

# Recommendation following the hearing of a Notice of Requirement under the Resource Management Act 1991



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## Proposal

### **NORTH-WEST LOCAL ARTERIALS, HOUSING INFRASTRUCTURE FUND AND STRATEGIC (AUCKLAND TRANSPORT): PROJECTS IN KUMEŪ, REDHILLS AND WHENUAPAI**

NoR RATN1: Redhills North-South Arterial Transport Corridor: New urban arterial transport corridor and upgrade of Don Buck and Royal Road intersections.

NoR RATN2A: Redhills East-West Arterial Transport Corridor, Dunlop Road: New urban arterial transport corridor that intersects with Fred Taylor Drive and connects to the remaining east-west connection at the intersection with the Redhills north-south arterial corridor.

NoR RATN2B: Redhills East-West Arterial Transport Corridor – Baker Lane: New urban arterial transport corridor that intersects with Fred Taylor Drive and connects to the intersection of the remaining east-west connection and Dunlop Road.

NoR RATN2C: Redhills East-West Arterial Transport Corridor – Nixon Road Connection: New urban arterial transport corridor that intersects with the Redhills east-west arterial corridor on Dunlop Road. This includes the upgrade of the existing Redhills Road/Nelson Road /Nixon Road intersection, and the existing Nixon Road/Henwood Road intersection.

NoR RE1: Don Buck Road (Massey): Upgrade of Don Buck Road corridor with bus priority lanes and separate footpath and cycle lane.

NoR RE2: Fred Taylor Drive (Massey/Whenuapai): Alteration of the existing Fred Taylor Drive designation 1433 to provide for the upgrade of the Fred Taylor Drive corridor, with bus priority lanes and separate footpath and cycle lane.

NoR R1: Coatesville – Riverhead Highway: Upgrade of the southern section of the Coatesville-Riverhead Highway corridor to a rural arterial with shared footpath and cycle lane, and an upgrade of the northern section of the corridor to an urban arterial with shared footpath and cycle lane.

NoR S4: Access Road (Kumeū): Upgrade of Access Road with separate footpath and cycle lane.

HIFTR (NoR): Trig Road Corridor Upgrade (West Harbour): An upgrade of Trig Road to an urban arterial corridor. This includes the upgrade of the existing Hobsonville Road/Trig Road and Luckens Road/Trig Road intersections.

NoR W1: Trig Road (Whenuapai): Upgrade of Trig Road corridor to an urban arterial road with separate footpath and cycle lane.

NoR W2: Māmari Road (Whenuapai): Extension and upgrade of Māmari Road corridor to an urban arterial corridor with bus priority lanes and separate footpath and cycle lane.

NoR W3: Brigham Creek Road (Whenuapai): Upgrade of Brigham Creek Road corridor with separate footpath and cycle lane.

NoR W4: Spedding Road (Whenuapai): Upgrade of the existing Spedding Road corridor and new east and west extensions with separate footpath and cycle lane.

NoR W5: Hobsonville Road (Hobsonville): Alteration of the existing Hobsonville Road designation 1437 to widen the Hobsonville Road corridor between Oriel Avenue and Memorial Park Lane with separate footpath and cycle lane.

These Notices of Requirement are **ACCEPTED** in whole or in part. The reasons are set out below.

<b>Application:</b>	14 Notices of Requirement for Te Tupu Ngātahi - Supporting Growth Programme / North-West Local, Housing Infrastructure Fund and Strategic: Projects in Kumeū, Redhills and Whenuapai
<b>Site Address:</b>	N/A
<b>Requiring Authority:</b>	Auckland Transport in conjunction with Te Tupu Ngātahi - Supporting Growth Alliance
<b>Hearing Commenced:</b>	18 September 2023 at 9:30am
<b>Hearing Panel:</b>	Richard Blakey (Chairperson) Mark Farnsworth Vaughan Smith
<b>Appearances:</b>	<u>For the Requiring Authority:</u> Andrew Beatson, Legal Leigh Ziegler, Legal Megan Exton, Legal Alastair Lovell, Corporate (AT) John Daly, Planning (Alternatives) Michelle Seymour, Transport Planning (Local-HIFRED-HIFTR) Joe Phillips, Transport Planning (Strategic) Rob Mason, Engineering (Strategic overview)

	<p>Rosemary Beltran, Engineering (Site-specific)  Mark van der Ham, Public Works Act (AT)  Ian Davidson-Watts, Ecology (Bats)  Michiel Jonker, Ecology  Johan Pratomo, Construction Method  Ida Dowling, Engagement  Sarah MacCormick, Social (Strategic)  Rob Greenaway, Parks &amp; Open Space (Strategic)  John Brown, Historic Heritage  Hans-Dieter Bader, Archaeology  Stuart Bowden, Urban Design  Tom Lines, Landscape &amp; Visual  Matt Paul, Arboriculture  Mike Summerhays, Stormwater &amp; Flooding  Claire Drewery, Noise &amp; Vibration (Local-HIFRED-HIFTR)  Siiri Wilkening, Noise &amp; Vibration (Strategic)  Holly Atkins, Planning (Conditions)  Bridget O'Leary, Planning (Local-HIFRED-HIFTR)  Regan Elley, Planning (Strategic)</p> <p><u>For the Submitters:</u></p> <p>CDL Land New Zealand Limited represented by:</p> <ul style="list-style-type: none"> <li>- Douglas Allan, Legal</li> <li>- Don McKenzie, Transport</li> <li>- Kay Panther-Knight, Planning</li> </ul> <p>Barry Frank Boric / F. Boric and Sons Limited represented by:</p> <ul style="list-style-type: none"> <li>- Douglas Allan, Legal</li> <li>- Milenko Boric, Submitter</li> <li>- Don McKenzie, Transport</li> <li>- Hannah Edwards, Planning</li> </ul> <p>Christopher Penk, Member of Parliament for Kaipara ki Mahurangi</p> <p>Future-Kumeū Incorporated represented by:</p> <ul style="list-style-type: none"> <li>- Aidan Cameron, Legal</li> <li>- Graham McIntyre, Corporate</li> <li>- John Francis, Corporate</li> <li>- Craig Walker, Corporate</li> <li>- Don McKenzie, Transport</li> <li>- Vaughan Martin, Flooding</li> </ul>
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	<ul style="list-style-type: none"> <li>- Hamish Firth, Planning</li> </ul> <p>Redhills Green Limited represented by:</p> <ul style="list-style-type: none"> <li>- Pat Gavaghan, Corporate</li> <li>- Emma Bayly, Planning</li> </ul> <p>Yvonne and Gayo Vodanovich represented by:</p> <ul style="list-style-type: none"> <li>- Janette Campbell, Legal</li> <li>- Andres Roa, Engineer</li> </ul> <p>Poynter Family Trust</p> <p>Christopher Lewis Keall and Heather Janet Keall</p> <p>BW Holdings Limited represented by:</p> <ul style="list-style-type: none"> <li>- Vern Warren</li> <li>- Christine Diprose</li> </ul> <p>Lydia Lin</p> <p>Christopher McGuire</p> <p>Mangesh Hinge</p> <p>Bunnings Ltd represented by:</p> <ul style="list-style-type: none"> <li>- Matthew Norwell, Planning</li> <li>- John Parlane, Transport</li> </ul> <p>Allan Michael Boyle and Anne Marie Boyle and BM Trustees Limited represented by:</p> <ul style="list-style-type: none"> <li>- Daniel Sadlier, Legal</li> <li>- Allan Boyle, Submitter</li> </ul> <p>The National Trading Company of New Zealand Limited represented by:</p> <ul style="list-style-type: none"> <li>- Daniel Sadlier, Legal</li> <li>- David Boersen, Corporate</li> <li>- John Parlane, Transport</li> <li>- Matthew Norwell, Planning</li> </ul> <p>Marlene and Ronald Patten represented by:</p> <ul style="list-style-type: none"> <li>- Simon Pilkinton, Legal</li> <li>- Melanie Laurie, Submitter</li> <li>- Carl Laurie, Witness</li> </ul>
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	<p>Alesana and Stacie Levi represented by:</p> <ul style="list-style-type: none"> <li>- Simon Pilkinton, Legal</li> <li>- Stacie Levi, Submitter</li> <li>- Alesana Levi, Submitter</li> </ul> <p>Neil Construction Limited represented by Philip Brown, Planning</p> <p>General Distributors Limited represented by:</p> <ul style="list-style-type: none"> <li>- Allison Arthur-Young, Legal</li> <li>- Ross Burns, Corporate</li> <li>- Don McKenzie, Transport</li> </ul> <p>Woolworths New Zealand Limited represented by:</p> <ul style="list-style-type: none"> <li>- Andrea Steffensen, Corporate</li> <li>- Philip Brown, Planning</li> </ul> <p>Heritage NZ Pouhere Taonga represented by:</p> <ul style="list-style-type: none"> <li>- Robin Byron, Senior Conservation Architect</li> <li>- Kurt Bennett, Archaeologist</li> <li>- Alice Morris, Planning</li> </ul> <p>Kāinga Ora Homes and Communities represented by:</p> <ul style="list-style-type: none"> <li>- Douglas Allan, Legal</li> <li>- Michael Campbell, Planning</li> <li>- Brendon Liggett, Corporate</li> <li>- Rhys Hegley, Acoustics</li> </ul> <p>Telecommunications Submitters represented by:</p> <ul style="list-style-type: none"> <li>- Graeme McCarrison, Corporate</li> <li>- Ian Gavin, Engineering</li> <li>- Chris Horne, Planning</li> </ul> <p>Northland Waste Limited represented by:</p> <ul style="list-style-type: none"> <li>- Jeremy Brabant, Legal</li> <li>- Burnette O'Connor, Planning</li> <li>- Andrew Sclater, Corporate</li> </ul> <p>GR &amp; CC McCullough Trustee Limited represented by:</p> <ul style="list-style-type: none"> <li>- Jeremy Brabant, Legal</li> <li>- Burnette O'Connor, Planning</li> <li>- Connaire McCullough, Corporate</li> </ul> <p>Matvin Group Limited represented by Burnette O'Connor, Planning</p>
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	<p>Derek Ian Weir</p> <p>Marylen Limited represented by John Garelja, Corporate</p> <p>Lesley Grace Mayer</p> <p>Michele Moana Going and Stephen Andersen represented by Ian Spencer, Agent</p> <p>Moors Holdings Limited represented by Colin Moors, Corporate</p> <p>Viscount Investment Corporation Limited represented by:</p> <ul style="list-style-type: none"> <li>- Chris Arbuckle, Corporate</li> <li>- Mark Tollemache, Planning</li> </ul> <p>The Saint Johns College Trust Board represented by Clare Covington, Planning</p> <p>Loretta Ray Radich</p> <p>R Radich and LT Radich represented by Raymond Radich</p> <p>Dr David Wilson and Dr Anna Tabuteau</p> <p>Brian Tong</p> <p>Universal Homes Limited represented by:</p> <ul style="list-style-type: none"> <li>- Chris Mayday, Corporate</li> <li>- Ila Daniels, Planning</li> </ul> <p>Simon Papa</p> <p>Watercare Services Limited represented by Tim Barry, Corporate</p> <p>Ministry of Education represented by Gemma Hayes, Planning</p> <p>O Nuich represented by David Haines, Planning</p>
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	<p>Max Land Property Limited represented by David Haines, Planning</p> <p>New South Development Limited and Lunar Trustee Services Limited represented by David Haines, Planning</p> <p>New South Development Limited represented by David Haines, Planning</p> <p>Daltons Holdings 2013 Limited represented by:</p> <ul style="list-style-type: none"> <li>- Colin Parker</li> <li>- Laura Murphy</li> </ul> <p>DBH Limited (now FML Limited) represented by James Gardner-Hopkins</p> <p><u>For the Henderson-Massey Local Board:</u> Brooke Loader, Board Member</p> <p><u>For the Rodney Local Board:</u> Louise Johnston, Deputy Chair</p> <p><u>For the Upper Harbour Local Board:</u> Anna Atkinson, Chairperson</p> <p><u>For the Council:</u> Todd Elder, Project Manager Eryn Shields, Team Leader - Planning Jo Hart, Reporting Planner (Local) Jess Romhany, Reporting Planner (HIFRED - HIFTR) Robert Scott, Reporting Planner (Strategic NoR S4) Andrew Temperley, Transport (Local-HIFRED- HIFTR) Anatole Sergejew, Transport (Strategic NoR S4) Dan Windwood, Built Heritage Derek Foy, Economics Hilary Konigkramer, Social Impacts Jason Smith, Ecology Jennifer Esterman, Urban Design John McKensey, Lighting Jon Styles, Noise &amp; Vibration Lee Te, Healthy Waters</p>
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	Danny Curtis, Healthy Waters West Fynn, Arborist Peter Kensington, Landscape Visual Mica Plowman, Heritage  Patrice Baillargeon, Senior Hearing Advisor
<b>Hearing adjourned</b>	12 October 2023
<b>Commissioners' site visit</b>	8 August 2023
<b>Hearing Closed:</b>	23 January 2024

## INTRODUCTION

1. Pursuant to s.168 of the Resource Management Act 1991 (**the RMA**), Auckland Transport (**AT**), in conjunction with the NZ Transport Agency Waka Kotahi (**Waka Kotahi**), as part of Te Tupu Ngātahi - Supporting Growth Alliance (**SGA**), as the Requiring Authority, gave notice to the Auckland Council (**the Council**) to designate land as described above and in further detail below, known as the 'North-West Local: Projects in Whenuapai and Redhills', and North-West Housing Infrastructure Fund (**HIF**), and under the Auckland Unitary Plan (Operative in Part) (**AUP**). AT have also given notice to designate land as described above in respect of one of the 'North-West Strategic Projects' (Strategic) at Kumeū. In total, these are comprised of 12 new designations and two alterations to existing designations and are described in the Council's s.42A reports as the North-West Strategic (NoR S4), the North-West Local Arterials Network, the Redhills Arterial Transport Network (**RATN** or **HIFRED**), the Trig Road Corridor Upgrade (**HIFTR**), all as part of the North-West Strategic Network.
2. At the request of the Requiring Authority, the 14 Notices of Requirement (**NoRs**) were publicly notified on 23 March 2023 and submissions closed on 24 April 2023, with an extension of time from 4 May to 2 June 2023. A total of 204 submissions were received across the eight Local NoRs, and 40 submissions in respect of the Strategic NoR S4. A total of 59 submissions were received across the four RATN NoRs.
3. The eight Local NoRs, four RATN NoRs and the HIFTR and Strategic S4 NoRs, along with five other Strategic NoRs and one resource consent application, were referred to Independent Hearing Commissioners Richard Blakey (chair), Mark Farnsworth, and Vaughan Smith (**Panel**), who were appointed and act under delegated authority from the Council under ss.34 and 34A of the RMA for a hearing and recommendation. The hearing of the 19 NoRs and resource consent application took place over four weeks from 18 September to 12 October 2023 and was conducted for the most part at the Henderson Civic building (1 Smythe Road,



Henderson).<sup>1</sup> There were appearances at the hearing by the Requiring Authority, submitters and Council officers, as listed above.

4. This recommendation assesses the aforementioned NoRs in accordance with s.171 of the RMA. It addresses the issues raised in the submissions and contains the Panel's recommendation to the Requiring Authority under s.171(2) of the RMA.

## OVERVIEW OF THE NOTICES OF REQUIREMENT

5. As outlined above, the 14 NoRs submitted by AT are part of a wider package of 19 NoRs sought by the SGA on behalf of Waka Kotahi and AT for:
  - The North-West 'Local Arterial' NoRs package (comprised of NoRs RE1, RE2, R1, W1, W2, W3, W4 and W5 and incorporating one 'Strategic' NoR S4 sought by AT); the 'HIF: Projects in Redhills' package (HIFRED or RATN) (comprised of NoRs RATN1, 2A, 2B and 2C); and the HIFTR NoR, all for AT and being the subject of this recommendation report. We will describe these NoRs generically in this report as the **Local NoRs**; and
  - The North-West Strategic NoRs package (comprised of five NoRs for Waka Kotahi NoRs S1 – S3, HS and KS, being the subject of a separate recommendation report).
6. To align with this approach to the Panel's recommendation reports, we also note that two of the three condition sets provided with the SGA's Reply of 24 November 2023 have been re-structured to match the grouping set out in our two recommendation reports and as described above. We also note that this approach differs from the s.42A report structure, where four s.42A reports were prepared and where NoR S4 was included in the s.42A assessment of the Strategic NoRs. However, our approach generally aligns with the way in which the SGA's evidence was presented (i.e., with witnesses for many of the topics representing the Strategic and Local NoRs separately).
7. The Local Arterial NoRs seek the route protection of transport corridors to enable the future construction, operation and maintenance of transport infrastructure to support future urban growth in the North-West area of Auckland (predominantly the Redhills and Whenuapai areas). The components of the Local Arterial NoRs that are addressed in this recommendation report have been described briefly at the start of this report, and further detail can be reviewed at section 4.1 of the relevant Council s.42A report (**Local Arterial s.42A report**), prepared by Jo Hart.
8. The Strategic S4 NoR, for Access Road (Kumeū) is a sixth component of the North West Strategic Package, involving an upgrade of Access Road from its intersection with SH16/Main Road to NoR S1 (in the vicinity of Motu Road), with a separate footpath and cycle lane. As noted previously, because this NoR is being progressed by AT, rather than Waka Kotahi, it is incorporated within this report (which addresses only the AT designations) and within the considerations of the

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<sup>1</sup> The hearing was held over 14 days, with two of those being at the Waimauku War Memorial Hall.

Local NoRs. Further details about NoR S4 can be found at section 3.2 of the relevant Council s.42A report (**Strategic s.42A report**), prepared by Robert Scott.

9. The RATN Project (four NoRs) seeks the route protection of transport corridors to enable the future construction, operation and maintenance of transport infrastructure to support future urban growth in the Redhills area of Auckland. The components of the RATN NoRs that are addressed in this recommendation report are described briefly below, and further detail can be reviewed at section 4.1 of the Council's s.42A report (**RATN s.42A report**), prepared by Jess Romhany.
10. The HIFTR Project seeks the route protection of the Trig Road (South) and part of the Hobsonville Road transport corridors to enable the future construction, operation and maintenance of transport infrastructure to support future urban growth in the North West area of Auckland. Specifically, the HIFTR will contribute to the upgrade of Trig Road to an urban arterial corridor, including the upgrade of the road that runs between the State Highway 18 Trig Road on and off ramps and the existing Hobsonville Road/Trig Road intersection. The project will involve upgrading the Luckens Road/Hobsonville Road intersection and the small length of Hobsonville Road either side to these two intersections. Further detail can be reviewed at section 4.1 of the Council's s.42A report (**HIFTR s.42A report**), also prepared by Jess Romhany.
11. An extended 15-year lapse period is proposed by AT in respect of the NoRs RATN1, 2A, 2B and 2C, RE1, HIFTR and W1 - W4, and 20 years for NoRs R1 and S4. No lapse period is proposed in respect of NoRs RE2 and W5 because these relate to existing designations that have already been given effect to (Designations 1433 and 1437 respectively). The issue of lapse dates and the applicability of the same to alterations is addressed later in this report.
12. It is also relevant to record here the specific project objectives, as a matter relevant to our consideration under s.171(1)(c). For the Local Arterial NoRs, these are set out at section 3.2 of the relevant Assessment of Environmental Effects (**Local Arterial AEE**). While there are variance for each of the NoRs, these seek to enable the provision of a transport corridor that:
  - Improves connectivity through Whenuapai, to the Strategic Network, to Westgate, and between Redhills and Hobsonville, and the future transport network in Redhills;
  - Integrates with and supports planned urban growth and the future transport network in Redhills, Riverhead and Whenuapai;
  - Contributes to mode shift by providing dedicated facilities for public transport and active modes;
  - Is safe for all users; and
  - Improves network resilience for all users.

13. For the RATN NoRs, these are set out at section 2.2 of the relevant Assessment of Environmental Effects (**RATN AEE**), which notes that the RATN Project seeks to address five key transport objectives, being:

*Project Objective 1 – Provide new east-west urban arterial transport corridors to support and integrate with planning urban growth in Redhills.*

*Project Objective 2 – Provide a new north-south urban arterial transport corridor to support and integrate will planning urban growth in Redhills.*

*Project Objective 3 – Provide arterial transport corridors that are safe for all transport users.*

*Project Objective 4 – Contribute to mode shift by providing a choice of transport options including walking, cycling, and public transport.*

*Project Objective 5 – Provide for the identification and protection of the future Redhills arterial transport network and key connections which enables response to growth.*

14. For the HIFTR NoR, this is set out Figure 3 of the relevant Assessment of Environmental Effects (**HIFTR AEE**), as follows:

*Objective 1: Provide an urban arterial transport corridor between State Highway 18 and Hobsonville Road to support and integrate with planned urban residential growth in Whenuapai.*

*Objective 2: Provide arterial transport corridors that are safe for all transport users.*

*Objective 3: Contribute to mode shift by providing a choice of transport options including walking, cycling, and public transport.*

15. Section 3.2 of the relevant Assessment of Environmental Effects (**Strategic AEE**) identifies the objectives for NoR S4 as follows:

*Enable the provision of a transport corridor that:*

- a) Supports planned urban growth.*
- b) Improves connectivity within Kumeū-Huapai and to the existing and future strategic transport network.*
- c) Contributes to mode shift by providing a choice of transport options including active modes.*
- d) Supports a safe transport network for all users.*
- e) Supports and integrates with the existing and planned transport network.*

16. The designation plans (provided as Attachment A in Form 18 for all of the NoRs) together with the schedule of directly affected properties (provided as Attachment B in Form 18) describe the land that will be directly affected and required for the projects and associated works. An updated set of designation plans were provided

with the SGA's Reply, to reflect those changes to the designation boundaries made since notification of all of the NoRs, and those made during the hearing.<sup>2</sup>

17. A more detailed description of the abovementioned NoRs are set out in the application documents and in relevant sections of the Council's s.42A reports.
18. We also note the overall conditions framework that the SGA proposes to apply across all 19 NoRs, which incorporates a number of management plans to address the majority of anticipated environmental effects. These would provide the framework to guide the final design of the various components of the transport corridors as well as avoid, remedy mitigate or manage the adverse effects of the construction activities associated with the implementation of the Projects. The following management plans are proposed by SGA as those to be developed and submitted as part of any outline plan of works (to be submitted in terms of s.176A of the RMA), in accordance with condition 5:
  - Construction Environmental Management Plan (**CEMP**);
  - Construction Noise and Vibration Management Plan (**CNVMP**);
  - Construction Traffic Management Plan (**CTMP**);
  - Ecological Management Plan (**EMP**);
  - Historic Heritage Management Plan (**HHMP**);
  - Network Integration Management Plan (**NIMP**);
  - Network Utilities Management Plan (**NUMP**).
  - Tree Management Plan (**TMP**); and
  - Urban and Landscape Design Management Plan (**ULDMP**).
19. The wording of these management plans, and the conditions generally, were consistent across all the NoRs, but with some variances as required for the circumstances and context of each NoR. In particular, the Local NoRs contain a Land Use Integration Process (**LIP**) condition but this was not proposed by the SGA to apply to the Strategic NoRs (other than NoR S4). There are also differences in respect of the approach to management plan certification.
20. A significant aspect of the overall proposal is the preparation of a Stakeholder Communication and Engagement Management Plan (**SCEMP**). This is proposed to be prepared prior to an outline plan being submitted to the Council, but only submitted with an outline plan for information purposes, including with respect to any material changes after confirmation of the outline plan (whereas material changes to any of the abovementioned management plans, or a 'Schedule' to a CNVMP, are to be provided to the Council for certification).
21. The s.42A reports have noted the officers' acknowledgement in regard to the use of management plans that the NoR process is primarily about route protection rather than implementation and in that regard a management process is accepted

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<sup>2</sup> EV288, Appendix E, at pp.630-679

as an appropriate method, given that detailed assessment and implementation would occur at the outline plan stage.

22. The reports go on to emphasise, however, the need for the conditions to establish a robust process for the preparation of those plans, such that they are certain and enforceable and incorporate a clear objective as to their purpose as well as specific measures to avoid or mitigate potentially adverse effects.
23. We address particular aspects related to the conditions and management plans later in this decision.

## **SITE AND LOCALITY**

24. Sections 10 and 11 of both the Local AEE, section 6 of the RATN AEE, section 5 of the HIFTR AEE and section 10.5 of the Strategic AEE provided us with a detailed description of the designated routes (individually or collectively **the Project or Projects**), with further descriptions provided in supporting specialist reports such as the respective Landscape and Urban Design assessments. The Council's s.42A reports adopted these descriptions and we also do the same for the purpose of this recommendation. The site and locality descriptions were also reinforced by our site visit. We visited all sections of the 'on-road' sections of the designations and viewed the 'off-road' sections of the designations from available vantage points.
25. It can be said in general terms that the Local NoRs and NoR S4 traverse lengthy sections of the North-West area, and therefore affect a large number of properties, to a greater or lesser extent, along their alignments and we address those effects, primarily in general terms, as raised during the hearing later in this report.

## **SUBMISSIONS**

### **General**

26. As noted above, the NoRs were publicly notified by the Council at SGA's request on 23 March 2023. Submissions closed on 24 April 2023.

### **Local Arterial**

27. A total of 204 submissions were received in respect of the Local Arterial NoRs. A summary of the key issues raised in submissions relative to these NoRs can be seen at Attachment 4 to the Local Arterial s.42A report.
28. The Local Arterial s.42A report also provides commentary with respect to those submissions that were received after the closing date and recommends that a decision in respect of acceptance of the submissions would need to be made by the Panel at the start of the hearing. However, we note that those that were received within 20 working days of the submission closing date were able to be accepted by the Council under s.37A(4) of the RMA, and this was described by way of an Information Memorandum to the Panel from Council officers dated 26

July 2023. The Panel has not therefore had to make a recommendation in this regard.

### **Redhills Arterial Transport Network (RATN)**

29. A total of 59 submissions were received across the RATN NoRs. A summary of the key issues raised in submissions relative to these NoRs can be seen at Appendix 4 to the RATN s.42A report.
30. It is noted that NoR 1 had an extension of time (from 4 May 2023 to 2 June 2023) due to a number of properties within this NoR not receiving a notification letter.
31. The RATN s.42A report provides commentary with respect to the submissions that were received after the closing date, from Kāinga Ora Homes and Communities (**Kāinga Ora**) in respect of all four NoRs. The submissions were received on 11 May 2023. We note that this is within the 20-working day threshold in which they would be able to be accepted by the Council under s.37A(4) of the RMA, but the s.42A report has instead advised that a decision in respect of acceptance of the submissions would need to be made by the Panel at the start of the hearing. However, this is at variance to the advice provided in a Memorandum to the Panel dated 26 July 2023, which advised of those late submissions across the 19 NoRs that had been accepted by the Council. This includes the submissions by Kāinga Ora. The Panel has therefore not had to make a recommendation in this regard.
32. Those submissions that were more than 20 days late (in respect of NoRs W1 and W5) were accepted in accordance with the Panel's Direction 3 issued on 9 August 2023. The Panel has therefore not made any further determinations or recommendations in respect of late submissions.

### **Housing Infrastructure Fund: Trig Road Project (HIFTR)**

33. A total of 16 submissions were received on the HIFTR NoR (three in support, nine in opposition and four neutral). A summary of the key issues raised in submissions relative to these NoRs can be seen at Appendix 4 to the HIFTR s.42A report.
34. It is again noted that the HIFTR NoR had an extension of time (from 4 May 2023 to 2 June 2023) due to a number of properties within this NoR not receiving a notification letter.
35. The HIFTR s.42A report provides similar commentary to the RATN NoRs with respect to a submission from Kāinga Ora that was received on 11 May 2023 (after the closing date). Again, this is within the 20-working day threshold in which they would be able to be accepted by the Council under s.37A(4) of the RMA, but the HIFTR s.42A report has instead advised that a decision in respect of acceptance of the submissions would need to be made by the Panel at the start of the hearing. This is also at variance to the advice provided in a Memorandum to the Panel dated 26 July 2023, which advised of those late submissions across the 19 NoRs that had been accepted by the Council. This includes the submissions by Kāinga

Ora in respect of the HIFTR NoR. The Panel has therefore not had to make a recommendation in this regard.

### **Strategic**

36. A total of 40 submissions were received in respect of NoR S4 (ten in support, 26 in opposition and four neutral). A summary of the key issues raised in submissions relative to this NoRs can be seen at Appendix 4 to the Strategic s.42A report.
37. The Strategic s.42A report also provided commentary with respect to six submissions that were received late (between 23 and 28 April 2023) and advised that the Panel will need to decide whether the submissions are accepted (and recommends that they are). Again, we note that they were received within 20 working days of the submission closing date were therefore able to be accepted by the Council under s.37A(4) of the RMA. As outlined above, this was described by way of an Information Memorandum to the Panel from Council officers dated 26 July 2023.
38. The Panel has therefore not had to make a recommendation in this regard.

### **PROCEDURAL MATTERS**

39. There were a number of procedural matters that the Panel has addressed both prior to and during the hearing. Some standard matters related to defining the hearing and evidence exchange timetable (Direction 1); directing joint witness conferencing (Direction 2); and acceptance of late submissions in respect of Local NoRs W1 and W5 (Direction 3) and Strategic NoR S2 (Direction 6). The Panel also addressed the requirements for evidence for the resource consent application (Direction 4) and sought an update from Council officers as to recent consenting and plan-making/policy issues relevant to the North-West area (Direction 5).
40. We note here and acknowledge the extensive work that was undertaken by the various expert witnesses in terms of the process outlined in Direction 2, and it was apparent that this process enabled some issues to be appreciably narrowed by the time of the hearing. The Panel records its thanks to the expert witnesses, and to independent facilitator for the witness conferencing process, Marlene Oliver, for her efforts in this regard and the manner in which the issues were recorded for our reference as part of the subsequent joint witness statements.
41. Further directions and memoranda arose during the course of the hearing itself:
  - (a) Having heard from a number of submitters with respect to the width of the designation along Access Road (NoR S4) in particular, and where it was apparent that the designation would have significant effects on various properties along this route, the Panel sought further information as to the manner by which the construction width had been determined. At the same time, the Panel was also interested to know whether changes to the designations in response to submissions had been more broadly considered as to potential changes on land adjacent and/or further along such routes.

This was responded to by way of a memorandum dated 2 October 2023,<sup>3</sup> and we refer to the submissions made in this regard later in this report.

- (b) The Panel issued a further direction on 3 October 2023 (Direction 7) in response to the Joint Witness Statement (Planning – Conditions) (**JWS**) that was received on 20 September 2023<sup>4</sup> and which proposed an amendment to the proposed SCEMP condition common to all the NoRs. We refer to this JWS again later in this report but suffice to say here that in response to variable approaches to the site-specific additions requested by various planning witnesses, the Direction sought a more consistent approach from those witnesses to the wording of any requested additions, in the event that we would adopt the approach suggested in the JWS.
42. Minute 1 was also issued during the hearing (on 4 October 2023) to provide an indication to Council officers as to the issues that the Panel was particularly interested to ensure were covered in the Council’s response to the evidence.
43. Following receipt and review of the SGA’s Closing Legal Submissions (**Reply**), the Panel issued Direction 8 on 30 November 2023 to seek further information on a number of matters related to those submissions. This was responded to by the SGA by way of a supplementary memorandum dated 22 December 2023. As these addressed the Panel’s queries in full, we resolved to close the hearing, and notice to this effect was issued on 23 January 2024. The Panel thanks the SGA for the detailed nature of its Reply and supplementary memorandum and has found these to be a useful reference both in providing a summary of the matters in contention and to assist the Panel’s consideration of those matters.
44. We also highlight our approach to the references to the Requiring Authority(ies), the SGA and the evidence presented across the whole North-West package used in this recommendation report. Because this recommendation report relates only to NoRs proposed by AT, we will generally refer to them as the Requiring Authority in the singular, while noting that the legal submissions and evidence presented to us was across both AT and Waka Kotahi NoRs, and so relevant quotes on behalf of both Requiring Authorities will typically refer to “the SGA”. In addition, there are some points made in the evidence that may have been raised during the hearing in respect of the Waka Kotahi designations, that is of general applicability to those of AT. Because all the NoRs were heard together, we consider this to be an appropriate approach and provides a more considered and detailed overview of the particular topic in question.
45. In a similar vein, we have also had to make some decisions with respect to the naming convention used in this report to describe the various NoRs and the grouping thereof. For example, the RATN is also referred to in the hearing documents as the HIFRED, and the HIFTR is referred to at times as the Trig Road

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<sup>3</sup> EV221

<sup>4</sup> This JWS was not facilitated and was prepared by a number of planning witnesses for various submitter parties.



(South) Project. For simplicity's sake we have elected to adopt the abbreviations used in the SGA's proposed conditions. We will refer to the NoR sub-groupings where appropriate, while also noting that these form part of this overall report on the Local NoRs. We explain this in summary form below:

(a) Local NoRs (Auckland Transport), comprised of:

- Local Arterial NoRs: RE1, RE2, R1, S4, W1, W2, W3, W4 and W5;
- RATN NoRs: RATN1, RATN2A, RATN2B and RATN2C; and
- HIFTR NoR.

(b) Strategic NoRs (Waka Kotahi), comprised of:

- NoRs S1, S2, S3, HS and KS.

46. Finally, we also note that this Panel has also been appointed to hear and make recommendations in respect of the SGA's notices of requirement in the Warkworth area (hearing held on 13 – 21 November 2023) and for areas in North Auckland (hearing scheduled for 17 June – 4 July 2024). In particular, and at the time of preparing its reports for the North-West Local and Strategic NoRs, it has received reply submissions and has closed the hearing for the Warkworth NoRs, and the matters raised in the course of that hearing have some relevance to those that we must consider for North-West (and vice versa). We have endeavoured to take a consistent approach across the respective NoRs, while noting that there are some site or area-specific variables that need to be taken into account. Further evidence and legal submissions will be considered in the North Auckland NoRs, and the Panel wishes to emphasise that it may reach different findings on similar topics from that hearing depending on the evidence and legal submissions that it receives.

## **RELEVANT STATUTORY CONSIDERATIONS**

47. The relevant statutory considerations relevant to our consideration of the NoRs was set out in the application documents and the s.42A reports and were further reiterated to the Panel through legal submissions and in various expert witness statements. While the relevant provisions of the RMA were well-canvassed during the hearing, they are central to the recommendations that we must make and so are re-stated here.

48. The RMA provides that the procedures adopted in processing a notice of requirement are generally those adopted for processing a resource consent application. This includes processes relating to lodgement, requiring further information, notification, receiving and the hearing of submissions. In respect of the Local NoRs, the s.42A reports have confirmed that all of those procedures have been followed.

49. Section 171 of the RMA states:

- (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.*
- (1) *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—*
- (a) *any relevant provisions of—*
    - (i) *a national policy statement;*
    - (ii) *a New Zealand coastal policy statement;*
    - (iii) *a regional policy statement or proposed regional policy statement;*
    - (iv) *a plan or proposed plan; and*
  - (b) *whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—*
    - (i) *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
    - (ii) *it is likely that the work will have a significant adverse effect on the environment; and*
  - (c) *whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
  - (d) *any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*
- (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.*

50. Section 171(1) is subject to Part 2 of the RMA. Part 2 contains the purpose and principles of the RMA. It has been confirmed by the Environment Court that, in relation to a designation matter:<sup>5</sup>

*“...all considerations, whether favouring or negating the designation, are secondary to the requirement that the provisions of Part II of the RMA must be fulfilled by the proposal”.*

51. After considering these matters, the Council needs to make a recommendation to the requiring authority under s.171(2) of the RMA which states:

- (2) *The territorial authority may recommend to the requiring authority that it –*
- (a) *confirm the requirement;*
  - (b) *modify the requirement;*
  - (c) *impose conditions;*
  - (d) *withdraw the requirement.*

<sup>5</sup> *Estate of P.A. Moran and Others v Transit NZ W55/99 [1999] NZEnvC 513, at [114]*

52. Reasons must be given for the recommendation under s.171(3) of the RMA.
53. It is also important to emphasise this aspect of the Panel's role under s.171(2), being to make a recommendation on the NoRs to the Requiring Authority, rather than a binding decision. This was recognised and acknowledged by many witnesses and submitters whom we heard from during the hearing. While our recommendations support the need for the NoRs, thereby endorsing the overall recommendation of Council, but making some amendments to the conditions, as set out later in this report, it is the Requiring Authority who will make its decision on the NoRs. Its decision will be required to be made in accordance with s.172 (*'Decision of the requiring authority'*) which is set out below as follows:
- (1) *Within 30 working days of the day on which it receives a territorial authority's recommendation under section 171, a requiring authority shall advise the territorial authority whether the requiring authority accepts or rejects the recommendation in whole or in part.*
  - (2) *A requiring authority may modify a requirement if, and only if, that modification is recommended by the territorial authority or is not inconsistent with the requirement as notified.*
  - (3) *Where a requiring authority rejects the recommendation in whole or in part, or modifies the requirement, the authority shall give reasons for its decision.*
54. However, despite the abovementioned decision-making powers of the Requiring Authority, all parties to the NoRs retain appeal rights to the Environment Court under s.174 in respect of the Requiring Authority's eventual decisions.
55. A further relevant consideration for the present NoRs is s.181 (alteration to an existing designation). This applies to NoRs RE2 and W5 (identified as no's Designations 1437 and 1433 respectively in the AUP Chapter K Designations Schedule) that have been given effect to.<sup>6</sup> The alterations are limited to the works proposed as part of the alteration. It does not include works that could be undertaken within (or effects that are or could reasonably be generated by) the existing designations.
56. Section 181(2) states that ss.168 to 171 apply to the "modifications" as if it were a requirement for a new designation. Section 181 is set out below:
- (1) *A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
  - (2) *Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*

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<sup>6</sup> This aspect also applies to NoR S2 (Strategic).

- (3) *A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if—*
- (a) *the alteration—*
    - (i) *involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
    - (ii) *involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
  - (b) *written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
  - (c) *both the territorial authority and the requiring authority agree with the alteration—*
- and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.*
- (4) *This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

57. We provide an overall assessment regarding the relevant considerations under ss.171 and 181 later in this report, including with respect to whether in the Panel's view a lapse date can apply to an alteration to a designation that has been given effect to.

## **EVIDENCE HEARD**

58. The s.42A reports, along with the Council's various specialist assessments, were circulated prior to the hearing and taken as read. The evidence presented at the hearing responded to the issues and concerns identified in the s.42A reports, the NoRs themselves, and the submissions made on the NoRs. Expert evidence on behalf of all parties who appeared, along with a number of non-expert statements, were also circulated prior to the hearing and again were taken as read. As outlined above, the evidence for the SGA was presented for a number of topics by different witnesses between the Local and Strategic NoRs.<sup>7</sup>
59. Due to the breadth and scale of the Local and Strategic NoRs (and the resource consent application in respect of Trig Road South) a considerable volume of evidence was produced through the Council hearing, including supplementary and/or rebuttal statements of witnesses for the SGA, with many witnesses for submitters also helpfully providing summary 'hearing statements'.<sup>8</sup> This information and evidence is referred to as necessary to explain the points being

<sup>7</sup> The topics addressed in this manner were: "Corporate", "Noise and Vibration", "Planning", "Public Works Act" and "Transport Planning".

<sup>8</sup> Note that the summary list of witnesses set out at the beginning of this report may not include all appearances of witnesses for NoR S4, but these persons are listed in our separate report on the Strategic NoRs.

made in text below. However, we have not summarised all the evidence provided, other than where reference is made to specific evidence as part of our discussion below. Not only were the materials pre-circulated to all parties but they were also uploaded to the Council's website and may be read there should that be required.<sup>9</sup> An 'evidence index' has also been prepared to assist with navigation of the evidence file, and we have used the index reference in our referencing of the evidence throughout this recommendation report.

60. We have reviewed, and considered, all of the submissions made on the Local NoRs and the relief sought by the submitters. There are a number of generic themes that emerged along with some unique site-specific matters raised in the evidence, the intent of which is addressed in the discussion to follow. As a result we do not intend to address each and every issue raised by submitters on an individual basis.
61. As referred to above, the Panel is also required to make recommendations with respect to a further five Strategic NoRs, along with a decision in respect of the resource consent application. The Panel has resolved to issue both of its recommendation reports, and decision on the resource consent, contemporaneously rather than through any sequencing procedure. This reflects the timing at which the NoRs were lodged, and notified, on a common date, and were subsequently, along with the resource consent, all heard at the same time.<sup>10</sup> The Panel observed, prior to adjournment of the hearing, that it is not bound by any timeframe under s.171 in which to issue its recommendation(s) but would do so as expeditiously as possible following receipt of the SGA's reply (in accordance with our general duty under s.21 but noting that we would also subsequently be hearing the SGA's eight notices of requirement for the Warkworth area in November 2023). In this regard the Panel has also received the SGA's agreement and understanding in light of the above that statutory timeframes relating to the resource consent application associated with NoR HIFTR would be waived pursuant to s.37A.

## **ISSUES IN CONTENTION**

### **Introduction**

62. The recommendations made in this report follow the deliberations and the findings reached by the Panel after considering the NoRs, the submissions lodged, the Council's reports, and the legal submissions and evidence presented at the hearing, the JWSs, the response comments provided by Council officers and consultants, and the written reply and associated updated conditions schedule provided by counsel acting on behalf of the SGA.<sup>11</sup> The recommendations are

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<sup>9</sup> This includes the notification materials, submissions, Panel directions and minutes, and Joint Witness Statements.

<sup>10</sup> Noting that the resource consent was lodged on 19 December 2022, the same date as the NoRs, but was not publicly notified until 20 June 2023.

<sup>11</sup> Counsel for the SGA were Andrew Beatson, Leigh Zeigler and Megan Exton.

made in terms of the aforementioned framework provided by ss.171 and 181 of the RMA.

63. The Panel noted at the outset of the hearing that the consideration 19 NoRs (including the nine to be considered in this report) as part of a single hearing would be a substantial undertaking. In this regard the Panel recognises the extensive efforts made by the SGA itself in bringing the NoRs to the application stage and addressing the subsequent further information process; the Council in undertaking its assessments of them; and by submitters and their representatives in reaching an understanding of them for the purposes of making a submission and then preparing evidence and/or statements for the hearing. We note, and agree with, the general sentiment expressed in the SGA's closing submissions as to the contributions to the process by submitter parties notwithstanding the acknowledged scope and detail of the proposed NoRs.<sup>12</sup>
64. In overall terms, the NoRs raise a number of issues and a range of impacts for those persons (including businesses, residents, community groups etc) and environments along their routes.
65. Compounding those impacts are the SGA's proposed 15-20 year lapse periods proposed for the Local NoRs and 20 years for NoR S4. This was a significant factor in the concerns raised by submitters affected by the NoRs, due to the immediate effect that the designations were perceived to have on the value and utility of their property and the uncertainty as to when the designations would be implemented along with the associated land acquisition process.
66. The Panel heard from a large number of submitters with respect to the way in which the NoRs could affect their property, either in whole or in part (including in respect of the lapse dates as mentioned above). For properties partly affected (such as through the taking of land along site frontages), such issues are, in the main, proposed to be addressed through management plan conditions to be included in each designation. These follow a standardised format but have some specific components for individual NoRs. We have therefore sought to address the issues around the relevant conditions as these represent the primary method by which those effects will be resolved, or at least managed. For those properties that are proposed to be acquired in full (where the designation requires an extensive area of a property and/or where access can no longer be provided), the primary relief will be via the Public Works Act 1981 (**PWA**) (either directly or via an Environment Court order made under s.185 of the RMA).
67. After our analysis of the NoRs and evidence (including proposed mitigation measures), undertaking a site visit, reviewing the Council's s.42A assessments, reviewing the submissions and concluding the hearing process, the proposed NoRs raise a number of issues for consideration as we have alluded to above. These have been helpfully addressed through the SGA's Reply, and we consider

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<sup>12</sup> EV288, at [1.2]

that the topics and the order that they are presented is appropriate and we have generally followed those topics as part of this report, except that we have incorporated:

- the SGA's proposed amendments to NoR conditions within the relevant topic rather than separately;
- matters addressed by the Council in response to the Panel's Minute 1 issued during the hearing on 4 October 2023 (which was primarily in response to a request from Council officers who sought an indication of those issues in which we were particularly interested to hear the Council's view); and
- responses arising from the SGA's supplementary memorandum provided in response to Direction 8.

68. Based on the above, the list of topics in contention that we have addressed in this report are as follows:

#### General matters

- Approach to long-term designations for large infrastructure projects (and analysis underpinning the designations);
- Alignment and extent of designation boundaries;
- The lapse periods for the designations;
- Application of a lapse period to an existing (altered) designation;
- Provision for a designation review condition;
- Business and property impacts;
- Interface with the PWA;
- Adequacy of alternatives assessment;
- Criticisms of the engagement process;
- Management plans;
- Existing property access (including parking/loading and manoeuvring);
- Effects of stormwater and flooding;
- Effects of road noise on future dwellings;
- Proposed ULDMMP advice note; and
- Conditions (not addressed elsewhere).

### Site-specific issues

- Responses to site-specific concerns; and
  - The use of site-specific schedules.
69. As will be apparent from the above list, we considered that a large number of the issues in contention were common across the Local NoRs (as with the Strategic NoRs) and we have addressed particular examples within our consideration of the common issues. We also note that some of the issues in contention appeared to be resolved at least in part through the ongoing evolution of the conditions as proposed by the SGA, and we record those outcomes as relevant to the issues in question.
70. The Panel acknowledges that its recommendations do not address all of the concerns raised by submitters, and indeed is unable to do so where those concerns relate to the timing of land acquisition (and any associated property valuations), or where significant changes to the proposed NoRs beyond their proposed alignments are sought. In this regard we have taken care to consider whether our recommendations are in accordance with the scope afforded by s.171(2).
71. The following section of our recommendation addresses the background and rationale for the Local NoRs, being an aspect that was generally understood but nevertheless also gave rise to some issues of contention as to necessity (indeed, of all the NoRs) and their location. In this regard, we note below the rationale for the project as set out in the AEEs and the s.42A reports, to provide the contextual backdrop to our analysis of the matters that remained in contention.

### **Approach to long-term designations for large infrastructure projects**

72. For this topic we have incorporated considerations related to the analysis underpinning the designations, being a separate, but in the Panel's view overlapping, matter.
73. The Panel notes that while there were some submissions who queried the overall need for the NoRs, the majority of the evidence we heard recognised the importance of providing for the Projects - this was particularly apparent for the Strategic NoRs, where many sought the early implementation of NoR S1 in order to address congestion and other related effects within the North-West roading network, particularly in terms of SH16.
74. We were told that the Supporting Growth Programme has been prepared to investigate, plan and deliver the key components of the future transport network necessary to support this planned greenfield growth in Auckland's future urban areas. SGA's application documents advise, as re-affirmed through evidence, that the early protection of critical transport routes is necessary to provide certainty for all stakeholders as to the alignment, nature and timing of the future transport



network. It was also the Requiring Authority's case that designations also provide increased certainty for AT (and Waka Kotahi) that it can implement the works provided for by the designations.

75. The Council's s.42A reports have helpfully provided a useful summary of the background and context for the NoRs generally, by reference to the notification documents and we adopt those summaries here.<sup>13</sup> In particular, it notes the signal within the Council's Auckland Plan 2050 that Auckland could grow by 720,000 people over the next 30 years, generating demand for more than 400,000 additional homes and requiring land for 270,000 more jobs. Around a third of this growth is expected to occur in areas within the Future Urban Zone (**FUZ**). The Council's 2017 Future Urban Land Supply Strategy (**FULSS**) was updated in line with the AUP zonings, with 15,000 hectares of land allocated for future urbanisation via the FUZ. The FULSS provides for sequenced and accelerated greenfield growth in ten areas of Auckland
76. The North-West growth areas, comprising Kumeū-Huapai, Redhills/Redhills North, Riverhead and Whenuapai, are located approximately 30 kilometres north-west of Auckland's Central Business District (**CBD**). These areas are planned to make a significant contribution to the future growth of Auckland's population by providing for approximately 42,355 new dwellings and employment opportunities that will contribute 13,000 new jobs.<sup>14</sup> The AEEs state that the proposed staging is based on the FULSS and was tested in SGA's Detailed Business Case (**DBC**) modelling to confirm assumptions based on growth need and related projects delivery.<sup>15</sup>
77. The SGA's supplementary memorandum also (in response to the Panel's Direction 8) highlights more recent growth and demand activity in the Kumeū-Huapai area, although this is also relevant to the broader North-West context. It states:<sup>16</sup>

*"...Recent large-scale development completed or under construction in Huapai (Huapai Triangle and Huapai North) has put pressure on existing infrastructure in the North West. The transport corridors proposed in Kumeū-Huapai (Alternative State Highway, Rapid Transit Corridor and Stations and SH16 Main Rd upgrade) are of a larger scale and provide a strategic transport network that will serve not only the growth that is projected to occur but the existing community and the wider Auckland region. The road has recently been identified as a Road of National Significance (which underlines its importance and the need for the designations), but the difference in scale to the other North West projects and varying political priorities means a prolonged funding, planning, design and implementation timeframe is*

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<sup>13</sup> E.g., 'Local Arterials' NoRs Agenda, at pp.24-27

<sup>14</sup> E.g., 'Local' AEE, at [4.2]

<sup>15</sup> Ibid

<sup>16</sup> EV289, at [4.5]

*envisaged, which is a key consideration in the lapse periods proposed for these corridors”.*

78. The Panel notes that since lodgement of the NoRs the Council has consulted on, and recently confirmed, its Future Development Strategy (**FDS**). This amends the extent of FUZ and the timelines for the development of land previously defined by the FULSS, such that the planned timing for development of the FUZ areas within Kumeū-Huapai and Riverhead is anticipated to occur from 2050. However, the SGA’s supplementary memorandum highlights that the National Policy Statement on Urban Development 2020 (**NPS-UD**) nevertheless requires local authorities to “*be responsive to unanticipated or out-of-sequence developments, such as private plan changes*”.<sup>17</sup> This may result in development occurring earlier than the timeframes suggested by the FDS. In this regard the FDS also identifies that further development in Kumeū-Huapai, in particular, will require a longer investigation phase and an integrated approach between developers and the Council, particularly in respect of flood hazard and stormwater matters that are required to be investigated and addressed (including prior to further re-zoning of FUZ land). The supplementary memorandum notes that such issues have already been apparent though the Council’s rejection of a private plan change application in Riverhead (in proximity to NoR R1).
79. We comment further on the above matters with regard to s.171(1)(d) of the RMA later in this report.
80. As noted by the SGA in its Reply, some submitters expressed concern with what was perceived to be a ‘novel’ approach to the designation process, as well as the level of design detail, the baseline environment for the purposes of effects assessment purposes and the long-term nature of the designations. The Reply goes on to explain why its approach is not novel, stating:<sup>18</sup>
- “... While it has consistently been acknowledged that the Projects differ from implementation-ready infrastructure projects, it is not uncommon for Requiring Authorities to seek long-term designations to secure strategic routes or alignments for critical infrastructure projects, particularly where they are required in areas undergoing substantial change that could make implementation more difficult and costly in the future...”*
81. Examples of comparable projects with long lapse dates were provided in SGA’s opening submissions at Appendix B and include (in respect of Waka Kotahi transport-related designations) Transmission Gully (2012, 15 years), Southern Links (2015, 20 years) and Ponga Road / Ōpaheke Road (2022, 20 years).

