanting to stabilise them and avoid their erosion into Pakuranga Creek.</p>
<p>Reclamation</p>	

Key Objectives and Policies	Analysis
<p>NZCPS Objective 6, Policies 1, 3, 6, 10</p> <p>RPS Objectives B8.3.1 (1 -4), Policies B8.3.2 (3 – 4, 9)</p> <p>AUP(OP) Objectives F.2.2 (1 – 3), Policies F.2.3 (1 – 8, 11)</p>	<p>Policy 10 of the NZCPS seeks to avoid the reclamation of the CMA, except for a narrow set of circumstances. These circumstances are limited to where land is not available outside the CMA for the proposed activity, that the activity can only occur within or adjacent to the CMA, that there are no practical alternative methods and that a reclamation will provide significant regional or national benefits.</p> <p>This policy framework is reflected in the AUP(OP), within both its RPS and Regional Coastal Plan chapters. The AUP(OP) also recognises that some activities do have a functional or operational need to take place within the CMA, and that some activities involving development within the CMA are for public benefit. This includes designing infrastructure, which can provide significant public benefits, to minimise its overall footprint within the CMA. The AUP(OP) also identifies that the use of offsetting, restoration and environmental enhancements can be applied to address the effects of reclamation. Lastly, the AUP(OP) requires reclamation proposals to address the potential risks of climate change, including sea level rise.</p> <p>Assessment</p> <p>Turning first to the NZCPS, the proposed reclamation (comprised of three areas – 4m², 211m² and 338 m²) for EB3C has been proposed to provide an efficient means of crossing Pakuranga Creek and delivering a regionally significant transport project. The geography of southeast Auckland, including its historic urbanisation, dictates where transport network improvements can be built.</p> <p>In the case of EB3C, a crossing of Pakuranga Creek is required for the safe and efficient operation or construction of infrastructure¹⁰⁹. The crossing is necessary to continue to provide transport connectivity along Ti Rākau Drive, thereby connecting the Botany, East Tāmaki and Burswood communities to the wider region. As detailed in the Alternatives Assessment (Appendix 19 and Section 5), a range of corridor alignments were investigated for EB3C. These alignments included online and offline busway corridors, with the offline option via Burswood ultimately chosen given (amongst other reasons) space constraints on Ti Rākau Drive, the presence of significant infrastructure (e.g. Transpower’s high voltage cable) and the disruption to the functioning of Ti Rākau Drive during construction. As such, EB3C requires two CMA crossings, Bridges A and B. Given this, there is a functional need to occupy the areas of the CMA for this infrastructure, as proposed by AT. In particular, these parts of the EB3C alignment can only occur within the CMA given the constraints that have been identified and there are no practical alternative methods to cross the CMA without some degree of reclamation.</p> <p>It is Bridge B that requires the larger of the three reclaimed areas (211m² and 338m²) for its approach to the residential area of Burswood and the rear of the Chinatown site. As also discussed in the Alternatives Assessment, a mix of bridge and reclamation/embankment options were investigated for this portion of EB3C. The coastal</p>

¹⁰⁹ As stated under Rule F2.19.1 (A4) of the AUP (OP)

Key Objectives and Policies	Analysis
	<p>location presented several design challenges, most notably the presence of a historic heritage extent of place, a significant ecological area and hard basalt.</p> <p>The presence of the heritage site has resulted in AT attempting to minimise excavations and piling required, given that such activity would have the potential to damage archaeological material.</p> <p>However, AT has also sought to minimise the overall area of reclamation. It is noted that most of the CMA crossings proposed as part of the Project feature piled bridge structures, rather than embankments. This approach avoids occupying a larger area of the CMA, minimises any potential disruptions to coastal processes, allows for the tidal flushing of Pakuranga Creek’s embayment and for the recolonisation of the CMA by mangrove species.</p> <p>The reclamation’s design has also considered effects on coastal processes, climate change and coastal hazards, such as sea level rise and tsunami. As detailed by the Coastal Processes Effects Assessment (Appendix 29), the proposed reclamation will not exacerbate coastal processes (like erosion) or alter natural water currents within Pakuranga Creek given its location outside the main channel.</p> <p>Furthermore, AT have identified mitigation for the loss of the CMA that will be occupied by the Project’s reclamation. This includes habitat restoration for the banded rail, an avifauna species that has potential habit within the immediate locale although as detailed in the technical assessments none of have been observed. AT has also proposed to undertake rubbish removal and stabilisation plantings of the coastal edge as recommended by the Marine Ecology and Coastal Avifauna Effects Assessment (Appendix 28) and Coastal Process Effects Assessment (Appendix 29). All these measures have been incorporated into AT’s proposed conditions for EB3C’s resource consents.</p> <p>The effects of the reclamation’s construction on water quality, resulting from sediment disturbance, has also been considered by AT and will be appropriately managed by the Project. AT have proposed to use ssESCPs to manage potential sediment disturbance as recommended by the Erosion and Sediment Control Effects Assessment (Appendix 17). Sheet piling will also be used to isolate work areas from tidal flows. In addition, inert materials will be used as fill to avoid the discharge of contaminants into the coastal environment. These coastal works will also be subject to a Coastal Works Management Plan, as per AT’s proposed conditions (Appendix 5).</p> <p>The significant public benefits of the Project should also be recognised, as provided for by the NZCPS and AUP(OP). As detailed in Section 3 and Section 9 of this AEE, the Project (including EB3C) will support the urban intensification of Auckland, provide for a more efficient transport network, improve community connectivity to a range of services, improve transport network safety and help address the region’s transport related greenhouse gas emissions. All these benefits are reliant on the Bridge B and associated reclamation, whose location has been dictated by previous development within the Project area, including the location of TT Rākau Drive, the location of</p>

Key Objectives and Policies	Analysis
	<p>Transpower infrastructure and the development that has taken place on land adjacent to Ti Rakau Drive (such as Chinatown).</p>
<p>Ngā Manawhenua</p> <p>NZCPS Objective 3, Policy 2.</p> <p>NPS-FM Objective 1; Policies 1 -2.</p> <p>NPS-IB Objective 1, Policies 1 – 2.</p> <p>NPS-UD Objective 5; Policy 9.</p> <p>RPS B6.2.1 (1 – 2); B6.2.2 (1 – 2); B6.3.1 (1 – 3), B6.3.2 (2 – 6) ; B6.5.2 (1 – 3), B6.5.3 (1, 6, 8) B8.5.2(11 – 13).</p>	<p><u>Kaitiakitanga</u></p> <p>Summary of Objectives and Policies</p> <p>The NPS-FM and NPS-IB seek the active involvement of tangata whenua in freshwater management, including in decision-making processes. The NPS-UD and RPS requires the recognition of and provision for the principles of Te Tiriti o Waitangi, including through the participation of mana whenua in resource management processes. Additionally, the RPS seeks to provide participation opportunities that includes recognising the role of mana whenua as kaitiaki, providing for the practical expression of kaitiakitanga, and recognising mana whenua as specialists in the tikanga of their hapū or iwi and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga. Similarly, these matters are incorporated into the requirements of the NZCPS, including the involvement of iwi in RMA decision making and acknowledgement of iwi management plans.</p> <p><u>Māori values</u></p> <p>Summary of Objectives and Policies</p> <p>The RPS requires the recognition of and provision for the principles of Te Tiriti o Waitangi in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other taonga. The RPS requires that mana whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making, and that any assessment of environmental effects for an activity that may affect mana whenua values includes an appropriate assessment of adverse effects on those values.</p> <p>Assessment</p> <p>As noted previously, AT has been working with mana whenua throughout the development of the Project’s design, including the elements associated with stormwater, landscaping and placemaking. The relationship of mana whenua with the environment is further enshrined in the proposed conditions, which require continued engagement with mana whenua and their involvement in the development of the proposed management plans, landscaping and open space mitigation.</p>

Key Objectives and Policies	Analysis
<p>Natural hazards, including climate change</p>	
<p>NZCPS</p>	<p>Summary of Objectives and Policies</p>
<p>Objective 5; Policies 3, 10, 24, 25.</p>	<p>The objective of the NZCPS requires that coastal hazards are taken into account, including restoring natural defences. The policies of the NZCPS seeks that increasing community risks from coastal hazards is to be avoided and that infrastructure should be located away from coastal hazards, where practicable.</p>
<p>NPS-FM</p>	
<p>Policy 4</p>	<p>The objectives of the NPS-UD seek urban environments that are resilient to the current and future effects of climate change, and support reductions in greenhouse gas emissions. Specific objectives of the RPS (B10.2.1) seek to ensure communities are resilient to natural hazards and the effects of climate change, that the conveyance function of overland flow paths is maintained, and that the risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas. Specific objectives of the AUP(OP) include avoiding or, if avoidance cannot be totally achieved, mitigating the risk of adverse effects when infrastructure has a functional or operational need to locate in a natural hazard area (E36.2(4)), and using natural features, where appropriate, to manage natural hazards.</p>
<p>NPS-UD</p>	
<p>Objectives 1, 8; Policies 1, 6.</p>	
<p>RPS</p>	
<p>B8.3.1(8); B10.2.1 (1 – 6); B10.2.2 (3 – 10, 12 - 13)</p>	
<p>AUP(OP)</p>	
<p>E36.2 (2, 4 - 5; E36.3 (3 -4, 7 – 8); F2.2.3(7); F2.16.2 (3); F2.16.3 (8)</p>	<p>The policies of the NPS-UD require decision-makers to have particular regard to the likely current and future effects of climate change. Specific policies of the RPS (B10.2.2) include managing the subdivision, use and development of land subject to natural hazards with respect to the type and severity of events, the vulnerability of the activity to adverse events, and the cumulative effects arising from the activity's location. Specific AUP(OP) policies include controlling subdivision, use and development of land that is subject to natural hazards so that the proposed activity does not increase, and where practicable reduces, risk (E36.3(4)). This risk consideration includes any exacerbation of an existing natural hazard risk or the emergence of natural hazard risks that previously were not present at the location in the risk assessment (E36.3(2)).</p>
	<p>Assessment</p>
	<p>Natural hazards have been considered as part of the design process for EB3C and EB4L. These hazards principally relate to surface flooding given the presence of both flood plains and OLFs within both packages' footprints. Currently, these hydrological features could endanger private property, public spaces and the road network. These hazards are expected to gain further significance based on climate change modelling for the Tāmaki Makaurau Auckland Region, with increased risks of significant storms, sea level rise and rainfall.</p>
	<p>As such, a range of stormwater improvements are proposed as part of both packages, including new pipework and outfalls. These stormwater improvements have been developed to address the flows projected under relevant climate change conditions, while the stormwater outfalls have been designed specifically to avoid erosion issues.</p>

Key Objectives and Policies	Analysis
	<p>Furthermore, the stormwater works being undertaken for EB3C will assist in addressing existing flooding areas within Burswood, reducing long-term risks to the local community and road users during storm events.</p> <p>The Project’s Coastal Processes Effects Assessment has considered the potential risks associated with both sea level rise and tsunami. Regarding sea level rise, in general minimal risk has been identified over the next 100 years subject to further design and modelling exercises. This has been accepted by AT, with this further work captured in the proposed conditions. Tsunami are not considered a significant risk given the upstream position of the bridges on Pakuranga Creek.</p> <p>It should also be noted that no land stability hazards have been identified.</p>
Built Environment	
<p>NPS-UD Objectives 1, 4; Policy 6</p> <p>NZCPS B2.3.1 (1 -3); B2.3.2 (1 – 2, 4)</p> <p>AUP(OP) E24.2(1), E24.3(1 - 2); E25.2(2, 4); E25.3(2, 10)</p>	<p>Summary of Objectives and Policies</p> <p>The objectives of the AUP(OP) include the enablement of outdoor activities and the security and safety of people and property through the use of artificial lighting (E24.2(1)), and that amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night (E25.2(2)). Additionally, the AUP includes objectives that enable construction activities that cannot meet noise and vibration standards while controlling duration, frequency and timing to manage adverse effects (E25.2(4)).</p> <p>The policies of the AUP(OP) include providing for appropriate levels of artificial lighting to enable the safe and efficient undertaking of outdoor activities (E24.3(1)) and controlling artificial lighting to avoid significant glare and light spill (E24.3(2)). Additionally, the AUP(OP) includes policies on minimising, where practicable, noise and vibration at its source or on the site from which it is generated (E25.3(2)), and avoiding, remedying or mitigating the adverse effects of noise and vibration from construction, maintenance and demolition activities while having regard to the sensitivity of the receiving environment, the proposed duration and hours of operation of the activity, and the practicability of complying with permitted noise and vibration standards (E25.3(10)).</p> <p>Assessment</p> <p>AT has sought to ensure that the environmental disturbance generated by EB3C and EB4L is minimised as far as practicable. Construction effects will be managed through implementation of both the CEMP and CNVMP. These two management plans will address the lighting, noise and vibration effects during construction through a series of controls, stakeholder engagement (including the CCP) and plan certification. The requirements of both plans are detailed in the proposed conditions and are commonly used tools for major infrastructure projects in Tāmaki Makaurau Auckland.</p>

Key Objectives and Policies	Analysis
	<p>Operational lighting and noise effects have also been considered. The lighting for both packages will be developed through the ULDP, which will recognise the importance of avoiding light spill and glare from artificial lighting. This approach will protect the amenity of neighbouring sensitive land uses, such as the adjoining residential properties in Burswood. Operational noise will be largely governed using appropriate road surface materials and noise barriers where necessary. These noise mitigation measures will ensure compliance with NZS 6806 and protect the amenity of sensitive land uses adjoining the completed works.</p>
<p>Historic Heritage</p> <p>NZCPS Objective 6; Policies 6, 17.</p> <p>RPS B3.2.1(3), B3.2.2 (3, 6); B5.2 (1 – 2), B5.3 (6 - 8).</p> <p>AUP(OP) D17.2 (1 -3), D17.3 (3 – 5, 7, 13, 14, 25 – 26); E26.2.2 (4 – 6); F2.5.2 (2); F2.16.2 (3), F2.16.3(6)</p>	<p>Summary of Objectives and Policies</p> <p>The objectives of the RPS recognise historic heritage and special character when developing, operating, maintaining and upgrading infrastructure, with the AUP(OP) outlining that the adverse effects from infrastructure are to be avoided, remedied or mitigated. Scheduled heritage includes those listed in the AUP(OP) Schedule of Historic Heritage, New Zealand Heritage List/Rārangi Kōrero, the Cultural Heritage Inventory (CHI), amongst others. Specific objectives in Chapter B5 of the RPS include the identification and protection of significant historic heritage places from inappropriate subdivision, use and development, with their protection, management and conservation being encouraged.</p> <p>The policies of the RPS enable infrastructure in areas with scheduled historic heritage whilst ensuring that adverse effects on these historic values are avoided or otherwise remedied or mitigated. Specific objectives in Chapter B5 of the RPS include the avoidance, where practicable, of significant adverse effects on significant historic heritage. Additionally, Chapter B5 includes the provision of significant historic heritage places, where this will support the retention of, and will not detract from, the historic heritage values of the place. Specific policies of the AUP(OP) include the consideration of whether the infrastructure has a functional or operational need to be located in areas where historic heritage may be present or has been identified. This includes policies for the General Coastal Marine zone (Chapter F2) and the historic heritage overlay (Chapter D17), where policies seek to avoid the demolition or destruction of historic heritage unless there is significant public benefit.</p> <p>Assessment – EB3C</p> <p>As detailed in Section 4 and the Archaeological Effects Assessment (Appendix 25), works will occur in proximity of the scheduled McCallum Brothers quarry and quay¹¹⁰. There are also known archaeological sites within the wider Project area, which reflects the long occupation and use of the area by Māori and later Pākehā.</p>

¹¹⁰ AUP(OP) reference 2114.