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<sup>17</sup> Ibid, at [4.6]

<sup>18</sup> EV288, at [2.2]

82. The Reply went on to describe the overall approach and level of design used to inform the NoRs,<sup>19</sup> which we have summarised as involving the following:
- (a) Development of a concept design, which involved designing the alignments to a level sufficient to inform the proposed designation footprint (and integration with adjacent development), and to enable an assessment of an envelope of effects that includes potential construction areas, operational and maintenance requirements and areas required to mitigate effects.
  - (b) Identification of the existing and future environment in accordance with established case law, and in particular assuming the future urbanisation of FUZ areas.
  - (c) Including a sufficient level of flexibility so that the final details for the Projects, including the design and location of associated works, can be refined, integrated and confirmed at the detailed design and resource consenting stage and through future outline plan processes. The Reply notes that “*this is an orthodox use of the designation tools available under the RMA and should not be controversial*”.
  - (d) The Project objectives, and the need to identify and protect transport interventions (corridors) to support and enable areas anticipated to experience growth, is supported by strategic policy documents, including the Auckland Regional Land Transport Plan 2021-31.
83. The Panel accepts the basis for the need for route-protection in view of the provision for growth of the North-West and the evident growth pressures currently experienced within this area, and that the analysis underpinning its rationale in this regard is considered to be sound. That analysis is therefore relied upon for the purposes of considering the issues that arise from the proposed route-protection and the associated matters of contention, as discussed in the following parts of this report.

### **Alignment and extent of the designations**

#### **Introduction**

84. The proposed designations seek to protect routes by way of designation, including land sufficient for the construction, operation and maintenance of the future arterial transport network. The design of the Local NoRs, and the NoRs forming part of the overall North-West network generally, have focused on developing alignments to a level sufficient to inform the proposed designation footprint and to assess an envelope of effects that includes potential construction areas, operational and maintenance requirements and areas required to mitigate effects.
85. Our discussion of this topic incorporates several inter-related themes that were frequently raised within the evidence of submitters. These relate to the SGA’s

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<sup>19</sup> Ibid, at [2.3]

proposals for what will need to be incorporated within each designation, integration with adjacent development proposals, the maintenance of access during and after construction and the protection of existing right-hand turn movements.

### **What is incorporated in the designations**

86. We were advised that the proposed designations incorporate the areas required during construction such as general work areas, construction compounds and laydown areas, construction traffic access and manoeuvring and the re-grading of driveways, sediment controls, earthworks (including cut and fill batters), works to relocate or realign network utilities, culvert and bridge works, drainage and stormwater works including new wetlands. While concept plans provided a reasonable level of detail of the facilities to be provided within the proposed road reserve, the extent of the additional areas for construction were less definitive but were described as being based on anticipated requirements given land characteristics and present understandings of construction techniques. In particular, the evidence for the SGA advised that sufficient width has been provided at the edge of embankments and design elements to provide for appropriate construction areas and access along the corridors.
87. We note at this juncture that while the particular details shown in the concept plans were useful in illustrating the likely and potential form of the completed new roads or upgrades, we are only tasked with making recommendations on the designation maps, which are the outline maps depicting the designations in simple black outline and grey shading. While the concept plans form part of the information to be contained in Schedule 1 to the conditions, condition 1 clarifies that where there is any inconsistency between the concept plan and the requirements of the remainder of the conditions, the conditions and management plans shall prevail.
88. Some submitters considered that the extent of the designation boundaries had not taken into consideration the existing or potential development of adjacent land, or situations where resource consent approvals had been granted for the same or were in the process of being implemented. For example:
- (a) Allan Boyle, on behalf of Allan Boyle & Anne Boyle and BM Trustees Limited, questioned the extent of the NoR W1 in respect of the property at 28A Māmari Road.<sup>20</sup>

*“The extent and scale to which the NoR encroaches into the Site is significant. As currently proposed, the NoR will cover all of the 171m frontage of the Site with Māmari Road, as well as approximately one third of its area.... the continued use of the buildings and land comprising the Site will be unreasonably and inappropriately restricted.”*

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<sup>20</sup> EV155, at [4.1] – [4.2]

- (i) Carl & Melanie Lurie, on behalf of Ron & Marlene Patten and in respect of the property at 96 Trig Road stated:<sup>21</sup>

*“NOR W3 goes right through the middle of the Property. We want NOR W3 off the Property entirely – it cannot be used with NOR W3 going through the middle of it.”*

- (ii) Philip Brown, on behalf of Neil Construction limited (**NCL**), highlighted NCL’s submission in his discussion of the extent of the designations:<sup>22</sup>

*“NGL’s submissions on NOR W1 and NOR W3 pointed out that the proposed boundaries of the designations extend into its landholdings to an extent that goes beyond that necessary to undertake the works.”*

- (d) Ezra and Gael Keren (with respect to NoR S4) explained how the extent of land required for the works over their site at 56 Tawa Road would leave insufficient room for their business to exist, significantly impacting the company operating on the premises.<sup>23</sup>

89. Conversely, we also heard from some submitters as to how their issues as to designation extent had been resolved. Burnette O’Connor, on behalf of Matvin Group Limited, for example, advised that:<sup>24</sup>

*“The proposed reduction in the designation boundary as set out in Ms O’Leary’s rebuttal evidence is supported because it represents the land area likely to be required for a more suitably designed round-a-bout that will better accommodate the urban land uses expected in this location in the foreseeable future.”*

90. The SGA advised that with respect to the design of the road the concept designs have been developed with some flexibility to integrate with adjacent land. The designations are considered by the SGA to be of sufficient scope to provide flexibility in road levels and berm areas to accommodate an appropriate tie-in with adjacent land. As the final earthworks levels of any adjoining development are unknown, SGA has made assumptions regarding road levels and embankments. The conditions propose that the ULDMP is required to be prepared prior to the start of construction to ensure integration with adjoining land use at the time of detailed design and implementation (in particular, via clause (e)(i)).

91. As referred to earlier, concerns as to the extent of the proposed designation boundaries were raised by many submitters across the Local NoRs. The evidence for the SGA addressed these submissions by way of explanation of the necessity of the location of the designation in evidence provided by its experts and in some

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<sup>21</sup> EV162, at [1.5]

<sup>22</sup> EV164, at [4.1]

<sup>23</sup> EV137

<sup>24</sup> EV214, at [5]

cases by modifying the extent of the designations. It was the SGA's overall submission that "[w]hile concerns have been raised by submitters and the Council in relation to the North West Network, these will be adequately addressed through the proposed conditions".<sup>25</sup>

92. That submission notwithstanding, the Panel also heard from a number of submitters with respect to the width of the designation along Access Road in particular (Local NoR S4), and where it was apparent that the extent of the designation would have significant effects on various properties along this route. We requested further clarification in this regard from the SGA to assist us to better understand the basis on which the alignments were determined and that they were not unduly conservative.
93. The response memorandum from the SGA on this matter, provided during the hearing on 2 October 2023, set out the key factors utilised by its engineers to determine the proposed road widths and batter slopes, and noted that there are a number of factors that are considered in this respect. The summary statement provided in the SGA's memorandum was that:<sup>26</sup>

*"The final position of the kerb (horizontally and vertically, and also linearly along the alignment) and the components of the cross section will ultimately determine the level difference at the property boundary. As set out in [section 6 of Mr Mason's evidence], this will also depend on the actual dimensions adopted for the cross sectional elements, the actual ground profile determined through topographical survey, and the levels adopted for any adjacent development that has been implemented in the interim (noting that there are live examples where we are currently working with the developer on levels). These are matters that will be assessed at the time of detailed design".*

94. Of relevance to NoR S4, it was noted that NoR S2 was the only existing transport corridor that had been proposed to be raised in order to enable vehicles to use the road in an extreme weather event. However, the evidence for the SGA was that the proposed ASH (NoR S1) would provide sufficient network resilience during such events, and the proposal to raise the NoR S2 corridor was no longer sought. The memorandum confirmed that, in response to the lowering of the corridor, the designation boundaries were reviewed and the designation has been pulled back where appropriate, and we have assumed this to include NoR S4, at least at its northern end.

#### **Effects on site access**

95. However, we heard evidence from submitters more generally across other areas affected by the NoRs that the proposed designation boundaries extend further than required and would impact upon site features such as access and carparking,

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<sup>25</sup> EV001, at [14.1]

<sup>26</sup> EV221, at [9]

and other on-site activities such as the manoeuvring of customer or loading vehicles. Submitters with businesses along Brigham Creek Road and Hobsonville Road, for example, were assisted by expert planning and/or traffic engineering witnesses who outlined the extent of the issue that they saw and the potential solutions. We note that in response to these individual submitter's concerns the SGA has considered each submission and have made changes to extent to which the designation encroaches on to the submitter's site(s) where they deemed it appropriate or possible.

96. In addition, or associated with the above, we received traffic engineering-related evidence from a number of parties who expressed their concern with the potential impacts of the designations on access to certain sites, and the resulting impact on the viability of such properties. This included:

- F. Boric and Sons Limited, through the evidence of Hannah Edwards and Don McKenzie, was concerned with the impact of NoR S4 on both the access and circulation within its property at 993 Waitakere Road.<sup>27</sup>
- The Beachhaven Trust, also through the evidence of Mr McKenzie, is concerned with the impact of NoR S4 on both the access and circulation within its property at 33 Grivelle Street.<sup>28</sup>
- CDL Land New Zealand Ltd (**CDL**), again through Mr McKenzie, described a primary concern with respect to NoR W5 on CDL's property at 4-6 Hobsonville Road and 22A Trig Road as follows:<sup>29</sup>

*“The nature and arrangement of future potential access between the CDL properties and both Trig Road and Hobsonville Road. The NORs as notified appear to seek to strictly limit and control the number and frequency of accesses to private property along the Trig Road corridor in a manner than would be contrary with the extensive planning and development principles that have been developed and largely agreed under the [AUP].”*

- Kay Panther-Knight, also for CDL further noted that one of the key effects of arising from the NoRs in relation to CDL's properties was:<sup>30</sup>

*“Access disruption or restriction, both existing and in respect of flexibility for access design in the future, having regard to the likely future urban environment that CDL's properties represent. Critically, this relates to considering median design for both W5 and TRHIF to understand whether future access manoeuvres will be restricted or prevented. This also includes consideration of whether Trig Road*

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<sup>27</sup> Ibid, at [4.63]

<sup>28</sup> Ibid, at [4.77]

<sup>29</sup> EV098, at [1]

<sup>30</sup> EV099, at [1.4]

*should be a limited access road under section 346C of the Local Government Act as suggested by the requiring authority”.*

- Cabra Developments Limited, again through Mr McKenzie, had considered the implications of NoR W4 as it relates to the accessibility of their site with respect to both the planned Spedding Road West Extension roadway as well as from the Fred Taylor Drive frontage and roundabout connection to Spedding Road West Extension. McKenzie expressed the view that:<sup>31</sup>

*“This is such a significant issue for the future viability of the Cabra land that I recommend SGA take specific steps to develop and design an appropriate access solution for the 125 Fred Taylor Drive property before the NOR W4 can be confirmed.”*

- Ross Burns, for Woolworths New Zealand Limited expressed his concerns over access issues to their loading dock at their site at 124 Hobsonville Road. The proposed NoR W5 designation footprint sits over the Countdown Hobsonville loading dock accessway from Hobsonville Road.<sup>32</sup> He was concerned that the store will be unable to be serviced for extended periods due to loading dock issues.
- Christine Diprose, for BW Holdings Limited, told us that the NoR will impact on their carpark which is located at the road frontage.<sup>33</sup> Without the carpark, or if use of the car park is interrupted, they would have to close the centre. She had considered the temporary use of Optimist Place to the rear for staff parking and parent drop off and pickup but she was of view this option would not work.

97. Further issues were noted in respect of the potential for the NoRs to affect consented projects, or developments that are presently underway. For example:

- (a) Mark Tollemache, representing Viscount Investments Corporation Limited, stressed the development uncertainty created for its site on Hobsonville Road by NoR W5, stating that:<sup>34</sup>

*“The effect on Viscount if it proceeded with the consented development could be an inaccessible mainstreet to vehicles travelling from the east, effectively undermining the centre.*

*“Without such specific acknowledgement, Viscount does not have certainty in proceeding with their consent. While Viscount prefers to continue with their consented design, the uncertainty that is generated*

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<sup>31</sup> EV090, at [2.4]

<sup>32</sup> EV167 at [5.1]

<sup>33</sup> EV017, at [12] – [14]

<sup>34</sup> EV231, at [1.6] – [1.7]



*by the NOR W5 may require them to consider a redesign that does not rely on a mainstreet.”*

- (b) Christopher Maday, a Development Manager at Universal Homes, expressed concerns over the impact of designation extent on their housing developments at Dunlop Road (NoR RATN2A), Baker Lane (NoR RATN2B) and Don Buck Road (NoR RE1) told us that their discussions with the SGA have been to ensure any roads built through the West Hills land holdings are built efficiently in order to avoid future disruption to Universal’s clients.<sup>35</sup>
- (c) Nicholas Roberts, on behalf of Oyster Capital Limited (**Oyster**), questioned the extent of the designation on Oyster’s property at 23-27 Brigham Creek Road and 15-19 Spedding Road in Whenuapai which was subject to Plan Change 69, and since approval of that plan change Oyster have lodged resource consent to undertake a subdivision. Mr Robert’s was of the view that:<sup>36</sup>

*“There is a need to balance the practical needs of the Requiring Authority to protect and secure the route and the effects on the future development potential and opportunities for the affected land”.*

- 98. Conversely, we also heard from some submitters as to how their issues as to designation extent had been resolved. Ms O’Connor, this time on behalf of on behalf of Northland Waste Limited, advised that:<sup>37</sup>

*“On the basis that the conditions (proposed condition 11) is explicit with respect to maintaining suitable and appropriate access to the site at all times, for vehicle movements that include heavy vehicles movements, the matters raised in evidence are considered to be addressed”.*

- 99. The rebuttal evidence of Ms Seymour noted in respect of the concerns raised by submitters that, where the construction of the project follows the development of a site, the site will become part of the existing environment and existing access arrangements will be subject to the Existing Property Access and UDLMP conditions. While the primary role of the subject arterial corridors is to provide safe and efficient movement, rather than access, *“future access will be assessed on a site-specific basis as currently occurs via resource consent applications for adjacent development in accordance with Chapter E27 of the [AUP] and the use of the Vehicle Access Restriction in Policy E27 and Standard E27.6.4.1 (3)(c)”*.<sup>38</sup>
- 100. Ms Seymour responded to the evidence on these issues. She highlighted that Mr McKenzie in his evidence had noted that the above mechanisms are sufficient to manage the effects of future access onto the arterial network, which she agreed

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<sup>35</sup> EV245, at [4.4]

<sup>36</sup> EV086, at [3.3]

<sup>37</sup> EV207, at [8]

<sup>38</sup> EV016, at [4.4]

with, and went on to add that, in terms of the HIFTR project, no additional access limitations are being sought as part of the Local NoRs. In terms of the evidence of Mr McKenzie, Mr Brown and Ms Edwards that suggested a need for greater certainty as to access arrangements for future developments onto arterial roads, she noted that the LIP *“is proposed to encourage and facilitate the integration of master planning and land use development activity on land directly affected by or adjacent to the designation”*.<sup>39</sup>

101. Ms Seymour further commented in respect of the function of the LIP, that it would provide:<sup>40</sup>

*“an appropriate mechanism to support land use development activity on land adjacent to designations in the interim period between confirmation of designation and construction of the project. The intention of this process is to support the integration [of the] projects themselves and will supplement existing process such as Section 178 approvals and resource consenting application processes”*.

102. In the meantime, we note that further amendments were made to the extent of the designations during the hearing process. A full schedule of amendments that have been made to the proposed designation boundaries since the application was included with the SGA’s Reply.<sup>41</sup> The Reply also addressed the methodology for reducing (or removing) the proposed designation boundaries:<sup>42</sup>

*“Since lodgement of the NoRs, the Requiring Authorities have reviewed and made some site-specific amendments to the proposed designation boundaries. These changes have been guided by a non-exhaustive set of principles, which identify situations when it is appropriate to consider amending a designation boundary during the post-lodgement process.”*

103. During the hearing the Panel had questioned the SGA on the need for a consistent approach to boundary alterations to adjacent sites. Through the Reply the SGA advised:<sup>43</sup>

*“During the hearing the Panel also sought information from the Requiring Authorities as to whether site-specific changes made to the proposed designation boundaries could be expected to give rise to further changes in other parts of the proposed designation corridor(s) if the same methodology or rationale for the change was to be applied consistently. The Requiring Authorities confirm that where adjustments were made to a designation boundary with reference to the principles described in the Memorandum, further adjustments were made to other properties to ensure consistency”*.

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<sup>39</sup> Ibid, at [4.6]

<sup>40</sup> EV016, at [4.8]

<sup>41</sup> EV288, at Appendix F

<sup>42</sup> Ibid, at [8.2]

<sup>43</sup> Ibid, at [8.4]

104. In its consideration of the detail of site-specific concerns raised by a number of submitters, the Panel is aware that a key consideration in regard to these issues relates to timing. It was clear, and understandable, that many of the concerns over the proposed designation extent were based on how the submitters' view the impact of the designations if construction was to be undertaken at the present time. However, given the proposed lapse dates, there will be a gap of some 15 - 20 years before construction would commence. The situation pertaining to each site, either in terms of its physical configuration or the nature and requirements of tenancies and use, at that time may therefore not be the same as it is now. That consideration notwithstanding, the Panel also recognises that for some sites that have been recently developed their overall configuration may not change significantly in that intervening period. In any event, we agree with the SGA that the focus should be to ensure that the conditions, and requirements of the management plans, address the submitters (or future property owners) concerns at the relevant time in a consistent manner.

105. Ms Aitkin in her rebuttal evidence for the SGA addressed this approach as follows:<sup>44</sup>

*“As set out by Mr Beatson, the proposed conditions are commensurate with the longer implementation timeframes proposed. Mr Beatson also explained that the conditions have been derived from a base set of conditions developed for Projects across Te Tupu Ngātahi Supporting Growth.*

*“The conditions have been developed to ensure that any potential effects, including those existing at the time of construction and operation, are appropriately managed.”*

106. Ms Aitkin also opined:<sup>45</sup>

*“I consider this approach to design, future environment considerations and proposed conditions is appropriate given construction is not immediately anticipated and is intended to commence within the next 15 to 20 years for the North West Network projects.”*

107. The Panel recognises that the SGA has been proactive in addressing submitter concerns regarding the extent of the designations, and we note that changes have been made where practicable. We understand that a number of submitters have remaining concerns and sought further changes, or the rejection of the NoRs outright in the absence of such changes. However, we accept that the proposed conditions as now worded appropriately provide for the involvement of landowners and stakeholders in the management plan process, recognising the likely time period between confirmation of the designations and the commencement of detailed design.

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<sup>44</sup> EV078, at [1.6] – [1.7]

<sup>45</sup> Ibid, at [1.10]

## Turning movements into sites

108. We also note here an associated issue as to the concerns that we heard in respect of potential limitations for right-hand turns into sites, where such manoeuvres are presently available and are of particular significance to the operation and commercial viability of a business. The concept plans noted provision for medians along the routes, but that their formation (i.e., whether flush or raised) was not yet specified. Such issues were raised by a number of submitters with land and commercial activities accessed directly from Access Road and Hobsonville Road, in particular and as referred to earlier.
109. Such evidence highlighted the importance of right-hand turns for both general traffic and/or loading vehicles, and sought that conditions be imposed that ensure that such manoeuvres continue to be provided for.
110. Ms Seymour noted in her rebuttal evidence that space for a median has been provided for in the NoR routes, to ensure sufficient flexibility for AT to manage the safety and efficiency of the road corridor. She highlighted that any banning of right-turn movements can potentially result in other issues such as unsafe U-turns. Accordingly, *“the provision of a solid median would need to be carefully considered against the operational outcomes sought for the corridor”*.<sup>46</sup> She further noted that the removal of turning movements *“would constitute an alteration to access arrangements, and as such would require consultation with the affected landowner”*.<sup>47</sup>
111. Ms Seymour concluded by saying that the provision of right-hand turns, along with the maintenance of access generally:<sup>48</sup>

*“...are best confirmed through engagement with landowners as part of the UDLMP to enable a thorough understanding of the potential effects of a right turn ban at the time of implementation. This will enable a holistic consideration of the corridor with regard to safety, efficiency and property access”*.

112. The response memorandum from Andrew Temperley, the Council's transport specialist for the Local NoRs, stated in respect of access issues generally, and right-hand turn limitations in particular:

*“Overall, I am happy with site specific issues relating to access being addressed through the PWA. However, to ensure adequate consideration towards adverse effects associated with severance created by solid medians, particularly in instances where significant vehicular detours may*

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<sup>46</sup> EV016, at [3.4]

<sup>47</sup> Ibid, at [3.8]

<sup>48</sup> Ibid, at [3.11]

*be necessitated as a result of banned right-turn and U-turn manoeuvres, I recommend further additions to the ULDMMP conditions.”*

113. Mr Temperley’s recommended change to the ULDMMP in response to this matter was the following addition:<sup>49</sup>

...

*(iii) a connectivity and severance assessment of key destinations, desire lines and levels of service for local vehicle access manoeuvres and for people walking and cycling across and along the arterial road; and*

...

114. The Panel notes that this addition was not, however, carried through into the Council’s updated Condition Set B and C (included as Attachments 2B and 2C), and was not then identified in the SGA’s Reply set.<sup>50</sup>

115. We also note that the Council’s updated conditions included a change to condition 11 (Existing Property Access), which was not referred to in Mr Temperley’s memorandum. A change was recommended, however, in respect of condition 16 (CTMP), the latter being to specifically refer to safe, efficient, and effective site access (and which was also the intent of the change to condition 11). The proposed change to condition 11 that was recommended by Mr Sergejew for the Strategic NoRs was as follows:

*Where ~~existing property vehicle~~ access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowners and occupiers regarding the required changes. The Outline Plan shall demonstrate how safe, efficient and effective access, parking and manoeuvring will be provided, unless otherwise agreed with the affected landowner.*

116. Mr Temperley’s amendment to condition 16 (at (a)(vi)) was shown in the Council amendments as follows:

*[M]ethods to maintain vehicle parking, manoeuvring and access to and within property and/or private roads where practicable, or to provide alternative parking, manoeuvring and access arrangements when it will not be. Engagement with landowners or occupiers whose access, parking or manoeuvring is directly affected shall be undertaken in accordance with Condition [3B];*

117. The Reply version of the conditions did not adopt the change in respect of condition 11, noting that:<sup>51</sup>

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<sup>49</sup> EV281, at p.60

<sup>50</sup> EV288, at p.262

<sup>51</sup> Ibid, at pp.266/277

*“The re-provision of vehicular access is the key component of this condition and therefore needs to be specified. Where vehicle access can be provided it is considered all other forms of access can be maintained.*

*“The re-instatement of access to property needs to be safe for the continued activities on that property at the time of implementation. [AT] does not consider that this condition should provide for effective and efficient movement for a property. This has the potential to conflict with the safe and efficient movement of people and goods along the transport corridor. The effectiveness of access for the landowner and occupier is best understood and considered through engagement and will be appropriately managed under the SCEMP”.*

118. The Reply also noted that, while it disagreed the changes were necessary, “[s]hould the Panel be minded to recommend these changes, then in our submission the condition will also need amending to refer to the safe, efficient and effective operation of the transport corridor”.<sup>52</sup>
119. The Panel has considered the issues in respect of condition 11 as part of its separate report on the Strategic NoRs but is of the view that those comments are also applicable to the Local NoRs. In particular, the Panel accepts the re-phrasing of the first part of this condition, it does not accept the comments of the SGA in regard to the proposed and presumed primacy of “people and goods” over the need for “safe, efficient and effective” access, which in our view will invariably also involve “people and goods”. We consider that proposed active modes can co-exist with existing access points as well as facilities for right-hand turns, subject to good design. We also consider that access to parking and manoeuvring is an appropriate consideration at the time of design at outline plan stage, and that such aspects are not otherwise referenced through the SCEMP. It is our conclusion that this wording will be consistent with, and give effect to, the requirement of the ULDM to interface “with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable” (condition 9(e)(vi)). In the Panel’s view, this will be a more robust method by which to ensure that the outcomes envisaged in Ms Seymour’s evidence (i.e., that the reinstatement of safe and effective access will be provided for at the time of implementation) will be achieved.
120. We therefore largely adopt the wording recommended by the Council, but also recommend the use of the term “transport corridor” for the reasons set out in the Reply.
121. In terms of construction effects on access to public and private property, we note that there is a requirement within the CTMP condition (condition 16) to include methods to maintain vehicle access public and private property and/or roads

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<sup>52</sup> Ibid, at [13.10]

where practicable, or to provide alternative access arrangement when it will not be.

122. The Council's amendments were not adopted in the SGA's Reply version as it considered that "parking and manoeuvring" concerns are already addressed by the relevant conditions (noting clauses (a)(vi) and (a)(vii) of the CTMP), and that "[f]urthermore, parking and manoeuvring within a site is more appropriately addressed as an integration matter in consultation with affected landowners and occupiers through the development of the ULDMP".<sup>53</sup>
123. Again, the Panel does not accept the SGA's submission in this regard and considers that the changes proposed by the Council will provide greater rigour to the consideration of effects on adjacent sites which go beyond simply the maintenance of access, but also encompass important operations aspects of parking and manoeuvring (and the need to address alternative arrangements where these aspects cannot be maintained). We also observe that clause (a)(vii) of the CTMP addresses loading, and while that is a related consideration to parking and manoeuvring, it is appropriate to address them separately as provision for on-site loading facilities may not always be a relevant matter for some sites.

#### Panel findings and recommendations

124. The Panel considers that the alignments and extents of the designations have been based on and appropriately detailed analysis of technical need and requirements and have been subject to ongoing review in response to submissions.
125. The Panel also considers that the amendments proposed to condition 11 by the Council are generally appropriate and provide more rigour to the need to consider potential impacts on business activities associated with the future implementation of the Projects. We therefore recommend that condition 11 for the Local NoRs is amended as follows:

*Where property access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the requiring authority shall consult with the directly affected landowners and occupiers regarding the required changes. The Outline Plan shall demonstrate how safe, efficient and effective access to the transport corridor, and on-site parking and manoeuvring, will be provided, unless otherwise agreed with the affected landowner.*

126. Similarly, the Panel considers that the Council's proposed change to the CTMP is appropriate and will require a broader consideration of site access to incorporate ancillary aspects of parking and manoeuvring. Our recommended change in

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<sup>53</sup> Ibid, at [14.8]

respect of condition 16 (which involves some re-ordering of the relevant matters relative to the Council's recommended version) is as follows:

*(vi) methods to maintain vehicle access, parking and manoeuvring to and within property and/or private roads where practicable, or to provide alternative vehicle access, parking and manoeuvring arrangements when it will not be. Engagement with landowners or occupiers whose access, parking or manoeuvring is directly affected shall be undertaken in accordance with Condition 3B;*

### **The lapse periods for the designations**

127. As previous noted, the Local NoRs have proposed lapse periods of 15 years in respect of the NoRs RATN1, RATN2A, RATN2B, RATN2C, RE1, HIFTR and W1 - W4, and 20 years for NoRs R1 and S4. The 'standard' lapse period under the RMA is five years under s.184(1), unless, as provided for in s.184(1)(c), "*the designation specified a different period when incorporated in the plan*". NoRs RE2 and W5 (as well as NoR S2) have been advanced as an alteration to existing designations, and it was therefore the case for the SGA that no lapse period is applicable in these instances.
128. The issue of lapse dates was a significant one during the hearing and is relevant to a number of sub-topics. Our discussion below has sought to address these sub-topics in as logical manner as possible, while recognising the overlap between the relevant considerations, as well as the further topic of business impacts and effects on property value.
129. In general, and in terms of the new designations, the SGA considered that the proposed lapse dates were necessary to account for the uncertainty as to the timing of urbanisation in the area and funding timeframes. Conversely, submitters and the Council considered that a reduced period, of varying extent, was necessary to reduce uncertainty for affected landowners and to avoid the adverse and associated effects of 'planning blight'. The s.42A reports, for example, recommended a reduced period of ten years, along with provision for a five-yearly review of the designations (as discussed further below).
130. Case law was presented by both the SGA and submitters in support of their respective approaches. Between that and the objectives for parties on both sides of the issue it is evident that there are a number of matters that we must take into account in reaching principled findings and recommendations on the various aspects of the lapse dates. We also note that to a significant extent, the duration of the lapse date is also a major factor in concerns as to the effects of each NoR on affected landowners or occupiers. We therefore address the competing arguments in some detail below.



131. The reasons for the lapse dates proposed for the NoR Local package (and NoR S4) are many and are set out in the evidence of Bridget O’Leary for the Requiring Authority. We summarise those reasons as follows:<sup>54</sup>
- (a) Recognition that there is currently no funding allocated for the construction of the transport corridors, and the lapse period provides adequate time to secure funding, undertake detailed design and purchase property;
  - (b) The RPS and Auckland-wide infrastructure provisions of the AUP seek that infrastructure (including transport routes) is protected from incompatible subdivision, use and development and reverse sensitivity effects;
  - (c) There is a need to protect the transport corridors from incompatible use and development and to provide certainty to the SGA, developers and the community that transport infrastructure can be provided in an efficient timeframe;
  - (d) The lapse periods allow for flexibility in the sequence of the projects and prioritisation as FUZ land is zoned for urban development;
  - (e) The SGA’s approach is common for large-scale infrastructure projects, such as Southern Links (Waka Kotahi), the Northern Interceptor Wastewater Pipeline and the Hamilton Ring Road; and
  - (f) Shorter lapse periods would risk the designations lapsing prior to being implemented and would lead to additional RMA-approval processes which would be an inefficient use of resources and expense of public funds.
132. In addition, the evidence of Regan Elley (in respect of the Strategic NoRs but which we discern to also be of general applicability to the Local NoRs) described some positive outcomes associated with longer lapse periods, being:<sup>55</sup>
- (a) Lapse periods that more closely align with expected implementation timeframes give increased certainty to the SGA that it can implement the projects. This also provides property owners, businesses and the community with more certainty regarding the location and timing of future infrastructure, so they can make informed decisions (compared to shorter lapse periods).
  - (b) A lapse period that aligns with estimated implementation timeframes provides land and business owners with an appropriate period of time for transition planning, with consideration of changing population patterns and land use as FUZ areas are urbanised.
133. The latter points were also set out in the SGA’s opening submissions, which stated that:<sup>56</sup>

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<sup>54</sup> EV081, at [12.93]

<sup>55</sup> EV079, at [10.113]

<sup>56</sup> EV001, at [10.34]

*“As explained in evidence, the lapse dates have been selected to reflect the currently known timeframe to achieve funding, undertake detailed design for the Project and to acquire the necessary properties. The Requiring Authorities acknowledge that for some affected landowners that uncertainty about when, and to what extent, their land will be impacted by the Project, will be unsettling. Seen more broadly, however, the designations do provide some certainty to the community regarding the future transport network in the area and can assist with decisions about future development and investment. This increased certainty is likely to benefit those interested in pursuing development opportunities presented by the intensification that will be enabled in the North West area”.*

134. These submissions also addressed some general principles applicable in the consideration of lapse dates, noting that the RMA does not provide any guidance on what matters should be considered (and therefore the matter is discretionary). Accordingly, this matter is guided by the principles established through case law, and the *Beda Family Trust v Transit NZ* case (***Beda***) in applying this discretion:<sup>57</sup>

*“(a) When applying an extended lapse date, the discretion must be exercised in a principled manner, after considering all the circumstances of a particular case;*

*(b) There may be circumstances where a longer period than the statutory 5-year lapse period is required to secure the route for a major roading / transport project; and*

*(c) In instance [sic] of longer lapse dates, there is a need to balance the prejudicial effects on property owners who are required to endure the effect of planning blight as a result of the project for an indeterminate period”.*

135. We note that the *Beda* decision traversed many of the same issues and concerns that were before us, with reference to a 20-year lapse period sought by Transit NZ (i.e., Waka Kotahi), with the lapse period being one of the three primary issues before the Court in that case. The Court determined that a ten-year lapse period was appropriate, for the reasons that:<sup>58</sup>

*“In our view a term of 10 years will assist in giving Transit a focus and commitment, not only to complete the project, but more importantly for the owners of affected properties, to ensure that Transit is focussed and committed to dealing with them in an appropriate and fair manner”.*

136. Notwithstanding the outcome in *Beda*, the SGA’s submissions included a schedule of where longer lapse dates had been approved (as noted previously), demonstrating that a 15-20 year time period for large strategic infrastructure

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<sup>57</sup> *Ibid*, at [10.35]

<sup>58</sup> *Beda Family Trust v Transit NZ*, A139/2004, EnvC 386, at [121]

projects is not extraordinary, highlighting by way of example the 20 years provided for in Waka Kotahi's Southern Links Project (2014) that was referred to by Ms O'Leary, with the reasons for the decision in that case being:<sup>59</sup>

- “(a) To future proof the transport network so that it could meet strategic growth needs;*
- (b) To protect the route from incompatible future uses;*
- (c) Because additional time was needed to investigate, fund and construct the project; and*
- (d) To provide certainty for landowners about where the future transport corridor would go”.*

137. The SGA's opening submissions went on to note that the recent Drury Arterials Network designations include two designations with lapse periods of 20 years, although we observe that the recommendation of the Hearing Panel in that case was that it be reduced to 15 years,<sup>60</sup> with the Requiring Authority reverting to 20 years in its decision. The submissions advised that the NoRs to be lodged later in 2023 for North Auckland would include lapse periods of 25 and 30 years.<sup>61</sup>
138. Overall, it was the SGA's case that the potential adverse effects of a longer lapse date *“will be mitigated or managed through the proposed condition sets, including the ability to use land or develop properties that integrate with the projects”*.<sup>62</sup>
139. As noted above, a large number of submitters sought significantly shorter lapse periods to avoid the effects of 'planning blight' on affected properties (an issue we address separately below), and/or based on a view that this would assist to bring forward the implementation of the projects.
140. The recommendations made by the authors of the Council's s.42A reports on this issue are summarised below:
- (a) Ms Hart's assessment within the Local s.42A report stopped short of recommending an alternative lapse date, advising of her conclusion that *“my conclusion on the appropriateness of the extended lapse periods is subject to the requiring authority providing further information at the hearing to support the reasons why the extended lapse periods are required”*.<sup>63</sup>
  - (b) Ms Romhany's RATN s.42A report considered that ten years was a reasonable timeframe to give effect to the designation and would assist to address submitter concerns about the existing safety and operational deficiencies along Fred Taylor Drive (re NoR RATN2A). However, she also

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<sup>59</sup> EV001, at [10.39]

<sup>60</sup> Recommendation on Drury Arterial Network, 20 April 2022, at [288]

<sup>61</sup> These NoRs were subsequently notified on 16 November 2023 and are scheduled to be heard in mid-2024.

<sup>62</sup> EV001, at [10.40]

<sup>63</sup> Local Arterials Agenda, at p.213

reserved her conclusions in this regard pending further information being provided at the hearing.<sup>64</sup>

- (c) Mr Scott proposed a shorter lapse date of ten years in respect of the Strategic NoRs (i.e., including NoR S4), or a staged (or staggered) approach to the lapse dates correlating to the priority sequencing, with NoR S1 (ASH) being required to be implemented first.<sup>65</sup> This approach was supported, for example, by Ms Edwards (on behalf of Barry Frank Borich et al), who stated:<sup>66</sup>

*“I agree with the recommendation of the Reporting Planner to either reduce the lapse date of all Strategic NoRs (including NoR S4) or to stagger the lapse dates correlating to the priority sequencing, with the [ASH] being the first cab off the rank, with Access Road following thereafter”.*

141. In respect of whether a shorter lapse period would bring forward the implementation of projects, the evidence of Mr Lovell noted, in addition to the use of conditions as set out above, that:<sup>67</sup>

*“From my experience, the decision to implement projects will be a future decision of AT [or Waka Kotahi], and a shorter lapse period will not influence the decision to implement a project”.*

142. This aspect was reinforced by Ms O’Leary, who stated that the decision to implement projects will be a future decision of the Requiring Authority, informed by future implementation business cases or similar mechanisms. She added that, in addition to not influencing the implementation decision, a shortened lapse period risks the designation(s) lapsing.<sup>68</sup>

143. The SGA also advised that for projects of this size and complexity, imposing a shorter lapse date will not drive implementation decisions, as the Requiring Authority is not able to commence design or implementation until funding is secured, which is allocated at a national and regional level (through the Regional Land Transport Programme). Accordingly, it was submitted that:<sup>69</sup>

*“the Requiring Authorities do not consider that the proposed lapse dates on the NORs should be altered as suggested by some submitters. The inefficiency in imposing inadequate lapse dates for such long term and critical infrastructure projects significantly outweighs the “effects” that a shorter lapse date seek to address”.*

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<sup>64</sup> RATN Agenda, at p.115

<sup>65</sup> Strategic Agenda, at p.61

<sup>66</sup> EV105, at [9.2]

<sup>67</sup> EV004, at [10.16] (and EV006 at [7.8])

<sup>68</sup> EV081, at [12.93]

<sup>69</sup> EV001, at [10.50]

144. As previously stated, we heard a great deal of opposing evidence and legal submissions on behalf of submitters on this subject.
145. Ms Forret on behalf of Price Properties Limited,<sup>70</sup> sought that all the Strategic NoRs (including NoR S4) be subject to five-year lapse dates. She drew our attention to additional cases to *Beda*, being *Hernon v Vector Gas Limited*<sup>71</sup> (**Hernon**) and *Meridian 37 Ltd v Waipa District Council*<sup>72</sup> (**Meridian**). In *Hernon*, Ms Price noted that the Environment Court considered *Beda* and found that the balance between the interests of the landowner and the designating authority did not justify a longer period than the standard five-year lapse period. In addition, in *Meridian*, the Court (with reference to s.5 of the RMA) noted the element of community well-being for an airport and well-being for the community not to have strong limitations on the otherwise efficient use of their assets for a long period of time. Ms Price referred to the Court's findings that:<sup>73</sup>

*"...to expect a landowner to endure such a planning blight on a not insubstantial portion of otherwise valuable land, and for such a long period, is unreasonable and unfair... it should not be that a private landowner has the use of its land significantly limited for such a long period (ie a total of three times the statutory default period) because of a possible third-party requirement that, literally, may never happen".*

146. Ms Forret went on to note the options available to the Requiring Authority in terms of its timeframes, including "*seeking an extension to the designation if substantial progress has been made, or seeking a new designation if this one lapses, or purchasing the necessary land if it so wishes*".<sup>74</sup>
147. Reference was also made to the *Hernon* decision by Mr Cameron on behalf of Future-Kumeū Inc (also relative to the Strategic NoRs and who also adopted the submissions of Ms Forret), noting that under the FULSS, the entire Kumeū-Huapai Future Urban Area is identified to be development-ready by 2032 (albeit that there is some doubt in that regard in terms of flooding and the recently-amended FDS) and that this ten-year horizon aligns with the timeframes at issue in *Hernon*. Based on that case precedent, and those referred to by Ms Forret, it was Mr Cameron's submission that:<sup>75</sup>

*"If designation of the Network is to proceed, then in my submission, the default lapse period (coupled with the ability to seek an extension under s 184(1)(b)), strikes the appropriate balance between the interests of the Requiring Authorities and those of affected landowners".*

148. The issue of lapse dates with respect to concerns of 'planning blight' were also raised by Mr Allan, on behalf of CDL. His submissions were made in respect of the

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<sup>70</sup> EV133

<sup>71</sup> *Hernon v Vector Gas Limited* [2010] NZEnvC 203

<sup>72</sup> *Meridian 37 Ltd v Waipa District Council* [2015] NZEnvC 119

<sup>73</sup> *Ibid*, at [32]

<sup>74</sup> EV133, at [30]

<sup>75</sup> EV138, at [6.13]

'Local' NoRs W5 and HIFTR, but appeared to be of general applicability to the issues we need to consider in terms of all of the present Local NoRs (and the Strategic NoRs as we discuss in our separate report). In this respect Mr Allan observed that:<sup>76</sup>

*"The route protection mechanism creates a blight on land that can only be addressed through the requiring authority offering to purchase that land in whole or in part. The issue in this case is that SGA claims to have funding only for the consenting phase but not the land purchase or construction phases"*.

149. Mr Allan went on to say that:<sup>77</sup>

*"CDL says there are legitimate reasons to impose such a condition in this case and that a lapse condition is appropriate and necessary to address the adverse effects on landowners that will arise from the NOR. Put another way, the concerns that justify a reduced lapse period under section 184 would also support a condition under section 171 requiring completion of construction within a specified time period"*.

150. In support of shorter or longer periods, the Council and the parties referred to the recent history of lapse periods. The s.42A reports in particular had provided a short list of recent designations, each of which being the subject of a Court decision that had reduced the lapse period for (including those cases cited by Ms Forret).<sup>78</sup>

151. The Council planners' response memorandum included responses from all three planners in respect of the lapse period. We have detailed Mr Scott's response in more detail in our separate report for the Strategic NoRs, which also included NoR S4 which is applicable to this Local NoR report. In summary, he acknowledged the further changes to the CTMP, SCEMP and ULDMP conditions that would provide more certainty, and that he would be more supportive of a 20-year lapse period if a designation review clause were adopted by the SGA (per Kainga Ora's suggestion of a five-yearly review).

152. Ms Hart noted in respect of the Local Arterial NoRs that the rationale for the extended lapse periods was understood, but that this *"does create uncertainty for directly affected landowners and occupiers, and others who may not be directly affected but will be affected by the works e.g., needing to use a different route or being unable to access a business, community facility etc"*.<sup>79</sup> She advised that her view had not changed from her original s.42A report, that *"that there needs to be a balance between the practical needs of the [Requiring Authority] to protect and secure the route, and the effects of the extents of the designations, and the extended lapse periods, on landowners and occupiers"*. Ms Hart commented that the amendments to the conditions (and those management plans referred to by

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<sup>76</sup> EV097, at [9.12]

<sup>77</sup> Ibid, at [9.16]

<sup>78</sup> E.g., Strategic Agenda, at p.194

<sup>79</sup> EV281, at p.11

Mr Scott but including the LIP, NIMP and NUMP) will provide more certainty, although they would not fully allay the concerns of landowners and occupiers.<sup>80</sup>

153. Ms Romhany addressed the lapse dates in terms of the RATN and HIFTR NoRs. The key matters that she has raised are summarised as follows:

- (a) The additional certainty provided through the changes to the conditions and management plan framework is acknowledged, but these will not be easily understood or visible to lay submitters, and a degree of planning blight will remain for landowners affected or proximate to the designations.
- (b) The proposed lapse dates appear lengthy in comparison to the direction set out for the development of Auckland's transport system under the Auckland Transport Alignment Project (**ATAP**) document 2021-31. While acknowledging that the allocation of funds (\$350M) for the North-West (Housing Infrastructure Fund) is a loan mechanism, Ms Romhany considers that "*it does provide greater certainty for the funding and financing of the Redhills and Trig Road NoRs, in comparison to other NoRs within this package*".
- (c) The SGA's opening submissions advises that "*regional consents are also being sought for the Trig Road (South) Project as [HIF] funding has been secured to provide for construction of the project*",<sup>81</sup> which implies that a shorter lapse period (of ten years) would be warranted in this regard. This is noted as being consistent with the lapse date for the Trig Road South resource consent application recommended by the reporting planner.
- (d) The NoRs in the Redhills area are located within a live-zoned area, in which there are both active and planned development sites (in contrast to other NoRs in the North-West area). While a ten-year lapse period would not resolve all of the effects of uncertainty, this would "*go some way towards reducing some of the effects of "planning blight" and provide tangible relief for landowners which have significant concerns about the effects of these projects*", and "*provide more confidence as to the development of adjacent sites as the roading network will have been completed*".
- (e) Notwithstanding the above, Ms Romhany advises that she could support a 15-year lapse period, subject to the requirement for a five-yearly review process, as this mechanism (in conjunction with the LIP), would provide a balance between the needs of the Requiring Authority and the effects on adjacent landowners and occupiers.

154. In respect of (d) above, we also heard from Ila Daniels, on behalf of Universal Homes Limited, who agreed with Ms Romhany, although considered a seven year lapse date would be appropriate for RATN2A and 2B. This was due to:<sup>82</sup>

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<sup>80</sup> Ibid, at p.12

<sup>81</sup> By reference to EV001, at [5.7], and in turn being a reference to EV004, at [5.15] - [5.22]

<sup>82</sup> EV243, at [7.2]

*“...the small extent of these [NoRs], the limited sites impacted by the [NoRs], and given that developers are in effect part delivering projects for SGA on these sites. This would provide greater certainty for landowners who are making significant investments, and align with the expectations of the HIF funding”.*

155. We discuss the merits or otherwise of the suggested designation review condition within a separate topic below (although we should emphasise that it is of some relevance to the Panel’s findings in respect of the lapse dates).
156. The Reply for the SGA further addressed the legal considerations associated with the lapse periods for the NoRs, including responding to the decisions noted on behalf of some submitters. In particular, the SGA did not consider the *Meridian* decision to be analogous to the present NoRs, “*being for a runway extension which the Requiring Authority had no firm plans as to the timing of, and did not have a business case for*”.<sup>83</sup> The Reply went on to add that the Environment Court differentiated between the type of project in question in that case and other major projects, including transportation projects of the type before us, with the *Meridian* decision stating (including with reference to *Hernon*, and with emphasis added):

*“We were directed to two decisions in particular — [Beda] and [Hernon]. We find assistance in both and respectfully agree with the comments of the Court in Beda, at paras [112] and [113] (while noting that the reference to a major roading project is one example only):*

*“[112] No guidance is given as to the principles that are to be applied in determining a period different to the 5 year period mentioned in the Statute. To extend the period beyond 5 years a territorial authority, and this Court, is thus given a wide discretion.*

*[113] The discretion has to be exercised in a principled manner, after considering all the circumstances of a particular case. There may be circumstances where a longer period than the statutory 5 years is required to secure the route for a major roading project. Such circumstances need to be balanced against the prejudicial effects to directly affected property owners who are required to endure the blighting effects on their properties for an indeterminate period”.*

157. The case of *Hernon*, as referenced in *Meridian* and referred to by Ms Forret and Mr Cameron, was also addressed in the SGA’s Reply, which did not consider this case to be comparable. That was because in *Hernon* all parties accepted that a shorter lapse date would not have a material impact on Vector’s ability to deliver the project that was at issue. In the present situation, the SGA submitted that the Requiring Authorities are not public companies, and that:<sup>84</sup>

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<sup>83</sup> EV288, at [4.12]

<sup>84</sup> *Ibid*, at [4.14]



*“These are long term projects that are needed to enable projected demand resulting from planned growth. In addition to this, the Requiring Authorities do not have full control of implementation funding decisions, and therefore the timing or prioritisation of the Projects”.*

158. The SGA also commented on observations by submitters that the RMA establishes a ‘default’ lapse period of five years for designations (per s.184). In this regard it noted that such an emphasis does not properly acknowledge that the five-year period applies unless *“the designation specified a different period when incorporated into in the plan”* (per s.184(1)(c)).<sup>85</sup> The Reply concluded on this matter by saying:<sup>86</sup>

*“...the lapse dates proffered by the Requiring Authorities reflect the anticipated timing of the Projects. If anything, following the release of the [FDS] the lapse dates err on the side of a shorter duration than may now be realised”.*

159. In respect of the reference to the securing of HIF funding for the HIFTR project, we have referred to Mr Lovell’s evidence which described the process associated with the Crown’s provision for the HIF loan facility in 2017 (\$300M), and the HIFTR project as having been identified by the Auckland Council Housing Infrastructure Fund Detailed Business Case 2018 (**AC DBC**) as a key transport project, and recommended HIF funding for it. Mr Lovell went on to say in this regard:<sup>87</sup>

*“The Supporting Growth North West Housing Infrastructure Fund Detailed Business Case 2019 (SG HIF DBC) further developed the transport network identified in the AC-DBC resulting in identification of the Project. It specifically recommended funding for the construction of the [HIFTR], [RATN2A], and [RATN2B]”.*

160. However, Mr Lovell also emphasised that funding through the HIF is by way of a loan, and that *“the use of the fund to construct these projects is still subject to approval processes through the AT Board and requires consideration (like all projects) against available funding and the investment priorities of the day”*.<sup>88</sup> In this regard, the Panel discerned some inconsistency or uncertainty with the SGA’s opening submissions that *“HIF funding has been secured for construction of the [HIFTR] project”*, although we note that the HIFTR project has advanced to the resource consent application stage (and is the subject of a separate decision of this Panel). This was clarified through the Reply, which re-iterated the points from Mr Lovell’s evidence in support of a 15-year lapse period for the resource consent.<sup>89</sup> The Reply also referred to Ms O’Leary’s evidence that noted the greater uncertainty for development in the Trig Road/Hobsonville area given the Council’s

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<sup>85</sup> Ibid, at [4.15]

<sup>86</sup> Ibid, at [4.16]

<sup>87</sup> EV004, at [5.20]

<sup>88</sup> Ibid, at [5.21]

<sup>89</sup> EV288, at [22.23]

withdrawal of Plan Change 5, which was considered to further emphasise the need for the 15-year lapse period.<sup>90</sup>

161. We have given careful consideration to the issue of lapse dates, noting that our conclusions inevitably incorporate our findings in respect of the designation review condition (as a factor that was assessed by the s.42A report authors to be of some moment to their recommendations), but which we have addressed in detail separately below. In short, a majority of the Panel has found that the case for the use of a review condition is persuasive, and we therefore make our overall findings on the lapse dates on the basis of this option as a form of mitigation to the lapse periods sought by the SGA.
162. In summary, with respect to the lapse periods for the Local NoRs, the Panel accepts that these are significant transport projects (in terms of their extent and arterial status) but, as a majority view, Commissioners Blakey and Farnsworth accept that funding for their implementation is not in place (notwithstanding that loan funding is available should the Requiring Authority's Board decide to confirm the drawdown of that funding). The majority of the Panel has therefore reached a view that the funding status for some of the Local projects, and the HIFTR in particular, is not so certain that these projects can be differentiated from the Local projects in general such that more confined lapse periods would therefore be appropriate. As discussed during the hearing, a majority of the Panel acknowledges the point from the SGA that where funding is available via a loan, that is still funding that must be serviced and eventually paid back, and we recognise that such decisions will need to be made separately at a Board level, and in light of the many competing demands and priorities "of the day" on AT's budgets.
163. It could be said, given that a resource consent application has been made in respect of the HIFTR, that this project has advanced somewhat relative to the remaining NoRs within the North-West Projects generally. However, in the majority view of the Panel, completion of that process is still some-way short of a decision to draw down the available loan to fund those works, and this has therefore not been a determinative factor in our recommendations regarding lapse dates for the Local NoRs.
164. As a general position, we consider that the situation is largely analogous with the reasons expressed for the Southern Links Project - i.e., that the combination of the designations and the proposed lapse dates (whether for 15 or 20 years):
- will future proof the Local North-West transport network so that it can meet local growth needs;
  - protect the routes from incompatible future land-uses;
  - provide sufficient time to investigate, fund and construct the projects; and

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<sup>90</sup> Ibid, at [22.25]

- provide certainty for landowners about where the future transport corridors will go.
165. This conclusion is reached in a majority position of Commissioners Blakey and Farnsworth. However, as alluded to above, it is subject to the recommended inclusion of a periodic review clause, again as a majority finding (of Commissioners Farnsworth and Smith), which we discuss in more detail below.
166. The Panel further notes as a general position (i.e., excepting the RATN NoRs and HIFTR), as also expressed with respect to the Strategic NoRs, that we are not convinced that prescribing, or recommending, shorter lapse dates would have any bearing on funding arrangements materialising, or being brought forward (or drawn down), such that the designations may be implemented within a shorter timeframe. Recent and well-publicised decisions with respect to changes to the Auckland and nation-wide fuel tax levies and associated funding uncertainties in at least the near term would also appear to throw further doubt on the ability for the designations to be implemented any earlier than the SGA has already forecast.
167. The Panel also acknowledges in this regard the conclusions of Mr Scott regarding the Strategic NoRs generally which appears to accept the basis and rationale for the lapse periods as sought, with reference to the improvements to the proposed conditions, and the nature of surrounding zones in that case (in respect of potential planning blight). That analysis also necessarily applies to NoR S4 (which is addressed as part of AT's Local NoRs for the purposes of this report).
168. We also take note of Ms Romhany's comments with respect to the NoRs within the Redhills area and in particular those noted by Mr Lovell (i.e., RATN2A and 2B) for which funding has been approved. More particularly, these are located within live-zoned areas in which there are both active and planned development sites (as viewed by the Panel), as opposed to other NoRs in the North-West area. Attention was also drawn to HIFTR, for which funding has been approved (but not, as we note above, yet drawn down) and a resource consent has been applied for. However, it is NoRs RATN2A and 2B that appear to the majority of the Panel to be the most likely to proceed at an earlier stage given their location within live-zoned areas, whether funded by the Requiring Authority or developer interests (and as highlighted in Ms Daniels' evidence). In the case of these NoRs, we agree with Ms Romhany that a reduction in the lapse date to ten years would provide a more appropriate balance between the likely implementation period for these NoRs and the effects of uncertainty for adjacent landowners.
169. Commissioner Smith considers that all of the NoRs for which funding is available under the HIF scheme should be subject to a lapse period of ten years. In addition to RATN2A and 2B, this applies to NoRs RATN1 and 2C, and HIFTR. He considers that a requirement for the AT Board approval to draw down the loan offered under the scheme does not alter the fact that funding is available.

170. In relation to HIFTR in particular, he notes that a resource consent application has been lodged to facilitate its implementation. In his view, this indicates that the project is likely to be implemented ahead of other projects enabled by the NoRs.
171. Although the Requiring Authority has stated that the assessment of effects has already taken the future environment into account, the future receiving environment is likely to be considerably different to the existing environment. It is Commissioner Smith's view that the longer the lapse period, the more uncertainty there is as to the future receiving environment. Accordingly, he considers that a ten-year lapse period is more appropriate than a 15-year lapse period for those NoRs to which the HIF scheme applies.

#### Panel findings and recommendations

172. Based on the Council's response memorandum and the SGA's Reply, and our discussion above, the majority finding of the Panel is that the proposed 20-year lapse date for NoR S4, and the 15-year lapse date for the Local Arterial, RATN1 and 2C, and HIFTR NoRs are appropriate, but that a reduced 10-year lapse date should apply for RATN2A and 2B. These lapse dates are subject (by way of a majority finding) to the inclusion of a designation review condition.
173. The recommended amendments to condition 3A (Lapse) for RATN2A and 2B reflect these findings.
174. The question with respect to lapse dates for NoRs RE2 and W5 is addressed later in this report.

#### Provision for a designation review condition

##### **Introduction**

175. Our consideration of this topic, related to proposed condition 3, was two-fold. Firstly, this relates to the concept of a period review of the need for any particular designation, as has been alluded to above. Secondly, and as part of the same condition, it relates to the post-construction review where the designation would be able to be pulled back to match the position of the completed road reserve alignment (being the original and sole purpose of the condition as proposed by the SGA). We address both aspects in turn below. We do so on the basis that both aspects would be addressed by condition 3, as this was the way in which it was presented in the Council's response memorandum.

##### **Periodic designation review**

176. Having concluded that we generally accept the rationale for extended designation lapse dates for the Requiring Authority's Local (and Strategic) NoRs, with the exception of the lapse dates for the RATN2A and 2B NoRs, we now address the question as to the need or otherwise for a periodic review of the designations.
177. As referred to earlier, this approach was proposed in the submission by Kāinga Ora where the extent of the designation boundary would be required to be

reviewed every year to ensure that the designation boundaries were continually refined, and land no longer required is uplifted from the designation. This relief was amended in the evidence of Mr Campbell for Kāinga Ora to a five-year period,<sup>91</sup> through an amendment to condition 3, and incorporating changes in respect of the post-construction review process.

178. Counsel for Kāinga Ora, Douglas Allan, submitted in respect of this matter that:<sup>92</sup>

*“(a) SGA argues that reviews of the extent of the designations are not required during the extended lapse periods because detailed design work will only be undertaken close to the construction date. That is only one reason why the extent of the designation might warrant being changed, however. There are a range of other reasons that might justify reducing the extent of designated land...”*

...

*“(c) The likelihood of [major changes] arising during a five year lapse period is slim. It increases significantly, however, where a lapse period of 15 or 20 years is specified. During that time frame it is likely that entirely new teams of strategic planners will be responsible for decision-making with respect to planning and transport issues. Experience demonstrates that new decision-makers tend to implement their preferred approach to the environment rather than accept the decisions of predecessors.”*

179. The Council’s response memorandum advised that the reporting planners for all the NoRs were of the opinion that a review would assist to mitigate some of the effects of uncertainty associated with the proposed lapse periods. In this regard they considered that such a periodic review would be most appropriately accommodated through an amendment to condition 3 rather than 3A, as condition 3 relates to the review of the extent of the designation whereas condition 3A relates to the lapse date.

180. The Council advised that incorporation of a five-yearly review of the designation extent would be appropriate because it:<sup>93</sup>

- (a) aligns with the timeframe stated in s.184(1);
- (b) is administratively simple and anticipated and can be easily incorporated into the Requiring Authority’s work programmes;
- (c) is not reliant on external or third-party triggers (or statutory milestones as suggested by the Council’s transport specialists, Anatole Sergejew and Andrew Temperley);
- (d) provides more certainty to landowners and occupiers; and

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<sup>91</sup> EV179, at [7.29]

<sup>92</sup> EV178, at [4.7]

<sup>93</sup> EV281, at p.9

- (e) provides more certainty to the Requiring Authority of the long-term route protection of the future transport corridors (where included in conjunction with a longer lapse period).
181. The Council planners were also of the view that a review would need to include a reporting requirement that would address the following matters:<sup>94</sup>
- *“an assessment of the need for, and extent of the land required, as part of the designation, and the properties where there is change to the boundary of the designation;*
  - *an update of the progress or effort made to give effect to the designation;*
  - *the provision of Section 182 requests to Auckland Council for the removal of those parts of the designation which are no longer required”.*
182. Furthermore, the Council recommended that, in terms of visibility and process, the review report *“would be subsequently published on the project information website and provided to the Council (for information only)”*. This is for the reason that *“the process is mainly between the requiring authority and the affected landowners or occupiers”*.
183. The proposed wording for condition 3 was set out in the Council’s final version of the condition sets (i.e., being Attachment 2B to their response memorandum which is applicable to the Local NoRs) as follows:<sup>95</sup>

*Designation Review*

*(a) The Requiring Authority shall;*

*(i) At 5-yearly intervals from the confirmation of the designation and;*

*(ii) within 6 months of Completion of Construction or as soon as otherwise practicable;*

*1. review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project;*  
*and*

*2. give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.*

*(b) The review shall involve affected landowners and occupiers and;*

*(i) Assess the need for, and extent of the land, as part of the designation;*

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<sup>94</sup> Ibid

<sup>95</sup> EV281, at p.148

(ii) An update on the progress or effort made to give effect to the designation; and

(iii) Be made publicly available on the project website and made available to the Council.

184. The Reply by SGA on this matter did not consider such a review to be necessary. The reasons, expressed in response to the points set out at paragraph 180 above, can be summarised as follows:

- (a) There is a clear ability to extend the lapse date beyond the default five-year period and it is a question of what is appropriate in the circumstances. In SGA's submission, this five-year lapse period is the statutory starting point for considering duration and is not intended as a guide for a review timeframe.
- (b) The SGA disagrees that a five-year review period would be administratively simple, with the potential scope of review being uncertain in terms of the matters to be considered and to what level of detail. They note the uncertainty as to whether the findings of its review would be amenable to review (for example, judicial review proceedings).
- (c) Section 182 already provides a mechanism for the Requiring Authority to review the extent of each designation, which is not reliant on external or third-party triggers and can be done at any time without an explicit condition. This also relates to the Council's suggestion that a review process would provide more certainty to the Requiring Authority as to the long-term route protection of the transport corridors.
- (d) The SGA disagrees that such reviews will provide more certainty to landowners and occupiers, again noting that the RMA allows for the designation to be amended at any time, including if a legislative / policy shift required a designation review and adjustment. A review condition could potentially add uncertainty by signaling regular changes to the designations, when in practice any changes to the designation boundaries would only be made if and when necessary.
- (e) There is no need to respond to 'triggers' (such as the FDS or legislative changes), as there is already a statutory process within the RMA for changes to designations in response to such considerations.

185. The Reply included the following submission as a concluding comment on this matter:

*"Five yearly reviews would create more uncertainty, as determining whether a project is required is more complex than determining whether growth in a*

*certain area is confirmed or not. Consideration needs to be given to (amongst other matters) what the role of a project is in the wider network. Therefore, the Requiring Authorities do not consider that a cyclical change in growth strategy would in itself be sufficient to warrant the review of, and potential cancellation of, a designation”.*

186. The Panel has carefully considered the competing positions on this issue, and whether such a review would provide an appropriate and useful ‘counterpoint’ to its acceptance of the 15-20 year lapse dates sought by the SGA, or ten years in respect of RATN2A and 2B (but excluding, by majority decision, RATN2C and HIFTR) and which we have endorsed through our previous recommendation on that topic (noting that, for obvious reasons, the two considerations are intertwined).
187. In this regard, and to further assist our deliberations on this matter, the Panel has also heard from AT,<sup>96</sup> as the Requiring Authority in respect of the Warkworth NoRs, where the reporting officer in that case has recommended a ten-yearly review clause.<sup>97</sup> The further points made in respect of those NoRs are considered to be of relevance with those NoRs that are the subject of this report, and are summarised as follows:
- (a) Section 79 of the RMA requires the Council to undertake a review of the District Plan (i.e., AUP) every ten years. This includes an invitation to all requiring authorities with existing designations to give written notice as to whether they require the designation to be rolled over into the proposed plan (cl.4 of Schedule 1).
  - (b) There is, therefore, already a statutory mechanism that requires a requiring authority to review the accuracy, need, relevance, and appropriateness of its designation(s), and which involves a public submission and hearing process (as compared to a s.184 process). The Environment Court has stated “*that courtesy of the Schedule 1 process in the roll-over situation, landowners are actually more empowered...*”<sup>98</sup>
  - (c) It notes that AT has a statutory requirement to achieve a safe, effective and efficient transport system, and to provide integrated transport and land use planning for the Auckland Region. This should provide additional comfort that AT will responsibly review the need for the designations at the appropriate times in the future. Section 182 of the RMA also sets out the process for removing a designation which may be initiated at any time.
  - (d) Determining whether a project is required is more complex than determining whether growth in a certain area is confirmed or not and requires consideration of the role of a project in the wider network. On that basis, a

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<sup>96</sup> Hearing conducted in October/November 2023.

<sup>97</sup> Warkworth NoRs, EV130

<sup>98</sup> *Bunnings Limited v Auckland Transport* [2020] NZEnvC 92 at [83]



cyclical change in growth strategy would not be sufficient to warrant the review, and potential cancellation, of a designation.

- (e) A review process signals uncertainty as to the need for the designation(s) in the first place, and such a review essentially reopens the entire NoR process.
- (f) No such review condition is included on any other designation in the AUP and given that there is no precedent AT does not consider such a condition to be reasonably necessary, particularly given the existing s.79 process.

188. The Panel has not reached a unanimous finding in respect of this matter. As noted previously, Commissioners Farnsworth and Smith were of the view that a review clause is necessary to address the effect and impact of the extended period of uncertainty for landowners and occupiers beyond a ten-year timeframe. While they accept that s.182 provides a mechanism to review the designation extent, the timing of any such review is at the total discretion of the Requiring Authority. Accordingly, Commissioners Farnsworth and Smith are not of a mind that an annual review is required but do consider that NoRs with a lapse period of 15 or more years should be subject to a five-yearly review, as this would provide a level of certainty for landowners and occupiers that progress on the NoRs is being maintained. They generally recommend the adoption of an amended version of the Council's wording for such a review condition (as an amendment to condition 3), but with some amendments and exclusion of reference to s.182 and have restructured the Council's version so that the 'completion of construction' clause more logically follows any interim designation review clause.

189. Commissioner Blakey records that he finds the submissions of the SGA, in combination with those presented on behalf of AT in respect of the Warkworth NoRs, to be persuasive on the issue. In particular, he acknowledges and accepts the points that:

- (a) the five year default period can only be viewed as a starting point and cannot be definitive in the case of long-term roading designations such as these;
- (b) designation review provisions already exist through ss.79 and 182;
- (c) the requirement to undertake such reviews across some 17 NoRs<sup>99</sup> (and potentially more within the region) would be a costly and inefficient imposition on public funds that could otherwise be allocated to the projects themselves; and
- (d) no precedent for such a review condition was brought to the Panel's attention, and the existence of the same would suggest some uncertainty as to the need for the designations in the first place.

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<sup>99</sup> I.e., incorporating both the Strategic and Local NoRs, but excepting NoRs RATN2A and 2B if their lapse dates are confirmed as ten years as recommended.

190. We set out the Panel’s proposed condition wording to address its findings at the end of this topic, in combination with the post-construction amendment discussed below.

#### **Post-construction designation review**

191. Following completion of the works, the existing form of condition 3 (applicable to all the NoRs) requires the extent of the designation to be reviewed to identify any areas of designated land that are no longer required for the on-going operation, maintenance of the corridor or mitigation of effects. The condition (SGA Reply version) is as follows:

- (a) *The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable:*
- (i) *review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and*
  - (ii) *give notice to Auckland Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.*

192. This means that the designation boundary would be drawn back to the edge of the final formed corridor (operational boundary) after construction is complete. While we heard evidence from submissions seeking that this process be completed within three months,<sup>100</sup> this issue of timing was addressed in the SGA’s opening submissions which commented that:<sup>101</sup>

*“Condition 3, which requires the Requiring Authority to review the designation boundary within 6 months of completion of construction or as soon as practicable, does not restrict the Requiring Authority from undertaking a review of the designation footprint at any time, and removing a designation or part of a designation under section 182 of the RMA. The Land Use Integration Process proposed as part of the NOR conditions also provides a process for review of any potential modifications required to the designation boundaries”.*

193. We also heard evidence on this matter by Mr Lovell<sup>102</sup> on behalf of the SGA, who advised:

*“... I note that the review of the designation boundary is usually undertaken in line with PWA processes at the completion of construction, and needs to reflect the final property boundaries, which relies on accurate survey data and separate LINZ/title processes. This usually takes longer than three months, although during this time, affected landowners will be in communication with the requiring authorities via PWA processes, which will*

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<sup>100</sup> E.g., EV099, at [9.10]

<sup>101</sup> EV001, at [10.9]

<sup>102</sup> On behalf of AT, but the point is considered applicable to the NW Strategic NoRs.

*provide the certainty sought by affected landowners. A three-month timeframe for review of the designation is therefore not likely to be workable or necessary”.*

194. This evidence appeared to be accepted as the provision within condition 3 for the required review within a six-month period was not pursued further by any witnesses for submitters during the hearing. However, the wording of condition 3 was sought to be altered by the Council in order to address a broader issue relating to whether the designations themselves should be subject to periodic review, as we have discussed above.
195. For the purposes of the present discussion, the Panel notes that further consideration of this condition also arose during the subsequent hearing for the Warkworth NoRs. There it was noted that the introductory wording of the condition was somewhat ambiguous as to whether “*as soon as otherwise practicable*” was a reference to *before* or *after* the six-month timeframe. This was acknowledged by AT in its reply for that hearing, and therefore the condition was amended to read “[*a*]s soon as reasonably practicable following Completion of Construction the Requiring Authority shall...”. The reply for AT noted that the wording aligns with the approach adopted in other designations and provides flexibility for the rollback to occur at any time that is reasonably practicable. The Panel generally agrees with that approach but has some residual concern at the loss of a six-month ‘backstop’ within the condition. In this regard we recognise that the timing is to some extent outside the control of the Requiring Authority but consider that a six-month limit would provide sufficient flexibility to accommodate this factor. We therefore consider that the introductory wording of the condition should be amended (including for all the North-West NoRs) as follows:

*As soon as reasonably practicable, but no later than six (6) months, following The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable the Requiring Authority shall:*

...

#### Findings and recommendations

196. For the reasons set out above, the Panel has reached a majority view that a five-yearly designation review clause should be included in the conditions for the Local NoRs that are subject to lapse periods of 15 years or more (i.e., excluding NoRs RATN2A and 2B).
197. The wording for this review is recommended to be included in condition 3, incorporating our recommended amendments to the post-construction review provisions. We consider that these changes are warranted so as to make the phrasing of this part of the condition more certain and incorporate an appropriate timing threshold.

198. The order of the condition is altered from that proposed by the Council to follow a more logical sequence (i.e., pre-construction and post-construction).
199. The full text of condition 3 is therefore recommended to be amended as follows:

***Designation Review***

*Pre-construction review*

- *The Requiring Authority shall, at five (5) yearly intervals from the confirmation of the designation, undertake a review of the designation. The purpose of the review is to keep stakeholders updated on progress with implementation of the project, and to enable areas of designated land to be removed from the designation if identified as being no longer required.*
- *The review shall involve affected landowners and occupiers and:*
  - (vi) *provide an update on the progress or effort made to give effect to the designation and the anticipated date for implementation;*
  - (vii) *review the extent of the designation to identify any areas of designated land that are no longer required for the designation;*  
*and*
  - (viii) *be made publicly available on the project website and be made available to the Council.*

*Post-construction review*

- (b) *As soon as reasonably practicable, but no later than six (6) months, following ~~The Requiring Authority shall within 6 months of Completion of Construction or as soon as otherwise practicable~~ the Requiring Authority shall:*
- (i) *review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and*
  - (ii) *give notice to ~~Auckland~~ the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.*

**Application of a lapse period to an existing (altered) designation**

200. The position of the SGA is that NoRs RE2 and W5 are not subject to a lapse period because this part of the overall Project amends two existing designations (which have been given effect to, being Designations 1433 and 1437 respectively). We note that the same approach also applies to NoR S2 for the Strategic network, which we also discuss in our separate recommendation report on those NoRs.
201. The issue that was put to us during the hearing was that the extent of widening involved in the subject designations extends beyond what can be considered as an alteration (under s.181), and therefore should be considered as a new designation (under s.168). While s.181(2) requires the same matters to be

considered “*with all necessary modifications*” in relation to a notice of requirement for an alteration as if it were for a new designation, s.181(2) applies ss.168-179 and 198AA-198AD and excludes the lapse date provisions under s.184. The SGA’s opening submissions commented in this regard, therefore, that for the ‘altered’ designations, “*the key implication is that the Commissioners should limit consideration of effects to the altered portions of the relevant corridors*”.<sup>103</sup>

202. We heard evidence and legal submissions on this matter on behalf of submitters, primarily in respect of NoR W5. For example, Vern Warren, a retired planner and who gave evidence as a representative of BW Holdings Limited in respect of a child-care centre on Hobsonville Road that is affected by NoR W5. He noted the extent of the ‘alteration’ to this NoR that is designed “*to accommodate a new work – not merely an alteration to an existing work*”. He acknowledged that “*the lapse provision of s.184 does not apply to a NoR to alter an existing designation because it is not listed in s.181(2)*”, but went on to say:<sup>104</sup>

*“However, there are several other fundamental provisions that are not included in the s.181 (2) list, such as the power of the Environment Court to order the purchase of land. On that basis, the ‘list’ in s.181 (2) does not appear to be exclusive. It is submitted that the lapse provision is of such fundamental importance that it should apply to any alteration of a designation that involves additional properties”.*

203. Mr Allan also provided supplementary submissions on behalf of CDL in respect to his position on the application of lapse dates to an alteration to an existing designation.<sup>105</sup> Mr Allan advised that following presentation of his primary submissions on behalf of CDL, he had become aware of a recent High Court decision that addressed the issue of whether the five-year default lapse period on designations imposed under s.184 applies to an amendment to an existing designation. Curiously, however, the decision he referred to answered the question in the negative, given that the Court accepted the submissions of Waka Kotahi in that case and stated:<sup>106</sup>

*“Section 181(2) prescribes the sections of the Act relevant to an alteration of a designation. The lapse provision requirement is explicitly excluded. Accordingly, the Environment Court did not err in failing to impose a lapse date on the NoR”.*

204. Mr Allan sought to distinguish this determination from the situation for the present NoRs by submitting that the matter was not argued in full; that the analysis was “*slight*”; and that the omission of s.184 from the list of matters under s.181 is unsurprising given that it relates to a separate and distinct time period. It was therefore his submission that, in any event, the Panel is entitled to impose a lapse

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<sup>103</sup> EV001, at [9.1]

<sup>104</sup> EV126, at [45]

<sup>105</sup> EV097A

<sup>106</sup> *Poutama Kaitiaki Charitable Trust and D & T Pascoe v Taranaki Regional Council and Others* CIV-2021-443-15 [2022] NZHC 629, at [66]

period condition under s.171 “*provided there are legitimate RMA reasons for such a condition*”, and in his submission such reasons exist in the case of the NoRs.<sup>107</sup> However, we put it to Mr Allan during the hearing that it would not be open to us to reinterpret a decision of the High Court on the substance of its findings, irrespective of whether we agreed that there was any flaw in its analysis or depth of consideration of the issue (which we would not). Rather, we consider that the High Court’s decision on the matter is binding on this Panel. However, on his final point, we noted that the imposition of a lapse date via a condition may be an option but only, in our view, if it were proffered by the Requiring Authority.

205. The Council’s response memorandum addressed this issue, with the following excerpt being based, we were advised, on legal advice provided to the officers. We set it out here as conveyed in the Council’s memorandum:<sup>108</sup>

*“The above statutory requirements [s.171] do not apply to a minor alteration to a designation under section 181(3). We consider that an alteration to an existing designation that may be more than a minor change to a boundary or more than a minor change to the effects associated with the alteration is envisaged and provided for in the section 181 [sic] of the RMA. It is the scale of the works, and the associated potential adverse effects, provided for by a notice of requirement which determines the statutory process for an alteration to an existing designation. We also consider that assessment of whether the works fit within the purpose of the existing designation would also be required.*

*In regard to an existing designation, a baseline of effects can be utilised, to make an assessment against the level of effects above that already permitted by the designation, permitted activities in the AUP, or via a granted resource consent. In this case, as stated in the reporting planner’s section 42A reports, we do not consider that the baseline of effects approach is appropriate. This is because the scale of the works, and the potential adverse effects, are materially different to those envisaged by the existing designations. The requiring authorities have also not based their assessment of effects using the baseline of effects. SGA have based them on what they consider to be the anticipated potential adverse effects associated with the works provided for by the notices of requirement”.*

206. While the Council’s position as expressed above was not entirely clear, we have understood it to support the approach that (a) the NoRs have been advanced as alterations to existing designations properly and in accordance with s.181; and (b) such an alteration requires a broad approach to the assessment of potential adverse effects beyond the existing ‘baseline’, and this is the approach that has been followed by the SGA.

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<sup>107</sup> EV097A, at [6]

<sup>108</sup> EV281, at pp.17 and 18

207. The SGA's Reply endorsed this approach, noting in summary that:<sup>109</sup>
- (a) The RMA does not specifically identify when it is appropriate to seek an alteration to an existing designation, rather than seeking a new designation for proposed works, but does require an application to alter an existing designation to be subject to the same statutory tests as an application for a new designation.
  - (b) In terms of natural justice considerations, landowners affected by the applications to alter the designations were notified of the applications, in the same manner and form used for the new designations. Their participation in the process has therefore not been impacted by the decision of the SGA to seek an alteration to the designations rather than seeking a new designation(s).
  - (c) The only practical difference arising from the decision to seek alterations to the existing designations, rather than seeking new designations, is in relation to the lapse date, and the consequential potential for planning blight. The proposed designation conditions will assist in managing these potential effects (e.g., the Project Information, LIP, SCEMP and ULDMP conditions). Various forms of redress are available under the RMA and PWA, as well as the s.176 process which enables use of land within the designation prior to construction.
208. With respect to (c) above, the Council memorandum went on to address the question as to the application of a lapse date on an altered designation, and stated that this is not a usual practice, and that there is no statutory requirement in the RMA to apply such a limitation. However, it also added:<sup>110</sup>
- “While there does not appear to have been much consideration given to this matter through the Courts, there is nothing in the RMA which prevents the Panel from recommending a lapse date/timeframe as part of a condition being applied to an existing designation under s171 of the RMA. Even if there is some doubt over imposing lapse dates on previously designated land, in our view where additional new land is being designated it would be appropriate for a lapse period to be imposed”.*
209. The Council officers noted in this regard that a lapse date would “provide greater certainty to landowners and/or occupiers or any other affected parties if this was to be recommended by the Panel and subsequently accepted in the requiring authorities’ decision”.<sup>111</sup> This appears to the Panel to be at variance to the High Court decision referred to in Mr Allan’s submission on the point, and as stated above, it appears to us that the only realistic manner by which a lapse date could

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<sup>109</sup> EV288, at [4.29]

<sup>110</sup> EV281, at p.18

<sup>111</sup> Ibid, at pp.17 and 18

be imposed on such designations would be if it were proffered by the Requiring Authorities.

210. However, the SGA's Reply did not propose the inclusion of a lapse date for the relevant designations because "*the Requiring Authorities remain of the view that a lapse date cannot be lawfully imposed on [the NoRs]*" and that "[t]hey rely upon both the statutory framework and binding caselaw confirming this".<sup>112</sup>

211. Having regard to the relevant caselaw and High Court authority discussed above, the Panel accepts the advice of the Council and the submissions of the SGA in regard to both the use of the 'alteration' mechanism with respect to NoRs W5 and RE2 (and NoR S2), and also accepts that there is no legal basis on which a lapse date can be imposed in respect of these NoRs.

#### Findings and recommendations

212. The Panel accepts the approach of the Requiring Authority and does not make any recommendations in respect of the use of s.181 for NoRs RE2 and W5, nor the application of a lapse date in respect of them.

#### Business and property impacts and interface with the PWA

213. The SGA's opening submissions referred to the issue of 'planning blight', commenting that this concern is not capable of precise definition but typically interpreted to relate to effects from "*the existence of the proposal or uncertainty as to when public works might commence, such as the perception of depreciation of land values*".<sup>113</sup> This issue is one that was closely aligned with the issue as to the proposed lapse dates, but one which we have resolved to address separately from the consideration of case law principles relating to lapse dates per se, with a focus on the way in which business and property effects would be addressed. However, as a general observation, we consider that it is inevitable that the proposed lapse dates will result in increased uncertainty for those landowners affected by the NoRs, while the methods for compensation will remain the same irrespective of what lapse dates are eventually confirmed by the SGA. That issue may, however, be ameliorated to an extent by the Panel's majority recommendation for the inclusion of a five-yearly review clause.

214. The SGA's submissions further noted that such issues associated with planning blight were considered by the Environment Court in *Tram Lease Ltd v Auckland Transport (Tram Lease)*, relating to the City Rail Link project (CRL), whereby:<sup>114</sup>

*"(a) The Court found that uncertainty about precise construction commencement dates is not uncommon with large infrastructure projects that take time for detailed design and funding to be completed. As outlined previously, a role of a route protection designation is to provide that protection function for critical strategic infrastructure; and*

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<sup>112</sup> EV288, at [4.27]

<sup>113</sup> EV001, at [10.42]

<sup>114</sup> Ibid, at [10.43], with reference to *Tram Lease Ltd v Auckland Transport* [2015] NZEnvC 137, at [55]



*(b) Effects on property values are inherently subjective and are best addressed via the PWA”.*

215. Again, it was the SGA’s submission that the provision of project information and updates through the Project Information condition, as well as the requirement to engage with stakeholders prior to the design and construction phases, will assist to increase the level of certainty regarding Project timelines and implementation dates. The SGA also referred to the existence of AT’s early acquisition policies in the event of hardship and the statutory mechanism (via the Environment Court) for acquisition available under s.185 of the RMA. On that basis, the SGA submitted that:<sup>115</sup>

*“these measures to address uncertainty (or planning blight) outweigh the inefficiencies and any (largely symbolic) perceived benefits that would result from a reduction in the lapse period”.*

216. A significant area of discussion within the evidence and during the hearing centered around the extent to where RMA considerations as to adverse effects (and the avoidance, remedying or mitigating of such effects) ends, and PWA processes commence. Some submitters who presented evidence at the hearing sought to explain the need for early acquisition of their properties under the PWA, or the reasons why compensation under the PWA was unlikely to address potential losses of property or business value as a result of the NoRs.

217. The submitters had presented a generally consistent theme that the PWA should be a last resort for addressing adverse effects, that should be dealt with at the first instance through amendments or modifications to the NoR, or via conditions. For example:

(a) Connaire McCullough, for McCullough Trustee Limited, noted:<sup>116</sup>

*“5. NOR W5 extends a significant distance onto the properties at 403 and 403A Hobsonville.*

*6. The designation, if approved, will directly and significantly impact on the viability of the vet and its ability to continue to operate. ....Quite simply the vet cannot operate if the designation is given effect to as proposed; the business relies on safe and efficient access to and from the site along with sufficient car parking spaces with appropriate manoeuvring.*

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<sup>115</sup> Ibid, at [10.47]

<sup>116</sup> EV210

*“11. The Requiring Authority has not satisfactorily demonstrated that the extent of the NoR W5 is reasonably necessary to achieve the objectives and that the resulting effects on the environment are acceptable.”*

- (b) Mathew Norwell, for the National Trading Company of New Zealand (NTC) described what changes are required to the proposed extents of NoRs W5, RE1 and RE2, as follows:<sup>117</sup>

*“Reduce NoR W5 to align with the existing berm at the Hobsonville Site to avoid impacts to the existing shops and verandas which front and activate Hobsonville Road and*

*“Reduce NoR RE1 and RE2 to align with the existing boundary at the Westgate Site as this alignment is sufficient to accommodate the project.”*

218. However we note that such effects, particularly where related to reductions in site frontages and landscaping, access/parking and resource consent compliance, are to a greater or lesser extent an unavoidable consequence of the scope of works envisaged under the NoRs. The purpose of the PWA is to provide a financial remedy to such effects, including business losses and injurious affection arising as a direct result of the works. Nevertheless, the SGA had made amendments to the ULDMP conditions to require that the detailed design stage would be required to show how property access would be maintained, along with the utility of that access (i.e., internal loading and manoeuvring functions), including through the construction period.
219. The SGA’s Reply provides what we consider to be a helpful overview and summary of the interface between the PWA and RMA, which in part re-states the position of the SGA as set out in its opening submission, and the corporate evidence of Mr Rama and the PWA-related evidence of Lewis Stradling (for Waka Kotahi) and Mark van der Ham (for AT). Mr Stradling highlighted that in his view, *“section 68 of the PWA will appropriately address the submission points that raise issues regarding business loss at the appropriate time”*.<sup>118</sup>
220. The Reply also addresses business impacts in respect of how these would be managed through various conditions (the SCEMP, construction management plans, and the Project Information condition). The Reply also contrasted the nature of effects and their scale to the experience of the CRL project, and the compensation available under the PWA.

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<sup>117</sup> EV159, at [1.3]

<sup>118</sup> EV027, at [4.11]

221. In summary, the SGA's Reply advises of the following particular aspects of the NoRs that are considered to address business impacts, including changes introduced as part of the Reply:
- (a) Additional clauses will require the SCEMP to incorporate methods to manage the potential loss of visibility from public spaces and severance to businesses in the Business Local/Town Centre Zones as a result of construction works.
  - (b) The conditions relating to the Construction Environment Management Plan (CEMP), Construction Traffic Management Plan (CTMP) and Construction Noise and Vibration Management Plan (CNVMP) require that these plans are prepared prior to the start of construction, and have the objective to manage business disruption, utilising information collected through the SCEMP process. The Reply advised of an improvement to the CEMP to include an explicit requirement to respond to matters raised through the engagement process.
  - (c) The Project Information condition requires a project website to be established to provide information on "*the implications of the designation for landowners, occupiers and business owners and operators within the designation and information on how/where they can receive additional support following confirmation of the designation*". A change was made during the hearing, and formalised in the Reply, to require the Project Information website to be established within six months, rather than the 12-months originally proposed. We note that an example of the website was provided during the hearing (relating to the Drury Arterials) to demonstrate the type of information that will be made available.<sup>119</sup>
  - (d) Some submitters referred to the construction impacts arising from the CRL and that such impacts may affect businesses located adjacent to construction areas. This concern was also expressed by Derek Foy, the Council's economics expert. The Reply noted that the relative effects were not comparable and would not involve the scale of works involved in the CRL, noting that it involves "*extensive tunnelling and deep 'top-down' excavations (and therefore aboveground road closures) through the heart of the Auckland CBD over a prolonged length of time*".<sup>120</sup> The Reply acknowledged, however, that while the effects of construction and operation of the NoRs will not be comparable to those experienced by businesses adjacent to the CRL, the works involved "*are necessary interventions which cannot be realised without some construction disruption*".<sup>121</sup>

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<sup>119</sup> See <https://findoutmore-supportinggrowth.nz/drury-and-opaheke-projects>

<sup>120</sup> EV288, at [5.9]

<sup>121</sup> Ibid, at [5.13]

- (e) The Reply highlights that “*the potential impact of land takes or physical disruptions to business operations will be compensated for under the PWA*”, and emphasises that:<sup>122</sup>

*“Just as the consideration of effects on the environment requires a broad and flexible assessment, so does consideration of the factors which might be seen to mitigate those effects. The availability of financial compensation under the PWA for those parties whose land is impacted is a statutorily mandated method of remedy”.*

It also notes that while some indirect impacts of the NoRs may not be compensated for, the scope of the PWA process is comprehensive. It notes the findings of the Environment Court in *Tram Lease*,<sup>123</sup> “*Parliament has deliberately created a framework for financial compensation under the RMA and PWA, and the case emphasised the importance of protecting the 'public purse' from extending compensation beyond the circumstances expressly ordained by statute*”.

222. We note here that the Council’s response had suggested that in some locations, the effects on business viability will be more pronounced, with Mr Foy highlighting the case of a small café fronting a construction area that is likely to be adversely impacted, even if it is not within the construction zone. Mr Foy went on to suggest the staging of works (to minimise their extent for shorter periods), establishment of a hardship fund, and provision for temporary accommodation.<sup>124</sup> The Council’s reporting officers considered that such alternative measures could be integrated into the SCEMP condition to avoid reliance on PWA processes. The Council’s proposed new clauses (applicable to condition 8A(b)(ii) in the Council version) were as follows:<sup>125</sup>

G. *Methods to manage the potential loss of visibility from public spaces and severance to businesses in the Business - Town Centre Zones, informed by engagement undertaken in accordance with condition (a)(iv) (b)(i)(B). These methods could include (but not be limited to) customer access arrangements, temporary wayfinding and signage.*

...

L. *Provision for a hardship fund to compensate or offset business costs or losses resulting from the designation on the operation of the business.*

223. Somewhat confusingly, however, clause ‘L’ was not included within the Council’s edited conditions (Attachment B to its response memorandum). We were therefore unclear as to which of the Local NoRs it is recommended to apply to. Clause ‘G’

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<sup>122</sup> Ibid, at [5.16]

<sup>123</sup> *Tram Lease Ltd v Auckland Council* [2015] NZEnvC 137, at [62]

<sup>124</sup> EV281, at p.44

<sup>125</sup> Ibid, at p.108

was however shown as forming part of the SCEMP condition that would apply to all the Local NoRs, albeit that it relates only to those sites with a Business - Local Centre zoning.

224. The SGA's Reply notes that consideration has been given to the proposed amendment to the SCEMP condition, and its response was set out in the table at Appendix A to the Reply. A review of the conditions set out therein indicates that clause G is supported by the SGA as clause (b)(vii) (and with a minor cross-referencing amendment), but only in respect of NoRs W3 and W5 (Brigham Creek Road and Hobsonville Road). However, in respect of clause 'L':<sup>126</sup>

*"[AT] do not consider it necessary to provide the detail of a hardship fund within the SCEMP. Any additional support for businesses impacted by a Stage of Work would be considered on a case-by-case basis. Information on where to receive additional support will be provided through the project website required to be established under Condition 2".*

225. From our review of AT's Landowner Guide,<sup>127</sup> we understand that any claims as to 'hardship' would be confined to those whose land is directly affected and applies to the acquisition process, with provision for an additional amount payable of \$5,000 where hardship is evident (as determined by AT, at its discretion). This is not the same, in our view, as hardship for a business (including on an adjacent property) that experiences hardship during the construction process.
226. While the Council's proposed policy appeared to seek a more tailored or specific hardship arrangement for businesses, rather than what we discern to be a more residentially-focused hardship provision, the Panel considers that such effects in respect of business owners will usually be more properly made through the existing provisions of the PWA that have been established to address such impacts.
227. Notwithstanding the above, we were curious to understand the extent to which potential business losses could be assessed under the PWA, given that these may not fully manifest themselves in what we understood to be the 'default' two-year period from commencement of the works. This reflects s.68(1)(a) of the PWA whereby business loss "*shall not be determined until the business has moved and (if the circumstances so require) until sufficient time has elapsed since the relocation of the business to enable the extent of loss to be quantified...*". In particular, the Panel wished to understand the situation that would arise where a business was not able to continue trading for the loss-assessment period. This concern (and presumably the Council's proposed clause 'L') arose from issues related to the CRL where businesses losses have been well publicised, and we

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<sup>126</sup> EV288, at p.260

<sup>127</sup> EV024, Attachment A

understand formed the basis for the Council's suggested hardship fund in the present case.

228. While we are satisfied that the proposed designations will not give rise to the extent or duration of works that have occurred with respect to the CRL or the extent of ongoing business interruption experienced there, we consider that there are some risks to existing and nearby businesses affected by those NoRs which have been identified as suitable for inclusion in respect of the Council's clause 'G' – i.e., W3 and W5. A question that arises with respect to the Council's proposed condition 'L' is the detail as to the way in which compensation or offsets of business losses would be calculated during the period of construction (which is presumably why the PWA establishes that such losses are calculated at a later period). Nevertheless, we consider that there is merit in establishing a requirement for such a fund to be established to address the types of issues highlighted by Mr Foy, and this would allow for potential claims to be addressed on a case by case basis. We have also added the words "Construction Works" within the clause, to make it clear that the fund would only relate to those costs or losses incurred during that stage of works, rather than in the intervening period, or from operation of the project.
229. As a further minor amendment we recommend a change to the SCEMP condition at (b)(vii) as it relates to NoRs W3 and W5 such that the word "manage" is replaced by "avoid, remedy or mitigate" to provide a higher level of rigour to the obligations of the Requiring Authority in respect to addressing the issues of business visibility and access for sites within the Town Centre Zones.

#### Findings and recommendations

230. The Panel generally accepts the submissions and evidence of the SGA in respect of business and property impacts but is concerned as to the efficacy of the PWA to address business impacts and associated hardship experienced during the construction process. The Panel considers that this issue is one that is more likely to arise in respect of the numerous businesses affected by NoRs W3 and W5 in particular, and so considers that condition clause 'L' should apply to these NoRs.
231. Accordingly, the Panel recommends that the SCEMP condition (SGA Reply version) at clause (b) for NoRs W3 and W5 are amended to include the following (incorporating our recommended editorial changes):

*(vii) ~~m~~Methods to ~~manage~~ avoid, remedy or mitigate the potential loss of visibility from public spaces and physical severance to businesses in the Business - Town Centre Zones, informed by engagement undertaken in accordance with condition ~~8A(b)~~(i) and (ii) above. These methods could include (but not be limited to) customer access arrangements, temporary wayfinding and signage;*

(xi) provision for a hardship fund to compensate or offset business costs or losses resulting from the Construction Works on the operation of the business.

### **Adequacy of alternatives assessment**

232. Section 171(1)(b) requires that if a requiring authority does not have an interest in the land, sufficient for undertaking the work, or it is likely that the work will have a significant adverse effect on the environment, then adequate consideration must be given “to alternative sites, routes, or methods of undertaking the work”.
233. The Requiring Authority’s assessment of alternatives is set out in Appendix A to the AEE, and described the methodology adopted and the assessment framework used. The assessment comprised the following steps for each NoR corridor:
- Long List corridor assessment;
  - Short List corridor assessment;
  - Indicative Strategic Transport Network; and
  - Routes refinement involving Gap analysis, form and function assessment, and further route refinement options assessment.
234. The Local s.42A reports note that this methodology and approach was undertaken for all the relevant NoRs, and the agreement with the assessment undertaken and conclusions reached in the Requiring Authority’s Assessment of Alternatives. Accordingly it was considered to satisfy the requirements of s.171(1)(b).<sup>128</sup>
235. The SGA’s opening submissions also set out for us the relevant legal principles in determining whether sufficient analysis has been given to alternatives in any particular case. These were as follows:<sup>129</sup>
- “(a) The focus is on the process, not the outcome: whether the requiring authority has made sufficient investigations of alternatives to satisfy itself of the alternative proposed, rather than acting arbitrarily, or giving only cursory consideration to alternatives. Adequate consideration does not mean exhaustive or meticulous consideration;
  - (b) The question is not whether the best route, site or method has been chosen, nor whether there are more appropriate routes, sites or methods;
  - (c) The fact that there may be routes, sites or methods which may be considered by some (including submitters) to be more suitable is irrelevant;

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<sup>128</sup> E.g., Local Arterials s.42A report, at p.210

<sup>129</sup> EV001, at [9.9]

- (d) *The RMA does not entrust to the decision maker the policy function of deciding the most suitable site, route or method; the executive responsibility for selecting that site route or method remains with the requiring authority;*
- (e) *The RMA does not require every alternative, however speculative, to have been fully considered. Notable in this context is the fact that many of the projects involve alterations or widening of existing corridors and have the express purpose of connecting key destinations and integrating with future urban growth. This, along with existing land use and environmental constraints has limited the alignment options readily available; and*
- (f) *The requiring authority is not required to eliminate speculative or suppositious options”.*

236. The associated footnotes also made reference to a decision of the High Court<sup>130</sup> where it held that s.171(1)(b) does not require a full evaluation of every non-suppositious alternative with potentially reduced effects. The submissions also highlighted the Council’s agreement with the assessments undertaken, and therefore, with respect to the principles described above, submitted that:<sup>131</sup>

*“It is clear that there has been sufficient investigation undertaken, and that neither Requiring Authority acted arbitrarily or gave only cursory consideration to alternative routes, sites and methods. The alternatives assessment process was robust, transparent and replicable. While several submitters have questioned the adequacy of the assessment in some specific respects the fact remains that the corridors advanced to NOR stage represent an appropriate and carefully considered solution to the issues identified in the Investment Objectives and Project Objectives”.*

237. The evidence of John Daly for the SGA addressed the alternatives assessment, and in response to submissions and in particular that of the following experts:

- David Haines on behalf of New South Development Ltd and others (re NoRs RE2, RATN2A and 2B); and
- Phillip Brown on behalf of Woolworths NZ Limited (re NoRs W2 and W3).

238. For example, it was Mr Brown’s view that the Requiring Authority has not demonstrated that adequate consideration has been given to alternative methods for undertaking the work, in the vicinity of Woolworth’s site at 45 Brigham Creek Road. He stated that:<sup>132</sup>

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<sup>130</sup> *New Zealand Transport Agency v Architectural Centre* [2015] NZHC 1991 at [152] to [156]

<sup>131</sup> EV001, at [9.14]

<sup>132</sup> EV170, at [4.9]



*“While I do not challenge the overall route, or the need to enable some degree of encroachment into the [Woolworths] site, there is no justification that I can see for a methodology that would impact on a substantial depth of land beyond the actual extent of physical works”.*

239. We do not propose to re-state the further commentary in respect of these properties as set out in Mr Daly’s rebuttal evidence, but save to say that we accept his evidence that:

- (a) adequate consideration was given to alternative sites, routes and methods in selecting the preferred options for undertaking the Project and this meets the purposes of s.171(1)(b); and
- (b) the Requiring Authorities have kept an open mind to situations where submitters’ experts have identified matters that were not apparent at the time the earlier optioneering took place, and that adjustments to the NoR boundaries have been made to reflect such matters.