Key Objectives and Policies	Analysis
	<p>While works are proposed within a historic heritage extent of place, there is limited ability for the Project to avoid the extent of place. This is demonstrated by the various alignment and coastal crossing options investigated by AT, which determined that the alignment sought (which includes reclamation and piling) is the most practicable option available to deliver EB3C. The proposed works will result in minimal adverse effects (including cumulative adverse effects) on the heritage values within the historic heritage extent. The scheduled extent that was created around the quarry is indicative and does not accurately represent the visible features of the quarry, which have since been mapped as part of this application. Although the embankment for Bridge B comes close to one of the features in the scheduled extent, it will avoid it in accordance with the proposed design.</p> <p>Furthermore, as detailed in Section 3 and Section 9, the Project will deliver significant benefits to Auckland, not least through improved public transport connections and supporting future urban intensification.</p> <p>However, to address the Project's effects on historic heritage, AT have proposed a range of related measures. For EB3C, AT will employ a HHMP that will include processes for accidental discovery, cultural monitoring and the reporting of exposed artefacts. A HHMP is also proposed for EB4L, as while there is no AUP(OP) historic heritage overlays present within its corridor, there is potential to disturb previously unknown heritage sites or objects.</p>
<p>Land Disturbance</p> <p>NZCPS Policies 21 – 23.</p> <p>RPS B7.4.2 (8).</p> <p>AUP(OP) E11.2(1 - 3), E11.3(1, 3); E12.2(1), E12.3(1 - 6)]; E30.2(1), E30.3(2)</p>	<p>Summary of Objectives and Policies</p> <p>The relevant objectives of the AUP(OP) seek to ensure that land disturbance is undertaken in a manner which protects the safety of people and avoids, remedies or mitigates adverse effects arising from land disturbance (E11.2(1)), and that contaminant discharge from the land is managed to protect the environment and human health and to enable land to be used for suitable activities now and in the future (E20.2(1)).</p> <p>The policies of the AUP(OP) include avoiding, where practicable, adverse effects on areas where there are natural and physical resources that have been scheduled in the AUP(OP) in relation to natural heritage, mana whenua, natural resources, coastal environment, historic heritage and special character (E11.3(1)). Additionally, the AUP(OP) includes policies on managing the impact on mana whenua cultural heritage that is discovered while undertaking land disturbance (E11.3(3)) and requiring any use or development of land containing elevated levels of contaminants resulting in discharges to air, land or water to manage or remediate the contamination to a certain level (E30.3(2)).</p> <p>Assessment</p>

Key Objectives and Policies	Analysis
	<p>AT has recognised the potential effects of land disturbance on environmental values, particularly given the coastal nature of the local environment. In response, AT has sought to minimise the overall quantum of earthworks required to establish both packages, including those associated with the disturbance of marine sediments.</p> <p>The ESCP, as detailed in the proposed conditions, will require all works to be undertaken in accordance with GD05, with on-site certification of controls by a SQEP prior to the commencement of earthworks. Other proposed measures include regular inspection of these controls, with inspection also required after wet weather. Provision has also been made for site-specific ESCPs, where required (e.g., stormwater outfall construction).</p> <p>It is noted that the use of ESCPs is a common approach for infrastructure projects in Tamaki Makaurau Auckland, with both AT and the appointed contractors familiar with their contents and implementation.</p> <p>It is noted that the CLMP will also address potential effects arising from earthworks, specifically in relation to contaminated soils. The CLMP has been proposed given the presence of both current and historic HAIL activities in proximity to the road corridor. While no significant contamination related effects are anticipated, AT have proposed a precautionary approach via the use of a CLMP. In addition, certification of incoming fill and disposal sites is required, as will be a Site Completion Report.</p> <p>Historic heritage protection will be provided for by the HHMP within EB3C and for EB4L. In addition, as recommended by the Archaeological Effects Assessment (Appendix 25), both packages will be subject to archaeological authorities from HNZ.</p>
<p>Air Quality</p> <p>RPS B7.5.1 (1, 3); B7.5.2(1-2)</p> <p>AUP(OP) E14.2 (1 - 2), E14.3 (1- 2); E30.2 (1), E30.3 (2)</p>	<p>Summary of Objectives and Policies</p> <p>In terms of air quality, the objectives in the RPS seek to manage the discharge of airborne contaminants to improve region-wide air quality and enhance amenity values in the urban area (B7.5.1(1)), with RPS policies seeking to manage contaminant discharge into the air through the implementation of regulatory and non-regulatory methods (B7.5.2(2)).</p> <p>Assessment</p> <p>The construction phase of both packages will involve the potential discharge of soil contaminants, as well as dust. Both discharge types will be managed and controlled appropriately through the Project's various management plans, including those of the ESCP and CLMP. In addition, works in close proximity to sensitive receivers will be subject to site specific plans/schedules.</p>

Key Objectives and Policies	Analysis
	<p>With the use of the above-mentioned proposed management plans, any nuisance or risks associated with discharges from EB3C and EB4L's construction activities will be avoided.</p>
<p>Open Space and Public Access</p> <p>NZCPS</p> <p>Objective 4, Policies 10, 18 – 19.</p> <p>RPS</p> <p>B8.4.1 (1 – 3), B8.4.2 (1 – 3)</p> <p>AUP(OP)</p> <p>F2.2.3 (6, 8); F2.14.2 (1 – 3), F2.14.3 (2, 5, 11); H7.2 (1 – 2); H7.3(1, 4); H7.4.2 (1)(2), H7.4.3(1 – 3); H7.5.2(2); H7.5.3(2, 9)</p>	<p>Summary of Objectives and Policies</p> <p>The objectives promote the provision of quality open space that provides for both active and passive recreational activity, with adverse effects arising from the use or development of this zone being avoided, remedied or mitigated.</p> <p>The policies promote open spaces that provide for the needs of the local and wider community, are safe and attractive to users, and, where appropriate for the zone, reflect the natural, heritage and landscape values of the area. Open spaces should reflect mana whenua values, where appropriate, including through the restoration and enhancement of ecosystems and biodiversity. In addition, policies seek to enable infrastructure that is necessary to service open spaces and recreation facilities, and enable the construction operation, maintenance, repair and minor upgrading of infrastructure located on open spaces.</p> <p>Assessment</p> <p>Both EB3C and EB4L will involve temporary construction activities and permanent works within public reserves. EB3C will run (in part) through Burswood Esplanade Reserve and Bard Reserve, while EB4L will occupy part of Guys Reserve and Whaka Maumahara. In both instances, AT has sought to minimise the overall quantum of open space land required and avoid the severance of the surrounding neighbourhoods from the affected reserves.</p> <p>AT have also proposed significant replanting and landscaping along both packages' alignments. Further mitigation is also proposed at Burswood Park, Heard Park and Huntington Park to maintain the functions of the wider open space network. These will help mitigate the Project's visual and landscape effect and will be finalised through the development of the UDLP. AT will continue to work with the Howick Local Board, AC Parks and mana whenua to further develop the UDLP interventions at these reserves as required by the CDP and mana whenua framework. It is also noted that both packages will improve public access to these reserves, through improved walking and cycling links, as well as the provision of Burswood Bus Station.</p> <p>Stormwater infrastructure is also proposed within open space, both improvements to existing infrastructure and new infrastructure. Much of this infrastructure will be sub-surface and will not affect the ability for the public to access and enjoy these open spaces. Such infrastructure is also a common sight in the region's reserves and will not be out of keeping with the urban character of the Project area.</p>