240. We acknowledge as a general proposition the evidence of Mr Daly that at an individual site perspective:<sup>133</sup>

*“In my view, the proposed designation boundaries for the Project are both necessary and appropriate. These extents will facilitate detailed design and construction of the Project to occur in the future. Given this, I consider that the differentiation between the extent required for the construction and operation of the Project is not able to be accurately defined at this stage. This delineation will be confirmed by the Requiring Authorities and discussed with landowners under the [PWA], closer to the time of construction”.*

241. Mr Daly also noted in general terms that the SGA had:<sup>134</sup>

*“...adopted a systematic and robust approach to considering alternatives and statutory methods. The MCA framework adopted to consider alternative options incorporated Part 2 RMA elements as well as matters appropriate to AT and Waka Kotahi’s statutory functions”.*

242. On that basis it was his view that adequate consideration was given to alternative sites, routes and methods in selecting the preferred options for undertaking the Project and this meets the purposes of s.171(1)(b).

243. We note that the assessments within the s.42A reports were in agreement with the SGA’s position in this regard. The Council response memorandum did not address the matter of alternatives, and so we anticipate that their view on this matter had not altered from what was set out in the s.42A reports.

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<sup>133</sup> EV009, at [4.5]

<sup>134</sup> Ibid, at [3.1]

244. The Reply re-emphasised the principles relating to alternatives as set out in the SGA's opening submissions adopted Mr Daly's analysis. It responded to the legal matters that were raised by counsel for Daltons Holdings 2013 Ltd (**Daltons**) in respect of NoR RE2 (and Future-Kumeū Inc in respect of the Strategic NoRs), including providing further comment in respect of the *Basin Bridge* case.<sup>135</sup> Applying that legal approach, it stated that the primary reason for the designation over the Daltons site is not for temporary works and is to ensure that the site is not built out such that development interferes with implementation of the Project, along with providing for access during construction.
245. The Reply also addressed the issue of alternatives from the perspective of economic impact in response to the evidence of Simon Papa, in respect of NoR R1 (and Strategic NoR S1). Mr Papa considered that the SGA had not provided evidence that the designations would have economic benefit, particularly when weighed against the impact on affected landowners. He also considered that the need for the designations in terms of rural land (primarily with respect to NoR S1) from an economic and land value perspective was not demonstrated (where that land would not be subject to price escalation in the same way as urban land), but would impact affected landowners for a long period.<sup>136</sup>
246. The response set out in the Reply encapsulated a number of what the Panel considers to be some important key themes regarding this issue, of application to the North-West projects generally. This includes the extent of analysis required on a site-by-site basis, with reference to relevant case law. We summarise those matters below:
- (a) Determining the response to the problem identified (as set out in the first topic addressed in this report) is a matter for a requiring authority to assess, and this takes place through the business case process, and that "*[i]t is well established that this level of analysis is not 'second guessed' by decision makers through the RMA process*".<sup>137</sup> Effects at landowner level are then to be addressed through conditions and the fair compensation provisions of the PWA.
  - (b) The North-West network is supported by a project-level DBC.
  - (c) In terms of quantifying economic impacts at an individual property level, the Reply states:<sup>138</sup>

*"It would be highly impractical to undertake such an assessment for projects of this size due to the number of impacted landowners, and a*

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<sup>135</sup> *New Zealand Transport Agency v Architectural Centre Incorporated* [2015] NZHC 1991

<sup>136</sup> EV247, at [13]

<sup>137</sup> EV288, at [3.8]

<sup>138</sup> *Ibid*, at [3.10]

*reluctance to share financial data in some cases. Any assessment at this fine-grained level would then need to consider the potential costs and benefits related to all the other alternative routes at a similar level in order to provide a fair comparison. Such a herculean task is simply impossible for a project of this scale at this stage. We are not aware of any significant infrastructure (or other) project on which it has been required or deemed necessary as part of the RMA confirmation process”.*

- (d) The High Court has held that the RMA does not require projects to meet any specific cost-benefit threshold before they can legitimately be designated (or consented):<sup>139</sup>

*“...decisions on the cost and economic viability, or profitability, of a project must sensibly be regarded as decisions for the promoter of the project. Otherwise, the Environment Court will be drawn into making, or at least second-guessing, business decisions. That is surely not its task”.*

- (e) The High Court has also held that a project is not required to be the most efficient use of resources:<sup>140</sup>

*“We do not think s7(b) (or Part 2 generally) was intended to give to decision makers under the RMA the power to make judgments about whether the value achieved from the resources that are being utilised is the greatest benefit that could be achieved from those resources or whether greater benefits could be achieved by utilising resources of lower value or a different set of resources”.*

- (f) Accordingly, it is understood that the RMA does not require a project to be the best and most economical option. That is a matter for a requiring authority to determine, having regard to their own statutory mandates and obligations, while individual economic effects are compensated for through the PWA. At the same time, it is important to recognise the economic benefits of the Projects for a wide range of people and communities (as are set out in our statutory assessment later in this report).

247. The Panel generally accepts that analysis and acknowledges the direction provided by the courts on this issue. We observe, however, that the scale of the exercise in terms of assessing economic impacts at an individual level is a function of a decision of the SGA to undertake the designation process ‘at scale’, and such a decision should not necessarily then be relied upon as a basis not to undertake that task. That said, we also recognise the need for the overall North-West Project

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<sup>139</sup> Ibid, at [3.12], with reference to *Friends and Community of Ngawha Inc v Minister of Corrections* [2002] NZRMA 401 at [20]

<sup>140</sup> Ibid, at [3.13], with reference to *Meridian Energy Limited v Central Otago District Council* [2011] 1 NZLR 482 (HC) at [120]

(as discussed previously), and that the scale of the Project is a function of that need. On that basis, and noting the SGA's submission that an economic assessment at a "fine-grained level" has not been undertaken as part of any other designation process, we accept the approach that has been undertaken by it in respect of the North-West Local (and Strategic) NoRs.

248. Overall, we are satisfied that the assessment of alternatives undertaken by the SGA, including from an economic perspective, has been thorough, and ongoing through the hearing process, and accords with the relevant statutory tests and case law guidance.

#### Panel findings and recommendations

249. The Panel finds in line with the conclusion set out above. No recommendations arise from this finding.

#### Criticisms of the engagement process

250. The Panel heard from various submitters who expressed concern about the adequacy and extent of consultation and engagement undertaken for the NoRs. These concerns ranged from the level of information received, and that they were not specifically engaged with, or notified, about the NoRs.
251. This process was explained in the evidence of Ida Dowling on behalf of the SGA. Ms Dowling set out the timeline and nature of consultation undertaken, the methods that were established to facilitate further engagement and the resources made available in this regard, including with respect to the difficulties experienced during the periods affected by Covid-19. Her evidence outlined the extensive scale of engagement undertaken since 2016, and which has included numerous public feedback sessions and open days, circulation of over 30,000 flyers, online and mail surveys, affected landowner letters, and one-on-one meetings. In particular, she noted that during the IBC and DBC phases more than 1,000 pieces of feedback were received and considered, and the 'Consultation Manager' data management tool used by the SGA has recorded more than 4,700 interactions. She advised that following lodgement of the NoRs with the Council, letters were sent to affected landowners to advise them of that fact, noting that while this did not replicate formal "notification" of the NoRs, this was an important step given that the NoRs have statutory effect once they have been lodged with the Council.
252. Ms Dowling advised that in her opinion "*the approach taken to engagement for the Projects was appropriate, and the level and type of engagement robust and in line with good practice*".<sup>141</sup>
253. Notwithstanding the above, we did hear some specific cases, and were provided with correspondence, outlining where the engagement undertaken could be

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<sup>141</sup> EV039, at [1.10]

considered to be less than would be expected given the scale of the projects and effects on some sites. We have referred to the submission of Topland NZ in respect of NoR S1 in respect of the Strategic NoRs, and the issue of a database error which meant that they had not been provided with post-lodgement information of the NoR from the SGA.

254. In that respect we noted the confirmation from Eryn Shields for the Council during the hearing that there were some errors with the Council's rating database provided to the SGA which led to some affected landowners being omitted from the list of properties notified about the NoRs. The Reply also advises of the SGA's regret that this occurred, but that "*where they were made aware that an affected landowner or member of the community wanted to discuss the Projects, the Project team offered to meet and discuss the Projects with them at their earliest convenience*".<sup>142</sup>

255. We note other examples of submitter experiences that occurred in respect of the Local NoRs as follows:

(a) Lydia Lin advised us in respect of her property at 7-8 Spedding Road, Whenuapai, that she had tried to contact the SGA over several phone calls but no reply was received until they had sent a 'pleading email' to Mayor Wayne Brown.<sup>143</sup> She stated that her concerns over this lack of engagement were amplified by the fact that (as noted previously) this was the third time her family had endured the designation and land acquisition process, having been forced from their previous family home as recently as September 2020.

(b) Mr Warren, for BW Holdings Limited, was very direct, telling us:<sup>144</sup>

*"During the pre-notification consultation period, I endeavoured to engage with [the SGA] 5 times by phone with little success. Requests for more plan details were answered by a repeat of the sketchy aerial property plan already provided. A request for at least a preliminary geometric layout of the proposed road works in the neighbourhood of the property was refused on the grounds that this would infringe the privacy of other property owners. I found this to be incomprehensible. ....Attempted consultation on that basis was virtually impossible"*.

(c) Colin Parker, the manager, trustee and director of Daltons, included an entire section in his evidence on the subject of 'engagement'. He expressed a great deal of frustration with the engagement process noting:<sup>145</sup>

*"No attempts by the RA have been made to contact me or anyone at Daltons that I am aware of. I have not received any correspondence, even following Daltons making the submission in opposition of the*

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<sup>142</sup> EV288, at [11.5]

<sup>143</sup> EV129, at p.2

<sup>144</sup> EV126, at [1.5] – [1.6]

<sup>145</sup> EV262, at [17] – [18]

*Proposal. ....In my view, the consultation undertaken has been poor. This is very concerning to me..... The fact that no one has come to talk to us signals to me that there has been no consideration for local businesses such as ours, and the effects on us are not of concern to the RA”.*

- (d) Ezra and Gael Keren in their statement of representation formed us that their discussions with the SGA caused significant hurt and anxiety.<sup>146</sup> To highlight this point they provided us with a detailed account of the various discussions, with time references, they had with Justin Rae, the Engagement Manager, and Rachel Gasson, a Transport Engineer with SGA. The aim of the discussions was to sort out, and understand, the impact of NoR S4 on their property as the initial information provided to them was incorrect.<sup>147</sup>
256. We agree with the sentiment expressed in the Reply that the omission in respect of Topland, and possibly other sites, was regrettable, but we acknowledge the SGA’s efforts to engage further to address that issue. Reference to the above examples suggests that some submitters have had, from their perspective, a particularly negative experience of the engagement process. Reference to the record of engagement included at Appendix E of the Reply does indicate, however, that in the cited examples the relevant information has been sent and/or meetings have been held with these submitters prior to notification, and from 2019 in the case of Ms Lin.<sup>148</sup> While acknowledging the concerns as expressed by those persons as to their impression of the engagement undertaken, we consider that the detailed record provided by the SGA does at least demonstrate that a robust process has been undertaken, and attempts made to rectify issues where lapses may have occurred.
257. Overall, given the scope of the NoRs and the number of affected properties involved, and the low numbers of persons who expressed dissatisfaction with the engagement process (separate to issues as to effects on their properties), we consider that the consultation and engagement processes have been thorough and wide-ranging and undertaken with appropriate provision for feedback and dialogue.
258. We also note here the additional consultation that was afforded to submitters during the hearing at the Panel’s direction, with Mr Daly making himself available following submitter presentations to speak with them on a one-to-one basis and provide such additional information as may be relevant to the submitter circumstances. This ranged from specific discussions about the extent of land designated in a particular case, to processes involved with the PWA, including with respect to the Requiring Authority’s hardship policies. The Panel records its appreciation to Mr Daly for undertaking this role and while we have not been

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<sup>146</sup> EV137, at [7]

<sup>147</sup> Ibid, at [7] – [22]

<sup>148</sup> EV288, at pp.622, 624 and 627

appraised as to any particular outcomes of that further engagement (beyond the comments in Appendix G to the Reply), we understand that using the hearing as a convenient point to facilitate further discussion has been of assistance to both the submitters and the SGA.

259. The Reply acknowledges that the notice of requirement process can be difficult or daunting for affected persons to navigate, but highlights that the SGA:<sup>149</sup>

*“... has worked hard to provide a range of options for landowners and members of the community to contact the Project team, both prior to and post-lodgement of the NoRs. The Requiring Authorities acknowledge that despite best endeavours to engage and meet with affected landowners, some may not have been reached, while others did not respond”.*

260. The SGA’s efforts in this regard have been tabulated with respect to each submitter party who participated in the hearing at Appendix G to the Reply (80 parties in total across both the Local and Strategic NoRs). This includes reference to the further engagement that occurred for some submitters with Mr Daly at the hearing, as referred to above, and records the responses of the submitters to the engagement up to that time. This illustrates that for most parties, they are dissatisfied with the NoRs in respect of their properties, as well as the process of engagement and/or its outcome. We note that some of that dissatisfaction arises where the property remains affected by a designation, which will presumably, and understandably, have coloured the impression of the engagement that was undertaken.

261. Overall, the Panel acknowledges that there a large number of parties who remain dissatisfied with the designations but we are of the view that the measures proposed by the SGA through the conditions represent a considered and detailed approach to the management and mitigation of those effects. We further recognise that these measures will not be able to be prescribed until the preparation of relevant management plans and the associated detailed design stage. However, we consider that the management plan is an appropriate approach (as discussed elsewhere in this decision) and incorporates appropriate ‘bottom lines’, such as maintenance of property access and associated utility (e.g., parking and loading), that will be responsive to the range of property-specific issues that we heard.

#### Panel findings and recommendations

262. The Panel recognises the concerns of those submitters who consider they have not been appropriately consulted or engaged with. However we also accept the evidence and Reply of the SGA and consider that the engagement process undertaken by the SGA has been appropriate, broad in scale and scope, and consistent with good practice. No recommendations in respect of the NoRs arise from this finding.

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<sup>149</sup> Ibid, at [11.3]

## **Management plans**

### **Overview**

263. We have previously noted that the SGA proposes to use management plans to address the majority of anticipated environmental effects, and these have been offered as conditions of consent. The list of proposed management plans are set out in paragraph 18 of this report, and are also referred to as relevant to particular topics elsewhere in this report. In general, the management plans would provide the framework to guide the final design of the various components of the transport corridors as well as avoid, remedy mitigate or manage the adverse effects of the construction activities associated with the implementation of the projects.
264. The s.42A reports acknowledges that the NoR process is primarily about route protection rather than implementation, and accepts that a management process is appropriate, given that detailed assessment and implementation would occur at the outline plan stage. The s.42A reports go on to describe the principles that should be incorporated within a management plan condition framework, and notes that these have been adopted in the recommended management plan conditions. It states that “[i]n a number of circumstances Council officers have recommended amendments to the management plans to address certain adverse effects and/or make the management plans more effective”.<sup>150</sup> It raises the issue of certification of those plans, which we address below.
265. The Panel’s Minute 1 sought confirmation from the Council as to the content and interrelationship between management plans and the overall approach generally, and the Council confirmed its initial view (i.e., as expressed in the s.42A reports) in this regard as part of its response memorandum.
266. The Reply addressed further matters relating to the proposed management plans that arose during the hearing, including in respect of this Panel’s queries and noted proposed changes to the content of the relevant conditions, which we discuss below.

### **Reviewing the efficacy of management plans**

267. A further matter raised by the Panel was in respect to the manner by which the efficacy of the management plans, through their implementation, would be considered, and whether an additional condition would be required in respect of this.
268. The Reply comments in respect of this matter that the following management plans include requirements for reviews and/or updates, “*and recognises the need to be adaptive to the management of effects, particularly in terms of noise and transport*”.<sup>151</sup> The relevant conditions and their provisions are set out below:

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<sup>150</sup> E.g., Local Arterials Agenda, at p.53

<sup>151</sup> EV288, at [12.8]



- (a) The CEMP will include methods for amending and updating the CEMP as required (condition 12(b)(xiv));
- (b) The CTMP will include auditing, monitoring and reporting requirements relating to traffic management activities (condition 16(b)(x)); and
- (c) The CNVMP will address requirements for review and update (condition 19(c)(xv)).

269. The Reply goes on to say that:<sup>152</sup>

*“Other management plans, such as the NUMP, SCEMP and ULDMMP, include requirements for third party involvement. Any concerns regarding the achievement of those objectives can be captured through the development of the management plan. It is only the EMP, TMP and NIMP that do not include some form of internal review process or the involvement of third parties”.*

270. And further:<sup>153</sup>

*“Should it be required, a management plan can be updated through either a material change process or a new outline plan process. Additionally, there is also the complaints process and where a complaint is registered and deemed to be valid, this could trigger a review of a management plan”.*

271. As an associated matter, the Panel was also concerned to ensure that possible impacts on landowners who are not located within a designation, but would nevertheless be affected by it, would be addressed – e.g., in terms of access during the construction period. In this regard, we note that the conditions include the following:

- (a) The objectives of the SCEMP require consideration of *“methods and timing to engage with landowners whose access is directly affected”* (at (b)(viii)). Existing property access is also addressed by condition 11;
- (b) The ULDMMP is required to provide details of *“[i]nterfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable”* (at (e)(v));
- (c) Consideration of flood hazard effects is required to be undertaken within the catchment and not just within the designation (based on the recommended form of the flood hazard condition (condition 10) as discussed later);

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<sup>152</sup> Ibid, at [12.9]

<sup>153</sup> Ibid, at [12.10]

- (d) Consideration of effects on surrounding land (including residential areas, or, as recommended, residential zones) through the CEMP;
- (e) Consideration of effects on the wider transport network and property access through the CTMP; and
- (f) Construction noise and vibration effects are based on occupied properties, whether within the designation or not.

272. Accordingly, the Panel considers that effects on third parties (i.e., those not directly impacted by the designation) will be appropriately safeguarded through both the construction process and subsequent implementation and operation of the projects. Our recommended amendment to the SCEMP, in respect of NoRs W3 and W5, to incorporate provision for the establishment of a hardship fund, is also not limited to those landowners within the designation.

#### Panel findings and recommendations

273. The Panel accepts the Reply submissions on this matter and considers that the specific review-type clauses included in three of the management plan conditions (that do not include third party involvement) are appropriate and sufficient, and notes the safeguards provided for across all the plans through the material-change and complaint provisions. No recommendations are therefore made in respect of this topic.

#### **Management Plan certification**

274. The s.42A report recommended that the management plans required to be provided as part of any application for an outline plan should be certified by the Council. This was for the reasons that:<sup>154</sup>

- (a) It is general practice for the Council to certify management plans that form conditions of designations;
- (b) A great deal of reliance is being placed on management plans as the principal method to avoid, remedy or mitigate adverse effects on the environment; and
- (c) It is important that the Council retains the ability to review any management plan for completeness, and to make changes to the management plans without the need for formal review of the conditions.

275. Holly Atkins, on behalf of the SGA, set out the reasons why she did not agree, noting that she was unaware of the Council "*raising certification as a matter of*

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<sup>154</sup> E.g., Local Arterials Agenda, at p.54

*general practice or suggesting that it would be required for the North West Network Projects before now*". She went on to comment that:<sup>155</sup>

- (a) Certification of management plans has not been imposed for other designations for the SGA Network either confirmed by the SGA (e.g., the Drury Arterial Network) or currently being sought (i.e., Auckland to Botany).<sup>156</sup>
- (b) While it is agreed that the proposed management plans are the principal proposed method for the management of adverse effects, this does not mean that certification of management plans by the Council is required. Further, certification is not required to provide an opportunity for the Council to make changes beyond the statutorily mandated outline plan process.
- (c) The SGA seeks to rely on the outline plan process to allow for the Council's review of the management plan content and detail. In that respect, some management plans will need to be prepared in advance of the outline plan process and serve to inform aspects of the content of the outline plan applications. This review process is not, however, the same as a certification process but does provide the Council with the opportunity for input that is sought by the Council's reporting officers.

276. It was therefore Ms Atkin's view that:<sup>157</sup>

*"...I do not consider that requiring certification of the management plans provides any additional benefit beyond what is already provided for by section 176A of the RMA, but does potentially impose a constraint for the Requiring Authority. Through a certification process, the Requiring Authority could potentially be subjected to unnecessary delay as a result of the time required to obtain certification. Given the often dynamic nature of construction projects, I consider that this risk of delay is inappropriate. Given the statutory framework mandates the outline plan process and contains checks and balances where there is disagreement, I consider the risk is unnecessary".*

277. Ms Atkin addressed this issue further in her rebuttal evidence, highlighting that the SGA approach *"is consistent with the two-step approval process where an initial designation is confirmed with a statutorily acknowledged step for the development and refinement of design detail being subject to the outline plan process"*.<sup>158</sup>

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<sup>155</sup> EV076, at [7.4]-[7.7]

<sup>156</sup> The Auckland to Botany NoRs are now the subject of a decision by the SGA (21 February 2024) that does not include provision for additional certification of management plans.

<sup>157</sup> Ibid, at [7.7]

<sup>158</sup> EV077, at [5.5]

278. The exception in SGA's approach is where changes are made to a management plan of a 'material' nature, and under condition 6 which includes the following clause:
- (c) *If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision;*
279. The exception in this regard is for a change to a SCEMP, which under clause (d) is required only to be provided to the Council for information purposes.
280. This form of certification is then defined within the abbreviation and definition section of the conditions, whereby the material change would be able to be deemed certified where:
- (a) *The Requiring Authority has received written confirmation from Council that a material change is certified; or*
- (b) *Ten working days from submission of the material change, where no written confirmation or certification has been received.*
281. The Panel notes that the Local NoRs include a further clause relating to the CNVMP Schedule as follows:
- (c) *five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received.*
282. Ms Atkin notes that this provides for an efficient process "*that recognises the complexities and time pressures associated with delivering large infrastructure projects*", as a material change can be certified within ten working days as opposed to the 20 working days that could be required for an outline plan.
283. The Council response memorandum notes that the various management plans are the principal method proposed to be used to avoid, remedy or mitigate the various adverse effects identified. It comments that while Council officers generally support this approach, it is their "*collective opinion that Council needs to certify these plans at the time that they are lodged with the Council*".<sup>159</sup>
284. The memorandum notes the concern of Council officers that a certification process is a method to ensure that the matters set out in the management plans (and adopted as part of the NoR routes selection and confirmation process) have been adopted in the final design process. It states that:<sup>160</sup>
- "Council is not seeking a process of approval, rather the process to certify that the NoR management plan conditions have been met in terms of their*

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<sup>159</sup> EV281, at p.32

<sup>160</sup> Ibid, at p.33

*content. In our view certification of a management plan is a different process to the OPW process where Council officers are limited to only make "recommended changes" to the RA. Given the importance and primacy of the management plans offered by SGA to address environmental effects, we are of the view a separate certification process for all of the management plans occurs at the time that they are lodged with the Council".*

285. The Council memorandum advises that, based on its own legal advice, "if the proposed management plans have not been submitted in draft format as part of the hearing process, then Council is obliged to certify them". It goes on to say that it has not blurred the certification process associated with resource consents with the NoR approach, and notes that it is a common practice on many existing Waka Kotahi designations (per Chapter K of the AUP), and that:<sup>161</sup>

*"While we have no concern with the management plans being submitted and evaluated at the OPW stage, we are still of the view that certification of the management plans needs to occur as an additional matter alongside the consideration of an OPW".*

286. The Panel notes in this regard that, following a cursory review of Chapter K, that there are existing Waka Kotahi designations (e.g., 6714, 6718 and 6722) that provide for the use of certification in the verification of management plans. However, we are not certain that this approach is widespread, nor whether it includes AT designations, and we note the difference of opinion expressed in the evidence of the Council and the SGA in this regard.

287. The SGA's Reply addressed this matter further and reiterated the view that "it would be inappropriate and unnecessary to introduce a certification process into the statutorily mandated outline plan process". It highlighted the reasons for that view with regard to the mechanisms under the RMA, which are summarised as follows:

(a) The aforementioned two-step outline plan process in accordance with s.176A(3)(f), with the management plans being proposed as part of that process. It notes that "[t]he RMA does not envisage certification through this process and it would be inappropriate to introduce a certification process into the statutorily mandated Outline Plan process".<sup>162</sup>

(b) If the Requiring Authorities decline any of the Council's recommended changes to the outline plan, then the Council may appeal to the Environment Court. The reply further observes on this point that:<sup>163</sup>

*"The Board of Inquiry in the Transmission Gully Proposal considered that this process works well in practice and incentivises parties to*

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<sup>161</sup> Ibid, at p.34

<sup>162</sup> EV288, at [12.13(a)]

<sup>163</sup> Ibid, at [12.13(b)], with reference to the Final Report and Decision of the Board of Inquiry into the Transmission Gully Proposal, June 2012 at [1047]

*resolve matters efficiently. This reflects that when projects are nearing commencement at the Outline Plan stage, parties are in a different mode”.*

- (c) A party may seek an enforcement order under s.314(1) to cease works or require compliance with a requirement for a designation. In this instance, a breach by the Requiring Authority would make it vulnerable to liability for an offence under s.338.
288. The Reply further noted with respect to the *Transmission Gully* proposal that the Board of Inquiry had determined the use of management plans via the outline plan process to be appropriate, and that this “allows for an integrated design response across the entire roading alignment, with individual certification processes likely to jeopardise the holistic process that a designation process entails”.<sup>164</sup>
289. The Reply goes on to state that there is no case law to suggest that certification is a mandatory requirement and expresses the concern that the Council approach seeks to “subsume” the substantive decision-making power that the Requiring Authority has with respect to outline plan processes. It differentiates that position from the certification process that is proposed for those parts of the management plans that sit outside the outline plan process (i.e., Schedules to the CNVMP and where material changes are proposed to a management plan submitted with an outline plan). It concludes by saying that:<sup>165</sup>
- “Once a management plan is in place, it is important that the requiring authorities can make rapid changes to those plans if required while also ensuring that there are checks and balances on that process. Requiring certification for material changes achieves those dual objectives without introducing unnecessary bureaucracy or undermining the statutorily mandated Outline Plan process”.*
290. The Panel has carefully considered the competing positions described above. We acknowledge the Council’s position that the management plans have been designed to function as the principal method to avoid, remedy or mitigate adverse effects on the environment. In that regard, we observe that the requirements for the proposed management plans in this case are extensive and provide much greater specificity than is otherwise required by s.176A at the outline plan stage (but in that manner is also reflective of the lapse dates sought and the need to address the environmental context at the time of their implementation). We further note that while the use of management plans are not specifically envisaged by the RMA, their use is also not precluded, as is evident from the precedent designations noted above.
291. The Panel has not reached a unanimous finding on this issue. The majority view held by Commissioners Blakey and Farnsworth is cognisant of the overall scheme

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<sup>164</sup> Ibid, at [12.14], with reference to *Transmission Gully* at [1045] and [1049]-[1051]

<sup>165</sup> Ibid, at [12.17]

of the RMA in relation to designations, and the broad powers that it affords a requiring authority. In that regard they have some concern with an approach that would seek to assign a form of approval that is at odds with the final decision-making functions of a requiring authority that does not sit comfortably with the duty of the Council to make recommendations only in respect of an outline plan, and to do so within 20 working days. Clearly, that is not an absolute power, given the appeal process available to the Council should that prove necessary, along with the two certification exceptions provided within the proposed conditions, but is a clear signal in their view that any amendment to the general presumption should be carefully exercised. Commissioners Blakey and Farnsworth have concluded that it is not necessary in the case of these NoRs to exercise, or so recommend, such an amendment.

292. The minority view held by Commissioner Smith notes that the Strategic NoRs are for projects likely to be implemented two decades or more into the future. He considers that although an impressive amount of work has been carried out establishing the proposed alignment and designation boundaries based on an assumed road design, it has not been possible to establish with any degree of certainty, the effects of the implementation of the designation.
293. Out of necessity, because of the extremely long timeframes, and uncertainty in relation to the future environment and the effects of the implementation of the projects for which only a very preliminary design exists, a management plan approach has been established by the proposed designation conditions. This approach is by no means unusual, even for relatively short project timeframes.
294. Commissioner Smith notes that there is agreement between the SGA and the Council that the certification of management plans is the norm for resource consents, but each has acknowledged that certification of management plans for designations is not universal. He notes the Council's point that the outline plan process is not a certification process. Under the former, the Council can recommend changes to the outline plan but the Requiring Authority does not have to adopt the changes. The Council's recourse is by way of an appeal to the Environment Court.
295. In contrast, the purpose of certification is to ensure that a management plan addresses the relevant designation conditions and the Council may withhold certification if it considers those conditions have not been addressed. The Council analysis does not go further than that with certification and sole responsibility for the management of effects remains with the Requiring Authority.
296. Neither the SGA's planning witness, nor their legal advisors, consider certification provides a benefit over and above what is provided for by s.176A. The Requiring Authority's concern with the inclusion of certification is the potential for delays from the involvement of the Council. No evidence was presented on the Council's track record in this regard.

297. Commissioner Smith considers that, given lapse periods of 20 years, the risk of delay from a certification process is likely to have been overstated. If that is a real concern it would be expedient of the Requiring Authority to develop the management plans well in advance of the date by which they are required to be finalised.
298. If that objection falls away, the main matter in contention is whether the outline plan process can provide an equivalent level of scrutiny to the management plans prepared by the Requiring Authority.
299. Although designation conditions set out the requirements for the management plans, draft plans have not been provided to the Panel. In addition, the preliminary nature of the design of the projects and the long timeframe established by the lapse period for the designations mean that there is no way of determining at this stage what the effects will be (except in a general sense) and whether the management plans finally produced will establish and address those effects.
300. Commissioner Smith agrees with the Council officers that the certification and outline plan processes are quite different and that certification of management plans should occur as an additional matter alongside the consideration of an outline plan. Accordingly, he considers it essential that there be a check on the content of all management plans through a requirement for certification of those plans.

#### Panel findings and recommendations

301. Overall, the Panel has reached a majority view that having regard to the guidance provided on the point in *Transmission Gully*, and where no contrary authority has been brought to our attention, that the process as sought by the SGA will ensure the relevant issues and effects are appropriately addressed and are able to be resolved in an efficient manner. Statutory safeguards also provide additional surety in this regard. The Panel therefore does not recommend any change to the conditions to require certification beyond that which applies to a Schedule to a CNVMP and where material changes are made to a management plan (excluding a SCEMP). The detail of those provisions are addressed below.

#### **Definition and timeframes for certification**

302. This section of our report addresses the variations in the certification definition as between the different condition sets, and the timeframes by which a material change or a change to a CNVMP Schedule is 'deemed' to be certified, and the difference in approach between the AT and Waka Kotahi designations.
303. We observe that for the Strategic NoRs, the relevant definition in the proposed conditions is simply for 'Certification', whereas in the Local NoRs it is for 'Certification of material changes to management plans and CNVMP Schedules'. This reflects an approach within the conditions whereby a CNVMP Schedule is



proposed to be provided to the Council for ‘information’ only (condition 20(c)) in the Strategic NoRs,<sup>166</sup> whereas for the Local NoRs it is to be provided for ‘certification’. From a further review of the evidence, we could not discern a basis for this difference in approach, other than Ms Atkins’ comment in her rebuttal evidence that:<sup>167</sup>

*“...I note that there is a certification process proposed as part of the conditions and as defined it relates to material changes to management plans and for the [AT] designations Schedules to a CNVMP”.*

304. The Reply also includes a comment in the conditions for the Strategic NoRs that:<sup>168</sup>

*“Waka Kotahi have a tested and extensive system of internal review and certification for Schedules to a CNVMP. The inhouse experience by Waka Kotahi, complemented with external consultants, ensures that Schedules are produced to a high standard and will be implemented”.*

305. However, the Reply also includes a comment in respect of the Local NoR conditions to the same effect, highlighting AT’s similar experience and expertise.<sup>169</sup> This, then, did not suggest a basis for according Waka Kotahi a different (less rigorous) approach than for the AT’s Local NoRs, a point that we have also raised in our report on the Strategic NoRs.

306. Because we do not see a reasoned basis for the difference in approaches, we have recommended the use of a consistent definition for certification across all the North-West NoRs. In this regard, we consider that additional text in the Local NoRs is superfluous and given its limited use within the conditions and because we see no obvious reason for two versions across all the NoRs, we have recommended its deletion (noting this would not require a change to the Strategic NoR version).

307. This addresses a further problem in that the wording for the Local NoRs suggests it relates only to changes to a CNVMP Schedule, rather than certification of the Schedule in the first instance. We have recommended a change in the order of the relevant words to assist in making this clearer.

308. Returning to the substance of the definition, we have also separately noted that the Strategic NoR conditions provide for the option of (a) Council certification through written confirmation, or (b) after ten working days the material change is effectively deemed to be certified if no written confirmation is received.

309. The Council response memorandum expressed a concern with respect to the timeframes for ‘deemed’ certification, where this process may include the need to

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<sup>166</sup> The Reply version suggest that the Council has sought ‘certification’ (EV288, at p.152), but no change in this regard was noted in the Council response memorandum (EV281, at p.128).

<sup>167</sup> EV077, at [5.2]

<sup>168</sup> EV288, at p.152

<sup>169</sup> Ibid, at p.173

commission expert advice. It advised that in terms of (b) “a response within [undefined] of Council’s actions is appropriate”.<sup>170</sup>

310. The SGA Reply version of the conditions opposed this change, stating that:<sup>171</sup>

*“The replacement of “written confirmation” with “response” is uncertain and hard to measure.*

*It is standard practice for [AT] and its contractors to work closely with Council through the construction period to ensure compliance with the management plans and therefore ten working days is considered an appropriate timeframe while ensuring project timeframes are not delayed”.*

311. We agree that the phrase ‘response’ is uncertain, and we therefore recommend the retention of the SGA’s wording in this regard. We do consider that ten days is potentially tight but are also cognisant that this will relate to changes to an existing management plan and/or an addition (Schedule) to a CNVMP that has already been assessed through the outline plan process. We have therefore also recommended that the ten-day timeframe be retained in the condition, noting the need for a close working arrangement with the Council during the construction process as is described in the Reply to ensure such changes are addressed in an efficient and timely manner. We have, however, recommended retention of the five working day timeframe in respect of a change to a CNVMP Schedule.

312. In addition, the Local NoR definition includes a further clause specific to the CNVMP (that was specifically deleted by the SGA for the Strategic NoRs):

*(c) five working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received.*

313. Again, this clause is problematic in our view, as it does not relate to the preparation of the CNVMP Schedule in the first instance. In addition, and having regard to our consideration of this matter for the Strategic NoRs, we have concluded as follows:

- (a) The preparation of a CNVMP Schedule for the Strategic NoRs should be subject to certification, as should any change to such a Schedule;
- (b) The definition of certification should incorporate the preparation of the CNVMP Schedule in the first instance and any subsequent change;
- (c) That it is appropriate to apply a consistent approach between the Strategic and Local NoRs, and this will include the ‘Strategic’ NoR S4 which is to be administered by AT.

314. We have set out those changes to the respective clauses in our recommendations below.

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<sup>170</sup> EV281, at p.144

<sup>171</sup> EV288, at p.119

### Panel findings and recommendations

315. On the basis of the above commentary, the Panel recommends the following changes to the definition of Certification:

#### **Acronym/Term**

~~Certification of material changes to management plans and CNVMP Schedules~~

#### **Definition**

*Confirmation from the Manager that a CNVMP Schedule (or change thereto) or a material change to a management plan has been prepared in accordance with the condition to which it relates.*

*A CNVMP Schedule (or change thereto) or a material change to a management plan shall be deemed certified:*

- (a) where the Requiring Authority has received written confirmation from the Council that the CNVMP Schedule or the material change to the management plan is certified; or*
- (b) ten (10) working days from the submission of the CNVMP Schedule or the material change to the management plan where no written confirmation of certification has been received; or*
- (c) five (5) working days from the submission of a change to a CNVMP Schedule where no written confirmation of certification has been received.*

#### **Other management plan changes**

316. This section addresses particular changes to the management plans to address general or specific matters of contention, where these have not been discussed elsewhere.

#### ULDMP

317. We noted during the hearing that the wording of those land features to be reinstated suggested that the identified features should not be cast as an exclusive list. This was on the basis of examples highlighted by submitters with respect to site-specific features such as boundary walls, as well as utilities such as water tanks or wastewater disposal fields. The Reply has advised that this has been amended to provide “*broader wording of ‘reinstatement of features to be retained’, followed by a list of examples*”.<sup>172</sup> The change to condition 9(f)(iii) was as follows:

- a. *Reinstatement of construction and site compound areas, ~~driveways, accessways and fences~~;*

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<sup>172</sup> Ibid, at [24.3]

- (j) Reinstatement of features to be retained such as:
  - a. boundary features;
  - b. landscaping;
  - c. driveways;
  - d. accessways; and
  - e. fences.

318. The Panel considers that while the above list is cast as un-exclusive, we consider that the inclusion of “site utilities”, to incorporate the types of features noted above, would be appropriate for the avoidance of any doubt in the future. Accordingly, we have added “site utilities” (as clause f) to the ULDMP conditions.

319. On review of the detailed specifications component of the ULDMP landscape conditions at clause (g)(iii), the Panel also recommends the inclusion of “irrigation” and “plant replacement (due to theft of plants dying)”, and these have been added to the Panel’s recommended changes to the ULDMP conditions accordingly, as follows:

- (iii) *Detailed specifications relating to the following:*
  - ...
  - f. Irrigation; and
  - g. Plant replacement (due to theft or plants dying).

#### SCEMP (and Definitions)

320. The SGA advised at the hearing that the SCEMP condition was to be updated to require this to be provided to the Council ‘for information’ with an outline plan. This responded to the JWS that had suggested the SCEMP be provided as part of an outline plan, rather than just ten days prior to the start of construction. The Reply advises that this approach can be further improved, so that the identification of stakeholders and engagement methods must take place at least six months prior to detailed design, with a record of these matters then submitted at the outline plan stage. This is noted to be better aligned “*with the preparation of the ULDMP, and will occur before the other management plans are prepared*”. Clause (c) to the condition then requires that the SCEMP “*shall be submitted to the Council for information*”. In this way it has been proposed that “*it is the record of those matters that is to be provided at the outline plan stage, and not the SCEMP itself, which will be provided separate to the Outline Plan process and prior to the start of construction*”.<sup>173</sup>

321. A corresponding amendment has been proposed to the CEMP (condition 12), to include an explicit requirement to respond to matters raised in through the SCEMP engagement process, so that the CEMP condition is amended to read (at (b)):

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<sup>173</sup> Ibid, at [24.8]

“... the CEMP shall include:

...

(xii) summary of measures included to respond to matters raised in engagement, if not already covered above;

...

322. The Reply also notes that while the Ministry of Education sought specific inclusion of ‘educational facilities’ within the SCEMP, this has been refined to incorporate this activity within the definition of ‘Stakeholders’.
323. These amendments are accepted, although the Panel has asked itself about the purpose of providing a SCEMP to the Council simply for information. However we consider that knowledge of the matters addressed in the SCEMP will assist the Council, in its assessment of the outline plan, to understand the process proposed through the SCEMP in its consideration of other management plans, and in particular the ULDMP.

#### NUMP

324. The Panel heard from witnesses for Spark New Zealand Trading Limited who raised concerns about potential effects of the Projects on the ‘Southern Cross International Cable’, and in respect of the NUMP condition (as applicable to NoRs W1-W3 and S4). In response, the Reply advised that this condition has been changed to just refer to the ‘International Cable’. More substantively, the SGA also proposed a change to the NUMP condition in order to ensure that there will be a record of engagement with network utility operators, “*including details of the opportunities considered to co-ordinate the forward work programme with network utility facilities*”.<sup>174</sup> The change to condition 23 was proposed as follows:

*The Requiring Authority shall consult with Network Utility Operators during the detailed design phase to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the NUMP.*

~~*The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) during detailed design where practicable.*~~

325. The Reply goes on to advise of a change to the definition of ‘North West growth area’, “*which is used in the NUMP*”.<sup>175</sup> This was proposed to be in response to the Council’s recommendation to include live-zoned areas and to remove a reference to the 2023 version of the AUP, to ensure that future plan changes are

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<sup>174</sup> Ibid, at [24.18]

<sup>175</sup> Ibid, at [24.18(a)]

appropriately captured. The Panel endorses this change to the definition, but notes that it is not actually referenced in the NUMP condition. We have considered whether inclusion of the definition within the condition would be warranted (in case of any issues arising from an oversight) but have concluded that it would not.

#### Panel findings and recommendations

326. The Panel generally accepts the changes made to the abovementioned management plan conditions for the reasons set out in the Reply and as summarised above. We recommend, however, the following further amendment (relative to the conditions set out in the SGA's Reply version):

(a) For the ULDMP condition, at 9(f)(iii):

*j. Reinstatement of features to be retained such as:*

*a. boundary features;*

*b. landscaping;*

*c. driveways;*

*d. accessways; and*

*e. fences; and*

*f. site utilities.*

(b) For the ULDMP condition, at 9(g)(iii):

*(iii) detailed specifications relating to the following:*

*...*

*f. irrigation; and*

*g. plant replacement (due to theft or plants dying).*

#### Effects of stormwater and flooding

327. The effects of stormwater and flooding were of concern to a number of submitters, particularly in light of the weather events of early 2023. All the Local NoRs incorporate a specific 'Flood Hazard' condition (condition 10) that sets out particular flood risk outcomes. The Council's s.42A reports provide a detailed analysis of the submission points, and the advice received from the Council's stormwater and flooding specialists, including from its Healthy Waters department. The Local Arterials s.42A report, for example, did include a number of recommended changes to the SGA's proposed flood hazard condition, to address the following matters so as to ensure that adverse flooding effects can be avoided, remedied or mitigated:<sup>176</sup>

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<sup>176</sup> Local Arterials Agenda, at p.119

- the need to update the design to reflect actual ground profiles and infrastructure with the data requiring to be collected by the Requiring Authority;
- the need for a more detailed assessment of any flow diversions created by bridges, culverts, and stormwater infrastructure will be required through the design process;
- provision of Sheet 4 of the Coatesville Riverhead General Arrangement Plans;
- the need for the proposed works in the Whenuapai Catchment, and associated stormwater devices, to be designed to meet the operational performance required by the NZDF;
- the need to comply with the existing Network Discharge Consents for the Waiaroha Stream, for the part of the catchment between Hobsonville Road and Upper Harbour Highway; and
- the proposed amendment to the Flood Hazard and CEMP conditions.

328. At the time of the hearing the flood hazard condition was as follows (with underlining denoting the SGA's recommended amendments to the lodged version):<sup>177</sup>

- (a) *The Project shall be designed to achieve the following flood risk outcomes:*
- (i) *no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard less than 150mm;*
  - (ii) *no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors with a freeboard of over 150mm;*
  - (iii) *no increase in 1% AEP flood levels for existing authorised community, commercial, industrial and network utility building floors that are already subject to flooding;*
  - (iv) *no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial, industrial and network utility building floors;*
  - (v) *no increase of more than 50mm in flood level in a 1% AEP event on land zoned for urban or future urban development where there is no existing dwelling;*
  - (vi) *no new flood prone areas; and*
  - (vii) *no more than a 10% average increase of flood hazard (defined as flow depth times velocity) for main access to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 50%, 20%, 10% and 1% AEP rainfall events.*

<sup>177</sup> EV076, Attachment B

- (b) *Compliance with this condition shall be demonstrated in the Outline Plan, which shall include flood modelling of the pre-Project and post-Project ~~100 year ARI~~ 10% and 1% AEP flood levels (for Maximum Probable Development land use and including climate change).*
- (c) *Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.*

329. The SGA opening submissions noted that this condition is largely consistent with the suggestions provided by the Council's Healthy Waters department and recommended in the s.42A report.<sup>178</sup>

330. The evidence of Michael Summerhays for the SGA in respect of stormwater and flooding described the overall intent of the above conditions, as follows:<sup>179</sup>

*"32.3 The conditions will require flood modelling of the pre- and post-Project geometry for the 50%, 20%, 10% and 1% AEP rainfall event (for MPD land use including climate change). The project will then need to be designed to include measures that achieve the Outcomes, and compliance with the Outcomes condition will need to be demonstrated in the Outline Plan.*

*32.4 The potential construction phase flooding effects will be appropriately managed through the consideration of flooding in the proposed CEMP developed prior to the construction phase along with the proposed added clause (methods to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows and actions to respond to warnings of heavy rain).*

*32.5 To improve flexibility in how the flooding effects are managed, the proposed designation condition also allows the use of alternative measures outside of the proposed designation - such as flood stop banks, flood walls and overland flow paths, provided that this can be agreed with the affected property owner and any resource consents are obtained. To allow for further flexibility, an amendment to the condition also allows for alternative outcomes to be considered with the agreement of the affected landowner".*

331. It was Mr Summerhay's conclusion that the conditions "*provide sufficient protection for existing buildings and property with future design and modelling*

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<sup>178</sup> EV001, at [10.80]

<sup>179</sup> EV060



*being required to demonstrate achievement of these conditions”.*<sup>180</sup>

332. The Panel heard from a number of submitters who were concerned about how flood hazards will be adequately managed within the areas affected by the Local NoRs. We refer to some of the evidence heard in this regard below.

(a) Mr Roberts, for Oyster Capital Limited, in addressing the designation boundaries for NoR W4 noted:<sup>181</sup>

*“The submissions by Oyster [oppose] the extent of the designation boundary of NOR W4 on the basis that the location of the proposed Stormwater Wetlands 2 and 3, which are proposed for stormwater treatment and retention / detention are not necessary stormwater management devices to manage the run-off from the proposed SH16 overbridge. Oyster have developed an in-road bioretention device solution that has been approved as potentially acceptable to Auckland Transport, which addresses the stormwater treatment, retention and detention.”*

(b) Louise Johnston, the Deputy Chair of the Rodney Local Board (**RLB**), advised of a general concern about the flood hazards in both Kumeu and Huapai, especially after the continuing flood events in the area.<sup>182</sup> She also noted that:<sup>183</sup>

*“Furthermore, the RLB agree with the [Government Policy Statement] on the land transport plan of reducing exposure to known hazards and proactively reducing future risk through strategic investment (e.g., by building in locations that are informed by flood/hazard mapping and using climate scenario analysis)”.*

(c) Brooke Loader from the Henderson-Massey Local Board provided a copy of a resolution from its 20 June 2023 meeting:<sup>184</sup>

*“kohuki / consider that the aquifers in the NOR area must not be affected by planned stormwater run-off or flood attenuation, as they flow to the Upper Waitemata Harbour catchment, which is already struggling with sedimentation and pollution issues”.*

(d) Lydia Lin, of 7-8 Spedding Road, Whenuapai, noted that the proposed land acquisition of part of her property was the third such acquisition her family had faced, having been forced out of their last family home as recently as September 2020. She noted a particular flood-related issue arising from the

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<sup>180</sup> Ibid, at [33.5]

<sup>181</sup> EV086, at [3]

<sup>182</sup> EV112, at [4]

<sup>183</sup> Ibid, at [9]

<sup>184</sup> EV146, Resolution number HM/2023/80 at [(a)(iv)]

*“amount of dirt piled around the wetland recently which could potentially [cause] more flooding in wetland in future events”.*<sup>185</sup>

- (e) Allan Boyle, on behalf of himself and Anne Boyle, for BM Trustees Limited (28A Māmari Road), expressed his concern over the design of stormwater ponds, stating:<sup>186</sup>

*“We understand that the reason for the extensive designation over the Site is to accommodate significant Dry Ponds for the purpose of detention and treatment of stormwater generated by the Project.*

*“These large-scale infrastructure works will have significant long-term adverse effects on the continued and potential future use and development of the Site. To date, we have not been specifically consulted on these works”.*

- (f) Carl & Melanie Laurie (for Ron and Marlene Patten) noted the potential for significant stormwater and flooding adverse effects on their parents’ property at 96 Trig Road, associated with a large dry pond on a large portion of the land, the existence of which would also leave a large part of the property completely unusable.<sup>187</sup>
- (g) Mr Campbell, on behalf of Kāinga Ora, stated that:<sup>188</sup>

*“Within its submission, Kāinga Ora raised their concerns with the proposed ‘flood hazard’ condition, and requested a condition that, simply put, requires the NW Project to not worsen any flooding effects onto neighbouring properties and appropriately avoids, remediates and/or mitigates the effects of their construction activities.”*

In terms of the particulars of the flood hazard condition, he noted:<sup>189</sup>

*“...the condition proposed by both the Council and the Requiring Authority enables an increase in flooding during a 1% AEP flood event by up to 50mm for urban or future urban development where there is no existing dwelling. The Requiring Authority is of the view that this is an appropriate balance between effects on neighbours and allowing the design team to achieve a cost effect solution”.*

In his view, the flooding effects of a project should be managed by the project itself, and that, by reference to AUP Policy E36.4.1(21), flooding to a neighbouring property should not be increased by a proposal. On that basis, he supported the Council’s proposed version of the flood hazard condition

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<sup>185</sup> EV129, at Slide 14

<sup>186</sup> EV155, at [5.1] – [5.2]

<sup>187</sup> EV162, at [5.2(e)]

<sup>188</sup> EV179, at [7.31]

<sup>189</sup> Ibid, at [7.33]

to include a requirement of no loss of overland flow path capacity (unless provided by other means), and no creation of new flood prone areas.

333. We have also addressed specific flood concerns that have been raised by Andrés Roa on behalf of Yvonne and Gayo Vodanovich within NoR HIFTR as part of our decision in respect of the resource consent application at Trig Road South.
334. In a different vein, we also heard from Emma Bayley, for Redhill Green Limited (RGL), who advised that RGL's concerns with regards the alignment of the NoR through RGL's landholdings, to minimise environmental effects on streams and wetlands, have been generally addressed through the proposed amendments to the NoR conditions.<sup>190</sup>
335. Mr Summerhays' evidence advised that the January 2023 event exceeded the runoff and flooding compared to the 1% AEP future scenario with climate change of 2.1° for the Kumeū catchment but was slightly lower for the other three catchments. He also noted that this event had been assessed by the Council as being in the order of a 250-year return period storm, and was the largest recorded to date. He went on to say:<sup>191</sup>
- “Many of the current catchment flooding problems require catchment-wide responses and the integration of plans from many different organisations. As noted above Auckland Council is understood to be investigating flood reduction options and my understanding is that the future project team would work with Auckland Council to achieve that, if not already completed before the Project commences”.*
336. Mr Summerhays had responded to the evidence of Mr Campbell in his rebuttal evidence. In this regard he reiterated the response he had provided to the evidence for Future-Kumeū Incorporated (for the Strategic NoRs) and that in his view, sufficient modelling has been carried out to support the NoRs and the flood risk outcomes stated in the flood hazard condition. He noted that this condition requires further modelling to be carried out to confirm compliance with the flood risk outcomes, and that this is appropriate as part of a two-stage process (i.e., notice of requirement and outline plan stages).<sup>192</sup>
337. He also referenced the use of the same conditions in the Airport to Botany NoRs, and noted that the conditions were (at that stage) supported by Healthy Waters, and were in his view appropriate.<sup>193</sup>
338. The response memorandum by Lee Te and Danny Curtis of Healthy Waters outlined their general concerns with the flood hazard and CEMP conditions relevant across all the NoRs. While the focus of their memorandum was on the key issues arising in respect of the Kumeū catchment, in terms of stormwater

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<sup>190</sup> EV111, at [2.1] – [2.2]

<sup>191</sup> Ibid, at [30.18]

<sup>192</sup> EV061, at [3.6]

<sup>193</sup> Ibid, at [3.10]

wetlands and structures generally they advise:<sup>194</sup>

*“The requiring authorities will need to demonstrate and provide information that the proposed location and design of stormwater infrastructure is appropriate for the site and purpose and will continue to function as expected if located in any areas with overland flow paths and floodplains. The detailed design will need to include site-specific assessment and identify existing drains, culverts, bridges or other stormwater infrastructure to ensure the proposed stormwater management devices are integrated in the catchment.”*

339. In terms of the conditions, their memorandum states:<sup>195</sup>

*“The recommended changes to the Flood Hazard and the CEMP conditions in the s42A hearing report were mostly adopted by the requiring authorities, however, some of the recommendations were not adopted, and we disagree with the [Requiring Authorities]. We have made additional recommendations following expert conferencing and evidence from submitters and the [Requiring Authorities] ... The additional recommendations aim to ensure conditions are clear and provide certainty on the flood hazard outcome sought to ensure flooding effects are appropriately managed within the proposed designations and the surrounding environment.”*

340. The changes proposed by Ms Tee and Mr Curtis include amendments to all seven flood risk outcomes, and adds two more, and sets out more detailed compliance provisions within the outline plan -related provisions. It also includes additions to condition (c) (alternative measures), and a new clause (d) to require that “[t]he capacity of the designation’s stormwater management network to drain surface water from private properties shall not be reduced or if reduced is appropriately accommodated by other means”. Two advice notes are also proposed specifying consultation requirements between the Requiring Authority and Healthy Waters. The memorandum goes on to state in terms of their recommended changes to the proposed conditions that:<sup>196</sup>

*“We have recommended changes to conditions to include consultation with Healthy Waters (or its equivalent), as it is important to have up to date site-specific information for flood modelling, Healthy Waters continually investigate areas at risk of flooding and are familiar with the catchment specific details of different areas, this will ensure an integrated stormwater management approach. Additionally, there are different methods and details used in flood modelling, we need to ensure the flood modelling at the detail design stage has essential details that will make the information accurate and comparable to other assessments that are not part of this project. It will also give confidence that the flood hazard outcomes in the Flood Hazard conditions will be achieved”.*

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<sup>194</sup> EV281, at p.67

<sup>195</sup> Ibid

<sup>196</sup> Ibid, at p.66

341. The SGA's Reply acknowledged the concerns of submitters on this matter, and stated that following lodgement of the NoRs, the recent flood events were tested in the base case model. The Reply stated that while the conditions proposed at the opening of the hearing were largely consistent with the suggestions provided by Healthy Waters and recommended in the s.42A report, it acknowledged that questions had been raised subsequently during the hearing from both submitters and the Council. It noted that the changes proposed by Healthy Waters were extensive, and so were addressed separately at Appendix A to the Reply.
342. We note that the Reply version of the conditions retained the original wording presented at the hearing, with one addition, being to one of the flood hazard outcome requirements at clause (a), as follows:
- (ii) *no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors ~~with a freeboard of over 150mm~~ to maintain a minimum freeboard of 150mm;*
343. This change was to address a query from the Panel to ensure that it is clear that the stipulated freeboard is a minimum threshold. A change had also been made to the definition of 'flood prone area' (as a preamble to the flood hazard condition) to align with Auckland Council's Geomaps.
344. The Reply addressed the substance of the changes sought by Healthy Waters in some detail (as well as the flood-related issues raised by Future-Kumeū Inc), and we summarise the basis for the Requiring Authorities' general rejection of those changes as follows:<sup>197</sup>
- (a) The use of 150mm freeboard as the "threshold" for allowing flooding effects, being an issue of concern to Mr Roa (for Yvonne and Gayo Vodanovich) and the Council, was the level proposed initially by Healthy Waters. The SGA does not propose to amend this freeboard level.
- (b) Subsequent to the Council/Healthy Waters change in position, the SGA has not been able to complete the technical analysis required to confirm that Healthy Waters' revised stance is workable, but that work is continuing.
- (c) The SGA will therefore await the Panel's recommendation and continue the technical analysis and look to incorporate both of these into its decision to the extent that it is practicable and appropriate to do so.
- (d) In terms of the appropriateness of allowing for any increase in flood risk, in light of AUP requirements to this effect (Chapter E36), as raised by Mr Campbell (and Hamish Firth for Future-Kumeū Inc), and the Council's proposed amendments to clause (a)(v) to require no increase in the 1% AEP levels (except within a well-defined stream cross-section and will not

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<sup>197</sup> EV288, at [15.5] – [15.13]

increase flood plain extent), the Reply notes that “*the RMA is not a no-effects statute, and there is no statutory requirement to have zero adverse effects*”. It further added that there is no requirement to comply with the AUP’s permitted activity standards as part of a notice of requirement.

- (e) The Reply explains the ramifications of incorporating a requirement for no increase in flood risk in all locations and describes the potential for adverse consequences in terms of bridge design spans and the ability to integrate these with adjacent land use. It goes on to say:<sup>198</sup>

*“It is also important to recognise that the flood conditions do not work in isolation and need to be considered in their totality. While a 10% reduction in freeboard and a 50mm increase in flood level are allowed for in clauses (ii), (iv) and (v), in many cases the other clauses will work to set a lower limit on the level of increased flood risk that can be tolerated. In particular, clauses (a)(i) and (iii) set out more restrictive provisions for areas that are already subject to flooding.*

*The increases in flood risk allowed for under the proposed conditions are minimal. As explained by Mr Summerhays, a 50mm increase in flood water level would be considered negligible,<sup>177</sup> and it is also an accepted average value for large transport infrastructure projects<sup>178</sup> and was accepted by Auckland Council in its Section 42A reports on the projects. We also note that these matters will be subject to additional scrutiny at the resource consenting phases to come”.*

345. In terms of other specific changes proposed by Healthy Waters, Annexure A to the Reply states as follows:<sup>199</sup>

- *“In relation to overland flow paths in (vi) and (vii), [AT] has no control over existing overland flow paths on private property and cannot be responsible for diverting them away from private properties. No new overland flow paths would be created, and as such (vi) is unnecessary. Further, the requirement for “no new flood prone” areas address the Council’s proposed amendments to clause (vii), as there will need to be sufficient flood capacity and overland flow paths to avoid creating any new flood prone areas.*
- *Controlling flooding around dwellings is already addressed by (i) to (iv) and therefore the proposed (ix) is unnecessary. It is also important to note that a reference to the 10% AEP event is unnecessary because the 1% AEP is the worst-case event.*
- *The changes to (b), (c) and (d) are not required as they are already covered by the other clauses or the project modelling that will already be undertaken”.*

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<sup>198</sup> Ibid, at [15.14] – [15.15]

<sup>199</sup> Ibid, at p.203

346. As part of the Panel's request for further commentary on other matters as set out in its Direction 8, it invited the SGA to provide an update as to any further work undertaken on flooding matters and discussions with Healthy Waters. The SGA's supplementary memorandum advised in this regard that the results of further flood map results had been shared with Healthy Waters, and on the basis of that further changes have been made to the flood hazard condition. These are summarised as follows:<sup>200</sup>

- (a) Clause (a)(i) is altered to refer to 500mm instead of 150mm, to ensure "no increase in flood levels in a 1% AEP event, for existing authorised habitable floors that have a freeboard less than 500mm".
- (b) As a result of the above change (with a commitment to maintaining the 500mm freeboard), clause (a)(ii) is deleted.
- (c) Clause (a)(iii) is altered to refer to 300mm to ensure "no increase in 1% AEP flood levels for existing authorised community, commercial, industrial, and network utility building floors that have a freeboard less than 300 mm".
- (d) For a similar reason to (b) above, clause (a)(iv) is deleted.
- (e) Clause (a)(v) is changed to require:

Maximum of 50mm increase in water level in a 1% AEP event outside and adjacent to the designation boundaries between the pre and post Project scenarios:

This is to ensure "that flood effects will be limited to a very short distance upstream and downstream of the designation boundary before returning to pre Project flood levels".

- (f) Clause (a)(vii) is amended to ensure that that it is specific to vehicle access and to clarify the definition of Flood Hazard.
- (g) In clause (b) the 10% AEP event is removed to be consistent with the 1% AEP event used throughout the condition set. This is because "[a]s the 1% AEP event is a more severe event than the 10% AEP event, including the 10% AEP event is unnecessary".

347. The Reply advises that discussions with Healthy Waters are ongoing, including presenting the results of the mapping and changes to conditions, and that the SGA "will update the Panel in the new year if any agreements can be reached".<sup>201</sup> However, and in the interim, the SGA also considers that "its proposed condition wording adequately responds to flood risk and it does not support the amendments

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<sup>200</sup> EV289, at [7.3]

<sup>201</sup> Ibid, at [7.4]

*proposed by Healthy Waters*".<sup>202</sup> The Panel notes that no further updates were received prior to our closing of the hearing on 23 January 2024, and we have considered these conditions on the basis of the versions before us at that time.<sup>203</sup>

348. The Panel has carefully considered the competing position between the SGA and Healthy Waters in respect of the flood hazard condition. We are, however, concerned that it is dealing with a highly technical matter and one that has significant potential consequences in the event that flood hazard management is not undertaken to the appropriate and necessary standard. We recognise the expert evidence presented in this regard that underpins the SGA's preferred set of conditions but are also cognisant of Healthy Waters' expertise in the management of flooding issues on a region-wide basis, and the issues they have highlighted with the SGA's proposed condition. On this basis we have decided that we favour what appears to us to be the more precautionary approach advanced by Healthy Waters, and therefore recommend the adoption of their preferred conditions. This has been a somewhat complicated exercise because Healthy Waters' amendments are based on an earlier version of the conditions, and before the SGA committed to provide for 300mm/500mm minimum freeboards in their supplementary memorandum. However, in carefully considering the various versions, we have adopted the following changes sought by the SGA as set out within their Reply and supplementary memorandum:

- A requirement to maintain a minimum freeboard of 500mm (clause (b)(ii));
- Acceptance that reference to 10% AEP events are unnecessary, because 1% is also required to be modelled and this is the worst case event;
- Acceptance of inclusion of the flood hazard definition parameters (clause (b)(xi)); and
- The additional text at the end of (c) is unnecessary (submission of modelling to the Council/Healthy Waters) as it is captured by the text added to the end of (b).

349. We note the advice of the SGA that the parties are continuing to work closely on this issue, and that further discussions in that regard will no doubt inform the Requiring Authority's final decisions-version of the condition.

#### Panel findings and recommendations

350. For the reasons set out above, the Panel finds that the Healthy Waters version of the conditions is preferred. The following changes, relative to the SGA supplementary memorandum version,<sup>204</sup> being an evolution of what was provided with the Reply, is recommended for condition 10 as follows:

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<sup>202</sup> Ibid, at [7.5]

<sup>203</sup> This continuing work has also occurred in respect of the Warkworth NoRs, as reflected in the SGA's supplementary memorandum of 29 February 2024 for those Projects.

<sup>204</sup> EV289, at [7.3]



- (a) The Project shall be designed to achieve the following flood risk outcomes:
- (i) no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard of less than 500mm, within the designation or upstream or downstream of the designation;
  - (ii) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors with a freeboard of over 500mm (to maintain a minimum freeboard of 500mm), within the designation or upstream or downstream of the designation;
  - (iii) no increase in 1% AEP flood levels for existing authorised community, commercial, industrial and network utility building floors that are already subject to flooding or have a freeboard of less than 300mm within the designation or upstream or downstream of the designation;
  - (iv) no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial, industrial and network utility building floors with a freeboard of over 300mm (to maintain a minimum freeboard of 300mm) within the designation or upstream or downstream of the designation;
  - (v) no increase in a 1% AEP flood level, except where the increase in level occurs within a well-defined stream cross-section and the increase will not increase the flood plain extent;
  - ~~(vi) Maximum of 50mm increase in water level in a 1% AEP event outside and adjacent to the designation boundaries between the pre and post Project scenarios;~~
  - (ix) existing or new overland flow paths shall be diverted away from private properties and discharge to a suitable location so that there is no increase in flood levels in a 1% AEP event downstream. Overland flow paths shall be kept free of obstructions;
  - (x) no new flood prone areas;
  - (xi) no increase of flood hazard for main vehicle or pedestrian access to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event.
- Where Flood Hazard is:
- velocity x depth  $\geq 0.6$  or
  - depth  $> 0.5\text{m}$ , or
  - velocity  $> 2\text{m/s}$ .
- (b) Compliance with ~~this~~ condition (a) shall be demonstrated in the Outline Plan, which shall include flood modelling of:

*(i) the pre-Project and post-Project 1% AEP flood levels (for Maximum Probable Development land use and including climate change)-;*

*(ii) proposed horizontal and vertical alignments of the road design;*  
*and*

*(ii) all stormwater, drainage and mitigation infrastructure proposed to service the road construction.*

*This modelling shall be submitted to Auckland Council Healthy Waters (or its equivalent) for review and confirmation that it can adequately demonstrate compliance with the condition.*

(c) *Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.*

(d) *The capacity of the designation's stormwater management network to drain surface water from private properties shall not be reduced or if reduced is appropriately accommodated by other means.*

*Advice Notes:*

a. *Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.*

351. As an associated minor matter, we have also removed the definition for 'ARI' (Annual Recurrence Interval) as this is not a term that is subsequently used in the flood hazard condition itself.

### **Effects of road noise on future dwellings**

#### **Introduction**

352. There were several issues of contention relating to road noise (including construction noise) that arose between the evidence for the SGA and the acoustic evidence of Rhys Hegley for Kāinga Ora and the assessment of the Council's acoustic specialist, Jon Styles. These issues can be categorised as:

- Construction noise;
- Management of traffic noise for future receivers;
- Noise contours; and
- Low noise road surface (and resurfacing).

353. We address these matters in turn below.

## Construction noise

354. The conditions proposed by the Requiring Authority provide for a CNVMP to be established which would identify management measures whenever construction noise and vibration levels exceed the construction noise and vibration standards identified in the AUP. Mr Styles' concern with the proposed conditions was that the CNVMP could be drafted in a way that allows infringement of the standards in wide-ranging circumstances. He considered that the activities that infringe the standards are the ones that require the closest attention and most careful management.<sup>205</sup>
355. During the hearing, Mr Styles had discussions with the SGA experts with the result that modifications to the conditions were agreed which satisfied Mr Styles' concerns. These modifications include clarification that infringements of noise and vibration criteria cannot occur without the use of CNVMP Schedules, and a default position for high noise-generating activities to take place in the daytime rather than the night-time.
356. Mr Hegley also had concerns regarding the CNVMP. He considered that the CNVMP should be certified to ensure that the BPO is met, and that there is consistency across all the NoRs for any associated schedules to be submitted for certification by the Council because the items addressed by Schedules often "*represent those with the greatest construction effects*".<sup>206</sup>
357. The Reply recorded the Requiring Authority's acceptance that reference to infringements permitted by the CNVMP should be removed from the conditions and that any infringements of the noise and vibration criteria should only be dealt with through a CNVMP Schedule.

### Panel findings and recommendations

358. The Panel is satisfied that the concerns expressed by Mr Styles regarding the CNVMP conditions have been satisfactorily addressed by the Requiring Authority. Regarding certification, the Panel does not consider that the role of certification is to check that the CNVMP necessarily represents the BPO for construction but rather that the details required by the condition have been provided, but the issue of certification of management plans (in general) is dealt with elsewhere in this report.

## Management of traffic noise

359. The SGA has assessed traffic noise effects of the projects utilising NZS 6806:2010 Acoustics – Road-traffic-noise – New and altered roads (NZS6806). The approach under this standard is to assess noise received at Protected Premises and Facilities (**PPFs**) which are essentially noise sensitive activities. Existing PPFs, and the corresponding Noise Activity Categories, are set out in Schedule 3 of the

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<sup>205</sup> E.g., Local Arterial Agenda, at p.283

<sup>206</sup> EV181, at [41]

conditions. The operational noise conditions relate only to those NoRs for which existing PPFs have been identified in Schedule 3.

360. The primary issue with respect to the management of traffic noise was the extent to which the Requiring Authority's assessment of the 'BPO' (Best Practicable Option) at the time of implementation of a designation should include future receivers in addition to existing PPFs. There was no dispute that existing PPFs should be modified, where necessary, to meet the requirements of NZS6806.
361. The AUP does not include standards requiring dwellings built adjacent to heavily trafficked roads to be acoustically treated to mitigate traffic noise effects. In the absence of such a standard, there appeared to be common ground that there is a shared responsibility between the Requiring Authority and developers for noise mitigation for buildings constructed between the lodgement of the NoRs and the completion of construction of the projects (future receivers). However, the proportionate share that should fall on the Requiring Authority and developers, respectively, was an issue in contention.
362. The SGA's position is that their responsibility for mitigation should start and end with the provision of low-noise road surfaces on the roads being constructed as enabled by the NoRs. Based on the design of roads, including the use of low-noise surfaces, they produced noise contours to inform the design of future development. This was based on the expectation that the developers of buildings will ensure the design incorporates sufficient noise mitigation measures to produce suitable internal noise environment when the roads are operational.
363. On the other hand, the Council and Kāinga Ora consider that the BPO for noise mitigation should be provided by the Requiring Authority at the time the roads are designed. Mr Styles and Mr Hegley considered that this BPO should include not only low-noise road surfaces, but also provide for barriers in appropriate locations within the designation boundaries and provide for building modifications and barriers on adjacent properties outside the designation boundaries.
364. Mr Campbell (on behalf of Kāinga Ora) proposed a number of amendments to the conditions addressing noise and vibration effects, including the following additional condition that addresses the use of noise barriers to achieve the BPO:<sup>207</sup>

*Where the Project passes through areas with a residential or future urban zoning, noise barriers shall be erected where they can be demonstrated to provide the [BPO] for the control of road traffic noise having regard to the future residential use of the adjoining land.*

365. By the end of the hearing, however, it was accepted by the parties contesting this issue that:
- (a) There is a shared responsibility for noise mitigation;
  - (b) All roads should incorporate low-noise surfaces (per the relevant Joint

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<sup>207</sup> EV179, Appendix B

Witness Statement referred to below); and

- (c) The Requiring Authority should not be responsible for modifying new dwellings built between the lodgement of the NoRs and their construction.
366. The main remaining area of disagreement is whether the BPO should be adopted within the road design, which will include both low-noise road surfaces and, in some locations (where practicable) noise barriers. This additional mitigation would be accounted for in the noise level contours produced for each road and would result in a lesser need for noise-mitigation within building design and, importantly, improve the noise environment for the external areas within the properties adjacent to the road.
367. At the hearing, Mr Styles undertook to provide amended drafting for the relevant conditions to address this issue but at the time that the hearing was adjourned (and closed) this had not been provided to the Panel.
368. The Council version of the definitions relevant to the traffic noise conditions are consistent with those of the Requiring Authority, and modifications to condition 25 (relating to circumstances when the Noise Criteria Categories do not need to be complied with) have been accepted by the Requiring Authority in the version of the conditions attached to the Reply.
369. The Reply characterised Mr Hegley's evidence as "inconsistent", acknowledged Mr Styles' modified position in relation to this issue (but noted the lack of updated conditions from Mr Styles), and submitted that the position of the SGA's experts should be preferred because it has remained consistent throughout the hearing, and that "*the conditions as currently proposed by the Requiring Authorities are appropriate and accurately and sufficiently provide for the concept of shared responsibility*".<sup>208</sup>

#### Panel findings and recommendations

370. Having considered the reporting and evidence presented to it, the Panel finds that:
- (a) There is a shared responsibility for noise mitigation;
  - (b) All roads that are the subject of the NoRs should incorporate low-noise surfaces;
  - (c) The Requiring Authority should not be responsible for modifying new dwellings built between the lodgement of the NoRs and their construction; and
  - (d) With the design of the roads, the BPO should be adopted for the mitigation of operational noise that will include not only low-noise surfaces, but also barriers to attenuate noise in appropriate locations where practicable.
371. To address the last of these findings, the Panel recommends that the following condition be added (as condition 24A):

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<sup>208</sup> EV288, at [16.6]

Where the Project passes through areas with a residential or future urban zoning, noise barriers shall be erected where they can be demonstrated to provide the Best Practicable Option for the control of road traffic noise having regard to the future residential use of the adjoining land.

### **Noise contours**

372. Mr Styles expressed the view in his response memorandum that there are faults with the noise level contours that would limit their efficacy for the incorporation of noise mitigation with the design of new buildings located adjacent to the designations. These faults include the mitigation effects of screening provided by existing buildings (such as farm buildings and greenhouses) which are unlikely to exist when land adjacent to new roads is urbanised; and the inclusion of the effect of noise barriers which would be deleted from the road design if the PPF it is designed to protect is no longer in existence when the road is implemented. Mr Styles considers that that it would not be possible for the contours to be interpreted to account for such changes.
373. In her evidence on the Strategic NoR's, Ms Wilkening addressed this issue, stating that the contours are sufficient (and appropriately conservative) to account for minor changes to features of the environment, and that it would be a relatively simple matter for the contours to be interpreted to account for such changes. In addition, Claire Drewery, in respect of the Local NoRs, stated in her rebuttal evidence that the contours "*will allow future developers to understand the traffic noise levels and design their developments*" and that any changes in noise level in the future would be small and have no material impact on the design of future dwellings.<sup>209</sup>
374. The other issue on which there was a level of disagreement (or uncertainty) was where the contours should be published in order that they could be readily accessed by those designing new buildings. There was a general preference expressed for the contours to form a layer in the Council's GIS as that is a tool used to identify other forms of constraint on development. The Council highlighted, however, that the burden of ensuring the contours were consistently up-to-date would then unfairly fall upon it (and in particular, its GIS team).
375. The other option discussed was for the contours to be placed on the Project Website which is to be established in accordance with condition 2A. This option has the benefit of being the responsibility of the Requiring Authority to keep it updated but will require developers to be aware of its existence for it to be of any real utility.

### Panel findings and recommendations

376. The Panel accepts the evidence of Ms Drewery that the contours are fit for purpose and recommends that they be available on a project website that is to be

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<sup>209</sup> EV074, at [1.1(a)].

established in accordance with condition 2A(c). This condition requires (and to which the Panel recommends a minor amendment) as follows:

*...The project website or virtual information source shall include these conditions and shall provide information on:*

...

(v) *how / where to access noise modelling contours to inform the design of development adjacent to the designation.*

377. The Panel also recommends that a layer should be included on the Council's GIS that identifies the area covered by the contours and directing the reader to the Project Website for the contours themselves (and where that information will be kept up-to-date). However, we do not consider it appropriate or permissible to include this by way of a condition, and so leave this as a matter that may be addressed in the future by the Requiring Authority in conjunction with the Council.

### **Low noise road surfacing (and resurfacing)**

378. As noted above, the sole form of noise mitigation offered by the SGA for future receivers is providing low-noise surface on the roads that are the subject of the NoRs. Paragraph 3.1 of the Joint Witness Statement in relation to Noise and Planning states:

*"All noise experts agree that [a] low noise road surface be required as a condition on the entire length of all roads subject to these applications."*

379. As proposed by the Requiring Authority, condition 24B enables an alternative surface to be provided when a road is resurfaced if specified traffic-related criteria are not met. Given the importance of the low-noise road surface for mitigating operational noise effects, the Panel considers that this condition is inappropriate (and is recommended to be deleted) and that the wording for condition 24 should be augmented, as recommended for the Strategic NoRs.

### **Panel findings and recommendations**

380. The Panel recommends that (original) condition 24A be deleted and that following clause be added to condition 24:

(a) *Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.*

(b) *The asphaltic concrete surface shall be maintained to retain the noise reduction performance of the surface established in accordance with (a).*

### **Proposed ULDMP Advice Note**

381. The conditions proposed by the Requiring Authority included the aforementioned ULDMP condition, which has its objectives to enable integration of the Project's

permanent works into its surrounding context and manage adverse landscape and visual effects and contribute to a quality urban environment.

382. The condition includes an advice note as follows:<sup>210</sup>

*This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and is not for the specific purpose of road widening. Therefore, it is not intended that the front yard definition in the [AUP] which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.*

383. The same form of condition and advice note is also proposed for the Strategic NoRs.

384. The evidence of Michael Campbell for Kāinga Ora noted the definition of 'Front yard' in the AUP,<sup>211</sup> which is:

*The area along the full length of a front boundary of a site that is between:*

- *the front boundary of that site;*
- *a building line restriction or a designation for road widening purposes; and*
- *a line parallel to that front boundary, restriction or designation.*

385. The submission from Kāinga Ora raised the concern that the proposed NoRs are, at least in part, for road widening to accommodate the NW Projects. The evidence of Mr Campbell was that a designation cannot modify a rule in the plan, and if the Council requires the front yard to be provided from the designated boundary, this would potentially result in unintended consequences along the alignment of the Project(s). This would also compromise efficient land use and development along the Project's alignment, particularly given the extent of land proposed to be designated and the timeframe for which the relevant designations are sought. Mr Campbell stated that in his experience, the Council has tended to take a conservative approach to the requirement for setbacks from designation boundaries. He considered that given the extent and timeframe of the designation areas being sought, there are potential consequences if this matter is not clearly understood and administered by all parties.

386. Through questions of various witnesses including Mr Campbell, we understood the issue to essentially be one whereby the application of a front yard setback from the designation boundary (2.5m in the case of the Residential – Mixed Housing Urban zone, for example), which in most cases incorporates an allowance for temporary construction activity, would result in large set-backs from the finished road corridor, and the potential for inefficient land-use outcomes noted in Mr

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<sup>210</sup> Version date: 18 September 2023

<sup>211</sup> EV179, at [7.38]



Campbell's evidence. The advice note appears to seek to avoid that, by establishing 'up-front' that the designations are not for 'road widening purposes', and therefore the designation boundaries and any adjacent development would not be caught by the definition set out above.

387. We observed during the hearing that the advice note would also be relevant to subdivision outcomes, by reference to the definition of 'net site area' which is:

*The total area of a site excluding:*

- *any area subject to a road widening designation;*
- *any part of an entrance strip;*
- *any legal right of way; and*
- *any access site (emphasis added)*

388. Ms O'Leary stated in her rebuttal evidence on behalf of the SGA that she does not agree with Mr Campbell, advising that the advice note "*simply clarifies the purpose of the designation and that the purpose is not for road widening and therefore the rule should not apply to the designation*".<sup>212</sup> She also commented that the Council has confirmed to her that there is currently no guidance note regarding the interpretation of the front yard rule. In her view, the advice note should be viewed as being complementary to the s.176 approval process, as "*it will aid Council's understanding of the purpose of the proposed designations when administering the AUP:OP front yard standards, and therefore assists to addressing the potential consequences set out above*".<sup>213</sup> On this basis, she considered that providing clarity around the purpose of the proposed designations does not modify the rules of the AUP, rather it is designed to assist in their administration, and is therefore valid, useful and appropriate.

389. We refer here to the legal submissions of Mr Allan on behalf of Kāinga Ora, who stated that:<sup>214</sup>

*"The assertion that the designation is "not for the specific purpose of 'road widening'" does not bind a Council officer, assessing a subsequent resource consent application for a property adjacent to the designation. The effect of the designation is to widen an existing road. The intention of the front yard rules is to ensure that structures are setback a specified distance from a road. The advice note, as drafted, ignores and would override that intention. The consequence would be structures constructed closer to the road than the rule intends. Accordingly, a processing planner in respect of a future proposal to develop on a site where the requiring authority has acquired land along the frontage may conclude that the proposal needs to comply with the yard requirement, notwithstanding the advice note"*.

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<sup>212</sup> EV082, at [3.24]

<sup>213</sup> Ibid, at [3.28]

<sup>214</sup> EV178, at [7.3(c)]

390. Mr Allan went on to outline the consequential concern of Kāinga Ora that:<sup>215</sup>
- “(a) The advice note may provide landowners with a greater confidence than is warranted regarding how they will be able to deal with land in the future.*
  - (b) The advice note may result in wrongly reduced compensation for landowners if it is relied upon by valuers when assessing compensation for land takes along the road frontage of properties”.*
391. Mr Allan recommended that the most appropriate course of action would be to delete the advice note, and also observed that the issue highlights *“the adverse consequences arising from the lack of certainty as to extent to which the designation is required permanently or temporarily (e.g.: for construction purposes)”*.
392. The Council response memorandum noted in a similar vein that while the use of advice notes is common, they are not legally enforceable. They noted SGA’s stated purpose of the advice note, being to provide information to a resource consent processing planner where a landowner applies for a resource consent. However, the Council planners advised that in their view the proposed advice note applies to a process which is beyond the scope of the designation, and that *“[a] planner processing a future resource consent application will undertake their own assessment against the objectives, policies, and standards of the AUP”* and *“[i]t will be within their responsibilities to determine whether a setback is required or not”*.<sup>216</sup>
393. The Reply for SGA was largely silent on this matter but addressed it in its supplementary memorandum (in response to the Panel’s queries set out in Direction 8). The SGA advised that the advice note was originally introduced to the programme-wide conditions following the hearing for the Drury Arterials Network, and in response to concerns raised by Kāinga Ora. The advice note sought *“to provide some assistance in the future should that rule be interpreted as relating to the Requiring Authorities’ projects (which it is not intended to do)”*. At the time, this addressed the points raised by Kāinga Ora, but the Requiring Authority acknowledged the concerns since raised about the advice note being ultra vires. On this basis, the memorandum went on to advise:<sup>217</sup>
- “The Requiring Authorities are comfortable with the advice note being removed from the ULDMP condition and look forward to the Panel’s recommendation on this matter. It was originally included in response to Kāinga Ora’s concerns, therefore if Kāinga Ora no longer agrees with it then the Requiring Authorities see no reason to retain it”.*

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<sup>215</sup> Ibid, at [7.4]

<sup>216</sup> EV281, at p.18

<sup>217</sup> EV289, at [2.3]

394. It may therefore be a simple matter for us to recommend its removal accordingly. However, we consider in terms of the history of the advice note, and its proposed application in other programme-wide NoRs (including Warkworth), that it is appropriate to record why the Panel considers that there are a number of aspects of the advice note that it considers are problematic:
- (a) Firstly, we consider that in the general context of the North-West Projects that it would be artificial to seek to describe them as being “*for the purpose of construction, operation and maintenance of an arterial transport corridor*” as distinct from “*road widening*”. The two categories can both be applicable. In our view, and in the absence of definitions within the AUP for either term, a reasonable person would interpret the Projects, where relating to an existing road, as being for “*road widening*”, and we agree with Mr Allan’s submission referred to above that that in most instances for the Local NoRs “*[t]he effect of the designation is to widen an existing road*”.
  - (b) Secondly, however, we accept in the case of parts of RATN1, 2A, 2B and 2C that the designations would not be for ‘road widening’, as they are generally ‘new’ designations that are more appropriately described as being for the purpose of (or at the very least, a component of) a new arterial transport corridor. Nevertheless, it would be somewhat illogical in our view for the presence of the designations to not be a relevant consideration in the determination of establishing a front yard consistent with the zoning requirements of the site in question. Where the designations traverse the rear of middle part of a site, the issue will not arise, but may still be a relevant consideration for the purposes of defining the ‘net site area’ associated with a proposed subdivision.
  - (c) Thirdly, and separate to any s.176 considerations, it is possible that the effect of the advice note would be to result in a required front yard set-back (from the existing road reserve boundary) that is entirely deficient having regard to the extent of the designation, even if part of that is only required temporarily (i.e., for construction). In this regard, we also acknowledge Mr Allan’s point that, to the extent that the majority of the area is only required temporarily, then that simply highlights a consequence of the lack of certainty in this regard at this time.
395. Overall, therefore, it is the Panel’s conclusion that the advice note as drafted would not assist in the administration of the designations, and therefore we do not accept Ms O’Leary’s evidence that it is “*valid and appropriate*”. It is our conclusion that the effect of the designation, particularly for front yard setback requirements, is better addressed at the relevant time at which a development proposal is considered. Such an assessment would be expected to take into account the relevant designation alignment, where greater understanding of the temporary and permanent designation boundaries may lie, and with reference to any updates that may arise during the intervening period (including via the LIP condition and the

review clause if our recommendations in this regard are upheld by the Requiring Authority).

#### Panel findings and recommendations

396. Based on the above commentary, we find that the advice note would not assist in the administration of the designations, and we therefore recommend its deletion from the ULDMP condition(s).

#### **Conditions (not addressed elsewhere)**

397. The previous sections of this report discuss the conditions, and recommended changes thereto, with respect to those matters raised during the hearing. From the Panel's further review of the conditions, we have noted two further issues where we consider that the conditions could be further improved and/or clarified, as set out below:

#### **EIANZ guidelines**

398. The Panel notes that the conditions specify that the proposed EIANZ Guidelines, for use in the ecological assessment and condition 21A are defined as "*EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018*". The original memorandum by the Council's ecologist, Mr Smith, had recommended that reference to the EIANZ guidelines be supplemented by "*or any updated version*", as this could be superseded by the time the designations are given effect to.<sup>218</sup>
399. The evidence of Mr Jonker stated in this regard that:<sup>219</sup>

*"While acknowledging that including updated revisions could have ecological advantages, I am confident that the current version of EIANZ 2018 adequately addresses ecological effects. I further note that the applicant is designating for the effects now rather than for a future state and that any regional consenting will be subject to updated revisions of the EIANZ guidelines".*

400. Mr Smith's response memorandum did not contest Mr Jonker's advice in this respect, and so we have not considered to be a matter of contention (although it is so in the Warkworth NoRs). The Panel does, however, express some concern that the future ecological survey required by condition 21A will be based on a potentially outdated version of the guidelines, and may be at variance with those guidelines that will be required to be relied upon in any resource consent applications. The Panel has therefore recommended an amendment to the definition to include "*(or any updated version)*", in line with the s.42A recommended version of the conditions.<sup>220</sup>

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<sup>218</sup> Local Arterials Agenda, at p.451

<sup>219</sup> EV032, at [12.6]

<sup>220</sup> E.g., RATN Agenda, at p.374

## **CEMP and residential areas**

401. Condition 12(b) addresses the requirements for the CEMP to achieve the objectives of this plan, and includes:

*(iv) details of the proposed construction yards including temporary screening when adjacent to residential areas; ...*

402. The Panel notes that the phrase “residential areas” is not defined, and could conceivably include residential activities outside a residential zone (e.g., in case of a residential unit(s) located in a Business Zone), or may require screening when adjacent to large rural sites that include a residential dwelling. The Panel has therefore recommended that this requirement is limited to ‘Residential zones’, rather than ‘residential areas’.

## **Minor changes**

403. Other minor changes made to the conditions include the following:

(a) The inclusion of a brief description of the NoRs at the front of the conditions to assist with readability and providing an understanding of the NoRs beyond the simple ‘W1’, ‘W2’ etc descriptors;

(b) The inclusion of definitions for two additional management plans not previously referenced (i.e., the Tree Management Plan and Cultural Monitoring Plan);

(c) The inclusion of a further row below the heading ‘General conditions’ to mirror the text relating to the Strategic NoRs as to which conditions are applicable, and to differentiate between the existing designations that have existing conditions;

(d) An amendment to condition 6(a)(i) (Management plans) to include reference to the need for such plans to achieve the objective or purpose of the plan;

(e) Deletion of the term ‘key’ as a qualifier to the stakeholders to be identified in condition 9 (ULDMP), as this is not a defined term, and we consider that condition 3B sufficiently informs the identification of stakeholders for each designation or stage of work;

(f) The inclusion of NoRs RE2 and W5 as designations to which condition 9 are applicable to; and

(g) Minor typographical changes to ensure consistency as to format and referencing.

404. For ease of cross-referencing between the various versions of conditions, we have retained the same condition numbering (i.e., rather than to change conditions 3A,

3B, 8A, 8B, 21A, 21B, 24A, 28A and 35A, and address the missing condition 13, and apply revised sequential numbering). This is a matter that the Requiring Authority may wish to attend to in its decisions on the NoRs should it consider that to be useful.

405. Finally, we also note that we have shown our changes in ‘track-change’ format so that the amendments are more easily identified by the parties, and in particular by the Requiring Authority for the purposes of preparing its decision.

#### Findings and recommendations

406. Based on the foregoing discussion, we recommend:

- (a) The definition of ‘EIANZ Guidelines’ be amended as follows:

*Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 (or updated version).*

- (b) Condition 12(b) be amended as follows:

*The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:*

...

*(iv) details of the proposed construction yards including temporary screening when adjacent to ~~Residential areas~~ zones;*

....

- (c) Other minor amendments as described above.

## **SITE SPECIFIC ISSUES**

### **Responses to site-specific concerns**

407. As outlined previously, a large number of submissions were received across the overall NoR package, and including for the Local NoRs, and we heard from a number of submitters affected by these NoRs as to the way in which the designations would affect their properties. These included the extent of land proposed to be included in the designations, and the effects on the amenity and utility of those land areas (usually frontages and including potential access restrictions) and the length of time that the subject land would be affected by the designations (lapse period).
408. To a significant extent our previous discussion with respect to these matters has sought to address such concerns on a generally Project-wide basis, with reference to specific evidence where that has highlighted the effects of a particular issue on an individual property. The Panel acknowledges the extent of site-specific evidence that it heard throughout the hearing and has taken note of the concerns expressed before it. However, in general, and as previously described, it has reached a view that those matters are able to be appropriately addressed and managed at the implementation stage through a combination of the Project Information website, the LIP, SCEMP and ULDMP, and the PWA (and s.185 of the RMA where necessary).
409. The Panel notes that the SGA has prepared a summary of the engagement response with those submitters who attended the hearing, and the response of those submitters at the hearing, and where further individual engagement occurred at that time with Mr Daly. This is set out in Appendix G to the Reply. We note that this record of engagement identifies that satisfactory outcomes have not been reached for most submitters, and their positions in this regard were also apparent to the Panel. We recognise however, the ongoing efforts that the SGA have committed themselves to, both through the implementation stage and the intervening period. We also acknowledge the processes that have been incorporated within the conditions to provide some statutory rigour to those undertakings.
410. We also make the observation that it was apparent to us that a number of issues raised in submissions, as summarised in the s.42A reports, had either been addressed through the SGA's evidence, either by revisions to the designation alignments or changes to the conditions, such that some topics were not raised during the hearing.
411. The Panel further notes, that the specific responses as to the management and mitigation, and remediation, of effects on properties will not be known until the detailed design stage, including through preparation of the SCEMPs and ULDMPs. This is, in the Panel's view, not an untypical outcome with respect to road and transport corridor designations with long lapse dates, but the Panel nevertheless

recognises that these lapse dates are not themselves typical. However, we have, for the reasons set out earlier, accepted the need and rationale for the lapse dates proposed for these projects (subject to a review clause), which have recently also been determined for the Drury Arterials and Airport to Botany designations.

#### Panel findings and recommendations

412. No further recommendations arise as a result of our discussion and conclusions set out above

#### The use of site specific schedules

413. A number of witnesses for various submitters had raised concerns with construction effects and sought site-specific management plans or conditions in relation to their properties. Ms Atkin did not support this approach and stated:<sup>221</sup>

*“The management plan approach recognises the linear nature of the transport infrastructure, but does not preclude the option of developing a management plan (or suite of management plans) for a specific site and recognises that the decision as to when this approach is confirmed is best left to the detailed design stage”.*

414. As part of her rebuttal evidence, Ms Atkins further noted that the final details of the Projects will be refined and confirmed at the detailed design and resource consenting stages. She addressed the site-specific issues raised in respect of the Local (and Strategic) NoRs and considered that *“the amendments made to the conditions following expert conferencing adequately address the site specific concerns raised by submitters”*.<sup>222</sup>
415. At the commencement of the hearing we were presented with an aforementioned JWS prepared by various planning witnesses representing a number of submitters, dated 20 September 2023.<sup>223</sup> This was separate to the JWS process directed by the Panel and was not facilitated. It stated that its intent was *“to assist the Panel and to summarise the combined effort the Witnesses have made in condition drafting following formal expert conferencing”*.
416. The JWS proposed amendments to the LIP, SCEMP and ‘Existing Property Access’ conditions (Conditions 2A, 8A and 11 respectively) and the inclusion of a site-specific schedule (rather than a ‘management plan’) to be included as part of the SCEMP.
417. We address the issues relating to the changes to the condition wording elsewhere in this report. The JWS states that the purpose of the inclusion of a site-specific schedule, to be referenced in the SCEMP condition, is *“to set a clear agenda and*

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<sup>221</sup> EV076, at [7.11]

<sup>222</sup> Ibid, at [6.2]

<sup>223</sup> Refer ‘Hearing documents’ webpage



to act as a transparent record of issues that have been raised through the NOR process”.<sup>224</sup> It went on to say:

*“This approach ensures that when the Requiring Authority comes to implement the NORs in time, noting (as many Witnesses have in their evidence to date) that the personnel may be entirely different from those involved in the drafting of the NOR conditions due to the long lapse periods sought, there can be no confusion as to what the expectations are on the Requiring Authority to best address and respond to key issues arising from the projects and their effects on stakeholders”.*

418. The proposed format was that of a table that includes the designation reference, property address, the party consulted with, the ‘site-specific issue’, and the Requiring Authority’s response. This would be referenced by way of an addition to:

- The objective of the SCEMP condition, requiring, as part of the preparation of the Outline Plan, that the Requiring Authority identify inter alia:

*Having regard to the above, cross-references to the parties listed in the Schedule X Communication and Engagement Site-Specific Issues;*

- The SCEMP to then include inter alia:

*Details of how the Requiring Authority has considered and responded to the issues listed in Schedule X Communication and Engagement Site-Specific Issues, where relevant to each Stage of Work;*

419. However, most of the signatories to the JWS did not incorporate any such site specific provisions as part of their evidence. The Panel invited them to do so by way of supplementary statements, in the event that such a schedule were to be included in our recommended conditions. To ensure that all experts were aware of and availed of this opportunity we issued Direction 7 on 3 October 2023 recording, in response to our requests in this regard, that:

*“The Panel has since heard from a number of planning witnesses, some of whom have provided summary statements that include proposed text (as to site-specific issues) that is sought to be included in the schedule. Others have presented suggested wording that seek site-specific outcomes which the Panel notes is not the purpose of the schedule”.*

420. Noting that the Panel had yet to reach a finding as to whether it would include the schedule, the Direction went on advise that for any witnesses who require a property(s) and associated site-specific issues to be identified in the schedule, they would need to provide a supplementary statement setting out the ‘issue wording’ sought in respect of that property. It emphasised that the Panel did not intend to develop that wording on behalf of any party (in the event that it includes

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<sup>224</sup> JWS, at [22]

the proposed condition amendments and associated schedule). To provide online guidance to submitters in drafting their response, the Direction provided the location of an example of type supplementary evidence expected in respect of this matter, namely the online submitter hearing evidence prepared by Ms Edwards (on behalf of Barry Frank Boric et al).<sup>225</sup>

421. Any supplementary statements in respect of this Direction were required to be submitted by 6 October 2023.
422. A number of such supplementary statements were received, though some of these set out specific outcomes rather than identifying issues, contrary to what was requested in the Direction. For the Local NoRs, we received eight statements of supplementary evidence in response to this matter, as follows:
- Hannah Edwards, on behalf of F Boric & Sons (NoR S4 and RE1);<sup>226</sup>
  - Burnette O'Connor, on behalf of Northland Waste (W1) and McCullough Trustee Limited (W5);<sup>227</sup>
  - Matthew Norwell, for Bunnings (RE1, 2b);<sup>228</sup>
  - Kay Panther-Knight, for CDL (W5, HIFTR);<sup>229</sup>
  - Laura Murphy, for Daltons Holdings (RE2);<sup>230</sup>
  - John Garelja, for Marylen (RE2);<sup>231</sup>
  - Claire Covington, for the St Johns College Trust Board (W5);<sup>232</sup> and
  - Phillip Brown, for General Distributors/Woolworths NZ (W5, W2 and W3).<sup>233</sup>
423. The Council response memorandum advised that the reporting planners generally support the inclusion of a site-specific schedule for each NoR that is cross-referenced within the SCEMP. It commented that “*this amendment would address the concerns raised by various submitters and assist with providing greater certainty*”.<sup>234</sup> In terms of the LIP and Existing Property Access conditions, they are of the view that this a matter to be addressed between the Requiring Authority and the landowners and occupiers, and as a result they have not given further consideration to the proposed wording in the JWS for the LIP and ‘Existing Property Access’ conditions.

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<sup>225</sup> EV106, at [21]

<sup>226</sup> EV270, at [21] and [26]

<sup>227</sup> EV268

<sup>228</sup> EV267

<sup>229</sup> EV101

<sup>230</sup> EV273

<sup>231</sup> EV269

<sup>232</sup> EV274

<sup>233</sup> EV275

<sup>234</sup> EV281, at p.35

424. The SGA's Reply commented that a key concern raised by submitters in this regard appeared to be based on the potential for issues to be 'lost' between the designations being confirmed, and the implementation of the projects. However, the Reply went on to emphasise the need "*to recognise that the conditions have been prepared to ensure that the relevant effects are appropriately avoided, remedied or mitigated along each project corridor*", and that the condition structure seeks to ensure that "*site-specific issues are captured through the engagement process, which will be used to inform the preparation of management plans*".<sup>235</sup>
425. The Reply went on to make several further observations:
- (a) Given the replies to the Panel's Direction, the number of sites that would be listed in each of the NoR condition sets would be quite small, and listing issues raised by a small group of submitters would not achieve consistent treatment for all affected parties or stakeholders. Instead the emphasis should be to provide robust processes to capture site-specific concerns at the relevant time.
  - (b) A site-specific category would create a different category of affected party and inconsistent mitigation, with no effects-based rationale.
  - (c) Apart from a few exceptions, there are no unique adverse effects raised in site-specific concerns that require bespoke mitigation. It would therefore be unreasonable to include bespoke conditions to address impacts that are experienced across the entire network or NoR.
426. The Reply emphasised, however, that it has identified where site-specific provisions are warranted. These include, for example, the RNZAF Base Auckland aircraft operations, the Southern Cross International Cable and the Business – Town/Local Centre Zones<sup>236</sup> (and for the Strategic NoRs, the Huapai Recreation Reserve and Fred Taylor Park, the Huapai Tavern, the Kumeū Railway Goods Shed, and a bespoke minimum freeboard for Kumeū). It goes on to say that:<sup>237</sup>
- "...the matters addressed by these conditions are quite different to the more network-wide concerns (eg access and parking) raised in relation to specific properties and for which many submitters have sought bespoke conditions. The Panel can be confident that where bespoke conditions are required, they have been proposed"*.
427. As with the Requiring Authority, the Panel understands the underlying concern of submitters as to the potential for their particular issue(s) to be lost between the designations being confirmed and the time that the Projects are implemented. Indeed, we were advised during the Warkworth NoR hearings that Te Tupu Ngātahi is "*currently in the process of preparing a comprehensive transition*

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<sup>235</sup> EV288, at [17.5]

<sup>236</sup> As well as the Huapai Recreation Reserve and Fred Taylor Park, the Huapai Tavern, the Kumeū Railway Goods Shed, and a bespoke minimum freeboard for Kumeū in respect of the Strategic NoRs.