Key Objectives and Policies	Analysis
<p>Residential Zones</p>	
<p>NPS-UD Objectives 1, 4 and 6. Policy 1 AUP(OP) H4.2 (1)(4); H4.3(9)(10); H5.2(1)(4); H5.3(8); H6.2(1)(4); H6.3(9)(10)</p>	<p>Summary of Objectives and Policies</p> <p>The objectives of the AUP(OP) residential zones promote housing capacity and choice. Specific AUP(OP) objectives for the Residential – Terrace Housing and Apartment Buildings Zone include promoting high-density urban living near centres and public transport, with development being of predominantly 5-7 storeys in identified areas. Specific AUP(OP) objectives for the Residential – Mixed Housing Urban Zone include promoting higher-density residential living close to Metropolitan Centres and Town Centres, with non-residential activities being compatible with the scale and intensity of the anticipated development within the zone. Specific AUP(OP) objectives for the Residential – Mixed Housing Suburban Zone include promoting the increase of housing capacity, intensity, and choice, while being in character with the planned suburban character and with non-residential activities being compatible with the scale and intensity of the anticipated development within the zone.</p> <p>The policies of the AUP(OP) residential zones include enabling a variety of housing types that encourage the achievement of attractive and safe public surroundings.</p> <p>Assessment</p> <p>Both packages have been designed to support the long-term development and general urban intensification projected within southeast Tāmaki Makaurau Auckland. While there will be some loss of housing associated with EB3C in Burswood, the other core components of EB3C do not require residentially zoned land. It is also noted that EB4L avoids occupying any residentially zoned land.</p> <p>The proposed conditions will also ensure that amenity values are protected and maintained for residential sites beyond both packages’ permanent footprints. This will be principally undertaken through the UDLP, as well as the provision of noise walls along EB3C. The proposed landscaping and placemaking elements (e.g., improved pedestrian linkages) will support existing residential amenity values.</p> <p>It should also be acknowledged that both packages support the longer-term redevelopment of southeast Tāmaki Makaurau Auckland’s residential areas through improving the functioning and capacity of the region’s transport network. The provision of better transport links across all modes supports the levels of residential intensification sought by the AUP(OP)’s zone-based objectives and policies. As such, both packages are enablers of residential development and the AUP(OP)’s planned outcomes.</p>
<p>Business Zones</p>	
<p>NPS-UD</p>	<p>Summary of Objectives and Policies</p>

Key Objectives and Policies	Analysis
<p>Objectives 1, 4 and 6. Policy 1</p> <p>AUP(OP)</p> <p>H10.2(1),(2),(3),(5), (6), (7), (8); H10.3(2), (3), (4), (5), (7), (11), (12), (15), (16), (17), (21); H13.2(1), (2), (3), (5); H13.3(1), (3), (5), (7), (11), (12), (20), (21)</p>	<p>The objectives promote aesthetically and commercially attractive centres that provide for a variety of activities at a variety of scales. Visually, they reinforce themselves as the community focal point, creating a sense of place. A network of centres is developed which gives context to the urban area, provides a clear framework for public and private investment, and serves as the basis for regeneration and intensification.</p> <p>The policies reinforce the hierarchy of centres and require development to positively contribute to the outcomes of the Plan, including aesthetic, amenity, and safety values. Universal access for all development is encouraged, while at-grade parking is designed to avoid or mitigate adverse effects to the streetscape. Development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone are required to maintain the amenity values of those areas, and the functional and operational requirements of activities and development is recognised.</p> <p>Assessment</p> <p>Both packages have been designed and developed to contribute to the current and planned urban environments at Burswood (EB3C) and Botany (EB4L).</p> <p>EB3C is located adjacent to the businesses on Tī Rākau Drive and Torrens Road, with a new walkway between Burswood bus station and Torrens Road. The provision of new public and active transport infrastructure will support the economic wellbeing of the area, given the improved connectivity provided by the Project. This connectivity will also stimulate future redevelopment of business zoned sites, while minimising the total business zoned land permanently required.</p> <p>EB4L avoids permanent land take of business zoned land within Botany. In addition, it will provide for improved walking and cycling connections with the wider area, while the Busway will also support the movement of business workers and customers to Botany Town Centre.</p> <p>Both packages will generate some adverse effects on the form, function and amenity of adjoining business areas during their construction. While these effects are temporary in nature, a suite of proposed management plans and mitigation measures will be employed to maintain public access and enjoyment of businesses and centres. This includes the overarching CEMP, CNVMP, CCP and CTMP. By using these practices, construction disruption will be minimised, as well as any related economic or social dislocation.</p>
<p>Landscape Values and Visual Amenity</p>	
<p>NZCPS</p> <p>Objectives 2; Policies 13 and 15.</p>	<p>Summary of Objectives and Policies</p> <p>The objectives of the NZCPS seek to preserve the natural character of the coastal environment, with the protection of natural features and landscape values. Protection may be achieved by recognising the features that</p>

Key Objectives and Policies	Analysis
<p>RPS B8.2.1 (2 -3), B8.2.2 (4), B8.3.1 (1 -2) B8.3.2 (7).</p> <p>AUP F2.16.2 (3), F2.16.3 (8 – 9, 11).</p>	<p>contribute to these values and features, as well as protecting these against inappropriate subdivision, use, and development.</p> <p>These matters are reiterated by the AUP(OP), which also seeks the restoration or rehabilitation of natural character where it has been degraded. The AUP(OP) also directs that the adverse effects of subdivision, use and development on the values of the coastal environment are avoided, remedied or mitigated. The AUP(OP) also seeks for new development to contribute to a quality-built environment through supporting transport mode choice, provides good safe access and supports future planned development.</p> <p>Assessment</p> <p>While neither EB3C or EB4L are located within AUP(OP) landscape or natural character overlays, the underlying landscape and natural character values have been considered through their design and the mitigation response.</p> <p>The principal landscape changes associated with EB3C include the new bridges within the CMA, vegetation clearance within riparian and coastal margins, and new outfall structures. The permanent footprint of these works has been limited where practically possible, while replanting and landscape mitigation is proposed as part of the UDLP. There is also a functional need for coastal works given that new bridging is required to connect the busway on either side of Pakuranga Creek.</p> <p>EB4L is largely contained within Guys Reserve and Whaka Maumahara. Given the steepness of Whaka Maumahara, a bridge will be used to provide a level busway surface for public transport services. This bridge will avoid the need to undertake large-scale earthworks or retaining and is located within a heavily urbanised visual catchment. The busway has also been positioned to avoid the current stormwater pond, which is the defining landscape feature of Whaka Maumahara.</p> <p>Furthermore, both packages will support the quality-built environment sought by the AUP(OP). As elaborated on in Sections 3 and 9, the Project will provide improved travel mode choice, safe access for active transport users and support the future intensification of region’s existing urban area. The Project’s objectives (Section 1) reiterate its purpose and the outcomes sought, which align with the AUP(OP)’s own RPS urban development objectives and policies.</p>

11.4 National Environment Standards

Section 104(1)(b)(i) requires consideration of the relevant national environment standards, as detailed below.

11.4.1 The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

The NES-CS applies to activities that disturb the soil if the relevant piece of land is, or has previously been, a HAIL site (recorded on the Hazardous Activities and Industries List – Ministry for the Environment).

Comment

The Contaminated Land Effects Assessment (Appendix 16) has identified the presence of several HAIL sites for both packages. This includes:

EB3C

- 242 Ti Rākau Drive (Mobil branded service station)
- 386 Ti Rākau Drive (Gull branded service station)

EB4L

- 550 Te Irirangi Drive (Z branded service station)
- 451 Ti Rākau Drive (vehicle servicing and maintenance businesses)

AT has adopted a precautionary approach to the NES-CS. As such, discretionary activity land use consents have been sought for works adjacent to the sites listed above. The Contaminated Land Effects Assessment details that the potential risks associated with human health from soil disturbance at this location are limited and can be managed through the proposed CLMP and AT's proposed conditions.

11.4.2 The National Environment Standard for Freshwater

The NES-F applies to activities within and adjacent to freshwater lakes, rivers, streams, and wetlands.

Comment

Resource consent has been sought for vegetation clearance and earthworks within, or within 10 m of, natural wetlands under the specified infrastructure provisions of the NES-FW, as culvert/outfall works are proposed within watercourses.

In general, the ecological values of the land around both EB3C and EB4L have been compromised by historic urbanisation, including the severance of natural habitats, habitat loss and pollution. Regardless of the compromised nature of the wetlands and watercourses, land disturbance and vegetation clearance around and within them has been minimised. The hydrological regime of wetlands will remain unchanged. The effects generated by outfall structures and associated pipework will be addressed through the ESCP and mitigation planting. In addition, the construction methodology of EB3C has sought to limit the volumes of sediment which will be disturbed during CMA works within Pakuranga Creek.

11.5 Other Matters

11.5.1 Marine and Coastal Area (Takutai Moana) Act 2011

The purpose of the MACAA is to establish a durable scheme to recognise and ensure the protection of the legitimate interests of all New Zealanders in the marine and coastal area of New Zealand. It recognises mana tuku iho exercised in the marine and coastal area by iwi, hapū, and whānau as tangata whenua and provides for the exercise of customary interests in the common marine and coastal area.