<sup>237</sup> Ibid, at [17.10]

*process for the designations to be transferred to [AT] and this will ensure there are appropriate teams and processes in place to implement the Projects". This transfer process signals that at an early stage different personnel within these organisations will be responsible for the designations following the Requiring Authorities' decisions on them.*

428. Having reviewed the submissions on the need for site-specific measures and the material placed before us in response to our Direction 7, it is clear that the site-specific requests highlight issues which submitters deem to be important at this present time. However, the Panel has reached a conclusion that given the period of time that would elapse before implementation of the Projects, coupled the potential for change in the 'existing environment', these present issues may well become of lesser relevance in the period at which implementation will occur.
429. As we have previously noted, the Panel also recognises that the developments as addressed by the respective witnesses referred to above may not be subject to significant change in that period due to their more recent construction. However, we are satisfied that the combination of the aforementioned conditions, including the 'tailoring' of the SCEMP and ULDMP conditions to particular NoRs, as well as the Existing Property Access condition, that the particular characteristics and access and frontage needs of the sites noted in evidence can be accommodated with respect to the environment that exists at the relevant time. Certainly, in the Panel's view there was nothing raised within the submitters' supplementary evidence, as outlined above, that suggested that these matters were not already covered by the requirements of the relevant conditions.

#### Findings and recommendations

430. As a result of our considerations, we came to a view that we concur with the Requiring Authority that:
- (a) The amended conditions are now framed to ensure site-specific issues are captured through the engagement process, which will be used to inform the preparation of management plans; and
  - (b) The inclusion of site-specific conditions at this stage in the process would not be a useful addition to the same exercise being carried out at the SCEMP preparation stage.
431. Accordingly, we have not recommended that further site-specific conditions be included as a schedule to the SCEMP.

### **RELEVANT STATUTORY PROVISIONS CONSIDERED**

#### Introduction

432. Auckland Transport is a requiring authority in terms of s.166 of the RMA and has given notice to the Council of its requirement to authorise the construction of

improvements (including road widening) described as NoRs HIFTR, RATN1, RATN2A, RATN2B, RATN2C, RE1, RE2, R1, S4, W1, W2, W3, W4 and W5.

433. We have previously set out the wording of s.171 which sets out the matters to which we must have regard when considering the Local NoRs and NoR S4 and any submissions received, and in making our recommendations to the Requiring Authority. We also note that an alteration to a designation, in respect of NoRs RE2 and W5, is subject to the provisions of s.181. Section 171 (and an alteration via s.181(2)) is subject to Part 2, which states the purpose and principles of the RMA.
434. Our recommendation in respect of the NoRs are subject to the provisions of s.171 as set out above. This includes NoRs RE2 and W5 because recommendations under s.181 are subject inter alia to s.171.
435. We address the specific clauses of s.171(1) below.

**Section 171(1)(a) – Any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a regional plan, a district plan or proposed district plan**

436. We note that s.171(1)(a) requires that we consider the environmental effects of allowing the activity, having particular regard to the various statutory planning documents within the national, regional and local hierarchy. In other words, the environmental effects were to be assessed against the environment envisaged by those planning documents and the environmental outcomes sought by the relevant objectives and policies for the land through which the routes are to pass. The analysis within the s.42A reports and the evidence for the SGA contained a comprehensive review of the framework established by these documents including the statutory provisions as they relate to various parts of the routes.
437. As the SGA also advised in its Reply, the assessment of effects on the environment for the NoRs has been limited to matters that trigger district plan consent requirements as these are the only activities to be authorised by the proposed designations.<sup>238</sup> Accordingly, where National Environmental Standard (NES) or regional plan consenting requirements are triggered, these will not be authorised by the proposed designations. Resource consents will be required in the future to authorise activities controlled under the NESs and regional plan matters of the AUP (noting one concurrent resource consent application has been submitted for this purpose at Trig Road, Whenuapai).
438. The Council s.42A reports identify the policy and planning provisions from the NPS-UD, the National Policy Statement on Freshwater Management (NPS-FM), and the Regional Policy Statement (RPS) and district plan sections of the AUP.

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<sup>238</sup> EV001, at [8.13]

439. Ms Hart’s assessment advised that she was in agreement with the Requiring Authority’s assessment against these statutory documents, that the Projects align with the relevant provisions of the national policy statements, policy documents and plans, especially at the strategic level in terms of facilitating urban growth and promoting land use transport integration. In particular, with respect to the NPS-UD she stated that:<sup>239</sup>

*“...the NoRs will support and enable the future growth proposed in the North West while also promoting and providing for active modes of transport and significant public transport availability in addition to additional roading. In that regard, I agree that the NoRs give effect to the NPS-UD...”*

440. Ms Hart also considered that the NoRs would be consistent with the Auckland-wide and overlay provisions of the AUP.<sup>240</sup> Similar conclusions were reached by Ms Romhany<sup>241</sup> and Mr Scott.<sup>242</sup>

441. We adopt the Council planning officer assessments and conclusions for the purpose of this recommendation.

442. Expert planning evidence from the submitters was less comprehensive in its coverage, being focused on particular points of contention, but nevertheless brought our attention to specific elements of the planning documents upon which their evidence focussed. Of particular importance here were urban integration and noise environment considerations. We find that the conditions attached to the recommendation address the concerns raised in the submitter evidence about the consistency of the Projects with the relevant provisions.

443. The preceding parts of this decision have considered the adverse effects of the NoRs where there were matters remaining in contention between the Requiring Authority, the submitters and the Council, and we have made our findings in respect of these matters, having regard to the relevant statutory tests and the conditions proposed by the SGA and our recommended amendments (set out in Attachment A to this report).

444. We also note that prior to the hearing we sought advice from the Council as to the status of any proposed plan changes that have been proposed for the local environment affected by the NoRs.<sup>243</sup> Having regard to the Council’s memorandum in response of 6 September 2023, we note that plan changes affecting the local area were of broad Auckland-wide application, with no specific measures being highlighted for us to take into account. In particular, there were no private plan changes that have been adopted by the Council in the area directly affected by the NoRs.

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<sup>239</sup> Local Arterial Agenda, at p.199

<sup>240</sup> Ibid, at pp.205-207

<sup>241</sup> Local Arterial Agenda, at p.106 and RATN NoR, at p.99

<sup>242</sup> Strategic Agenda, at p.186

<sup>243</sup> Direction 5, 22 August 2023

**Section 171(1B) - 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**

445. Section 171(1B) provides that the effects to be considered under s.171(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.
446. Positive effects were described in the AEE and referenced in the Council's s.42A reports. To a large extent, these effects form part of the overall rationale for the North-West projects and align with the Project objectives. They were noted to include in a s.171(1B) sense a number of general matters (such as supporting and enabling growth and providing improved access to economic and social opportunities and improved resilience in the strategic transport network); supporting transformational mode shift and sustainable outcomes; encouraging land use and transport integration; providing for improved road-user safety; and integrating the transport response with the needs and opportunities of network utility providers. Ms Hart advised that she generally agreed with these positive effects identified by the SGA and acknowledged "*that these positive effects must be taken into consideration when balancing any adverse effects on the environment*".<sup>244</sup> Ms Romhany<sup>245</sup> and Mr Scott<sup>246</sup> reached similar conclusions.
447. These positive effects were further highlighted in the evidence of Ms O'Leary for the SGA, but also with reference to the evidence of other SGA witnesses who identified a range of positive effects (as well as addressing adverse effects), being the evidence of Ms Seymour (transportation), Claire Drewery (road noise), Mr Summerhays (flood management), Mr Jonker (ecology), Thomas Lines (landscape and visual) and Sarah MacCormick (social). Overall, Ms O'Leary concluded that the Local NoRs "*will have a range of positive effects*".<sup>247</sup>
448. We also note that while a number of planning experts appeared for submitters in respect of particular site-specific concerns and issues, they did not generally oppose the NoRs and acknowledged some of the broader positive effects that would arise from their implementation.
449. We agree with the conclusions of the Council and SGA planning experts that the Strategic NoRs will provide for a range of positive effects and outcomes as referred to above.

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<sup>244</sup> Local Arterial Agenda, at p.55

<sup>245</sup> RATN Agenda, at p.35

<sup>246</sup> Strategic Agenda, at p.58

<sup>247</sup> EV079, at [11.13]

**Section 171(1)(b) – Adequate consideration has been given to alternative sites, routes, or methods of undertaking the work or that it is likely that the work will have a significant adverse effect on the environment.**

450. Pursuant to s.171(1)(b), subject to Part 2 of the RMA, we must have particular regard to whether adequate consideration has been given to alternative sites, routes and methods of undertaking the public work, if the Requiring Authority does not have an interest in the land sufficient for undertaking the work, or it is likely that the work will have a significant adverse effect on the environment.
451. The consideration of alternatives is a matter of whether we are satisfied that the Requiring Authority has adequately considered alternatives, rather than whether the 'best' option has been chosen, or that all possible alternatives have been considered. Therefore, the option chosen by the Requiring Authority is the one that it considers meets its objectives for the Projects. As explained in the SGA's opening submissions, the Requiring Authority needs to ensure that it has considered all reasonable options and has not acted arbitrarily or given cursory consideration to the alternatives.
452. We have addressed this matter earlier in this report and also in relation to several of the submitters. The evidence of Mr Daly for the SGA set out his overall position with respect of s.171(1)(b) that:<sup>248</sup>
- “...[the SGA] adopted a systematic approach to considering alternatives and statutory methods. The MCA framework adopted to consider alternative options incorporated Part 2 RMA elements as well as matters appropriate to AT and Waka Kotahi's statutory functions”.*
453. Mr Daly was therefore of the opinion that the NoRs meet the purposes of s.171(1)(b) because *“adequate consideration was given to alternative sites, routes and methods in selecting the preferred options for undertaking the Project”*.<sup>249</sup>
454. The Council planners were in agreement with the SGA's assessments. Mr Romhany commented, for example, that she considered *“that the information supplied demonstrates that the [Requiring Authority] has satisfied the requirements of section 171(1)(b), in that adequate consideration has been given to alternative sites, routes, or methods of undertaking the work”*.<sup>250</sup>
455. Mr Daly also addressed the evidence of submitters with respect to alternatives, and we have discussed and described our findings in regard to those matters earlier in our report. Based on Mr Daly's evidence, we are further satisfied that the documentation supporting the NoRs and its evidence clearly demonstrate the adequacy of the optioneering process and assessment.

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<sup>248</sup> EV008, at [6.1]

<sup>249</sup> Ibid, at [6.2]

<sup>250</sup> RATN Agenda, at p.110



456. The Reply notes that the evidence from SGA on alternatives assessment was extensive and largely uncontested, and we agree.
457. We agree with those assessments that adequate consideration was given to alternative routes and methods and we therefore find, on the basis of the documentation provided in Appendix 5 to the NoR, and the evidence of Mr Daly in particular, that the requirements of s.171(1)(b) have been met.

**Section 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.**

458. Section 171(1)(c) requires that we must have particular regard to whether the work and designation are 'reasonably necessary' for achieving the objectives of the requiring authority for which the designation is sought
459. The Panel understands from the opening submissions presented for the Warkworth NoRs that there are two legal considerations related to the question posted by s.171(1)(c). Firstly, that the High Court<sup>251</sup> has described the threshold of 'reasonably necessary' as falling somewhere between expedient or desirable on the one hand and essential on the other, with the use of 'reasonably' allowing some form of tolerance. On this interpretation, a threshold assessment may be made that is proportionate to the circumstances of the case to assess whether the proposed work is clearly justified. Secondly, what is then required is:<sup>252</sup>

*"...an assessment of whether the work and the designation proposed are reasonably necessary to achieve the requiring authority's objectives, not whether the objectives themselves are necessary. When assessing reasonable necessity, the Panel cannot cast judgment on the merits of a requiring authority's objectives".*

460. The project objectives were fully described in the documentation for the NoRs (and have been outlined earlier in this report), the submissions and evidence, as was the need for the specific works being reasonably necessary to achieve them. The respective AEEs stated that the Projects were 'reasonably necessary' for the following reasons, being to:
- Enable flexibility and ability to construct, operate and maintain the transport corridor in accordance with the proposed designations and the proposed alteration to existing designation;
  - Enable the future works to be undertaken in a comprehensive and integrated manner;

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<sup>251</sup> By reference to *Queenstown Airport Corporation Limited v Queenstown Lakes District Council* [2013] NZHC 2347 at [93] – [96]

<sup>252</sup> By reference to *New Zealand Transport Agency v Waikato Regional Council* [2023] NZEnvC 055 at [75]–[76]

- Provide certainty to landowners, the community and stakeholders through identifying in the AUP the location, nature and likely extent of the transport corridors and the Requiring Authority's intended use of that land;
- Protect the land from incompatible development by third parties;
- Protect the land so that transport corridors can be implemented when required in line with growth; and
- Enable the Requiring Authority to avoid, remedy and mitigate any adverse effects of the transport corridors.

461. The Council planners advised of their agreement with the conclusion within the AEEs that the designations are reasonably necessary to achieve the project objectives.<sup>253</sup> Ms O'Leary noted these conclusions in her evidence, and that she was in agreement with them.<sup>254</sup>

462. The Panel notes that a key theme of the evidence for some submitters was whether the extent of a given designation is reasonably necessary, particularly in relation to the lack of clarity as to the extent to which designated land would be required for operation as compared to construction. We have discussed this aspect earlier in this report, and note our finding that while this creates uncertainty, we are satisfied that the extent of the designation boundaries has been determined on the basis of rigorous engineering analysis; have been refined as far as possible as part of the NoR process; and will be further refined and reviewed through detailed design and post-implementation. We have therefore found the designation extent, as finalised through the Requiring Authority's amendments, to meet the threshold of 'reasonably necessary' as that term is defined by the courts.

463. Accordingly, it is the Panel's finding that the Local NoRs meet the requirements of s.171(1)(c).

**Section 171(1)(d) Other matters considered reasonably necessary in order to make a recommendation on the requirement.**

Overview

464. Section 171(1)(d) requires us to have particular regard to any other matter that we consider reasonably necessary in order to make a recommendation on the NoRs. The opening submissions for the SGA noted that the "other matters" considered relevant to each of the NoRs are consistent across the Project, so that a single assessment of these matters has been made.<sup>255</sup>

465. The s.42A reports noted that the AEEs had included an assessment against a range of other legislation, central government and local government plans, strategies and policies. Reference to section 28.4 of the AEE, for example, shows that these included the Government Policy Statement on Land Transport for 2021/22 – 2030/31; the Emissions Reduction Plan 2022; Auckland Regional Land

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<sup>253</sup> E.g., RATN Agenda, at p.111

<sup>254</sup> EV081, at [10.11]

<sup>255</sup> EV001, at [13.11]

Transport Plan 2018-2028; the Auckland Transport Alignment Project 2021-2031 (ATAP); and Local Board Plans. The s.42A reports concurred with the SGA analysis of these documents.<sup>256</sup>

466. The SGA's opening submissions also noted that:<sup>257</sup>

*"At a strategic policy level, the objectives of Te Tupu Ngātahi are recognised as a priority for Auckland. For example, the [ATAP] identifies the "critical role" of transport in delivering a successful Auckland, which means working towards transport objectives that include "enabling and supporting Auckland's growth". The route protection objectives being progressed by Te Tupu Ngātahi are also supported by Auckland's strategic policy documents, with funding prioritised for the Alliance to undertake these initiatives".*

467. The conclusions of the s.42A reports and evidence and submissions of the Requiring Authority were not challenged through the hearing, and the Panel therefore finds that the range of other legislation, central government and local government plans, strategies and policies identified in the AEEs, and including the confirmed FDS (as discussed elsewhere), are relevant 'other matters', with which the Projects are generally aligned.

#### Future Development Strategy

468. A further matter became relevant following lodgement of the NoRs arising from the Council's draft 'Future Development Strategy' (FDS) that was released for public consultation on 6 June 2023 (to 31 July 2023). The stated purpose of the FDS is:

*"...to manage growth across Tāmaki Makaurau for the next 30 years. It seeks to integrate long-term land use and infrastructure planning while meeting future environmental, population, housing and employment needs".*

469. The approval of the final version of the FDS was adopted by the Council's Planning, Environment and Parks Committee meeting of 2 November 2023 (i.e., following the end of the hearing but prior to receipt of the SGA's Reply). The Council's resolution notes that *"once published, the Future Development Strategy replaces the current Development Strategy (2018) and the Future Urban Land Supply Strategy (2017) and will be considered part of the Auckland Plan 2050"*.<sup>258</sup>

470. The FDS incorporates a number of significant changes to the FUZ in and around Huapai-Kumeū and is of greater significance to the Strategic NoRs as a result. As outlined in the Council's response memorandum, it shows the land north of Huapai-Kumeū, directly adjoining the Kumeū River, as *"no longer appropriate for urban development"*, and the FUZ will need to be uplifted and replaced by a non-urban zone. The rest of the FUZ land has been assigned a 'red-flag' notation. As described in the Council response memorandum, rather than signalling a

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<sup>256</sup> E.g., RATN Agenda, at p.112

<sup>257</sup> EV001, at [13.13]

<sup>258</sup> Council resolution no. PEPCC/2023/144

prohibition on future urban zoning, these areas will instead require an additional level of scrutiny, assessment and evaluation (ideally within a structure planning process) to demonstrate that flood risk within the FUZ land will not be exacerbated.

471. The FDS was formally adopted by the abovementioned Council committee on 2 November 2023. The Reply noted that the additional requirements specified in the FDS were not novel, and observed that the specific transport corridors proposed in the Strategic NoRs and the Coatesville-Riverhead Highway upgrades “*are identified as a prerequisite to support the development-readiness of these areas*”.<sup>259</sup>
472. The Reply also notes that while the FDS extends the timeframes for development out to 2050 and beyond, the NPS-UD requires the Council to be responsive to unanticipated or out-of-sequence developments, such as private plan changes, which could result in development occurring earlier than 2050. It considers that “[t]he timeframes proposed in the FDS further support and emphasise the need for the lapse periods sought by Te Tupu Ngātahi for the North West Transport Network”.<sup>260</sup> On that basis it concludes that the SGA:<sup>261</sup>

*“... do not consider that the release of the FDS has any material influence on the North West Transport Network other than to add further support for the designations and the respective lapse periods sought. As identified in the FDS, aligning future urban areas with planned infrastructure delivery ensures that development is well-coordinated and is able to provide a safe, sustainable environment for communities”.*

473. The Panel accepts the SGA’s analysis in respect of the newly-minted FDS, and considers that, while the FDS review was promulgated after lodgement of the NoRs, and was finalised during the course of the hearing, the NoRs have appropriate regard to this document (as a relevant ‘other matter’) and will be in accordance with it.

### **Section 181 – Alteration of designation**

474. As previously discussed, it was the SGA’s position that NoRs RE2 and W5 are an alteration to an existing designation (Designations 1437 and 1433 respectively), rather than a new designation per se. This section nevertheless provides that ss.168 to 171 apply to the “modifications” as if it were a requirement for a new designation, and therefore the aforementioned tests need to be met for this designation as well. The previous assessment made in respect of s.171 has therefore been made with respect to, and applies to, NoRs RE2 and W5.

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<sup>259</sup> EV288, at [6.29], with reference to the FDS at Appendix 6, p.36

<sup>260</sup> Ibid, at [6.31]

<sup>261</sup> Ibid, at [6.32]

### **Section 184(1)(c) – Designation lapse periods**

475. As previously discussed, the default period for the lapse of a designation is five years after its inclusion in a plan unless it has been given effect to or an application is made to extend the period, or a longer period is confirmed as part of the designation process.<sup>262</sup> For the present NoRs, the Requiring Authority has sought lapse periods for all seven NoRs (that are subject to a lapse date) of 15-20 years. We have set out earlier in this decision why we accept that these lapse periods are appropriate, except that we have revised this to ten years for RATN2A and 2B (majority finding that excludes two other HIF NoRs). It is further highlighted that this finding is subject to the imposition of a review clause (majority finding), on which basis they are accepted by this Panel.

### **PART 2 OF THE RMA**

476. Part 2 of the RMA sets out its purpose and principles at ss. 5 to 8, with the overall purpose being sustainable management as defined in s.5. Our findings as to how the Local NoRs fare against the relevant clauses of Part 2 are set out below.

477. In terms of s.5, we recognise that the proposal will generate adverse environmental effects, but subject to compliance with the conditions we are recommending to the Requiring Authority these effects are considered to be no more than minor and will be outweighed by the positive benefits of providing for the community's social, cultural and economic wellbeing by enabling the development of roading infrastructure proposed in the NoRs. The conditions recommended to be attached to the designations, if agreed to by the Requiring Authority, will ensure that adverse effects are avoided or mitigated to the extent that is practicable, and will address the maintenance and enhancement of amenity values and quality of the environment, such as construction traffic and access, noise, infrastructure, business interruption and landscape amenity.

478. We have had regard to the matters of national importance listed in s.6, and these were addressed in appropriate detail in the AEE, as referred to in the respective s.42A reports. Key points in respect of s.6 were referred to by Ms O'Leary, who highlighted that:<sup>263</sup>

- (a) Section 6(c) would be addressed through measures to appropriately mitigate the actual or potential effects on terrestrial ecology, including long-tailed bats and Threatened or At-Risk birds, and that potential impacts on natural wetlands will be assessed and managed through a future regional consenting process.
- (b) Section 6(h) is able to be met through the design measures described by Mr Summerhays to provide resilience to flooding, inundation and climate change through the future detailed design of the transport corridors.

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<sup>262</sup> Section 184(1) of the RMA

<sup>263</sup> EV081, at [15.1]

479. Section 7 includes ‘other matters’ that are relevant to the proposed designations. Key points in respect of s.7 were also addressed by Ms O’Leary, who stated that:

(a) The ethic of stewardship (s.7(b)) would be recognised through engagement with key stakeholders, business associations, community groups and the wider community who exercise stewardship over particular resources.

(b) The maintenance and enhancement of amenity values (s.7(e)) would be achieved through the development of the concept design through the implementation of the ULDMP.

480. No adverse issues directly associated with s.8, which requires all persons exercising functions and powers under the RMA to take the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) into account, were drawn to our attention. We note that the Requiring Authority, and the SGA generally, have established a collaborative working relationship with Mana Whenua, as described in the respective AEEs. Ms O’Leary’s evidence advised in this regard that:<sup>264</sup>

*“... Manawhenua have been actively involved through the development of the NORs and will continue to exercise kaitiakitanga through the future phases of the Strategic Package. This includes in the preparation of management plans and the involvement of Manawhenua as partners in the detailed design and consenting phases. This ongoing partnership and engagement will ensure that appropriate regard has been had to the matters in sections 6(e) 7(a) and 8”.*

481. The Panel notes that this continued engagement will be mandated through the requirements contained in the Cultural Advisory Report requirements (condition 7) and in several of the management plan conditions.

482. The s.42A reports concludes that the NoRs are consistent with Part 2 of the RMA in that they enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.<sup>265</sup> The evidence of Ms O’Leary similarly concluded in terms of Part 2 that:<sup>266</sup>

*“...the [Local Arterials] Package, the [RATN] and the [HIFTR] will result in some adverse effects, however, when considering the significant regional and local benefits of the transport corridors, and the measures proposed to avoid, remedy and mitigate the adverse effects, the [Local Arterials] Package, the [RATN] and the [HIFTR] is consistent with the purpose and principles of the RMA”.*

483. The Panel agrees with those conclusions, which were not subject to any particular challenge, and it is therefore our finding that the Local NoRs will be in accordance with Part 2.

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<sup>264</sup> Ibid

<sup>265</sup> E.g., Local Arterial Agenda, at p.213

<sup>266</sup> EV081, at [15.1]

## CONCLUSIONS

484. Section 171 of the RMA provides the means by which the Local NoRs can be recommended to be confirmed or otherwise by Auckland Transport. In terms of s.171 we consider that the NoRs are appropriate, subject to the conditions we are recommending to be adopted (as Attachment A) by the Requiring Authority and should be confirmed.
485. Overall we conclude in line with the Council's s.42A reports that:
- (a) The notices of requirement and associated works are reasonably necessary for achieving the objectives of the Requiring Authority.
  - (b) Adequate consideration has been given to alternative sites, routes or methods of undertaking the work identified in the notices of requirement.
  - (c) The notices of requirement are generally consistent with the relevant AUP provisions.
  - (d) The notices of requirement are generally in accordance with Part 2 of the RMA and relevant national environmental standards and national policy statements; and
  - (e) Restrictions, by way of conditions, imposed on the designation can avoid, remedy or mitigate any potential adverse environmental effects.
486. We also conclude that the 15 – 20 year lapse periods sought by Auckland Transport for the NoRs are generally appropriate (subject to majority findings in relation to a reduced lapse period for two NoRs and the imposition of a designation review clause), given the Projects' scale and the expected timeframes anticipated in respect of funding, land acquisition and outline plan approval processes to be completed, as well as its actual construction. The majority of the Panel consider that a reduced lapse period of ten years is appropriate in respect of NoRs RATN2A and 2B (while a minority view is that a ten-year lapse period is appropriate for all the NoRs that are subject to the HIF scheme).
487. Many of the issues raised by submissions will be appropriately dealt with at the Outline Plan stage, which must occur before work commences and is subject to overview by the Council.

## RECOMMENDATION

488. In accordance with section 171(2) of the RMA, and on behalf of the Auckland Council the Commissioners recommend to Auckland Transport that the Notices of Requirement for designations to authorise:
- NoR RATN1: Redhills North-South Arterial Transport Corridor: New urban arterial transport corridor and upgrade of Don Buck and Royal Road intersections.

- NoR RATN2A: Redhills East-West Arterial Transport Corridor, Dunlop Road: New urban arterial transport corridor that intersects with Fred Taylor Drive and connects to the remaining east-west connection at the intersection with the Redhills north-south arterial corridor.
- NoR RATN2B: Redhills East-West Arterial Transport Corridor – Baker Lane: New urban arterial transport corridor that intersects with Fred Taylor Drive and connects to the intersection of the remaining east-west connection and Dunlop Road.
- NoR RATN2C: Redhills East-West Arterial Transport Corridor – Nixon Road Connection: New urban arterial transport corridor that intersects with the Redhills east-west arterial corridor on Dunlop Road. This includes the upgrade of the existing Redhills Road/Nelson Road /Nixon Road intersection, and the existing Nixon Road/Henwood Road intersection.
- NoR RE1: Don Buck Road (Massey): Upgrade of Don Buck Road corridor with bus priority lanes and separate footpath and cycle lane;
- NoR RE2: Fred Taylor Drive (Massey/Whenuapai): Alteration of the existing Fred Taylor Drive designation 1433 to provide for the upgrade of the Fred Taylor Drive corridor, with bus priority lanes and separate footpath and cycle lane;
- NoR R1: Coatesville – Riverhead Highway: Upgrade of the southern section of the Coatesville-Riverhead Highway corridor to a rural arterial with shared footpath and cycle lane, and an upgrade of the northern section of the corridor to an urban arterial with shared footpath and cycle lane;
- NoR S4: Access Road (Kumeū): Upgrade of Access Road with separate footpath and cycle lane;
- NoR W1: Trig Road (Whenuapai): Upgrade of Trig Road corridor to an urban arterial road with separate footpath and cycle lane;
- NoR W2: Māmari Road (Whenuapai): Extension and upgrade of Māmari Road corridor to an urban arterial corridor with bus priority lanes and separate footpath and cycle lane;
- NoR W3: Brigham Creek Road (Whenuapai): Upgrade of Brigham Creek Road corridor with separate footpath and cycle lane;
- NoR W4: Spedding Road (Whenuapai): Upgrade of the existing Spedding Road corridor and new east and west extensions with separate footpath and cycle lane;
- NoR W5: Hobsonville Road (Hobsonville): Alteration of the existing Hobsonville Road designation 1437 to widen the Hobsonville Road corridor between Oriel Avenue and Memorial Park Lane with separate footpath and cycle lane; and
- NoR HIFTR: Trig Road Corridor Upgrade (West Harbour): An upgrade of Trig Road to an urban arterial corridor. This includes the upgrade of the existing Hobsonville Road/Trig Road and Luckens Road/Trig Road intersections,

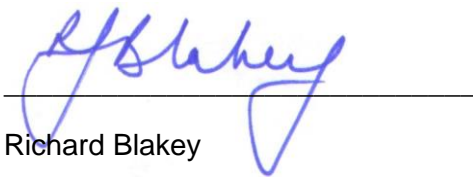
**be confirmed**, subject to the following conditions set out in **Attachment A**.



489. Under section 171(3) of the RMA, the reasons for this recommendation are:
- (a) The NoRs satisfy section 171 of the RMA as the designations will avoid, remedy or mitigate adverse environmental effects, subject to the adoption of the recommended conditions set out in Attachment A, and because:
    - The designations are in general accordance with to the objectives and policies of the relevant plans, which include:
      - The National Policy Statement for Freshwater Management;
      - The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health;
      - The New Zealand Coastal Policy Statement and the Hauraki Gulf Marine Park Act 2000;
      - Auckland Regional Policy Statement; and
      - Auckland Unitary Plan – Operative in Part,
    - The Requiring Authority has considered alternative sites, routes and methods for undertaking the proposed works;
    - The proposed works are reasonably necessary for achieving the objectives of the Requiring Authority;
    - Subject to the recommended conditions, set out in Attachment A, the designations will avoid, remedy or mitigate adverse environmental effects.
  - (b) A 15 – 20 -year lapse period for NoRs, and ten years for NoRs RATN2A and 2B, is appropriate given the scale of the proposed works and associated timeframes related to funding, outline plan approvals and construction. This is subject to the imposition of a five-yearly review clause.
  - (c) The works proposed by the NoRs are consistent with Part 2 of the RMA in that they represent the sustainable management of natural and physical resources.

#### **AMENDMENTS TO THE AUCKLAND UNITARY PLAN**

490. That the Auckland Unitary Plan be amended as set out in **Attachment A** (conditions and schedules).



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Richard Blakey

Chairperson



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Mark Farnsworth



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Vaughan Smith

Date: 5 April 2024

**Attachment A – Conditions and Schedules**

**Auckland Transport North-West**  
**Recommendation Version: 5 April 2024**

NoRs HIFTR, R1, RATN1, RATN2A, RATN2B, RATN2C, RE1, RE2, S4, W1, W2, W3, W4  
and W5

These conditions relate to the above Notices of Requirement, described as follows:

HIFTR: Trig Road Corridor Upgrade: an upgrade of Trig Road to an urban arterial corridor, including the upgrade of the existing Hobsonville Road/Trig Road and Luckens Road/Trig Road intersections.

R1: Coatesville – Riverhead Highway: Upgrade of the southern section of the Coatesville-Riverhead Highway corridor to a rural arterial with shared footpath and cycle lane, and an upgrade of the northern section of the corridor to an urban arterial with shared footpath and cycle lane.

RATN1: Redhills North-South Arterial Transport Corridor: New urban arterial transport corridor and upgrade of Don Buck and Royal Road intersections.

RATN2A: Redhills East-West Arterial Transport Corridor, Dunlop Road: New urban arterial transport corridor that intersects with Fred Taylor Drive and connects to the remaining east-west connection at the intersection with the Redhills north-south arterial corridor.

RATN2B: Redhills East-West Arterial Transport Corridor – Baker Lane: New urban arterial transport corridor that intersects with Fred Taylor Drive and connects to the intersection of the remaining east-west connection and Dunlop Road.

RATN2C: Redhills East-West Arterial Transport Corridor – Nixon Road Connection: New urban arterial transport corridor that intersects with the Redhills east-west arterial corridor on Dunlop Road. This includes the upgrade of the existing Redhills Road/Nelson Road /Nixon Road intersection, and the existing Nixon Road/Henwood Road intersection.

RE1: Don Buck Road (Massey): Upgrade of Don Buck Road corridor with bus priority lanes and separate footpath and cycle lane.

RE2: Fred Taylor Drive (Massey/Whenuapai): Alteration of the existing Fred Taylor Drive designation 1433 to provide for the upgrade of the Fred Taylor Drive corridor, with bus priority lanes and separate footpath and cycle lane.

S4: Access Road (Kumeū): Upgrade of Access Road with separate footpath and cycle lane.

W1: Trig Road (Whenuapai): Upgrade of Trig Road corridor to an urban arterial road with separate footpath and cycle lane.

W2: Māmari Road (Whenuapai): Extension and upgrade of Māmari Road corridor to an urban arterial corridor with bus priority lanes and separate footpath and cycle lane.

W3: Brigham Creek Road (Whenuapai): Upgrade of Brigham Creek Road corridor with separate footpath and cycle lane.

W4: Spedding Road (Whenuapai): Upgrade of the existing Spedding Road corridor and new east and west extensions with separate footpath and cycle lane.

W5: Hobsonville Road (Hobsonville): Alteration of the existing Hobsonville Road designation 1437 to widen the Hobsonville Road corridor between Oriel Avenue and Memorial Park Lane with separate footpath and cycle lane.

## Abbreviations and definitions

Acronym/Term	Definition
Activity sensitive to noise	Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centre, lecture theatre in a tertiary education facility, classroom in an education facility and healthcare facility with an overnight stay facility.
AUP	Auckland Unitary Plan.
BPO or Best Practicable Option	Has the same meaning as in section 2 of the RMA <del>1994</del> .
CEMP	Construction Environmental Management Plan
Certification <del>of material changes to management plans and CNVMP Schedules</del>	Confirmation from the Manager that a <u>CNVMP Schedule (or change thereto) or a material change to a management plan or CNVMP Schedule</u> has been prepared in accordance with the condition to which it relates. A <u>CNVMP Schedule (or change thereto) or a material change to a management plan or CNVMP Schedule</u> shall be deemed certified: (a) where the Requiring Authority has received written confirmation from <u>the Council</u> that the <u>CNVMP Schedule or the material change to the management plan</u> is certified; or (b) ten <u>(10)</u> working days from the submission of the <u>CNVMP Schedule or the material change to the management plan</u> where no written confirmation of certification has been received; <del>or-</del> (c) five <u>(5)</u> working days from the submission of the material change to a CNVMP Schedule where no written confirmation of certification has been received.
<u>CMP</u>	<u>Cultural Management Plan</u>
CNVMP	Construction Noise and Vibration Management Plan
CNVMP Schedule or Schedule	A schedule to the CNVMP
Completion of Construction	When construction of the Project (or part of the Project) is complete and it is available for use.
Confirmed Biodiversity Areas	Areas recorded in the Identified Biodiversity Area Schedule where the ecological values and effects have been confirmed through the ecological survey under Condition 21A.
Construction Works	Activities undertaken to construct the Project excluding Enabling Works.
Council	Auckland Council
CTMP	Construction Traffic Management Plan
Developer	Any legal entity that intends to master plan or develop land adjacent to the designation
Development Agency	Public entities involved in development projects
Educational facility	Facility used for education to secondary level. Includes: <ul style="list-style-type: none"> <li>schools and outdoor education facilities; and</li> <li>accommodation, administrative, cultural, religious, health, retail and communal facilities accessory to the above.</li> </ul> Excludes: <ul style="list-style-type: none"> <li>care centres; and</li> <li>tertiary education facilities.</li> </ul>
EMP	Ecological Management Plan
EIANZ Guidelines	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, second edition, dated May 2018 ( <u>or updated version</u> ).
Enabling works	Includes, but is not limited to, the following and similar activities:

Acronym/Term	Definition
	<ul style="list-style-type: none"> <li>(a) geotechnical investigations (including trial embankments)</li> <li>(b) archaeological site investigations</li> <li>(c) formation of access for geotechnical investigations</li> <li>(d) establishment of site yards, site entrances and fencing</li> <li>(e) constructing and sealing site access roads</li> <li>(f) demolition or removal of buildings and structures</li> <li>(g) relocation of services</li> <li>(h) establishment of mitigation measures (such as erosion and sediment control measures, temporary noise walls, earth bunds and planting).</li> </ul>
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
Identified Biodiversity Area	Means an area or areas of features of ecological value where the Project ecologist has identified that the project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.
LIP	Land Use Integration Process
Manager	The Manager – Resource Consents of the Auckland Council, or authorised delegate.
Mana Whenua	<p>Mana Whenua as referred to in the conditions is considered to be (as a minimum but not limited to') the following (in no particular order), who at the time of Notice of Requirement expressed a desire to be involved in the Project includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• Te Kawerau a Maki</li> <li>• Ngāti Whātua o Kaipara</li> <li>• Te Ākitai Waiohū</li> </ul> <p>Note: Other iwi and hapū not identified above may have an interest in the Project and should be consulted.</p>
Network Utility Operator	Has the same meaning as set out in section 166 of the RMA.
NIMP	Network Integration Management Plan
NUMP	Network Utilities Management Plan
NOR	Notice of Requirement
North West growth area	Constitutes the Future Urban Zone, or live zoned urban land in Kumeū, Huapai, Redhills, Redhills North, Riverhead and Whenuapai.
Outline Plan	An outline plan prepared in accordance with section 176A of the RMA.
Project Liaison Person	The person or persons appointed for the duration of the Project's Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works.
Protected Premises and Facilities (PPF)	Protected Premises and Facilities as defined in New Zealand Standard NZS 6806:2010: <i>Acoustics – Road-traffic noise – New and altered roads</i> .
Requiring Authority	Has the same meaning as section 166 of the RMA and, for this Designation is Auckland Transport.
RMA	Resource Management Act <del>{1991}</del>
SCEMP	Stakeholder Communication and Engagement Management Plan
Stage of Work	Any physical works that require the development of an Outline Plan.
Stakeholders	Stakeholders to be identified in accordance with Condition 3B, which may include as appropriate:

Acronym/Term	Definition
	(a) adjacent owners and occupiers; (b) adjacent business owners and operators; (c) central and local government bodies; (d) community groups; (e) developers; (f) development agencies; (g) educational facilities; and (h) network utility operators.
Start of Construction	The time when Construction Works (excluding Enabling Works) start.
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise.
<u>TMP</u>	<u>Tree Management Plan</u>
ULDMP	Urban and Landscape Design Management Plan
Urban Zoning	Land zoned residential or business, together with adjoining special purpose and open space zones.

NoR No.	No.	Condition
<b>Original Conditions</b>		
<a href="#">W5</a>	<a href="#">1</a>	<p><u>Where an outline plan of works is submitted in accordance with s176A of the Act, prior to commencing the project of work, that plan shall be accompanied by:</u></p> <p><u>a. a statement detailing the degree to which the works described in the outline plan meet the relevant objectives, policies and rules of the Plan; and</u></p> <p><u>b. an assessment of the effects the works described in the outline plan will have on the environment.</u></p> <p><u><i>Explanation:</i></u></p> <p><u>White it is accepted that the project or works will be (or should be) in accordance with the designated purpose, the Council wishes to be reasonably assured that the specific works to be carried out will not unnecessarily compromise the objectives, policies and rules of the Plan or adversely affect the environment. The Council's principal opportunity to influence the works to assist the requiring authority to meet its environmental responsibilities is through the outline plan, and the assessment of compliance and effects will assist it in determining whether to request changes.</u></p>
<a href="#">W5</a> <a href="#">RE2</a>	<a href="#">2</a>	<p><u>Appropriate sedimentation and erosion control measures shall be employed for any earthworks on the designated site.</u></p> <p><u><i>Explanation:</i></u></p> <p><u>This Plan outlines erosion and sediment control measures for earthworks which are above a certain threshold, with that threshold varying according to the particular environment. Compliance with these measures would generally satisfy condition 2.</u></p> <p><u><i>Note:</i> That major earthworks may require a regional consent from the Auckland Council.</u></p>
<b>General Conditions</b>		
<a href="#">RE2</a> <a href="#">W5</a>		<u>Conditions 1 – 24A of this designation shall only apply to the work described in the Project Description and the altered area identified in the Concept Plan in Schedule 1.</u>
<a href="#">HIFTR</a> <a href="#">R1</a> <a href="#">RATN1</a> <a href="#">RATN2A</a> <a href="#">RATN2B</a> <a href="#">RATN2C</a> <a href="#">RE1 S4</a> <a href="#">W1 W2</a> <a href="#">W3 W4</a>		<u>Conditions 1 – 36 of this designation shall only apply to the work described in the Project Description and the altered area identified in the Concept Plan in Schedule 1.</u>
All	<a href="#">1</a>	<p><b>Activity in General Accordance with Plans and Information</b></p> <p>(a) Except as provided for in the conditions below, and subject to final design and Outline Plan(s), works within the designation shall be undertaken in general accordance with the Project description and concept plan in Schedule 1.</p> <p>(b) Where there is inconsistency between:</p> <p>(i) the Project description and concept plan in Schedule 1 and the requirements of the following conditions, the conditions shall prevail;</p> <p>(ii) the Project description and concept plan in Schedule 1, and the management plans under the conditions of the designation, the requirements of the management plans shall prevail.</p>
All	<a href="#">2</a>	<p><b>Project Information</b></p> <p>(a) A project website, or equivalent virtual information source, shall be established as soon as reasonably practicable, and within <u>six (6)</u> months of the designation inclusion in the AUP. All directly affected owners and occupiers shall be notified in writing as soon as reasonably practicable once the website or equivalent information source has been established. The project website or virtual information source shall include these conditions and shall provide information on:</p>

NoR No.	No.	Condition
		<ul style="list-style-type: none"> <li>(i) the status of the Project;</li> <li>(ii) anticipated construction timeframes;</li> <li>(iii) contact details for enquiries;</li> <li>(iv) a subscription service to enable receipt of project updates by email;</li> <li><del>(v)</del> the implications of the designation for landowners, occupiers and business owners and operators within the designation on how/where they can receive additional support following confirmation of the designation; <del>and</del></li> <li><del>(vi)</del> <u>how/where to access noise modelling contours to inform the design of development adjacent to the designation; and</u></li> <li><del>(vi)</del> <u>(vii)</u> when and how to apply for consent for works in the designation under <u>section 176(1)(b) of the RMA.</u></li> </ul> <p>(b) At the start of detailed design for a Stage of Work, the project website or virtual information source shall be updated to provide information on the likely date for Start of Construction, and any staging of works.</p>
All	2A	<p><b>Land use Integration Process (LIP)</b></p> <p>(a) A Land use Integration Process for the period between confirmation of the designation and the Start of Construction shall be established. The purpose of this process is to encourage and facilitate the integration of master planning and land use development activity on land directly affected by, or adjacent to the designation. To achieve this purpose:</p> <ul style="list-style-type: none"> <li>(i) The contact details of a nominated contact shall be included on the project website (or equivalent information source) required to be established by Condition (2)(a)(iii).</li> <li>(ii) The nominated contact shall facilitate engagement with a Developer or Development Agency wanting to work with the Requiring Authority to integrate their development plans or master planning with the designation.</li> </ul> <p>(b) At any time prior to the Start of Construction, the nominated contact shall be available to engage with a Developer or Development Agency for the purpose of:</p> <ul style="list-style-type: none"> <li>(i) responding to requests for information regarding design details that could assist with land use integration; and</li> <li>(ii) receiving information from a Developer or Development Agency regarding master planning or land development details that could assist with land use integration.</li> </ul> <p>(c) Information provided under Condition 2A(<del>be</del>) above may include but not be limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) design details including: <ul style="list-style-type: none"> <li>A. boundary treatment (e.g. the use of retaining walls or batter slopes);</li> <li>B. the horizontal and vertical alignment of the road (levels);</li> <li>C. potential locations for mid-block crossings; <del>and</del></li> <li>D. integration of stormwater infrastructure; <del>and</del>;</li> <li>E. Outputs from any flood modelling.</li> </ul> </li> <li>(ii) Potential modifications to the extent of the designation in response to information received through Condition 2A(<del>be</del>)(ii)</li> <li>(iii) a process for the Requiring Authority to undertake a technical review of or provide comments on any master planning or development proposal advanced by the Developer or Development Agency as it relates to integration with the Project;</li> <li>(iv) details of how to apply for written consent from the Requiring Authority for any development proposal that relates to land is within the designation under section 176(1)(b) of the RMA; and</li> <li>(v) how / where to access noise modelling contours to inform <u>the design of development adjacent to the designation.</u></li> </ul> <p>(d) Where information is requested from the Requiring Authority and is available, it shall be provided unless there are reasonable grounds for not providing it.</p> <p>(e) The Requiring Authority shall maintain a record of engagement with Developers and Development Agencies for the period following the date in which this designation is included in the AUP through to the Start of Construction for a Stage of Work. The record shall include:</p> <ul style="list-style-type: none"> <li>(i) a list of all Developers and Development Agencies who indicated through the notice of requirement process that they intend to master plan or develop sites along the Project alignment that may require specific integration with the designation;</li> <li>(ii) a summary of requests made to the Requiring Authority that could influence detailed design, the results of any engagement and, where such requests that could</li> </ul>



NoR No.	No.	Condition
		<p>influence detailed design are declined, the reasons why the <u>R</u>requiring <u>A</u>authority has declined the requests; and</p> <p>(iii) details of any requests to co-ordinate the forward work programme, where appropriate, with Development Agencies and Network Utility Operators.</p> <p>(f) The record shall be submitted to <u>the</u> Council for information ten working days prior to the Start of Construction for a Stage of Work.</p>
<u>A#</u> <u>W1</u> <u>W2</u> <u>W3</u> <u>W4</u> <u>RE1</u> <u>RE2</u> <u>RATN1</u> <u>RATN2C</u> <u>HIFTR</u> <u>S4</u>	3	<p><b>Designation Review</b></p> <p><u>Pre-construction review</u></p> <p><u>(a) The Requiring Authority shall, at five (5) yearly intervals from the confirmation of the designation, undertake a review of the designation. The review shall involve affected landowners and occupiers and:</u></p> <p><u>(i) assess the need for, and extent of the land, as part of the designation;</u></p> <p><u>(ii) provide an update on the progress or effort made to give effect to the designation;</u>  <u>and</u></p> <p><u>(iii) be made publicly available on the project website and be made available to the Council.</u></p> <p><u>Post-construction review</u></p> <p><u>(b) As soon as reasonably practicable, but no later than six (6) months, following the Completion of Construction, tThe Requiring Authority shall <del>within 6 months of Completion of Construction or as soon as otherwise practicable:</del></u></p> <p><u>(i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and</u></p> <p><u>(ii) give notice to <del>the Auckland</del> Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</u></p>
<u>RATN2A</u> <u>RATN2B</u>	3	<p><b>Designation Review</b></p> <p><u>As soon as reasonably practicable, but no later than six (6) months, following the Completion of Construction, the Requiring Authority shall:</u></p> <p><u>(i) review the extent of the designation to identify any areas of designated land that it no longer requires for the on-going operation, maintenance or mitigation of effects of the Project; and</u></p> <p><u><del>(ii)</del> give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified above.</u></p>
<u>RATN2A</u> <u>RATN2B</u>	3A	<p><b>Lapse</b></p> <p><u>In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within ten (10) years from the date on which it is included in the AUP.</u></p>
<u>W1</u> <u>W2</u> <u>W3</u> <u>W4</u> <u>RE1</u> <u>RATN1</u> <u>RATN2A</u> <u>RATN2B</u> <u>RATN2C</u> <u>HIFTR</u>	3A	<p><b>Lapse</b></p> <p>(a) In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 15 years from the date on which it is included in the AUP.</p>
<u>R1</u> <u>S4</u>	3A	<p><b>Lapse</b></p> <p>In accordance with section 184(1)(c) of the RMA, this designation shall lapse if not given effect to within 20 years from the date on which it is included in the AUP.</p>

NoR No.	No.	Condition
All	<b>3B</b>	<p><b>Stakeholder Communication and Engagement</b></p> <p>(a) At least <u>six (6)</u> months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall identify:</p> <ul style="list-style-type: none"> <li>(i) a list of Stakeholders;</li> <li>(ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to; and</li> <li>(iii) methods to engage with Stakeholders and the owners and occupiers of properties identified in (a)(i) – (ii) above.</li> </ul> <p>(b) A record of (a) shall be submitted with an Outline Plan for the relevant Stage of Work.</p>
All	<b>4</b>	<p><b>Network Utility Operators and Auckland Council (Section 176 Approval)</b></p> <p>(a) Prior to the start of Construction Works, Network Utility Operators with existing infrastructure and Auckland Council in relation to parks located within the designation will not require written consent under section 176 of the RMA for the following activities:</p> <ul style="list-style-type: none"> <li>(i) operation, maintenance and repair works;</li> <li>(ii) minor renewal works to existing network utilities or parks necessary for the on-going provision or security of supply of network utility or parks operations;</li> <li>(iii) minor works such as new service connections; and</li> <li>(iv) the upgrade and replacement of existing network utilities or parks in the same location with the same or similar effects as the existing utility or parks.</li> </ul> <p>(b) To the extent that a record of written approval is required for the activities listed above, this condition shall constitute written approval.</p>
<b>Pre-construction Conditions</b>		
W1 W2 W3 W4, <u>W5</u> R1 RE1 <u>RE2</u> S4 RATN1 RATN2A RATN2B RATN2C	<b>5</b>	<p><b>Outline Plan</b></p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</p> <p>(c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:</p> <ul style="list-style-type: none"> <li>(i) Construction Environmental Management Plan;</li> <li>(ii) Construction Traffic Management Plan;</li> <li>(iii) Construction Noise and Vibration Management Plan;</li> <li>(iv) Network Integration Management Plan;</li> <li>(v) Urban and Landscape Design Management Plan;</li> <li>(vi) Historic Heritage Management Plan;</li> <li>(vii) Ecological Management Plan;</li> <li>(viii) Tree Management Plan; and</li> <li>(ix) Network Utilities Management Plan.</li> </ul>
HIFTR	<u><b>5</b></u>	<p><b>Outline Plan</b></p> <p>(a) An Outline Plan (or Plans) shall be prepared in accordance with section 176A of the RMA.</p> <p>(b) Outline Plans (or Plan) may be submitted in parts or in stages to address particular activities (e.g. design or construction aspects), or a Stage of Work of the Project.</p> <p>(c) Outline Plans shall include any management plan or plans that are relevant to the management of effects of those activities or Stage of Work, which may include:</p> <ul style="list-style-type: none"> <li>(i) Construction Environmental Management Plan;</li> <li>(ii) Construction Traffic Management Plan;</li> <li>(iii) Construction Noise and Vibration Management Plan;</li> <li>(iv) Network Integration Management Plan;</li> <li>(v) Urban and Landscape Design Management Plan;</li> <li>(vi) Historic Heritage Management Plan;</li> <li>(vii) Tree Management Plan; and</li> <li>(viii) Network Utilities Management Plan.</li> </ul>
All	<b>6</b>	<p><b>Management Plans</b></p> <p>(a) Any management plan shall:</p>