Section 62(3) of the MACAA requires that any person making an application under the RMA for a proposal within the marine and coastal area must notify and seek the views of any applicant for customary marine title prior to lodging the application.

EBA notified the applicants for customary marine title and protected customary rights applicable to the Tāmaki River and Pakuranga Creek on 13 March 2023 seeking views on EB3C and EB4L. The letters notifying those applicants are contained in Appendix 32.

11.5.2 Auckland Plan 2050

The Auckland Plan is required by the Local Government (Auckland Council) Amendment Act 2010, to contribute to Auckland’s social, economic, environmental, and cultural wellbeing. It sets out the 30-year spatial framework for the growth and development of Tāmaki Makaurau. The Auckland Plan contains six outcomes, a Development Strategy detailing how the region will grow and change over the next 30 years, 20 Directions to achieve the Outcomes and 37 Focus Areas.

The outcome of particular relevance to EB3C and EB4L is the Transport and Access Outcome that states, ‘Aucklanders will be able to get to where they want to go more easily, safely and sustainably’.

The direction and focus areas of the transport and access outcome are:

Directions	Focus Areas
Direction 1: Better connect people, places, goods, and services	Focus Area 1: Make better use of existing transport networks
Direction 2: Increase genuine travel choices for a healthy vibrant and equitable Auckland	Focus Area 2: Target new transport investments to the most significant challenges
Direction 3: Maximise safety and environmental protection	Focus Area 3: Maximise the benefits from transport technology
	Focus Area 4: Make walking cycling and public transport preferred choices for many more Aucklanders
	Focus Area 5: Better integrate land-use and transport
	Focus Area 6: Move to a safe transport network, free from death and serious injury
	Focus Area 7: Develop a sustainable and resilient transport system

The Auckland Plan also includes a Development Strategy that is based on the desired outcomes, takes into consideration population growth projections, and the provisions of the AUP(OP). The Development Plan

identifies where development is most likely to occur and provides a framework for prioritisation and coordination of the infrastructure required to support growth.

The Project, including EB3C and EB4L, is identified in the Auckland Plan as a Decade 1 improvement. It is also identified as a Decade 1 (2018 - 2028) strategic public transport network project. The Auckland Plan acknowledges that improving transport and access in Tāmaki Makaurau Auckland requires an integrated approach and is a partnership between Auckland Council and central Government.

The Development Strategy identifies Development Areas in specific locations that are expected to undergo a significant amount of housing and business growth in the next 30 years. Panmure and Pakuranga are identified as a Development Area in an existing urban area, Pakuranga and Botany are identified as a Town Centre and a Metropolitan Centre respectively.

The Auckland Plan identifies the following anticipated timeframe of development:

- Panmure as Decade 1, Short term 2018 – 2021, with an expected dwelling growth between 2018 - 2048 of 1,780
- Pakuranga as Decade 1 Medium Term 2021 – 2028, with an expected dwelling growth between 2018 – 2048 of 1,700
- Pakuranga Corridor as Decade 2 / Decade 3 Long Term 2028 -2048, with an expected dwelling growth between 2018 – 2048 of 1,040
- Highland Park Development Area is identified as Decade 2 / Decade 3 Long Term 2028 - 2048, with an expected dwelling growth between 2018 – 2048 of 1,380.

The Project is specifically referenced in both the Pakuranga, Pakuranga Corridor and Highland Park Development Areas and the Glen Innes, Tāmaki and Panmure Development Area.

The Auckland Plan estimates that the Glen Innes, Tāmaki and Panmure Development Area together have a feasible capacity of approximately 5,730 dwellings. With regard to the Project the Auckland Plan states:

‘The new Panmure public transport interchange, opened in 2014, has resulted in improved accessibility for the area. There is also potential for accessibility to increase further once linkages to the station are improved and AMETI is complete.’

The Auckland Plan identifies Pakuranga, Pakuranga Corridor and Highland Park Development Areas, as having a feasible capacity of approximately 9,420 dwellings. In regard to the Project the Auckland Plan states:

‘Pakuranga will be well connected to Panmure, Botany and the city centre, via the bus/rail interchange at Panmure, when AMETI is complete.’

‘It is likely that Highland Park and the corridor between Pakuranga and Highland Park will see some redevelopment as improved accessibility from the completion of AMETI is realised.’

Based on the above, EB3C and EB4L are consistent with the outcomes sought by the Auckland Plan. In particular, they support the Auckland Plan’s development strategy, both with regard to urban intensification and greenfield development planned within the Howick Local Board area. It also supports growth in other parts of Tāmaki Makaurau Auckland, such as Tāmaki and Panmure, by providing for an improved multi-modal regional transport network. Furthermore, both packages will improve local transport safety, with the provision of separated walking and cycling infrastructure.

11.5.3 Auckland Transport's Statement of Intent 2021/22 – 2023/24

AT's Statement of Intent (SOI) 2021/22 – 2023/24 sets out AT's strategic priorities over the next three years. These strategic priorities align with the priorities and expectations set out in a number of existing strategic documents, and include the following objectives:

- Providing and accelerating better travel choices for Aucklanders
- Better connecting people, places, goods and services
- Enabling and supporting Auckland's growth, particularly in brownfield areas
- Improving the resilience and sustainability of the transport system and significantly reducing the greenhouse gas emissions it generates

The SOI identifies the Project, as a key project/initiative in the 2021/22 2023/24 work programme.

11.5.4 Integrated Transport Programme 2012-2041

Developed by AT and Waka Kotahi in collaboration with Auckland Council, the Integrated Transport Programme (ITP) provides a consolidated transport investment programme for Auckland's transport system over a 30-year period.

The ITP identifies the key transport challenges facing the region and proposes two major strategies to meet the priorities in the Auckland Plan. These are:

- Management of transport as one system
- Development of a transport programme to 2041.

The programme covers state highways and local roads, railways, buses, ferries, footpaths, cycleways, intermodal transport facilities and supporting facilities such as parking and park-and-ride.

The ITP seeks to ensure that Auckland's transport system better connects communities and supports a high-quality urban form.

The overarching outcome identified in the ITP is *"Auckland's transport system is effective, efficient and provides for the region's social, economic, environmental and cultural wellbeing"*.

To deliver such a transport system, the following impacts are identified that are sought to be achieved over the 30-year period:

- Better use of transport resources to maximise return on existing assets
- Auckland's transport network moves people and goods efficiently
- Increased access to a wider range of transport choices
- Improved safety of Auckland's transport system
- Reduced adverse environmental effects from Auckland's Transport system
- Auckland's transport system effectively connects communities and provides for Auckland's compact urban form.

Of particular relevance to the Project, including EB3C and EB4L, are the objectives in relation to the implementation and management of the 'one system' approach. This includes the integration of transport planning and investment with land use development, to prioritise and optimise investment across transport modes and manage demand efficiently and safely.

11.5.5 Auckland Regional Land Transport Plan 2021-2031

The Regional Land Transport Plan 2021-2031 (RLTP) sets out Auckland land transport objectives, priorities and measures for the next least 10 years. It is prepared in accordance with the Land Transport Management Act 2003 (LTMA) and includes a 10-year programme of activities to support the achievement of these objectives. It includes the land transport activities of AT, NZTA, KiwiRail and other agencies.

The RLTP provides for significant improvements to be made in public transport, including rapid transit, walking and cycling, network initiatives to help to address congestion, and support for greenfield and urban redevelopment. It also provides for a major focus on improving safety on Tāmaki Makaurau Auckland's road network.

The Project, including EB3C and EB4L, will enable the delivery of a safe, reliable and accessible transport system that supports and shapes the region's development. It will encourage a move away from single-occupant vehicles as the dominant mode of travel, enabling public transport, walking and cycling to play a significant role in the transport system.

It will help lead Auckland towards being a city where there is growth without increased congestion, where it is easy to access employment and services, where it is safe to drive, walk and cycle, where there are genuine travel choices, and where the negative impacts of the transport system on people and the environment are minimised.

11.5.6 Auckland Transport Alignment Project 2021-2031

The Auckland Transport Alignment Project (ATAP) brings together the Government and AC to strategically align transport objectives and investment priorities for Tāmaki Makaurau Auckland. The ATAP includes an indicative investment package which guides statutory funding plans, including the RLTP. The ATAP 2021-2031 programme invests around \$31.4 billion into critical transport infrastructure and services across Auckland.

Rapid transit is seen as forming the backbone of Tāmaki Makaurau Auckland's public transport network. The ATAP places a major focus on developing the RTN to improve the attractiveness of public transport and encourage mode shift away from the private car. The indicative investment package and the investment programme includes a significant investment in Tāmaki Makaurau Auckland's RTN and specifically identifies the Project as a key project planned for delivery over the next decade.

Rapid transit formed the largest part of the ATAP 2018 package and investment of around \$7.6 billion is indicated for new rapid transit in the current ATAP Investment Programme, with around \$800 million of this allocated to the Project. The ATAP states that the provision of an urban busway that allows buses to avoid congestion will improve travel times, reliability, and corridor throughput along Tī Rākau Drive. The Project is seen as providing an excellent opportunity to unlock significant growth potential in the area.

11.5.7 Regional Public Transport Plan 2018 - 2028

The Regional Public Transport Plan (RPTP) is a statutory document that AT formally adopted on 12 February 2019. The RPTP describes the public transport network that AT proposes for the region, identifies the services that are integral to that network over a 10-year period, and sets out the policies and procedures that apply to those services.

The RPTP has four key focus areas:

- Expanding and enhancing the rapid and frequent network
- Improving the way customers access public transport
- Increasing Māori responsiveness
- Seizing the opportunity of emerging technologies.

The RPTP identifies the Project, including EB3C and EB4L, as a key project that will extend Tāmaki Makaurau Auckland’s RTN out into the east and southeast part of the city.

11.5.8 Howick Local Board Plan 2020

The Howick Local Board Plan (HLBP) is a strategic three-year plan that has been developed in consultation with the local community. The HLBP identifies effective and accessible transport choices as a key outcome. The HLBP recognises that the Project will begin construction and will significantly improve transport choices to other parts of the region. It states that the Local Board will work with AT to ensure the transport network meets the needs of East Auckland, particularly by providing connectivity to the busway and continuing to represent community interests in the delivery of the Project.

11.5.9 Howick Walking and Cycling Network Adopted Report November 2018

This report defines the long-term walking and cycling network plan for the Howick Local Board area. The report shows a number of proposed walking and cycling routes within EB3C and EB4L area, including along Ti Rākau Drive and through Guys Reserve. Both packages will contribute to the network plan through the provision of cycleways and improved pedestrian linkages across Burswood, East Tāmaki and Botany.

11.6 Section 104D Assessment

Section 104D of the RMA details the statutory test for non-complying activities, otherwise known as the ‘gateway test’. The section states:

“Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—

- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of—*
 - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.”*

In regard to s104D(a), as noted in Sections 9.2 to 9.5 of this AEE, the adverse effects of EB3C will be minor. Specific consideration was given to a suite of potential environmental effects, including effects on the coastal environment. In particular, consideration of the Project’s construction and operational phase effects identified a range of mitigation and management practices that will be adopted by AT.

It is noted that while works will occur in a marine SEA, current ecological values have been previously compromised given historic land development, previous contaminant discharges and the large volumes of refuse present. It is within this compromised coastal environment that works are proposed. While banded rail were not observed during fieldwork in this degraded environment, it is possible that members of that species may use areas of Pakuranga Creek as foraging habitat. Given this, AT propose to undertake habitat enhancement for this at-risk/declining bird species. Coastal processes were also considered, with additional design and modelling exercises proposed to confirm the final design of the coastal works. Based on these measures and the current environmental values, the coastal related effects of EB3C are deemed to be minor. The Project's coastal works will be subject to a CWMP, which imposes a series of restrictions, modelling and mitigation requirements on the construction of the bridges and reclamations in recognition of coastal values.

Landward of the coastal works, assessment was also made of EB3C's other effects. This included those associated with traffic, land disturbance, noise/vibration, landscape, and open space. Based on the technical assessments undertaken for the Project, these other effects were also considered to be no more than minor. This conclusion is based on the mitigation and management practices proposed by AT. These include management plans based largely on those proposed for EB2 and EB3R, with the addition of a historic heritage management plan given the works proposed within a historic heritage extent of place. These effects and related conditions are detailed further in Section 9 of the AEE.

With regard to 104D(b), Section 11 of the AEE has discussed in depth the consistency of the EB3C resource consent application with relevant objectives and policies of the AUP(OP). It is recognised that the AUP(OP) primarily seek to avoid activities like reclamation. However, AT have undertaken a thorough option assessment that demonstrates the practical and operational need to cross Pakuranga Creek using bridges and reclamations. In addition, EB3C includes mitigation to address its environmental effects, as detailed above in the discussion of 104D(a). Furthermore, EB3C design has and will continue to address the potential risks associated with sea level rise and coastal processes, demonstrating a precautionary approach to coastal hazards. This precautionary approach is also demonstrated by the proposed habitat restoration for the banded rail, which although unobserved during fieldwork, warrants the proposed restoration works given its conservation status.

Furthermore, EB3C is a significant infrastructure project for the Auckland Region and is itself region-shaping given its role in supporting future urban intensification. As such, it supports the urban growth objectives and policies of the NPS-UD and AUP(OP) RPS given that both documents seek greater intensification and the improved supply of housing. Also, the use of a UDLP for EB3C will assist its integration into the urban environment through landscaping, open space improvements and other urban design measures.

As such, the application for EB3C meets the gateway test of section 104D.

11.7 Section 171 Assessment

The following statutory assessment is provided in accordance with those sections of the RMA applicable specifically to the NoRs. Section 171 of the RMA lists the various matters which a territorial authority must have particular regard to when considering a NoR, with these matters addressed by

Table 11-2.

Table 11-2 Consideration of Section 171 Matters for EB3 and EB4L

Relevant Section Reference	Matter	Discussion
171(1A)	When considering a requirement and any submissions received, a territorial authority must not have regard to trade competition or the effects of trade competition.	AT is not aware of any trade competition regarding the EB3C and EB4L NoRs.
171(1)(a)	<p>When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—</p> <p>(a) any relevant provisions of—</p> <p>(i) a national policy statement:</p> <p>(ii) a New Zealand coastal policy statement:</p> <p>(iii) a regional policy statement or proposed regional policy statement:</p> <p>(iv) a plan or proposed plan; and</p>	<p>These matters have been assessed in Section 11.3 of this AEE. This has included assessment of the NoR against the NPS-UD, NPS-FM, NZCPS, HGMPA and the AUP(OP). Assessments against these statutory documents broad suite of objectives and policies have been provided. This AEE has determined that the NoRs are consistent with and have regard to these documents and their relevant contents.</p> <p>In addition, this AEE has considered all related matters for resource consent (Section 7), as well as the range of permitted activities which enable much of EB3C and EB4L’s planned works and operation (Section 7).</p>
171(1)(b)	<p>whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—</p> <p>(i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or</p> <p>(ii) it is likely that the work will have a significant adverse effect on the environment; and</p>	<p>AT has considered a broad range of alternatives to addressing the strategic problem detailed in Section 3 given that it does not hold an interest in all the land covered by the NoRs.</p> <p>Section 2 of this AEE provides significant detail of the Project’s long history and development, commencing in the 1950s and continuing to the current day. This is discussed further in Section 5, with a thorough assessment of alternatives. This has included looking at how to address the various transport modes, achieving modal shift, improving transport choices and helping improve the urban form of southeast Tāmaki Makaurau Auckland.</p> <p>AT has considered a variety of design responses and methods for undertaking the work. These assessments have occurred over many years, through a number of iterations and via MCA processes.</p>