NoR No.	No.	Condition
		<ul style="list-style-type: none"> <li>(i) Be prepared and implemented in accordance with the relevant management plan condition <u>and to achieve its objective or purpose</u>;</li> <li>(ii) Be prepared by a Suitably Qualified Person(s);</li> <li>(iii) Include sufficient detail relating to the management of effects associated with the relevant activities and/or Stage of Work to which it relates.</li> <li>(iv) Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have: <ul style="list-style-type: none"> <li>a. Been incorporated; and</li> <li>b. Where not incorporated, the reasons why.</li> </ul> </li> <li>(v) Be submitted as part of an Outline Plan pursuant to <u>section 176A</u> of the RMA, with the exception of SCEMPs and CNVMP Schedules.</li> <li>(vi) Once finalised, uploaded to the Project website or equivalent virtual information source.</li> </ul> <p>(b) Any management plan developed in accordance with Condition 5 may:</p> <ul style="list-style-type: none"> <li>(i) Be submitted in parts or in stages to address particular activities (e.g. design or construction aspects) a Stage of Work of the Project, or to address specific activities authorised by the designation.</li> <li>(ii) Except for material changes, be amended to reflect any changes in design, construction methods or management of effects without further process.</li> </ul> <p>(c) If there is a material change required to a management plan which has been submitted with an Outline Plan, the revised part of the plan shall be submitted to the Council as an update to the Outline Plan or for Certification as soon as practicable following identification of the need for a revision; <u>and</u></p> <p>(d) Any material changes to the SCEMP(s), are to be submitted to the Council for information.</p>
All	7	<p><b>Cultural Advisory Report</b></p> <ul style="list-style-type: none"> <li>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, Mana Whenua shall be invited to prepare a Cultural Advisory Report for the Project.</li> <li>(b) The objective of the Cultural Advisory Report is to assist in understanding and identifying Ngā Taonga Tuku Iho ('treasures handed down by our ancestors') affected by the Project, to inform their management and protection. To achieve the objective, the Requiring Authority shall invite Mana Whenua to prepare a Cultural Advisory Report that: <ul style="list-style-type: none"> <li>(i) Identifies the cultural sites, landscapes and values that have the potential to be affected by the construction and operation of the Project;</li> <li>(ii) Sets out the desired outcomes for management of potential effects on cultural sites, landscapes and values;</li> <li>(iii) Identifies traditional cultural practices within the area that may be impacted by the Project;</li> <li>(iv) Identifies opportunities for restoration and enhancement of identified cultural sites, landscapes and values within the Project area;</li> <li>(v) Taking into account the outcomes of (i) to (iv) above, identify cultural matters and principles that should be considered in the development of the Urban and Landscape Design Management Plan, the Stakeholder Communication and Engagement Management Plan and Historic Heritage Management Plan, and the Cultural Monitoring Plan referred to in Condition 15; <u>and</u>;</li> <li>(vi) Identifies and (if possible) nominates traditional names along the Project alignment. Noting there may be formal statutory processes outside the project required in any decision-making.</li> </ul> </li> <li>(c) The desired outcomes for management of potential effects on cultural sites, landscapes and values identified in the Cultural Advisory Report shall be discussed with Mana Whenua and those outcomes reflected in the relevant management plans where practicable.</li> <li>(d) Conditions 7(b) and 7(c) above will cease to apply if: <ul style="list-style-type: none"> <li>(i) Mana Whenua have been invited to prepare a Cultural Advisory Report by a date at least <u>six (6)</u> months prior to start of Construction Works; and</li> <li>(ii) Mana Whenua have not provided a Cultural Advisory Report within six months prior to start of Construction Works.</li> </ul> </li> </ul>
All	8	<p><b>Network Integration Management Plan (NIMP)</b></p>

NoR No.	No.	Condition
		<p>(a) At least six (6) months prior to the start of detailed design for a Stage of Work, the Requiring Authority shall prepare, in collaboration with other relevant road controlling authorities, a Network Integration Management Plan (NIMP).</p> <p>(b) The objective of the NIMP is to identify how the Project will integrate with the planned transport network in the North West growth area to achieve an effective, efficient and safe land transport system. To achieve this objective, the NIMP shall include details of the:</p> <ul style="list-style-type: none"> <li>(i) Project implementation approach and any staging of the Project, including <del>both</del> design, management and operational matters; <u>and</u></li> <li>(ii) Sequencing of the Project with the planned transport network, including <del>both</del> design, management and operational matters.</li> </ul>
W3	8A	<p><b>Stakeholder and Communication and Engagement Management Plan (SCEMP)</b></p> <p>(a) A SCEMP shall be prepared in consultation with Stakeholders, prior to the Start of Construction.</p> <p>(b) The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works. To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> <li>(i) a list of Stakeholders;</li> <li>(ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to;</li> <li>(iii) methods to engage with Stakeholders and the owners of properties identified in <del>b</del>(ii) above;</li> <li>(iv) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</li> <li>(v) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</li> <li>(vi) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;</li> <li>(vii) <del>m</del>Methods to <del>manage</del>avoid, remedy or mitigate the potential loss of visibility from public spaces and <u>physical</u> severance to businesses in the Business - Local Centre Zones, informed by engagement undertaken in accordance with Condition <del>8A</del>(<del>b</del>) (i) and (ii) <u>above</u>. These methods could include (but not be limited to) customer access arrangements, temporary wayfinding and signage.</li> <li>(viii) <del>m</del>Methods and timing to engage with owners and occupiers whose access is directly affected;</li> <li>(ix) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in <del>(b)</del>(i) and (ii) above; and</li> <li>(x) <u>linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant; and</u></li> <li><del>(xi)</del> <u>provision for a hardship fund to compensate or offset business costs or losses arising from the Construction Works on the operation of the business;</u></li> </ul> <p>(c) Any SCEMP prepared for a Stage of Work shall be submitted to <u>the</u> Council for information with the Outline Plan.</p>
S4 W1 W2 W4 RE1 R1 RATN1 RATN2A RATN2B	8A	<p><b>Stakeholder and Communication and Engagement Management Plan (SCEMP)</b></p> <p>(a) A SCEMP shall be prepared in consultation with Stakeholders, prior to the Start of Construction.</p> <p>(b) The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works. To achieve the objective, the SCEMP shall include:</p> <ul style="list-style-type: none"> <li>(i) a list of Stakeholders;</li> <li>(ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to;</li> <li>(iii) methods to engage with Stakeholders and the owners of properties identified in <del>b</del>(ii) above;</li> <li>(iv) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</li> </ul>

NoR No.	No.	Condition
RATN2C HIFTR		<ul style="list-style-type: none"> <li>(v) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</li> <li>(vi) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;</li> <li>(vii) <del>m</del>Methods and timing to engage with owners and occupiers whose access is directly affected;</li> <li>(viii) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (b)(i) and (ii) above; and</li> <li>(ix) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</li> </ul> <p>(c) Any SCEMP prepared for a Stage of Work shall be submitted to <u>the</u> Council for information with the Outline Plan.</p>
<u>W5</u>	<u>8A</u>	<p><b><u>Stakeholder and Communication and Engagement Management Plan (SCEMP)</u></b></p> <p><u>(a) A SCEMP shall be prepared in consultation with Stakeholders, prior to the Start of Construction.</u></p> <p><del>(b)</del> <u>(b) The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works. To achieve the objective, the SCEMP shall include:</u></p> <ul style="list-style-type: none"> <li><u>(i) a list of Stakeholders;</u></li> <li><u>(ii) a list of properties within the designation which the Requiring Authority does not own or have occupation rights to;</u></li> <li><u>(iii) methods to engage with Stakeholders and the owners of properties identified in (ii) above;</u></li> <li><u>(iv) the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</u></li> <li><u>(v) the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</u></li> <li><u>(vi) methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;</u></li> <li><u>(vii) methods to avoid, remedy or mitigate the potential loss of visibility from public spaces and physical severance to businesses in the Business - Local Centre Zones, informed by engagement undertaken in accordance with (i) and (ii) above. These methods could include (but not be limited to) customer access arrangements, temporary wayfinding and signage;</u></li> <li><u>(viii) methods and timing to engage with owners and occupiers whose access is directly affected;</u></li> <li><u>(ix) methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (i) and (ii) above; and</u></li> <li><u>(x) linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant; and</u></li> <li><u>(xi) provision for a hardship fund to compensate or offset business costs or losses resulting from the Construction Works on the operation of the business.</u></li> </ul> <p><u>(c) Any SCEMP prepared for a Stage of Work shall be submitted to the Council for information with the Outline Plan.</u></p>
RE2	<u>8A</u>	<b><u>Stakeholder and Communication and Engagement Management Plan (SCEMP)</u></b>

NoR No.	No.	Condition
		<p>(a) <u>A SCEMP shall be prepared in consultation with Stakeholders prior to the Start of Construction.</u></p> <p>(b) <u>The objective of the SCEMP is to identify how the public and Stakeholders will be engaged with throughout Construction Works. To achieve the objective, the SCEMP shall include:</u></p> <p>(i) <u>a list of Stakeholders;</u></p> <p>(ii) <u>a list of properties within the designation which the Requiring Authority does not own or have occupation rights to;</u></p> <p>(iii) <u>methods to engage with Stakeholders and the owners of properties identified in (ii) above;</u></p> <p>(iv) <u>the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);</u></p> <p>(v) <u>the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;</u></p> <p>(vi) <u>methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;</u></p> <p>(vii) <u>methods and timing to engage with owners and occupiers whose access is directly affected;</u></p> <p>(viii) <u>methods to communicate key project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (i) and (ii) above; and</u></p> <p>(ix) <u>linkages and cross-references to communication and engagement methods set out in other conditions and management plans where relevant.</u></p> <p>(c) <u>Any SCEMP prepared for a Stage of Work shall be submitted to the Council for information with the Outline Plan.</u></p>
<p>W1</p> <p>W2</p> <p>W4</p> <p><u>W5</u></p> <p><u>RE2</u></p>	<p>9</p>	<p><b>Urban and Landscape Design Management Plan (ULDMP)</b></p> <p>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the ULDMP(s) is to:</p> <p>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban context; and</p> <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment.</p> <p>(b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 7(c) may be reflected in the ULDMP.</p> <p>(c) <del>Key s</del>Stakeholders identified through the Condition 3B shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</p> <p>(d) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version;</p> <p>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</p> <p>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</p> <p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p>(e) To achieve the objective, the ULDMP(s) shall provide details of how the project:</p> <p>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;</p> <p>(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;</p> <p>(iii) Promotes inclusive access (where appropriate); and</p>



NoR No.	No.	Condition
		<p>(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as:</p> <ol style="list-style-type: none"> <li>a. Crime Prevention Through Environmental Design (CPTED) principles;</li> <li>b. Safety in Design (SID) requirements; and</li> <li>c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</li> </ol> <p>(v) Has responded to requests that could influence detailed design through the Land Use Integration Process condition (Condition 2A);</p> <p>(vi) Interfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable.</p> <p>(f) The ULDMP(s) shall include:</p> <ol style="list-style-type: none"> <li>(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</li> <li>(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and</li> <li>(iii) Landscape and urban design details – that cover the following: <ol style="list-style-type: none"> <li>a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</li> <li>b. Roadside elements – such as fencing, wayfinding, signage and lighting; incorporating measures to minimise, to the greatest extent practicable, light spill and glare effects on RNZAF Base Auckland aircraft operations;</li> <li>c. <del>A</del>rchitectural and landscape treatment of all major structures, including bridges and retaining walls;</li> <li>d. Architectural and landscape treatment of noise barriers;</li> <li>e. Landscape treatment of permanent stormwater control wetlands and swales; incorporating measures to minimise, to the greatest extent practicable, the risk of bird strike on RNZAF Base Auckland aircraft operations.</li> <li>f. Integration of passenger transport;</li> <li>g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</li> <li>h. Historic heritage places with reference to the HHMP (Condition 21); and</li> <li>i. Reinstatement of construction and site compound areas;</li> <li>j. Reinstatement of features to be retained such as: <ol style="list-style-type: none"> <li>a. boundary features;</li> <li>b. landscaping;</li> <li>c. driveways;</li> <li>d. accessways; <del>and</del></li> <li>e. <del>_____</del> fences; <del>and</del></li> <li>e-f. <del>_____</del> site utilities.</li> </ol> </li> </ol> </li> </ol> <p>(g) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ol style="list-style-type: none"> <li>(i) <del>P</del>lanting design details including: <ol style="list-style-type: none"> <li>a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan and Ecological Management Plan. Where practicable, mature trees and native vegetation should be retained;</li> <li>b. Street trees, shrubs and ground cover suitable for the location;</li> <li>c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones;</li> <li>d. <del>P</del>lanting of stormwater wetlands;</li> <li>e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 21B) and Tree Management Plan (Condition 22);</li> </ol> </li> </ol>

NoR No.	No.	Condition
		<p>f. Integration of any planting requirements required by conditions of any resource consents for the project; and</p> <p>g. Re-instatement planting of construction and site compound areas as appropriate.</p> <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <p>a. Weed control and clearance;</p> <p>b. Pest animal management (to support plant establishment);</p> <p>c. Ground preparation (top soiling and decompaction);</p> <p>d. Mulching; <del>and</del></p> <p>e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species;</p> <p>f. Irrigation; and</p> <p><del>e.g.</del> Plant replacement (due to theft or plants dying).</p> <p><b>Advice Note:</b></p> <p><del>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of "road widening". Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</del></p>
W3	9	<p><b>Urban and Landscape Design Management Plan (ULDMP)</b></p> <p>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the ULDMP(s) is to:</p> <p>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban context; and</p> <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment.</p> <p>(b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 7(c) may be reflected in the ULDMP.</p> <p>(c) <del>Key St</del>akeholders identified through the Condition 3B shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</p> <p>(d) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version;</p> <p>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</p> <p>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</p> <p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p>(e) To achieve the objective, the ULDMP(s) shall provide details of how the project:</p> <p>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones (including Whenuapai Settlement Park);</p> <p>(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;</p> <p>(iii) Promotes inclusive access (where appropriate); and</p>



NoR No.	No.	Condition
		<ul style="list-style-type: none"> <li>(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> <li>a. Crime Prevention Through Environmental Design (CPTED) principles;</li> <li>b. Safety in Design (SID) requirements; and</li> <li>c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</li> </ul> </li> <li>(v) Has responded to requests that could influence detailed design through the Land Use Integration Process condition (Condition 2A);</li> <li>(vi) Interfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable.</li> <li>(f) The ULDMP(s) shall include: <ul style="list-style-type: none"> <li>(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</li> <li>(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and</li> <li>(iii) Landscape and urban design details – that cover the following: <ul style="list-style-type: none"> <li>a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</li> <li>b. Roadside elements – such as fencing, wayfinding, signage and lighting; incorporating measures to minimise, to the greatest extent practicable, light spill and glare effects on RNZAF Base Auckland aircraft operations.</li> <li>c. <del>A</del>rchitectural and landscape treatment of all major structures, including bridges and retaining walls;</li> <li>d. Architectural and landscape treatment of noise barriers;</li> <li>e. Landscape treatment of permanent stormwater control wetlands and swales; incorporating measures to minimise, to the greatest extent practicable, the risk of bird strike on RNZAF Base Auckland aircraft operations.</li> <li>f. Integration of passenger transport;</li> <li>g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</li> <li>h. Historic heritage places with reference to the HHMP (Condition 21); and</li> <li>i. Reinstatement of construction and site compound areas;</li> <li>j. Reinstatement of features to be retained such as: <ul style="list-style-type: none"> <li>a. boundary features;</li> <li>b. landscaping;</li> <li>c. driveways;</li> <li>d. accessways; <del>and</del></li> <li>e. <del>fences;</del> <del>and</del></li> <li>e-f. <del>site utilities.</del></li> </ul> </li> </ul> </li> </ul> </li> <li>(g) The ULDMP shall also include the following planting details and maintenance requirements: <ul style="list-style-type: none"> <li>(i) <del>P</del>lanting design details including: <ul style="list-style-type: none"> <li>a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan and Ecological Management Plan. Where practicable, mature trees and native vegetation should be retained;</li> <li>b. Street trees, shrubs and ground cover suitable for the location;</li> <li>c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones;</li> <li>d. <del>P</del>lanting of stormwater wetlands;</li> <li>e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 21B) and Tree Management Plan (Condition 22);</li> </ul> </li> </ul> </li> </ul>

NoR No.	No.	Condition
		<p>f. Integration of any planting requirements required by conditions of any resource consents for the project; and</p> <p>g. Re-instatement planting of construction and site compound areas as appropriate.</p> <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <p>a. Weed control and clearance;</p> <p>b. Pest animal management (to support plant establishment);</p> <p>c. Ground preparation (top soiling and decompaction);</p> <p>d. Mulching; <del>and</del></p> <p>e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species;</p> <p>f. Irrigation; and</p> <p>e.g. Plant replacement (due to theft or plants dying).</p> <p><b>Advice Note:</b></p> <p><i>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of "road widening". Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</i></p>
RE1 R1 RATN1 RATN2A RATN2B RATN2C	9	<p><b>Urban and Landscape Design Management Plan (ULDMP)</b></p> <p>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the ULDMP(s) is to:</p> <p>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban context; and</p> <p>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment.</p> <p>(b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 7(c) may be reflected in the ULDMP.</p> <p>(c) <del>Key Stakeholders</del> identified through the Condition 3B shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</p> <p>(d) The ULDMP shall be prepared in general accordance with:</p> <p>(i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version;</p> <p>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</p> <p>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</p> <p>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</p> <p>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</p> <p>(e) To achieve the objective, the ULDMP(s) shall provide details of how the project:</p> <p>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;</p> <p>(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;</p> <p>(iii) Promotes inclusive access (where appropriate); and</p>

NoR No.	No.	Condition
		<p>(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as:</p> <ol style="list-style-type: none"> <li>a. Crime Prevention Through Environmental Design (CPTED) principles;</li> <li>b. Safety in Design (SID) requirements; and</li> <li>c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</li> </ol> <p>(v) Has responded to requests that could influence detailed design through the Land Use Integration Process condition (Condition 2A);</p> <p>(vi) Interfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable.</p> <p>(f) The ULDMP(s) shall include:</p> <ol style="list-style-type: none"> <li>(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</li> <li>(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and</li> <li>(iii) Landscape and urban design details – that cover the following: <ol style="list-style-type: none"> <li>a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</li> <li>b. Roadside elements – such as lighting, fencing, wayfinding and signage;</li> <li>c. Architectural and landscape treatment of all major structures, including bridges and retaining walls;</li> <li>d. Architectural and landscape treatment of noise barriers;</li> <li>e. Landscape treatment of permanent stormwater control wetlands and swales;</li> <li>f. Integration of passenger transport;</li> <li>g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</li> <li>h. Historic heritage places with reference to the HHMP (Condition 21); and</li> <li>i. Reinstatement of construction and site compound areas;</li> <li>j. Reinstatement of features to be retained such as: <ol style="list-style-type: none"> <li>a. boundary features;</li> <li>b. landscaping;</li> <li>c. driveways;</li> <li>d. accessways; <del>and</del></li> <li>e. <u>fences; and</u></li> <li>e-f. <u>site utilities.</u></li> </ol> </li> </ol> </li> </ol> <p>(g) The ULDMP shall also include the following planting details and maintenance requirements:</p> <ol style="list-style-type: none"> <li>(i) <del>P</del>lanting design details including: <ol style="list-style-type: none"> <li>a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan and Ecological Management Plan. Where practicable, mature trees and native vegetation should be retained;</li> <li>b. Street trees, shrubs and ground cover suitable for the location;</li> <li>c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones;</li> <li>d. <del>P</del>lanting of stormwater wetlands;</li> <li>e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 21B) and Tree Management Plan (Condition 22);</li> <li>f. Integration of any planting requirements required by conditions of any resource consents for the project; and</li> <li>g. Re-instatement planting of construction and site compound areas as appropriate.</li> </ol> </li> </ol>

NoR No.	No.	Condition
		<p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <ul style="list-style-type: none"> <li>a. Weed control and clearance;</li> <li>b. Pest animal management (to support plant establishment);</li> <li>c. Ground preparation (top soiling and decompaction);</li> <li>d. Mulching; <del>and</del></li> <li>e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species;</li> <li>f. Irrigation; and</li> <li>e-g. Plant replacement (due to theft or plants dying).</li> </ul> <p><b>Advice Note:</b></p> <p><del>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of "road widening". Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</del></p>
HIFTR	9	<p><b>Urban and Landscape Design Management Plan (ULDMP)</b></p> <p>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the ULDMP(s) is to:</p> <ul style="list-style-type: none"> <li>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban context; and</li> <li>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment.</li> </ul> <p>(b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 7(c) may be reflected in the ULDMP.</p> <p>(c) <del>Key</del> Stakeholders identified through the Condition 3B shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</p> <p>(d) The ULDMP shall be prepared in general accordance with:</p> <ul style="list-style-type: none"> <li>(i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version;</li> <li>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</li> <li>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</li> <li>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</li> <li>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</li> </ul> <p>(e) To achieve the objective, the ULDMP(s) shall provide details of how the project:</p> <ul style="list-style-type: none"> <li>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones;</li> <li>(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;</li> <li>(iii) Promotes inclusive access (where appropriate); and</li> <li>(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> <li>a. Crime Prevention Through Environmental Design (CPTED) principles;</li> <li>b. Safety in Design (SID) requirements; and</li> </ul> </li> </ul>

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		<p>c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</p> <p>(v) Has responded to requests that could influence detailed design through the Land Use Integration Process condition (Condition 2A);</p> <p>(vi) Interfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable.</p> <p>(f) The ULDMP(s) shall include:</p> <p>(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</p> <p>(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and</p> <p>(iii) Landscape and urban design details – that cover the following:</p> <ol style="list-style-type: none"> <li>a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</li> <li>b. Roadside elements – such as fencing, wayfinding, signage and lighting; incorporating measures to minimise, to the greatest extent practicable, light spill and glare effects on RNZAF Base Auckland aircraft operations.</li> <li>c. Architectural and landscape treatment of all major structures, including bridges and retaining walls;</li> <li>d. Architectural and landscape treatment of noise barriers;</li> <li>e. Landscape treatment of permanent stormwater control wetlands and swales; incorporating measures to minimise, to the greatest extent practicable, the risk of bird strike on RNZAF Base Auckland aircraft operations.</li> <li>f. Integration of passenger transport;</li> <li>g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</li> <li>h. Historic heritage places with reference to the HHMP (Condition 21); and</li> <li>i. Reinstatement of construction and site compound areas;</li> <li>j. Reinstatement of features to be retained such as: <ol style="list-style-type: none"> <li>a. boundary features;</li> <li>b. landscaping;</li> <li>c. driveways;</li> <li>d. accessways; <del>and</del></li> <li>e. fences; <del>and</del></li> <li>f. site utilities.</li> </ol> </li> </ol> <p>(g) The ULDMP shall also include the following planting details and maintenance requirements:</p> <p>(i) <del>P</del>lanting design details including:</p> <ol style="list-style-type: none"> <li>a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan. Where practicable, mature trees and native vegetation should be retained;</li> <li>b. Street trees, shrubs and ground cover suitable for the location;</li> <li>c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones;</li> <li>d. <del>P</del>lanting of stormwater wetlands;</li> <li>e. Identification of vegetation to be retained and any planting requirements under the Tree Management Plan (Condition 22);</li> <li>f. Integration of any planting requirements required by conditions of any resource consents for the project; and</li> <li>g. Re-instatement planting of construction and site compound areas as appropriate.</li> </ol> <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p>

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		<p>(iii) Detailed specifications relating to the following:</p> <ul style="list-style-type: none"> <li>a. Weed control and clearance;</li> <li>b. Pest animal management (to support plant establishment);</li> <li>c. Ground preparation (top soiling and decompaction);</li> <li>d. Mulching; <del>and</del></li> <li>e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species;</li> <li>f. Irrigation; and</li> <li>g. Plant replacement (due to theft or plants dying).</li> </ul> <p><b>Advice Note:</b></p> <p><i><del>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of "road widening". Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</del></i></p>
S4	9	<p><b>Urban and Landscape Design Management Plan (ULDMP)</b></p> <ul style="list-style-type: none"> <li>(a) A ULDMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the ULDMP(s) is to: <ul style="list-style-type: none"> <li>(i) Enable integration of the Project's permanent works into the surrounding landscape and urban context; and</li> <li>(ii) Ensure that the Project manages potential adverse landscape and visual effects as far as practicable and contributes to a quality urban environment.</li> </ul> </li> <li>(b) Mana Whenua shall be invited to participate in the development of the ULDMP(s) to provide input into relevant cultural landscape and design matters including how desired outcomes for management of potential effects on cultural sites, landscapes and values identified and discussed in accordance with Condition 7(c) may be reflected in the ULDMP.</li> <li>(c) <del>Key</del> Stakeholders identified through the Condition 3B shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.</li> <li>(d) The ULDMP shall be prepared in general accordance with: <ul style="list-style-type: none"> <li>(i) Auckland Transport's Urban Roads and Streets Design Guide or any subsequent updated version;</li> <li>(ii) Waka Kotahi Urban Design Guidelines: Bridging the Gap (2013) or any subsequent updated version;</li> <li>(iii) Waka Kotahi Landscape Guidelines (2013) or any subsequent updated version;</li> <li>(iv) Waka Kotahi P39 Standard Specification for Highway Landscape Treatments (2013) or any subsequent updated version; and</li> <li>(v) Auckland's Urban Ngahere (Forest) Strategy or any subsequent updated version.</li> </ul> </li> <li>(e) To achieve the objective, the ULDMP(s) shall provide details of how the project: <ul style="list-style-type: none"> <li>(i) Is designed to integrate with the adjacent urban (or proposed urban) and landscape context, including the surrounding existing or proposed topography, urban environment (i.e. centres and density of built form), natural environment, landscape character and open space zones (including Kumeū Community Centre), and Kumeū Showgrounds.</li> <li>(ii) Provides appropriate walking and cycling connectivity to, and interfaces with, existing or proposed adjacent land uses, public transport infrastructure and walking and cycling connections;</li> <li>(iii) Promotes inclusive access (where appropriate); and</li> <li>(iv) Promotes a sense of personal safety by aligning with best practice guidelines, such as: <ul style="list-style-type: none"> <li>a. Crime Prevention Through Environmental Design (CPTED) principles;</li> <li>b. Safety in Design (SID) requirements; and</li> <li>c. Maintenance in Design (MID) requirements and anti-vandalism/anti-graffiti measures.</li> </ul> </li> </ul> </li> </ul>



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		<p>(v) Has responded to requests that could influence detailed design through the Land Use Integration Process condition (Condition 2A);</p> <p>(vi) Interfaces with the operational areas of commercial premises within business zoned land, including loading areas, internal circulation and car parking, where practicable.</p> <p>(f) The ULDMP(s) shall include:</p> <p>(i) A concept plan – which depicts the overall landscape and urban design concept, and explain the rationale for the landscape and urban design proposals;</p> <p>(ii) Developed design concepts, including principles for walking and cycling facilities and public transport; and</p> <p>(iii) Landscape and urban design details – that cover the following:</p> <ol style="list-style-type: none"> <li>a. Road design – elements such as intersection form, carriageway gradient and associated earthworks contouring including cut and fill batters and the interface with adjacent land uses and existing roads (including slip lanes), benching, spoil disposal sites, median width and treatment, roadside width and treatment;</li> <li>b. Roadside elements – such as lighting, fencing, wayfinding and signage;</li> <li>c. <del>A</del>rchitectural and landscape treatment of all major structures, including bridges and retaining walls;</li> <li>d. Architectural and landscape treatment of noise barriers;</li> <li>e. Landscape treatment of permanent stormwater control wetlands and swales;</li> <li>f. Integration of passenger transport;</li> <li>g. Pedestrian and cycle facilities including paths, road crossings and dedicated pedestrian/ cycle bridges or underpasses;</li> <li>h. Historic heritage places with reference to the HHMP (Condition 21); and</li> <li>i. Reinstatement of construction and site compound areas;</li> <li>j. Reinstatement of features to be retained such as: <ol style="list-style-type: none"> <li>a. boundary features;</li> <li>b. landscaping;</li> <li>c. driveways;</li> <li>d. accessways; <del>and</del></li> <li>e. fences; <del>and</del></li> <li>e-f. site utilities.</li> </ol> </li> </ol> <p>(g) The ULDMP shall also include the following planting details and maintenance requirements:</p> <p>(i) <del>P</del>lanting design details including:</p> <ol style="list-style-type: none"> <li>a. Identification of existing trees and vegetation that will be retained with reference to the Tree Management Plan and Ecological Management Plan. Where practicable, mature trees and native vegetation should be retained;</li> <li>b. Street trees, shrubs and ground cover suitable for the location;</li> <li>c. treatment of fill slopes to integrate with adjacent land use, streams, Riparian margins and open space zones;</li> <li>d. planting of stormwater wetlands;</li> <li>e. Identification of vegetation to be retained and any planting requirements under the Ecological Management Plan (Conditions 21B) and Tree Management Plan (Condition 22);</li> <li>f. Integration of any planting requirements required by conditions of any resource consents for the project; and</li> <li>g. Re-instatement planting of construction and site compound areas as appropriate.</li> </ol> <p>(ii) A planting programme including the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each Stage of Work; and</p> <p>(iii) Detailed specifications relating to the following:</p> <ol style="list-style-type: none"> <li>a. Weed control and clearance;</li> <li>b. Pest animal management (to support plant establishment);</li> </ol>

NoR No.	No.	Condition
		<p>c. Ground preparation (top soiling and decompaction);  d. Mulching; and  e. Plant sourcing and planting, including hydroseeding and grassing, and use of eco-sourced species  f. Irrigation; and  e-g. Plant replacement (due to theft or plants dying).</p> <p><b>Advice Note:</b>  <del>This designation is for the purpose of construction, operation and maintenance of an arterial transport corridor and it is not for the specific purpose of “road widening”. Therefore, it is not intended that the front yard definition in the Auckland Unitary Plan which applies a set back from a designation for road widening purposes applies to this designation. A set back is not required to manage effects between the designation boundary and any proposed adjacent sites or lots.</del></p>
<b>Specific Outline Plan Requirements</b>		
All		<p><b>Flood Hazard</b>  For the purpose of Condition 10:</p> <p><del>(a)</del> <del>ARI</del> — means <del>Average Recurrence Interval</del>  <del>(b)</del><del>(a)</del> AEP – means Annual Exceedance Probability  <del>(c)</del><del>(b)</del> Existing authorised habitable floor – means the floor level of any room (floor) in a residential building which is authorised and exists at the time the outline plan is submitted, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway or garage.  <del>(d)</del><del>(c)</del> Flood prone area – means a potential ponding area that may flood and commonly comprised of topographical depression areas. These can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked. Flood prone areas typically include depressions formed by road/railway/motorway embankments built across natural gullies.  <del>(e)</del><del>(d)</del> Maximum Probable Development – is the design case for consideration of future flows allowing for development within a catchment that takes into account the maximum impervious surface limits of the current zone or if the land is zoned Future Urban in the AUP, the probable level of development arising from zone changes.  <del>(f)</del><del>(e)</del> Pre-Project development – means existing site condition prior to the Project (including existing buildings and roadways).  <del>(g)</del><del>(f)</del> Post-Project development – means site condition after the Project has been completed (including existing and new buildings and roadways).</p>
All	10	<p><b>Flood Hazard</b></p> <p><del>(a)</del> The Project shall be designed to achieve the following flood risk outcomes:</p> <p><del>(i)</del> no increase in flood levels in a 1% AEP event for existing authorised habitable floors that are already subject to flooding or have a freeboard <u>of less than 500mm within the designation or upstream or downstream of the designation;</u>  <del>(ii)</del> <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised habitable floors with a freeboard of over 500mm (to maintain a minimum freeboard of 500mm), within the designation or upstream or downstream of the designation;</u>  <del>(iii)</del> no increase in 1% AEP flood levels for existing authorised community, commercial, industrial and network utility building floors that are already subject to flooding or have a freeboard of less than 300mm <u>within the designation or upstream or downstream of the designation;</u>  <del>(iv)</del> <u>no more than a 10% reduction in freeboard in a 1% AEP event for existing authorised community, commercial, industrial and network utility building floors with a freeboard of over 300mm (to maintain a minimum freeboard of 300mm) within the designation or upstream or downstream of the designation;</u>  <del>(v)</del> <u>no increase in a 1% AEP flood level, except where the increase in level occurs within a well-defined stream cross-section and the increase will not increase the flood plain extent;</u></p>



NoR No.	No.	Condition
		<p><del>(ii)(vi)</del> existing or new overland flow paths shall be diverted away from private properties and discharge to a suitable location so that there is no increase in flood levels in a 1% AEP event downstream. Overland flow paths shall be kept free of obstructions;</p> <p><del>(iii)</del> Maximum of 50mm increase in water level in a 1% AEP event outside and adjacent to the designation boundaries between the pre and post Project scenarios;</p> <p><del>(iv)(vii)</del> no new flood prone areas; and</p> <p><del>(v)(viii)</del> no increase of flood hazard for main vehicle access to authorised habitable dwellings existing at time the Outline Plan is submitted. The assessment shall be undertaken for the 1% AEP rainfall event.</p> <p>Where Flood Hazard is:</p> <ul style="list-style-type: none"> <li>• velocity x depth &gt; = 0.6 or</li> <li>• depth &gt; 0.5, or</li> <li>• velocity &gt; 2m/s.</li> </ul> <p><del>(b)</del> Compliance with <del>this condition (a)</del> shall be demonstrated in the Outline Plan, which shall include flood modelling of:</p> <p><del>(i)</del> the pre-Project and post-Project 1% AEP flood levels (for Maximum Probable Development land use and including climate change);</p> <p><del>(ii)</del> proposed horizontal and vertical alignments of the road design; and</p> <p><del>(iii)</del> all stormwater, drainage and mitigation infrastructure proposed to service the road construction.</p> <p><del>(c)</del> Where the above outcomes can be achieved through alternative measures outside of the designation such as flood stop banks, flood walls, raising existing authorised habitable floor level and new overland flow paths or varied through agreement with the relevant landowner, the Outline Plan shall include confirmation that any necessary landowner and statutory approvals have been obtained for that work or alternative outcome.</p> <p><del>(d)</del> The capacity of the designation's stormwater management network to drain surface water from private properties shall not be reduced or if reduced is appropriately accommodated by other means.</p> <p><b><u>Advice Note:</u></b>  <u>Consultation with Auckland Council Healthy Waters (or its equivalent) to identify opportunities for collaboration on catchment improvement projects shall be carried out at the detailed design stage.</u></p>
All	11	<p><b>Existing property access</b></p> <p>Where existing property vehicle access which exists at the time the Outline Plan is submitted is proposed to be altered by the project, the <del>R</del>requiring <del>A</del>uthority shall consult with the directly affected landowners and occupiers regarding the required changes. The Outline Plan shall demonstrate how safe, <u>efficient and effective</u> access <u>to the transport corridor, and on-site parking and manoeuvring</u>, will be provided, unless otherwise agreed with the affected landowner.</p>
<b>Construction Conditions</b>		
All	12	<p><b>Construction Environmental Management Plan (CEMP)</b></p> <p>(a) A CEMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to, avoid, remedy or mitigate any adverse effects associated with Construction Works as far as practicable. To achieve the objective, the CEMP shall include:</p> <ul style="list-style-type: none"> <li>(i) the roles and responsibilities of staff and contractors;</li> <li>(ii) details of the site or project manager and the Project Liaison Person, including their contact details (phone and email address);</li> <li>(iii) the Construction Works programmes and the staging approach, and the proposed hours of work;</li> <li>(iv) details of the proposed construction yards including temporary screening when adjacent to <del>R</del>esidential <del>zones</del>areas;</li> </ul>

NoR No.	No.	Condition
		<ul style="list-style-type: none"> <li>(v) details of the proposed locations of refuelling activities and construction lighting;</li> <li>(vi) methods for controlling dust and the removal of debris and demolition of construction materials from public roads or places;</li> <li>(vii) methods for providing for the health and safety of the general public;</li> <li>(viii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain;</li> <li>(ix) procedures for incident management;</li> <li>(x) procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to Watercourses;</li> <li>(xi) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;</li> <li>(xii) summary of measures included to respond to matters raised in engagement, if not already covered above;</li> <li>(xiii) procedures for responding to complaints about Construction Works; and</li> <li>(xiv) methods for amending and updating the CEMP as required.</li> </ul>
All	14	<p><b>Complaints Register</b></p> <ul style="list-style-type: none"> <li>(a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include: <ul style="list-style-type: none"> <li>(i) The date, time and nature of the complaint;</li> <li>(ii) The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);</li> <li>(iii) Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;</li> <li>(iv) The outcome of the investigation into the complaint; <u>and</u></li> <li>(v) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.</li> </ul> </li> <li>(b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.</li> </ul>
All	15	<p><b>Cultural Monitoring Plan (CMP)</b></p> <ul style="list-style-type: none"> <li>(a) Prior to the start of Construction Works, a <del>Cultural Monitoring Plan</del> CMP shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.</li> <li>(b) The objective of the <del>Cultural Monitoring Plan</del> CMP is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction works. The <del>Cultural Monitoring Plan</del> CMP shall include: <ul style="list-style-type: none"> <li>(i) Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua;</li> <li>(ii) Requirements and protocols for cultural inductions for contractors and subcontractors;</li> <li>(iii) Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works;</li> <li>(iv) Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and</li> <li>(v) Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol.</li> </ul> </li> <li>(c) If Enabling Works involving soil disturbance are undertaken prior to the start of Construction Works, an Enabling Works <del>Cultural Monitoring Plan</del> CMP shall be prepared by a Suitably Qualified Person identified in collaboration with Mana Whenua. - This plan may be prepared as a standalone Enabling Works <del>Cultural Monitoring Plan</del> CMP or be included in the main Construction Works <del>Cultural Monitoring Plan</del> CMP.</li> </ul>

NoR No.	No.	Condition																					
		<b>Advice Note:</b> Where appropriate, the <del>Cultural Monitoring Plan</del> <b>CMP</b> shall align with the requirements of other conditions of the designation and resource consents for the Project which require monitoring during Construction Works.																					
All	16	<p><b>Construction Traffic Management Plan (CTMP)</b></p> <p>(a) A CTMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:</p> <ul style="list-style-type: none"> <li>(i) methods to manage the effects of temporary traffic management activities on traffic;</li> <li>(ii) measures to ensure the safety of all transport users;</li> <li>(iii) the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near educational facilities or to manage traffic congestion;</li> <li>(iv) site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;</li> <li>(v) identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including public transport services, pedestrians and cyclists;</li> <li>(vi) methods to maintain <u>vehicle access, parking and manoeuvring</u> to and within property and/or private roads where practicable, or to provide alternative <u>vehicle access, parking and manoeuvring</u> arrangements when it will not be. Engagement with landowners or occupiers whose access, <u>parking and manoeuvring</u> is directly affected shall be undertaken in accordance with Condition 3B;</li> <li>(vii) <del>d</del>Details of how the loading and unloading of goods will be provided for;</li> <li>(viii) the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;</li> <li>(ix) methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/ public/ stakeholders/ emergency services);</li> <li>(x) <del>a</del>Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;</li> <li>(xi) details of minimum network performance parameters during the construction phase, including any measures to monitor compliance with the performance parameters; and</li> <li>(xii) details of any measures proposed to be implemented in the event of thresholds identified in (xi) being exceeded.</li> </ul>																					
All	17	<p><b>Construction Noise Standards</b></p> <p>(a) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise and shall comply with the noise standards set out in the following table as far as practicable:</p> <p><b>Table 17.1: Construction noise standards</b></p> <table border="1"> <thead> <tr> <th>Day of week</th> <th>Time period</th> <th>L<sub>Aeq</sub>(15min)</th> <th>L<sub>AFmax</sub></th> </tr> </thead> <tbody> <tr> <td colspan="4"><b>Occupied activity sensitive to noise</b></td> </tr> <tr> <td rowspan="4">Weekday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>65 dB</td> <td>80 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> </tbody> </table>	Day of week	Time period	L <sub>Aeq</sub> (15min)	L <sub>AFmax</sub>	<b>Occupied activity sensitive to noise</b>				Weekday	0630h - 0730h	55 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	65 dB	80 dB	2000h - 0630h	45 dB	75 dB
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		<table border="1"> <tr> <td rowspan="4">Saturday</td> <td>0630h - 0730h</td> <td>55 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>70 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td rowspan="4">Sunday and Public Holidays</td> <td>0630h - 0730h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>0730h - 1800h</td> <td>55 dB</td> <td>85 dB</td> </tr> <tr> <td>1800h - 2000h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td>2000h - 0630h</td> <td>45 dB</td> <td>75 dB</td> </tr> <tr> <td colspan="4"><b>Other occupied buildings</b></td> </tr> <tr> <td rowspan="2">All</td> <td>0730h – 1800h</td> <td>70 dB</td> <td></td> </tr> <tr> <td>1800h – 0730h</td> <td>75 dB</td> <td></td> </tr> </table> <p>(b) Where compliance with the noise standards set out in Table 17.1 is not practicable, the methodology in Condition 20 shall apply.</p>	Saturday	0630h - 0730h	55 dB	75 dB	0730h - 1800h	70 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB	0730h - 1800h	55 dB	85 dB	1800h - 2000h	45 dB	75 dB	2000h - 0630h	45 dB	75 dB	<b>Other occupied buildings</b>				All	0730h – 1800h	70 dB		1800h – 0730h	75 dB	
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All	18	<p><b>Construction Vibration Standards</b></p> <p>(a) Construction vibration shall be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures and shall comply with the vibration standards set out in <a href="#">the following table Table 18.1</a> as far as practicable.</p> <p><b>Table 18.1 Construction vibration criteria</b></p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Details</th> <th>Category A</th> <th>Category B</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Occupied Activities sensitive to noise</td> <td>Night-time 2000h - 0630h</td> <td>0.3mm/s ppv</td> <td>2mm/s ppv</td> </tr> <tr> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>Other occupied buildings</td> <td>Daytime 0630h - 2000h</td> <td>2mm/s ppv</td> <td>5mm/s ppv</td> </tr> <tr> <td>All other buildings</td> <td>At all other times</td> <td colspan="2">Tables 1 and 3 of DIN4150-3:1999</td> </tr> </tbody> </table> <p>*Category A criteria adopted from Rule E25.6.30.1 of the AUP</p> <p>**Category B criteria based on DIN 4150-3:1999 building damage criteria for daytime</p> <p>(b) Where compliance with the vibration standards set out in Table 18.1 is not practicable, the methodology in Condition 20 shall apply.</p>	Receiver	Details	Category A	Category B	Occupied Activities sensitive to noise	Night-time 2000h - 0630h	0.3mm/s ppv	2mm/s ppv	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	Other occupied buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv	All other buildings	At all other times	Tables 1 and 3 of DIN4150-3:1999																			
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All	19	<p><b>Construction Noise and Vibration Management Plan (CNVMP)</b></p> <p>(a) A CNVMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) A CNVMP shall be implemented during the Stage of Work to which it relates.</p> <p>(c) The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 17 and 18 to the extent practicable. To achieve this objective, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999) and shall as a minimum, address the following:</p> <ol style="list-style-type: none"> <li>A description of the works and anticipated equipment/processes;</li> <li>Hours of operation, including times and days when construction activities would occur;</li> <li>The construction noise and vibration standards for the project;</li> <li>Identification of receivers where noise and vibration standards apply;</li> </ol>																																					

NoR No.	No.	Condition
		<ul style="list-style-type: none"> <li>(v) A hierarchy of management and mitigation options, including any requirements to limit night works and works during other sensitive times, including Sundays and public holidays as far practicable;</li> <li>(vi) Methods and frequency for monitoring and reporting on construction noise and vibration;</li> <li>(vii) Procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints.</li> <li>(viii) Contact details of the Project Liaison Person;</li> <li>(ix) Procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers;</li> <li>(x) Procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise (Condition 17) and/or vibration standards (Condition 18) <del>for Category B</del> will not be practicable.</li> <li>(xi) Identification of trigger levels for undertaking building condition surveys, which shall be Category B day time levels;</li> <li>(xii) Procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration;</li> <li>(xiii) Methodology and programme of desktop and field audits and inspections to be undertaken to ensure that the CNVMP, Schedules and the best practicable option for management of effects are being implemented; <del>and</del></li> <li>(xiv) Requirements for review and update of the CNVMP.</li> </ul>
All	20	<p><b>Schedule to a CNVMP</b></p> <ul style="list-style-type: none"> <li>(a) A Schedule to the CNVMP (Schedule) shall be prepared prior to the start of the construction to which it relates by a Suitably Qualified Person, in consultation with the owners and occupiers of sites subject to the Schedule, when: <ul style="list-style-type: none"> <li>(i) Construction noise is either predicted or measured to exceed the noise standards in Condition 17, except where the exceedance of the <math>L_{Aeq}</math> criteria is no greater than 5 decibels and does not exceed: <ul style="list-style-type: none"> <li>A. 0630 – 2000: <del>two</del> <u>two</u> periods of up to <del>two</del> <u>two</u> consecutive weeks in any <del>two</del> <u>two</u> months; or</li> <li>B. 2000 - 0630: <del>one</del> <u>one</u> period of up to <del>two</del> <u>two</u> consecutive nights in any <del>ten</del> <u>ten</u> days.</li> </ul> </li> <li>(ii) Construction vibration is either predicted or measured to exceed the Category B standard at the receivers in Condition 18.</li> </ul> </li> <li>(b) The objective of the Schedule is to set out the Best Practicable Option measures to manage noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as: <ul style="list-style-type: none"> <li>(i) Construction activity location, start and finish dates;</li> <li>(ii) The nearest neighbours to the construction activity;</li> <li>(iii) The predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards and predicted duration of the exceedance;</li> <li>(iv) For works proposed between 2000h and 0630h, the reasons why the proposed works must be undertaken during these hours and why they cannot be practicably undertaken during the daytime;</li> <li>(v) The proposed mitigation options that have been selected, and the options that have been discounted as being impracticable and the reasons why;</li> <li>(vi) The consultation undertaken with owners and occupiers of sites subject to the Schedule, and how consultation has and has not been taken into account; and</li> <li>(vii) Location, times and types of monitoring;</li> </ul> </li> <li>(c) The Schedule shall be submitted to the Manager for certification at least <del>five</del> <u>five</u> (5) working days (except in unforeseen circumstances) in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.</li> <li>(d) Where material changes are made to a Schedule required by this condition, the Requiring Authority shall consult the owners and/or occupiers of sites subject to the Schedule prior to submitting the amended Schedule to the Manager for certification in accordance with (c) above. The amended Schedule shall document the consultation</li> </ul>

NoR No.	No.	Condition
		undertaken with those owners and occupiers, and how consultation outcomes have and have not been taken into account.
All	21	<p><b>Historic Heritage Management Plan (HHMP)</b></p> <p>(a) A HHMP shall be prepared in consultation with <del>the</del> Council, HNZPT and Mana Whenua prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the HHMP is to protect historic heritage and to remedy and mitigate any residual effects as far as practicable. To achieve the objective, the HHMP shall identify:</p> <ul style="list-style-type: none"> <li>(i) Any adverse direct and indirect effects on historic heritage sites and measures to appropriately avoid, remedy or mitigate any such effects, including a tabulated summary of these effects and measures;</li> <li>(ii) Methods for the identification and assessment of potential historic heritage places within the Designation to inform detailed design;</li> <li>(iii) Known historic heritage places and potential archaeological sites within the Designation, including identifying any archaeological sites for which an Archaeological Authority under the HNZPTA will be sought or has been granted;</li> <li>(iv) Any unrecorded archaeological sites or post-1900 heritage sites within the Designation, which shall also be documented and recorded;</li> <li>(v) Roles, responsibilities and contact details of Project personnel, Council and HNZPT representatives, Mana Whenua representatives, and relevant agencies involved with heritage and archaeological matters including surveys, monitoring of Construction Works, compliance with AUP accidental discovery rule, and monitoring of conditions;</li> <li>(vi) Specific areas to be investigated, monitored and recorded to the extent these are directly affected by the Project;</li> <li>(vii) The proposed methodology for investigating and recording post-1900 historic heritage sites (including buildings) that need to be destroyed, demolished or relocated, including details of their condition, measures to mitigate any adverse effects and timeframe for implementing the proposed methodology, in accordance with the HNZPT Archaeological Guidelines Series No.1: Investigation and Recording of Buildings and Standing Structures (November 2018), or any subsequent version;</li> <li>(viii) Methods to acknowledge cultural values identified through Condition 7 where archaeological sites also involve ngā taonga tuku iho (treasures handed down by our ancestors) and where feasible and practicable to do so;</li> <li>(ix) Methods for avoiding, remedying or mitigating adverse effects on historic heritage places and sites within the Designation during Construction Works as far as practicable. These methods shall include, but are not limited to: <ul style="list-style-type: none"> <li>a. security fencing or hoardings around historic heritage places to protect them from damage during construction or unauthorised access);</li> <li>b. measures to mitigate adverse effects on historic heritage sites that achieve positive historic heritage outcomes such as increased public awareness and interpretation signage; and</li> <li>c. Training requirements and inductions for contractors and subcontractors on historic heritage places within the Designation, legal obligations relating to unexpected discoveries, the AUP Accidental Discovery Rule (E11.6.1). The training shall be undertaken prior to the Start of Construction, under the guidance of a Suitably Qualified Person and Mana Whenua representatives (to the extent the training relates to cultural values identified under Condition 15.</li> </ul> </li> </ul> <p>(c) Electronic copies of all historic heritage reports relating to historic heritage investigations (evaluation, excavation and monitoring), shall be submitted to the Manager within 12 months of completion.</p> <p><b>Accidental Discoveries</b></p> <p><b>Advice Note:</b> <i>The Requiring Authority is advised of the requirements of Rule E11.6.1 of the AUP for "Accidental Discovery" as they relate to both contaminated soils and heritage items.</i></p>