Relevant Section Reference	Matter	Discussion
		<p>Ultimately, AT have demonstrated that adequate consideration has been given to alternatives to the Project’s location, design, and construction methodology.</p> <p>Lastly, Section 9 of the AEE has shown that the NoRs avoid significant adverse effects on the environment. This has been achieved through the Project’s design, the proposed construction methodologies, mitigation measures and engagement undertaken with stakeholders.</p>
171(1)(c)	whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and	<p>Section 3 detailed the strategic problems which AT has sought to address by the NoRs, as well as the Project’s objectives.</p> <p>The Project’s history, as detailed in Section 2, has highlighted that the issues of addressing transport network congestion, population growth and climate change mitigation have underpinned the Project across its development.</p> <p>The construction of EB3C and EB4L are both necessary to alleviate the congestion present through Pakuranga, East Tāmaki and Botany, help support urban intensification through the south-eastern suburbs and address the region’s greenhouse gas emissions.</p> <p>Both packages have also been designed to be sympathetic to the proposed locations, including the Burswood area, Burswood Esplanade Reserve, Guys Reserve and Whaka Maumahara. This includes the use of noise walls at Burswood, as well as significant quantities of mitigation planting and improved active transport connections for both packages.</p>
171(1)(d)	any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.	The other matters associated with the NoRs have been addressed in Section 11.4 of this AEE. This includes how the Project supports the outcomes of the Auckland Plan and the various regional transport strategies.
171(1B)	The effects to be considered under subsection (1) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the designation, as long as those effects result from measures proposed or agreed to by the requiring authority.	<p>The positive effects of the NoRs have been detailed in Section 9 of this AEE.</p> <p>These include the follow Project outcomes:</p> <ul style="list-style-type: none"> • Better connections and sustainable travel options for pedestrians, cyclists, motorists, bus and train customers • A reliable 40-minute bus and train trip between Botany Town Centre and Britomart (saving 20-minutes) • Increasing public transport trips from 3,700 to 18,000 per day by 2028 • Increasing in public transport mode share from 7% to 25% by 2028

Relevant Section Reference	Matter	Discussion
		<ul style="list-style-type: none"> • 24,000 more people with access to a rapid transit bus station within 1 km from home • 5 km of busway between Pakuranga and Botany fully separated from other traffic • 5 new bus stations with quality facilities • 12 km of safe and separated walking and cycling infrastructure • Reducing vehicle congestion around Pakuranga Town Centre • Accommodating electric buses, a key part of AT's low-emission vehicle fleet by 2040. <p>In addition, a suite of mitigation and management measures are proposed by AT to address the Project's adverse effects. This includes ecological works, landscaping, open space improvements, construction management plans, a mana whenua framework and consultation requirements. These measures result in the Project avoiding having significant adverse environmental effects.</p> <p>Specifically in regard to ecological works, the following are proposed:</p> <ul style="list-style-type: none"> • Habitat enhancement for the banded rail • Rubbish removal from Pakuranga Creek for three years • Lizard capture and release • Lizard habitat restoration; and • Landscaping coastal banks. <p>Lastly, the Project will contribute to the urban form of southeast Auckland. This will be primarily achieved through the UDLP and open space improvements. The UDLP, which requires certification by Auckland Council, provides the mechanism to coordinate the various landscaping, ecological, streetscape and open space improvements proposed. This includes works at riparian and coastal margins, within Council reserves and within the Burswood community.</p>

11.8 Part 2 Assessment

Part 2 provides a common set of principles to be applied to the management of all resources.

In relation to the NoRs, section 171(1) provides that when considering the requirement and any submissions received, the Council must consider the effects on the environment of allowing the requirement, having "particular regard" to the various matters in section 171(1)(a) to (d), which have been addressed above. However, s171(1) makes it clear that these considerations are all "subject to Part 2". An assessment of the Project against Part 2 is therefore set out below.

11.8.1 Section 5 Assessment

The RMA has a single overarching purpose: to promote the sustainable management of natural and physical resources. Sustainable management is defined in Section 5 of the RMA as:

...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

11.8.1.1 Comment on Section 5

The proposed works support the purpose of the RMA as defined by section 5. In particular, both packages will provide for an improved transport network for Burswood, Botany and surrounding areas. The works will provide increased modal choice, assist in reducing congestion, provide for safe active transport modes and reduce street-level traffic around the town centre. These benefits will be long lasting and will provide for the planned urban intensification of southeast Tāmaki Makaurau/Auckland.

Furthermore, AT has provided a range of mitigation and management measures which have been developed to address both packages' adverse effects. This includes the use of a CEMP, CNVMP, NFCRP, LMP, CLMP, CWMP and CTMP during construction, while the UDLP and HRP will provide longer term amenity, ecology and landscape mitigation. The use of a HHMP for both packages will address the Project's effects on known historic heritage and will contain protocols in the event that previously unknown historic heritage is disturbed. AT has worked with a range of key stakeholders to develop both packages' designs and the previously mentioned measures and will continue to do so throughout the development and construction of the Project. This commitment to consultation, mitigation and management of effects is also enshrined in AT's proposed set of proposed conditions.

11.8.2 Section 6 Assessment

Section 6 of the RMA requires that in achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for matters of national importance. The specified matters of importance of relevance to this Project are:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (c) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (h) *the management of significant risks from natural hazards.*

11.8.2.1 Comment on Section 6

The proposed works are consistent with section 6 of the RMA. AT has sought to minimise EB3C's footprint within the coastal environment, with permanent occupation limited to bridge piles, reclamation for the busway and stormwater outfalls. AT has demonstrated a functional and practical need to undertake these coastal works through its option assessment process. While works, including reclamations, will occur within a marine SEA (as identified by the AUP(OP)), AT has adopted a precautionary approach through the undertaking of habitat enhancement/restoration, bank stabilisation through landscaping and conditions requiring additional coastal process modelling. Construction activities will also be governed by a series of management plans, including ssESCPs that will avoid the discharge of disturbed sediment into coastal waters. Furthermore, EB3C's permanent occupation of the CMA will not restrict public access to the coastal environment.

The permanent footprint of EB3C and EB4L within watercourses and wetlands has also been minimised, where practicable. While the planned treatment will deliver overall improvements to discharge quality, AT will continue to work with mana whenua and Healthy Waters towards further improvements, where practicable.

AT has acknowledged mana whenua's relationship with the Pakuranga area, the Tāmaki River and their position within wider Tāmaki Makaurau. This relationship and historical connection to the area is enshrined in the Project's objectives, its design and mitigation/management practices proposed. AT will continue to work with mana whenua, through the kaitiaki forum, to refine and include cultural values and knowledge into the Project. In addition, mana whenua will be provided with the opportunity to culturally monitor construction works and brief construction crews on cultural values.

Lastly, both packages' designs have considered the natural hazards, principally those associated with flooding and climate change. This approach is reflected in the stormwater design, with adequate capacity provided for projected storm conditions and improvements to currently constrained stormwater infrastructure. AT have also adopted the recommendations of the Coastal Processes Effects Assessment in that further modelling and design will be undertaken to address future sea level rise risks, as part of the CWMP.

11.8.3 Section 7 Assessment

Under Section 7 of the RMA (Other Matters) all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to:

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship:*
- (b) *the efficient use and development of natural and physical resources;*

- (c) *the maintenance and enhancement of amenity values;*
- (f) *maintenance and enhancement of the quality of the environment.*
- (i) *the effects of climate change:*

11.8.3.1 Comment on Section 7

Kaitiakitanga is a core principle of EB3C, EB4L and the wider Project. This Project is region shaping, in that it will form core transport infrastructure for urban intensification and redevelopment across southeast Tāmaki Makaurau Auckland. This urban form, which is provided for by the AUP(OP) and other planning documents, is reliant on the transport network improvements delivered by both EB3C and EB4L. Underpinning this approach is a recognition of kaitiakitanga and the need to perform stewardship of the local environment for future generations of Aucklanders.

By providing for greater urban intensification, both packages also support the efficient use of resources. The development capacity of urban land can only be met where reliable and adequate infrastructure capacity is provided. EB3C and EB4L deliver such capacity, both through public transport links, but also through improving active transport networks and reducing road congestion.

Given its brownfield location, consideration has been given to how both packages can help maintain and enhance local amenity values. This will be achieved through extensive landscaping and improved pedestrian connectivity to and from the affected neighbourhoods. Furthermore, noise walls at Burswood will address potential operational noise effects.

Lastly, the effects of climate change have been considered and addressed through both packages' design. This is principally through the stormwater design, which includes infrastructure capacity for the projected increases in rainfall and storm events. EB3C's bridges have also been designed to address the effects of SLR, including erosion.

As such, EB3C and EB4L are consistent with section 7 of the RMA.

11.8.4 Section 8 Assessment

Section 8 of the RMA requires that in achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi.

11.8.4.1 Comment on Section 8

As previously discussed, AT has worked with mana whenua through the development of both packages. This relationship will continue via the ongoing development of the UDLP, as well as EB3C and EB4L's stormwater design and through the kaitiaki forum, to refine and include cultural values and knowledge into the Project.

Given these factors, EB3C and EB4L are consistent with section 8 of the RMA.

11.9 Sections 105 and 107

It is also noted that s105 and s107 of the RMA address discharge applications. In particular, s105 states that a discharge permit under s15 of the RMA must have regard to:

- a) *The nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*
- b) *The applicant's reasons for the proposed choice; and*
- c) *Any possible alternative methods of discharge, including discharge into any other receiving environment.*

As previously addressed by this AEE and the Contaminated Land Effects Assessment (Appendix 16) and Erosion and Sediment Control Effects Assessment (Appendix 17), the construction related discharge of potential soil contaminants will have minimal effects and can be addressed by way of the proposed ESCP and CLMP. It is also noted that it is not possible to avoid these discharges given their association with land disturbance within and beside established transport corridors.

Regardless, the proposed construction method has also been chosen to avoid significant disturbance of contaminated material along the Project's route. No other forms of discharge are considered appropriate given the nature of the contamination (soil based) and the inability to discharge it into an authorised stormwater network.

Section 107 states that a discharge shall not generate the following effects:

- a) *The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;*
- b) *Any conspicuous change in the colour or visual clarity;*
- c) *Any emission of objectionable odour;*
- d) *The rendering of fresh water unsuitable for consumption by farm animals; and*
- e) *Any significant adverse effects on aquatic life."*

EB3C and EB4L will not generate any of these types of effects on the receiving environment given the measures proposed in the ESCP and CLMP. These management plans are a standard method for addressing potential discharges during infrastructure construction and are appropriate for EB3C and EB4L.

12 NoR Lapse and Consent Duration Dates

12.1 Lapse Date - NoRs

Two differing lapse dates are sought by AT for the NoRs.

A 5-year lapse date is proposed for EB3C given that its construction is planned to commence within the next 4 years.

However, given that EB4L's construction will potentially commence after that for EB3C, a 10-year lapse date is proposed for its designation. A 10-year lapse date will ensure that adequate time is given for the commencement of construction and matches the standard timeframe for an AC Council-led review of the AUP(OP) and provides for the route protection of a region shaping infrastructure project that is required to deliver the policy outcomes sought by the AUP(OP).

AT will uplift the designation of those areas required only for construction upon the completion of works. This will avoid blighting these sites for future development and a mechanism for achieving this has been included within the proposed conditions.

12.2 Duration – Resource Consents

Pursuant to section 123 of the RMA, the following durations are sought for EB3C resource consents:

Consent Type	Duration – EB3C	Discussion
Land Use Consent (section 9(2))	5 Years	Given consent has been sought for land disturbance and vegetation clearance associated with construction, a five-year duration has been sought.
Coastal Permit (Occupation)	35 Years	Given consent has been sought for permanent stormwater infrastructure (i.e., outfalls), two bridges and a reclamation, the maximum duration has been sought.
Coastal Permit (Disturbance)	5 Years	Given consent has been sought for disturbance associated with construction, a five-year duration has been sought.
Discharge (Earthworks/Contaminants)	5 Years	Given consent has been sought for construction related discharges, a five-year duration has been sought.
Water (Diversion)	5 Years	Given consent has been sought for construction phase dewatering associated with Bridge 2
Streamworks	35 Years	Given consent has been sought for permanent stormwater infrastructure (i.e. outfalls), the maximum duration has been sought.

The following durations are sought for EB4L’s resource consents:

Consent Type	Duration	Discussion
Land Use Consent (section 9(2))	10 Years	Given consent has been sought for land disturbance and vegetation clearance associated with construction, a ten-year duration has been sought to match the lapse date of the NoR.
Discharge (Earthworks/Contaminants)	10 Years	Given consent has been sought for construction related discharges, a ten-year duration has been sought to match the lapse date of the NoR.
Streamworks	35 Years	Given consent has been sought for permanent stormwater infrastructure (i.e. an outfall), the maximum duration has been sought.

13 Conclusion

Auckland's eastern suburbs have one of the highest levels of journey to work trips by car and lowest use of public transport in Auckland. This is due to a combination of lower density land uses, relatively low use of bus services, lack of cycle facilities and low urban amenity on main roads.

It has also been identified that the area experiences heavy congestion. Recent population growth and a heavy dependence on private vehicles has put significant strain on the existing road network. Furthermore, projected population growth from both established and new suburbs is expected to exacerbate this issue. Pakuranga, Botany and the adjoining suburbs have been identified by the Auckland Plan as being important areas for urban intensification, through both infill housing and whole-site redevelopments. The Project sits between and within these residential growth areas. It also runs through East Tāmaki, a regionally significant employment area. Redevelopment will only grow in intensity through the new medium density residential standards introduced in late 2021 by the New Zealand Government, which are being incorporated into the AUP(OP) by (PC78). Approximately 24,000 people are expected to be within a 1km walking catchment from the Project's bus stations upon completion if PC78 is implemented as notified.

Congestion due to the growth in commercial activity is also anticipated. Tī Rākau Drive and SEART are important for the efficient movement of freight and goods vehicles, connecting the commercial areas of East Tāmaki, Highbrook, Botany, Pakuranga and Highland Park to the wider Auckland region.

Without intervention, demand for public transport, walking and cycling will remain low, the heavy reliance on car travel will continue and the road network will experience significantly increased congestion. This will further impede the efficient movement of people and goods within the area, lead to detrimental environmental outcomes and exacerbate the area's limited access to opportunities compared to the rest of the region both in terms of the quality of life for residents and the economic wellbeing of businesses. It will also limit the area's potential to sustainably accommodate further residential and employment growth.

The Eastern Busway Project presents an opportunity to address these problems by extending the existing rapid transit, high frequency busway between Panmure and Pakuranga, through to Botany Town Centre. The Project will include new walking and cycling connections, placemaking, urban renewal initiatives and improvements for general traffic. The result will see customers being able to travel between Botany and Britomart by bus and train in less than 40 minutes, which is 20 minutes quicker than the current journey times.

The Project will provide increased transport choices for residents and visitors. The dedicated bus lanes and new station will improve the public transport experience for passengers and make it more attractive relative to private vehicle use. Increased uptake of public transport will ease congestion and reduce greenhouse gas emissions. Similarly, the Project's walking and cycling investments make those transport modes safer and more attractive to users. EB3C and EB4L, in combination with EB2 and EB3R, will help alleviate congestion for road traffic.

An additional positive effect associated with EB3C, EB4L and the wider Project, is improved accessibility. Better public transport, safer walking and new cycling infrastructure will improve

the ability for both residents and visitors to access jobs, education, recreation, housing, and healthcare.

Regarding its environmental effects, while both EB3C and EB4L will generate some adverse effects, these effects can be mitigated and managed through the proposed conditions, management plans and other proposed related documents. These measures will require further engagement with AC Parks, mana whenua and other stakeholders in their development. In addition, the various management plans (other than the CTMP) will require certification by Auckland Council. The CTMP will be provided to Council for certification and the related conditions for both NoR's detail the measures that it must detail and be enacted upon by AT.

The required statutory approvals have been considered against the relevant statutory tests under the RMA, including sections 104D, 104, 105, 107 and 171. Adequate consideration has been given to alternative sites, routes and methods to address the problem description and Project objectives detailed in Section 3. EB3C and EB4L are also consistent with, and not contrary to, the objectives and policies of a suite of RMA documents, including the NPS-IB, NPS-UD, NPS-FW, NZCPS, HGMPA and the AUP(OP).

Lastly, both packages support the outcomes sought by a number of non-statutory documents, including urban intensification, safety and transport mode choice. This includes the Auckland Plan and transport plans. The Project represents a region shaping infrastructure project that will support the delivery of a more intense urban built form, stimulate brownfield development and reduce Aucklanders' reliance on private motor vehicles. The Project has also been designed to be adaptable to the projected impacts of climate change, not least the intensity of storm events and coastal erosion.

14 Appendices