NoR No.	No.	Condition
		<i>The requirements for accidental discoveries of heritage items are set out in Rule E11.6.1 of the AUP [and in the Waka Kotahi Minimum Standard P45 Accidental Archaeological Discovery Specification, or any subsequent version].</i>
W1 W2 W3 W4 R1 RE1 S4 RATN1 RATN2A RATN2B RATN2C	<b>21A</b>	<p><b>Pre-Construction Ecological Survey</b></p> <p>(a) At the start of detailed design for a Stage of Work, an updated ecological survey shall be undertaken by a Suitably Qualified Person. The purpose of the survey is to inform the detailed design of ecological management plan by:</p> <ol style="list-style-type: none"> <li>(i) Confirming whether the species of value within the Identified Biodiversity Areas recorded in the <i>Identified Biodiversity Area Schedule 2</i> are still present; <b>and</b></li> <li>(ii) Confirming whether the project will or may have a moderate or greater level of ecological effect on ecological species of value, prior to implementation of impact management measures, as determined in accordance with the EIANZ guidelines.</li> </ol> <p>(b) If the ecological survey confirms the presence of ecological features of value in accordance with Condition 21A(a)(i) and that effects are likely in accordance with Condition 21A(a)(ii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition 21B for these areas (Confirmed Biodiversity Areas).</p>
RATN1 RATN2A RATN2B RATN2C	<b>21B</b>	<p><b>Ecological Management Plan (EMP)</b></p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (confirmed through Condition 21A) prior to the Start of Construction for a Stage of Work. The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <ol style="list-style-type: none"> <li>i. If an EMP is required in accordance with Condition 21A(b) for the presence of long tail bats: <ol style="list-style-type: none"> <li>a. Measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats.</li> <li>b. How the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;</li> <li>c. Details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;</li> <li>d. Details of how bat connectivity will be provided and maintained (e.g. through the presence of suitable indigenous or exotic trees or artificial alternatives, measures to manage the effects of light spill on bat connectivity as far as practicable).</li> <li>e. Details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented; <b>and-</b></li> <li>f. Where mitigation to minimise effects is not practicable, details of any offsetting proposed.</li> </ol> </li> </ol> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p><b>Advice Note:</b></p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ol style="list-style-type: none"> <li>(a) <i>Stream and/or wetland restoration plans;</i></li> <li>(b) <i>Vegetation restoration plans; and</i></li> <li>(c) <i>Fauna management plans (eg avifauna, herpetofauna, bats).</i></li> </ol>
W3 R1	<b>21B</b>	<p><b>Ecological Management Plan (EMP)</b></p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (undertaken in Condition 21A) prior to the Start of Construction for a Stage of Work. The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. The EMP shall set out the methods that will be used to achieve the objective which may include:</p>

NoR No.	No.	Condition
		<p>i. If an EMP is required in accordance with Condition 21A(b) for the presence of long tail bats:</p> <ul style="list-style-type: none"> <li>A. Measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats;</li> <li>B. How the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;</li> <li>C. Details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;</li> <li>D. Details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include identification of areas and timeframes for establishment of advance restoration / mitigation planting taking into account land ownership, accessibility and the timing of funding, measures to manage the effects of light spill on bat connectivity as far as practicable.</li> <li>E. Details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented.</li> <li>F. Where mitigation to minimise effects is not practicable, details of any offsetting proposed.</li> </ul> <p>ii. If an EMP is required in accordance with Condition 21A(b) for the presence of threatened or at risk wetland birds:</p> <ul style="list-style-type: none"> <li>A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable.</li> <li>B. where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds</li> <li>C. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity;</li> <li>D. what protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include: <ul style="list-style-type: none"> <li>i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;</li> <li>ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified Person; <del>and</del></li> <li>iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified Person;</li> <li>iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area); <del>and</del></li> <li>v. minimising light spill from construction areas into Wetlands.</li> </ul> </li> </ul> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p><b>Advice Note:</b></p>



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		<p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <p>(a) Stream and/or wetland restoration plans;</p> <p>(b) Vegetation restoration plans; and</p> <p>(c) Fauna management plans (eg avifauna, herpetofauna, bats).</p>
RE1	21B	<p><b>Ecological Management Plan (EMP)</b></p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (undertaken in Condition 21A) prior to the Start of Construction for a Stage of Work. The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <ol style="list-style-type: none"> <li>i. If an EMP is required in accordance with Condition 21A(b) for the presence of threatened or at risk wetland birds: <ol style="list-style-type: none"> <li>A. how the timing of any Construction Works shall be undertaken outside of the bird breeding season (September to February) where practicable;</li> <li>B. where works are required within the Confirmed Biodiversity Area during the bird season, methods to minimise adverse effects on Threatened or At-Risk wetland birds;</li> <li>C. undertaking a nesting bird survey of Threatened or At-Risk wetland birds prior to any Construction Works taking place within a 50m radius of any identified Wetlands (including establishment of construction areas adjacent to Wetlands). Surveys should be repeated at the beginning of each wetland bird breeding season and following periods of construction inactivity; <b>and</b></li> <li>D. what protection and buffer measures will be provided where nesting Threatened or At-Risk wetland birds are identified within 50m of any construction area (including laydown areas). Measures could include: <ol style="list-style-type: none"> <li>i. a 20 m buffer area around the nest location and retaining vegetation. The buffer areas should be demarcated where necessary to protect birds from encroachment. This might include the use of marker poles, tape and signage;</li> <li>ii. monitoring of the nesting Threatened or At-Risk wetland birds by a Suitably Qualified Person. Construction works within the 20m nesting buffer areas should not occur until the Threatened or At-Risk wetland birds have fledged from the nest location (approximately 30 days from egg laying to fledging) as confirmed by a Suitably Qualified Person; <b>and</b></li> <li>iii. minimising the disturbance from the works if construction works are required within 50 m of a nest, as advised by a Suitably Qualified Person;</li> <li>iv. adopting a 10m setback where practicable, between the edge of Wetlands and construction areas (along the edge of the stockpile/laydown area); <b>and</b></li> <li>v. minimising light spill from construction areas into Wetlands.</li> </ol> </li> </ol> </li> </ol> <p>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</p> <p><b>Advice Note:</b></p> <p>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</p> <p>(a) Stream and/or wetland restoration plans;</p> <p>(b) Vegetation restoration plans; and</p> <p>(c) Fauna management plans (eg avifauna, herpetofauna, bats).</p>

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W1 W2 W4 S4	21B	<p><b>Ecological Management Plan (EMP)</b></p> <p>(a) An EMP shall be prepared for any Confirmed Biodiversity Areas (undertaken in Condition 21A) prior to the Start of Construction for a Stage of Work. The objective of the EMP is to minimise effects of the Project on the ecological features of value of Confirmed Biodiversity Areas as far as practicable. The EMP shall set out the methods that will be used to achieve the objective which may include:</p> <ol style="list-style-type: none"> <li>i. If an EMP is required in accordance with Condition 21A(b) for the presence of long tail bats: <ol style="list-style-type: none"> <li>A. Measures to minimise as far as practicable, disturbance from construction activities within the vicinity of any active long tail bat roosts (including maternity) that are discovered through survey until such roosts are confirmed to be vacant of bats;-</li> <li>B. How the timing of any construction work in the vicinity of any maternity long tail bat roosts will be limited to outside the bat maternity period (between December and March) where reasonably practicable;</li> <li>C. Details of areas where vegetation is to be retained where practicable for the purposes of the connectivity of long tail bats;</li> <li>D. Details of how bat connectivity (including suitable indigenous or exotic trees or artificial alternatives) will be provided and maintained. This could include identification of areas and timeframes for establishment of advance restoration / mitigation planting taking into account land ownership, accessibility and the timing of funding, measures to manage the effects of light spill on bat connectivity as far as practicable;-</li> <li>E. Details of where opportunities for advance restoration / mitigation planting have previously been identified and implemented; <del>and-</del></li> <li>F. Where mitigation to minimise effects is not practicable, details of any offsetting proposed.</li> </ol> </li> <li>(b) The EMP shall be consistent with any ecological management measures to be undertaken in compliance with conditions of any regional resource consents granted for the Project.</li> </ol> <p><b>Advice Note:</b></p> <p><i>Depending on the potential effects of the Project, the regional consents for the Project may include the following monitoring and management plans:</i></p> <ol style="list-style-type: none"> <li>(a) Stream and/or wetland restoration plans;</li> <li>(b) Vegetation restoration plans; and</li> <li>(c) Fauna management plans (eg avifauna, herpetofauna, bats).</li> </ol>
All	22	<p><b>Tree Management Plan (TMP)</b></p> <p>(a) Prior to the Start of Construction for a Stage of Work, a <del>Tree Management Plan</del> <b>TMP</b> shall be prepared. - The objective of the <del>Tree Management Plan</del> <b>TMP</b> is to avoid, remedy or mitigate effects of construction activities on trees identified as protected or notable in the <del>Auckland Unitary Plan</del> <b>AUP</b>.</p> <p>(b) The <del>Tree Management Plan</del> <b>TMP</b> shall:</p> <ol style="list-style-type: none"> <li>(i) confirm the trees that will be affected by the project work and are identified as protected or notable in the <del>Auckland Unitary Plan</del> <b>AUP</b>;</li> <li>(ii) demonstrate how the design and location of project works has avoided, remedied or mitigated any effects on any tree identified in (i) above. This may include: <ol style="list-style-type: none"> <li>A. any opportunities to relocate listed trees where practicable;-</li> <li>B. planting to replace trees that require removal (with reference to the ULDMP planting design details in Condition 9);</li> <li>C. tree protection zones and tree protection measures such as protective fencing, ground protection and physical protection of roots, trunks and branches; and</li> <li>D. methods for work within the rootzone of trees that are to be retained in line with accepted arboricultural standards.</li> </ol> </li> <li>(iii) demonstrate how the tree management measures (outlined in A – D above) are consistent with conditions of any resource consents granted for the project in relation to managing construction effects on trees.</li> </ol>

NoR No.	No.	Condition
W4 RE1 R1 RATN1 RATN2A RATN2B RATN2C HIFTR	23	<p><b>Network Utility Management Plan (NUMP)</b></p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</p> <ul style="list-style-type: none"> <li>(i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</li> <li>(ii) Protect and where necessary, relocate existing network utilities;</li> <li>(iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; <b>and</b></li> <li>(iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines.</li> </ul> <p>(c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(d) The Requiring Authority shall consult with Network Utility Operators during the detailed design phase to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the NUMP.</p> <p>(e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>
W1 W2 W3 S4	23	<p><b>Network Utility Management Plan (NUMP)</b></p> <p>(a) A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</p> <p>(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</p> <ul style="list-style-type: none"> <li>(i) Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</li> <li>(ii) Protect and where necessary, relocate existing network utilities;</li> <li>(iii) Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; <b>and</b></li> <li>(iv) Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines.</li> </ul> <p>(c) The NUMP shall include methods (including timing) to protect and where required safely relocate the International Cable.</p> <p>(d) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</p> <p>(e) The Requiring Authority shall consult with Network Utility Operators during the detailed design phase to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the Outline Plan(s) prepared for the Project.</p> <p>(f) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</p> <p>(g) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</p> <p>(h) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</p>
<u>W5</u>	<u>23</u>	<u><b>Network Utility Management Plan (NUMP)</b></u>

NoR No.	No.	Condition
		<p>(a) <u>A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</u></p> <p>(b) <u>The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</u></p> <p>(i) <u>Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</u></p> <p>(ii) <u>Protect and where necessary, relocate existing network utilities;</u></p> <p>(iii) <u>Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and</u></p> <p>(iv) <u>Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines.</u></p> <p>(c) <u>The NUMP shall include methods (including timing) to protect and where required safely relocate the International Cable.</u></p> <p>(d) <u>The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</u></p> <p>(e) <u>The Requiring Authority shall consult with Network Utility Operators during the detailed design phase to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the NUMP.</u></p> <p>(f) <u>The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</u></p> <p>(g) <u>Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</u></p> <p><del>(a)</del>(h) <u>Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</u></p>
<u>RE2</u>	<u>23</u>	<p><b><u>Network Utility Management Plan (NUMP)</u></b></p> <p>(a) <u>A NUMP shall be prepared prior to the Start of Construction for a Stage of Work.</u></p> <p>(b) <u>The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:</u></p> <p>(i) <u>Provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;</u></p> <p>(ii) <u>Protect and where necessary, relocate existing network utilities;</u></p> <p>(iii) <u>Manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and</u></p> <p>(iv) <u>Demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical hazards on Metallic Pipelines.</u></p> <p>(c) <u>The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.</u></p> <p>(d) <u>The Requiring Authority shall consult with Network Utility Operators during the detailed design phase to consider opportunities to enable, or not preclude, the development of new network utility facilities including access to power and ducting within the Project, where practicable to do so. The consultation undertaken, opportunities considered, and whether or not they have been incorporated into the detailed design, shall be summarised in the NUMP.</u></p> <p>(e) <u>The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.</u></p> <p>(f) <u>Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.</u></p> <p><del>(a)</del>(g) <u>Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner.</u></p>
<b>Operational Conditions</b>		
All	24	<b>Low Noise Road Surface</b>

NoR No.	No.	Condition
		<p>(a) Asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented within 12 months of Completion of Construction of the project.</p> <p><del>(a)(b) The asphaltic concrete surface shall be maintained to retain the noise reduction performance of the surface established in accordance with (a).</del></p>
All	24A	<p><del>Where the Project passes through areas with a residential or future urban zoning, noise barriers shall be erected where they can be demonstrated to provide the Best Practicable Option for the control of road traffic noise having regard to the future residential use of the adjoining land.</del></p>
All	24A	<p><b>Future Resurfacing Work</b></p> <p><del>a) Any future resurfacing works of the Project shall be undertaken in accordance with the Auckland Transport Reseal Guidelines, Asset Management and Systems 2013 and asphaltic concrete surfacing (or equivalent low noise road surface) shall be implemented where:</del></p> <p><del>(i) the volume of traffic exceeds 10,000 vehicles per day; or</del></p> <p><del>(ii) the road is subject to high wear and tear (such as cul-de-sac heads, roundabouts and main road intersections); or</del></p> <p><del>(iii) it is in an industrial or commercial area where there is a high concentration of truck traffic; or</del></p> <p><del>(iv) it is subject to high usage by pedestrians, such as town centres, hospitals, shopping centres and schools.</del></p> <p><del>b)a) Prior to commencing any future resurfacing works, the Requiring Authority shall advise the Manager if any of the triggers in Condition 24B(a)(i) – (iv) are not met by the road or a section of it and therefore where the application of asphaltic concrete surfacing (or equivalent low noise road surface) is no longer required on the road or a section of it. Such advice shall also indicate when any resealing is to occur.</del></p>
W2 W3 W4 R1 RE1 HIFTR S4		<p><b>Traffic Noise</b></p> <p>For the purposes of Conditions 25 to 36:</p> <p>(a) Building-Modification Mitigation – has the same meaning as in NZS 6806;</p> <p>(b) Design year has the same meaning as in NZS 6806;</p> <p>(c) Detailed Mitigation Options – means the fully detailed design of the Selected Mitigation Options, with all practical issues addressed;</p> <p>(d) Habitable Space – has the same meaning as in NZS 6806;</p> <p>(e) Identified Noise Criteria Category – means the Noise Criteria Category for a PPF identified in <i>Schedule 3: Identified PPFs Noise Criteria Categories</i>;</p> <p>(f) Mitigation – has the same meaning as in NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(g) Noise Criteria Categories – means the groups of preference for sound levels established in accordance with NZS 6806 when determining the Best Practicable Option for noise mitigation (i.e. Categories A, B and C);</p> <p>(h) NZS 6806 – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads;</p> <p>(i) Protected Premises and Facilities (PPFs) – means only the premises and facilities identified in <i>Schedule 3: PPFs Noise Criteria Categories</i>;</p> <p>(j) Selected Mitigation Options – means the preferred mitigation option resulting from a Best Practicable Option assessment undertaken in accordance with NZS 6806 taking into account any low noise road surface to be implemented in accordance with Condition 24; and</p> <p>(k) Structural Mitigation – has the same meaning as in NZS 6806.</p>
W2 W3, W4 <del>W5</del> R1, RE1 <del>RE2</del> HIFTR S4	25	<p>The Noise Criteria Categories identified in <i>Schedule 3: PPFs Noise Criteria Categories</i> at each of the PPFs shall be achieved where practicable and subject to Conditions 25 to 36 (all traffic noise conditions).</p> <p>The Noise Criteria Categories do not need to be complied with at a PPF where:</p> <p>(a) The PPF no longer exists; or</p> <p>(b) Agreement of the landowner has been obtained confirming that the Noise Criteria Category does not need to be met.</p>

NoR No.	No.	Condition
		Achievement of the Noise Criteria Categories for PPFs shall be by reference to a traffic forecast for a high growth scenario in a design year at least <u>ten (10)</u> years after the programmed opening of the Project.
W2 W3, W4 R1, RE1 HIFTR S4	26	As part of the detailed design of the Project, a Suitably Qualified Person shall determine the Selected Mitigation Options for the PPFs identified on <i>Schedule 3 PPFs Noise Criteria Categories</i> .  For the avoidance of doubt, the low noise road surface implemented in accordance with Condition 24 may be (or be part of) the Selected Mitigation Option(s).
W2 W3, W4 R1, RE1 HIFTR S4	27	Prior to construction of the Project, a Suitably Qualified Person shall develop the Detailed Mitigation Options for the PPFs identified in <i>Schedule 3 PPFs Noise Criteria Categories</i> , taking into account the Selected Mitigation Options.
W2 W3, W4 R1, RE1 HIFTR S4	28	If the Detailed Mitigation Options would result in the Identified Noise Criteria Category changing to a less stringent Category, e.g. from Category A to B or Category B to C, at any relevant PPF, a Suitably Qualified Person shall provide confirmation to the Manager that the Detailed Mitigation Option would be consistent with adopting the Best Practicable Option in accordance with NZS 6806 prior to implementation.
W2 W3, W4 R1, RE1 HIFTR S4	29	The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve months of completion of construction.
W2 W3, W4 R1, RE1 HIFTR S4	30	Prior to the Start of Construction, a Suitably Qualified Person shall identify those PPFs which, following implementation of all the Detailed Mitigation Options, will not be Noise Criteria Categories A or B and where Building-Modification Mitigation might be required to achieve 40 dB L <sub>Aeq(24h)</sub> inside Habitable Spaces ('Category C Buildings').
W2 W3, W4 R1, RE1 HIFTR S4	31	Prior to the Start of Construction in the vicinity of each Category C Building, the Requiring Authority shall write to the owner of the Category C Building requesting entry to assess the noise reduction performance of the existing building envelope. If the building owner agrees to entry within three months of the date of the Requiring Authority's letter, the Requiring Authority shall instruct a Suitably Qualified Person to visit the building and assess the noise reduction performance of the existing building envelope.
W2 W3, W4 R1, RE1 HIFTR S4	32	For each Category C Building identified, the Requiring Authority is deemed to have complied with Condition 31 above if:  (a) The Requiring Authority's Suitably Qualified Person has visited the building and assessed the noise reduction performance of the building envelope; or  (b) The building owner agreed to entry, but the Requiring Authority could not gain entry for some reason (such as entry denied by a tenant); or  (c) The building owner did not agree to entry within three months of the date of the Requiring Authority's letter sent in accordance with Condition 31 above (including where the owner did not respond within that period); or



NoR No.	No.	Condition
		<p>(d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p> <p>If any of (b) to (d) above apply to a Category C Building, the Requiring Authority is not required to implement Building-Modification Mitigation to that building.</p>
W2 W3, W4 R1, RE1 HIFTR S4	33	<p>Subject to Condition 32 above, within six months of the assessment undertaken in accordance with Conditions 31 and 32, the Requiring Authority shall write to the owner of each Category C Building advising:</p> <p>(a) If Building-Modification Mitigation is required to achieve 40 dB LAeq(24h) inside habitable spaces; and</p> <p>(b) The options available for Building-Modification Mitigation to the building, if required; and</p> <p>(c) That the owner has three months to decide whether to accept Building-Modification Mitigation to the building and to advise which option for Building-Modification Mitigation the owner prefers, if the Requiring Authority has advised that more than one option is available.</p>
W2 W3, W4 R1, RE1 HIFTR S4	34	<p>Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of a Category C Building, the mitigation shall be implemented, including any third party authorisations required, in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.</p>
W2 W3, W4 R1, RE1 HIFTR S4	35	<p>Subject to Condition 32, where Building-Modification Mitigation is required, the Requiring Authority is deemed to have complied with Condition 34 if:</p> <p>(a) The Requiring Authority has completed Building Modification Mitigation to the building; or</p> <p>(b) An alternative agreement for mitigation is reached between the Requiring Authority and the building owner; or</p> <p>(c) The building owner did not accept the Requiring Authority's offer to implement Building-Modification Mitigation within three months of the date of the Requiring Authority's letter sent in accordance with Condition 32 (including where the owner did not respond within that period); or</p> <p>(d) The building owner cannot, after reasonable enquiry, be found prior to completion of construction of the Project.</p>
W2 W3, W4 R1, RE1 HIFTR S4	36	<p>The Detailed Mitigation Options shall be maintained so they retain their noise reduction performance as far as practicable.</p>

**Attachments** SCHEDULES

**Schedule 1: General Accordance Plans and Information**



**Schedule 2: Identified Biodiversity Areas**

**Schedule 2: Identified PPFs Noise Criteria Categories****NOR HIFTR**

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
72 Hobsonville Road	Altered	Category B
24 Trig Road	Altered	Category A
26 Trig Road	Altered	Category A
64 Hobsonville Road	Altered	Category A
66 Hobsonville Road	Altered	Category B
40 Trig Road	Altered	Category A
1/93, 2/93, 2/14, 3/93, 3/14, 4/14, 1/14 Hobsonville Road	Altered	Category A
16 Trig Road	Altered	Category A
97 Hobsonville Road	Altered	Category A
6 Trig Road	Altered	Category A
22 Trig Road	Altered	Category A
62 Hobsonville Road	Altered	Category A
18, 2 Luckens Road	Altered	Category A
72B Hobsonville Road	Altered	Category A
16 Luckens Road	Altered	Category A
8 Trig Road	Altered	Category A
12 Trig Road	Altered	Category A
60 Hobsonville Road	Altered	Category A
119 Hobsonville Road	Altered	Category A
10 Luckens Road	Altered	Category A
1B Luckens Road	Altered	Category A
28 Trig Road	Altered	Category A
70 Hobsonville Road	Altered	Category A
24 Belleaire Court	Altered	Category A
30 Trig Road	Altered	Category A
7 Trig Road	Altered	Category A
75 Hobsonville Road	Altered	Category A
32 Trig Road	Altered	Category A
56 Hobsonville Road	Altered	Category A
76 Hobsonville Road	Altered	Category A
1/111, 2/111 Hobsonville Road	Altered	Category A
133 Hobsonville Road	Altered	Category A
1/93, 2/93, 2/14, 3/93, 3/14, 4/14, 1/14 Hobsonville Road	Altered	Category A
72A Hobsonville Road	Altered	Category A

8 Luckens Road	Altered	Category A
52 Hobsonville Road	Altered	Category A
127 Hobsonville Road	Altered	Category A
5 Luckens Road	Altered	Category A
34 Trig Road	Altered	Category A
50 Hobsonville Road	Altered	Category A
46 Trig Road	Altered	Category A
54 Hobsonville Road	Altered	Category A
26 Belleaire Court	Altered	Category A
48 Hobsonville Road	Altered	Category A
1/93, 2/93, 2/14, 3/93, 3/14, 4/14, 1/14 Hobsonville Road	Altered	Category A
107 Hobsonville Road	Altered	Category A
79A Hobsonville Road	Altered	Category A
68 Hobsonville Road	Altered	Category A
58 Hobsonville Road	Altered	Category A
19 Luckens Road	Altered	Category A
1/93, 2/93, 2/14, 3/93, 3/14, 4/14, 1/14 Hobsonville Road	Altered	Category A
80 Hobsonville Road	Altered	Category A
5 Louise Place	Altered	Category A
22A Trig Road	Altered	Category A
1/93, 2/93, 2/14, 3/93, 3/14, 4/14, 1/14 Hobsonville Road	Altered	Category A
2/12, 1/12 Mona Vale	Altered	Category A
34A Trig Road	Altered	Category A
8A, 10, 8 Louise Place	Altered	Category A
8A, 10, 8 Louise Place	Altered	Category A
3A Louise Place	Altered	Category A
18 Trig Road	Altered	Category A
6 Louise Place	Altered	Category A
10 Mona Vale	Altered	Category A
78 Hobsonville Road	Altered	Category A
1/93, 2/93, 2/14, 3/93, 3/14, 4/14, 1/14 Hobsonville Road	Altered	Category A
33 Cyril Crescent	Altered	Category A
70A Hobsonville Road	Altered	Category A
97 Hobsonville Road	Altered	Category A
10 Trig Road	Altered	Category A
22 Cyril Crescent	Altered	Category A
99 Hobsonville Road	Altered	Category A

147F Hobsonville Road	Altered	Category A
29 Cyril Crescent	Altered	Category A
8A, 10, 8 Louise Place	Altered	Category A
1A Luckens Road	Altered	Category A
1/93, 2/93, 2/14, 3/93, 3/14, 4/14, 1/14 Hobsonville Road	Altered	Category A
3A Louise Place	Altered	Category A
131 Hobsonville Road	Altered	Category A
31 Cyril Crescent	Altered	Category A
145A Hobsonville Road	Altered	Category A
8 Bernleigh Terrace	Altered	Category A
4 Louise Place	Altered	Category A
127A Hobsonville Road	Altered	Category A
14 Luckens Road	Altered	Category A
121 Hobsonville Road	Altered	Category A
145B Hobsonville Road	Altered	Category A
2/95, 1/95, 95 Hobsonville Road	Altered	Category A
12 Luckens Road	Altered	Category A
123 Hobsonville Road	Altered	Category A
20 Belleaire Court	Altered	Category A
20A Belleaire Court	Altered	Category A
3A Luckens Road	Altered	Category A
3B Luckens Road	Altered	Category A
133A Hobsonville Road	Altered	Category A
131A Hobsonville Road	Altered	Category A
129 Hobsonville Road	Altered	Category A
129C Hobsonville Road	Altered	Category A
129B Hobsonville Road	Altered	Category A
22 Belleaire Court	Altered	Category A
121B Hobsonville Road	Altered	Category A
18 Belleaire Court	Altered	Category A
4 Bernleigh Terrace	Altered	Category A
133A Hobsonville Road	Altered	Category A
2/95, 1/95, 95 Hobsonville Road	Altered	Category A
121A Hobsonville Road	Altered	Category A
123A Hobsonville Road	Altered	Category A
123B Hobsonville Road	Altered	Category A
19 Belleaire Court	Altered	Category A

## Schedule 3: Identified PPFs Noise Criteria Categories

## NOR W2

Address	New or Altered Road	Noise Criteria Category
10 Spedding Road	Altered Road	A
11 Māmari Road	Altered Road	A
11a Spedding Road	Altered Road	A
15 Māmari Road	Altered Road	A
2-10 Ripeka Lane	Altered Road	B
28 Māmari Road	Altered Road	A
38 Whenuapai Drive	Altered Road	A
3 Ngahue Crescent	Altered Road	A
30 Māmari Road	Altered Road	A
42D Brigham Creek Rd	Altered Road	B
49 Brigham Creek Road	Altered Road	A
5 Ngahue Crescent	Altered Road	A
5 Spedding Road	Altered Road	A
51 Brigham Creek Road	Altered Road	A
53 Brigham Creek Road	Altered Road	A
5a Spedding Road	Altered Road	A
6 Spedding Road	Altered Road	A
7 Ngahue Crescent	Altered Road	A
8 Māmari Road	Altered Road	B
8 Spedding Road	Altered Road	A
9 Māmari Road	Altered Road	A
4 Māmari Road	Altered Road	B
6 Māmari Road	Altered Road	A
11 Spedding Road	New Road	A
7 Spedding Road	New Road	A
5 Māmari Road	New Road	A
66 Trig Road	New Road	A
68 Trig Road	New Road	A
70 Trig Road	New Road	A
72 Trig Road	New Road	A
78 Trig Road	New Road	A
80 Trig Road	New Road	A
10 Māmari Road	New Road	B
12 Māmari Road	New Road	B
14 Māmari Road	New Road	B
16 Māmari Road	New Road	B
18 Māmari Road	New Road	B
20 Māmari Road	New Road	B

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
22 Māmari Road	New Road	B
24 Māmari Road	New Road	B
1 Tama Quadrant	New Road	A
10 Tama Quadrant	New Road	A
3 Tama Quadrant	New Road	A
5 Tama Quadrant	New Road	A
7 Tama Quadrant	New Road	A
8 Tama Quadrant	New Road	A
9 Ngahue Crescent	New Road	A
9 Tama Quadrant	New Road	A
11 Ngahue Crescent	New Road	A

**Schedule 3: Identified PPFs Noise Criteria Categories****NOR W3**

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
32c Brigham Creek Road	Altered Road	A
32b Brigham Creek Road	Altered Road	A
34c Brigham Creek Rd	Altered Road	A
32a Brigham Creek Rd	Altered Road	A
34a Brigham Creek Road	Altered Road	A
32d Brigham Creek Road	Altered Road	A
34d Brigham Creek Road	Altered Road	A
26-34 Whenuapai Drive	Altered Road	A
34b Brigham Creek Road	Altered Road	A
1 Ripeka Lane	Altered Road	A
49 Brigham Creek Road	Altered Road	A
40b-42c Brigham Creek Road	Altered Road	A
3 Boyes Avenue	Altered Road	A
55 Brigham Creek Road	Altered Road	A
57 Brigham Creek Road	Altered Road	A
1-8/38 Brigham Creek Road	Altered Road	A
59 Brigham Creek Road	Altered Road	A
53 Brigham Creek Road	Altered Road	A
39a Brigham Creek Road	Altered Road	A
91 Brigham Creek Road	Altered Road	A
2-10 Ripeka Lane	Altered Road	A
26 Brigham Creek Road	Altered Road	A
51 Brigham Creek Road	Altered Road	A
113 Brigham Creek Road	Altered Road	A
42d Brigham Creek Road	Altered Road	A
123 Brigham Creek Road	Altered Road	A
93 Brigham Creek Road	Altered Road	A
2-10 Harewood Street	Altered Road	A
111 Brigham Creek Road	Altered Road	A
1-9 Maramara Road	Altered Road	A
105 Brigham Creek Road	Altered Road	A
1 Kauri Road	Altered Road	A
115 Brigham Creek Road	Altered Road	A
38 Ngahue Crescent	Altered Road	A
2 Kauri Road	Altered Road	A
145a Brigham Creek Road	Altered Road	A
99 Brigham Creek Road	Altered Road	A
108 Whenuapai Drive	Altered Road	A

Address	New or Altered Road	Noise Criteria Category
103 Brigham Creek Road	Altered Road	A
101 Brigham Creek Road	Altered Road	A
109 Brigham Creek Road	Altered Road	A
46-60 Nils Andersen Road	Altered Road	A
117 Brigham Creek Road	Altered Road	A
28 Brigham Creek Road	Altered Road	A
119 Brigham Creek Road	Altered Road	A
162 Brigham Creek Road	Altered Road	A
3 Kauri Road Whenuapai	Altered Road	A
95 Brigham Creek Road	Altered Road	A
97 Brigham Creek Road	Altered Road	A
77-85 Nils Andersen Road	Altered Road	A
121 Brigham Creek Road	Altered Road	A
1-4/46a Nils Andersen Road	Altered Road	A
125-127 Brigham Creek Road	Altered Road	A
129 Brigham Creek Road	Altered Road	A
5-8/46a Nils Andersen Road	Altered Road	A
18 Brigham Creek Road	Altered Road	A
8 Airport Road	Altered Road	A
163 Brigham Creek Road	Altered Road	A
41-61 Nils Andersen Road	Altered Road	A
65-75 Nils Andersen Road	Altered Road	A
4 Māmari Road	Altered Road	A
110 Whenuapai Drive	Altered Road	A
39 Brigham Creek Road	Altered Road	A
11-17 Maramara Road	Altered Road	A
1-9 Harewood St	Altered Road	A
6 Māmari Road	Altered Road	A
145 Brigham Creek Road	Altered Road	A
5 Kauri Road Whenuapai	Altered Road	A
24 Brigham Creek Road	Altered Road	A
41-43 Whenuapai Drive	Altered Road	A
39 Whenuapai Drive	Altered Road	A
45 Whenuapai Drive	Altered Road	A
58-88 Whenuapai Drive	Altered Road	A
96 Trig Road	Altered Road	A
51 Whenuapai Drive	Altered Road	A
106 Whenuapai Drive	Altered Road	A
31 Brigham Creek Road	Altered Road	A
33-35 Whenuapai Drive	Altered Road	A



<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
73 Trig Road	Altered Road	A
112 Whenuapai Drive	Altered Road	A
8 Māmari Road	Altered Road	A
36 Ngahue Crescent	Altered Road	A
199-201 Totara Rd	Altered Road	A
37 Ngahue Crescent	Altered Road	A
159 Brigham Creek Road	Altered Road	A
114 Whenuapai Drive	Altered Road	A
14 Airport Road	Altered Road	A
53-55 Whenuapai Drive	Altered Road	A
164 Brigham Creek Road	Altered Road	A
168-178 Totara Rd	Altered Road	A
3 Ngahue Crescent	Altered Road	A
2 Ngahue Crescent	Altered Road	A
90 Whenuapai Drive	Altered Road	A
96a Trig Road	Altered Road	A
4 Ruatea Street	Altered Road	A
32 Ngahue Crescent	Altered Road	A
5 Ngahue Crescent	Altered Road	A
2 Ruatea Street	Altered Road	A
31 Whenuapai Drive	Altered Road	A
8 Ruatea Street	Altered Road	A
6 Ruatea Street	Altered Road	A
24 Ngahue Crescent	Altered Road	A
10 Ruatea Street	Altered Road	A
28 Ngahue Crescent	Altered Road	A
26 Ngahue Crescent	Altered Road	A
40 Tamiro Road	Altered Road	A
34 Ngahue Crescent	Altered Road	A
20 Ngahue Crescent	Altered Road	A
1 Joseph Mcdonald Drive	Altered Road	A
4 Ngahue Crescent	Altered Road	A
168 Brigham Creek Road	Altered Road	A
30 Ngahue Crescent	Altered Road	A
104 Whenuapai Drive	Altered Road	A
1 Ruatea Street	Altered Road	A
170 Brigham Creek Road	Altered Road	A
9 Ngahue Crescent	Altered Road	A
7 Kauri Road Whenuapai	Altered Road	A
151 Brigham Creek Road	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
101 Whenuapai Drive	Altered Road	A
7 Ngahue Crescent	Altered Road	A
11 Kauri Road	Altered Road	A
38 Tamiro Road	Altered Road	A
10 Ngahue Crescent	Altered Road	A
10 Māmari Road	Altered Road	A
94 Trig Road	Altered Road	A
8 Ngahue Crescent	Altered Road	A
59 Whenuapai Drive	Altered Road	A
105 Whenuapai Drive	Altered Road	A
6 Ngahue Crescent	Altered Road	A
3 Ruatea Street	Altered Road	A
9 Kauri Road	Altered Road	A
99 Whenuapai Drive	Altered Road	A
98 Whenuapai Drive	Altered Road	A
99 Whenuapai Drive	Altered Road	A
5 Ruatea Street	Altered Road	A
100 Whenuapai Drive	Altered Road	A
97 Whenuapai Drive	Altered Road	A
12 Ngahue Crescent	Altered Road	A
92 Whenuapai Drive	Altered Road	A
14 Ngahue Crescent	Altered Road	A
96 Whenuapai Dr	Altered Road	A
18 Ngahue Crescent	Altered Road	A
107 Whenuapai Drive	Altered Road	A
85 Whenuapai Drive	Altered Road	A
7 Ruatea Street	Altered Road	A
141 Brigham Creek Road	Altered Road	A
26 Tamiro Road	Altered Road	A
102 Whenuapai Drive	Altered Road	A
3 Joseph Mcdonald Drive	Altered Road	A
61-63 Whenuapai Drive	Altered Road	A
46 Pamu Road	Altered Road	A
89 Whenuapai Drive	Altered Road	A
19-59 Maramara Road	Altered Road	A
29 Hangar Lane	Altered Road	A
40 Whenuapai Drive	Altered Road	A
31 Ngahue Crescent	Altered Road	A
65 Whenuapai Drive	Altered Road	A
29 Ngahue Crescent	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
93 Whenuapai Drive	Altered Road	A
69-71 Whenuapai Drive	Altered Road	A
94 Whenuapai Dr	Altered Road	A
5 Boyes Avenue	Altered Road	A
2 Kainga Lane	Altered Road	A
42 Whenuapai Drive	Altered Road	A
18 Kauri Road Whenuapai	Altered Road	A
73-75 Whenuapai Drive	Altered Road	A
44 Whenuapai Drive	Altered Road	A
38 Whenuapai Drive	Altered Road	A
2 Mcewan Street	Altered Road	A
27 Hangar Lane	Altered Road	A
4 Kainga Lane	Altered Road	A
8 Joseph Mcdonald Drive	Altered Road	A
6 Kainga Lane	Altered Road	A
1 Kainga Lane	Altered Road	A
2 Boyes Avenue	Altered Road	A
27 Whenuapai Dr	Altered Road	A
7 Boyes Avenue	Altered Road	A
25 Hangar Lane	Altered Road	A
50-52 Whenuapai Drive	Altered Road	A
5 Joseph Mcdonald Drive	Altered Road	A
48 Pamu Road	Altered Road	A
15 Kauri Road	Altered Road	A
54 Pamu Road	Altered Road	A
56 Pamu Road	Altered Road	A
4 Mcewan Street	Altered Road	A
52 Pamu Road	Altered Road	A
17 Kauri Road	Altered Road	A
25 Whenuapai Dr	Altered Road	A
62 Pamu Road	Altered Road	A
60 Pamu Road	Altered Road	A
58 Pamu Road	Altered Road	A
9 Boyes Avenue	Altered Road	A
6 Mcewan Street	Altered Road	A
24 Whenuapai Drive	Altered Road	A
50 Whenuapai Drive	Altered Road	A
22 Whenuapai Drive	Altered Road	A
150-164 Totara Rd	Altered Road	A
191-197 Totara Rd	Altered Road	A



**Schedule 3: Identified PPFs Noise Criteria Categories****NOR W4**

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
1 Hailes Road	Altered Road	A
1 Marina View Drive	Altered Road	A
1/121 Fred Taylor Drive	Altered Road	A
1/28 Sailfish Drive	Altered Road	A
10 Spedding Road	Altered Road	A
102 Hobsonville Road	Altered Road	A
168 Fred Taylor Drive	Altered Road	A
131 Fred Taylor Drive	Altered Road	A
133 Fred Taylor Drive	Altered Road	A
135 Fred Taylor Drive	Altered Road	A
137 Fred Taylor Drive	Altered Road	A
139 Fred Taylor Drive	Altered Road	A
14 Spedding Road	Altered Road	A
141 Fred Taylor Drive	Altered Road	A
143a Fred Taylor Drive	Altered Road	A
143b Fred Taylor Drive	Altered Road	A
15 Māmari Road	Altered Road	A
15 Soling Place	Altered Road	A
164 Fred Taylor Drive	Altered Road	A
166 Fred Taylor Drive	Altered Road	A
166a Fred Taylor Drive	Altered Road	A
17 Soling Place	Altered Road	A
1a Marina View Drive	Altered Road	A
2 Marina View Drive	Altered Road	A
2/28 Sailfish Drive	Altered Road	A
223 Hobsonville Road	Altered Road	A
225 Hobsonville Road	Altered Road	A
227 Hobsonville Road	Altered Road	A
229 Hobsonville Road	Altered Road	A
231 Hobsonville Road	Altered Road	A
231a Hobsonville Road	Altered Road	A
233 Hobsonville Road	Altered Road	A
2a Marina View Drive	Altered Road	A
3 Marina View Drive	Altered Road	A
4 Spedding Road	Altered Road	A
43 Trig Road	Altered Road	A
4a Marina View Drive	Altered Road	A
5 Marina View Drive	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
5 Spedding Road	Altered Road	A
57 Trig Road	Altered Road	A
5a Spedding Road	Altered Road	A
6 Spedding Road	Altered Road	A
8 Spedding Road	Altered Road	A
86 Trig Road	Altered Road	A
88 Trig Road	Altered Road	A
90 Trig Road	Altered Road	A
92 Trig Road	Altered Road	A
2/22 Sailfish Drive	Altered Road	A
6a Marina View Drive	Altered Road	A
6b Marina View Drive	Altered Road	A
7 Marina View Drive	Altered Road	A
13 Soling Place	Altered Road	A
26 Sailfish Drive	Altered Road	A
30 Sailfish Drive	Altered Road	A
11a Spedding Road	Altered Road	A
1/98 Hobsonville Road	New Road	B
1/100 Hobsonville Road	New Road	A
25A Trig Road	New Road	B
41 Trig Road	New Road	A

**NOR W5**

<b><u>Address</u></b>	<b><u>New or Altered Road</u></b>	<b><u>Noise Criteria Category</u></b>
<u>33 Hobsonville Road</u>	<u>Altered Road</u>	<u>B</u>
<u>39 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>35 Hobsonville Road</u>	<u>Altered Road</u>	<u>B</u>
<u>1/383 Hobsonville Road</u>	<u>Altered Road</u>	<u>B</u>
<u>61 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>31 Hobsonville Road</u>	<u>Altered Road</u>	<u>B</u>
<u>41 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>369 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>29 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>24-25/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>321 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>309 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>64 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>19 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>23/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>305 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>21-22/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>311 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>291 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>52 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>62 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>60 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>75 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>56 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>53 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>179 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>149b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>63 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>147a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>59 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>27 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>66 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>303 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>151d Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>½ Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>51 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>307 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>373 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>151c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>147c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>151b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>395 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>289 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>55 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>381 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>317 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>195 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>79 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>26a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>49 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>287 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>54 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>369a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>19/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>20 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>199 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>375 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1-2/279 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>45 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>8a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>33/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1-2/281 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>319 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>151a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>22 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>209 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>181 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/46 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/275 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>26-27/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>57 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>229a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>313 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>81 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2a Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>



<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>58 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2a Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>47 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>391 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>83 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>241 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>243 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>251 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>253 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>104a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>231 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2 Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>283 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>221 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>215 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>239 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>299 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd1 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>383 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>323 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/163 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>197 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>301 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>85 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>295 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>213 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>201 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>211 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>219 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>233 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/41 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>45 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>77 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>217 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>133 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>247 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>227 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>189 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>37 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1 Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1/191 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>23 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2/87 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>223 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>157a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>277 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1-2/2 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>26 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>34/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>165 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>187 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>207 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>82 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>72 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>203, 203a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>175 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>205 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>61a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>267 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>1 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1/39 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Bannings Way</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd2 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2/2 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>2 Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>249 Hobsonville Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>28/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>177 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/87 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>72c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>70 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>89 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1-2/259 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>161 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>167 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>159 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>127 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>193 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>169 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>401 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>185 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>30/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>3a Bannings Way</u>	<u>Altered Road</u>	<u>A</u>
<u>1/18 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>24 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>1/255 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>24a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>73 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>291a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>17-18/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1-2/257 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd10 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>225 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/323 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>15a Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>5-6/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>303a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd3 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>80 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>5 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>85a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>387 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>79a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>20 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>3-4/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>21 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>377a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>155a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>287a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>40 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>41/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>23b Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>183 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1/2 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>379 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1a Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>43 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>2/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1 Bannings Way</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>68 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>7-8/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>37 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>43/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>39/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2 Trig Road</u>	<u>Altered Road</u>	<u>A</u>
<u>5a-c Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Bannings Way</u>	<u>Altered Road</u>	<u>A</u>
<u>23a Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>26 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>147f Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>17a Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>17b Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>24 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>315 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>41 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>72a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>119 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>125 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>42-44 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd5 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Woodhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>3a Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>33 Cyril Crescent 0618</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>31 Cyril Crescent</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1/18 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2a Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>325 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>285 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>153a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>9-10/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/25 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>24 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Wiseley Road Hobsonville</u>	<u>Altered Road</u>	<u>A</u>
<u>15-16/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>19 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>21 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>39 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Wiseley Road Hobsonville</u>	<u>Altered Road</u>	<u>A</u>
<u>379a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>36 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Fitzherbert Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>19 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>145a – 145b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>102 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>11-12/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/31 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>157b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>20 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1/26 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Trig Road</u>	<u>Altered Road</u>	<u>A</u>
<u>35/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>29 Cyril Crescent</u>	<u>Altered Road</u>	<u>A</u>
<u>38/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/273 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd4 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Hanson Place</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Louise Place</u>	<u>Altered Road</u>	<u>A</u>
<u>19 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>5a Hanson Place</u>	<u>Altered Road</u>	<u>A</u>
<u>5a Bannings Way</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>271 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>23 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>13-14/18 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>127a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>3 Starlight Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>131 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>4a Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>22 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>1/133a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>17a Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>20 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>19 Bridgehead Cove</u>	<u>Altered Road</u>	<u>A</u>
<u>157c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>129c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Optimist Place</u>	<u>Altered Road</u>	<u>A</u>
<u>3/1a Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2/1a Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>129b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Louise Place</u>	<u>Altered Road</u>	<u>A</u>
<u>27 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>229 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd9 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>70a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>21a Wiseley Road</u>	<u>Altered Road</u>	<u>A</u>
<u>2/31 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>29 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>26 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>2/163 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>25 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>4a Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>33 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>20 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>1/19 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>231a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Whiting Grove</u>	<u>Altered Road</u>	<u>A</u>
<u>131a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>7a Bannings Way</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>145e Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>22 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>22 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>38 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd8 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1/8 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>23 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1/325 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>123b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>19 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>4/1a Williams Road</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Louise Place</u>	<u>Altered Road</u>	<u>A</u>
<u>143c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>32 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Optimist Place</u>	<u>Altered Road</u>	<u>A</u>
<u>327 Bd6 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>28 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>37 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Whiting Grove</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Mona Vale</u>	<u>Altered Road</u>	<u>A</u>
<u>29 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Magdalen Place 0618</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Trig Road Whenuapai</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Magdalen Place</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1/22 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Optimist Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1 Seagrove Road</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>2/133a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Optimist Place</u>	<u>Altered Road</u>	<u>A</u>
<u>8a Louise Place</u>	<u>Altered Road</u>	<u>A</u>
<u>129 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>



<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>16 Whiting Grove</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Trig Road Whenuapai</u>	<u>Altered Road</u>	<u>A</u>
<u>1/16 Peterhouse Place</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Hanson Place</u>	<u>Altered Road</u>	<u>A</u>
<u>30 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Whiting Grove</u>	<u>Altered Road</u>	<u>A</u>
<u>1/4 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>35 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>27 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>2/4 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>3a Louise Place</u>	<u>Altered Road</u>	<u>A</u>
<u>1a Bannings Way</u>	<u>Altered Road</u>	<u>A</u>
<u>153d Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Optimist Place</u>	<u>Altered Road</u>	<u>A</u>
<u>123 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1/32 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Oreil Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>23 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>8a Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Louise Place</u>	<u>Altered Road</u>	<u>A</u>
<u>273 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>34 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>6b Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>121b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Louise Place</u>	<u>Altered Road</u>	<u>A</u>
<u>35 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>3/163 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>30 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>155c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>157d Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>39 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Park Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>155b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Seagrove Road</u>	<u>Altered Road</u>	<u>A</u>
<u>16-18 Clark Road</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>9 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>20a Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Whiting Grove</u>	<u>Altered Road</u>	<u>A</u>
<u>33 Suncrest Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>31 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>72b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>21 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>123a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>56 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>17Ergrove Place</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Seagrove Road</u>	<u>Altered Road</u>	<u>A</u>
<u>121a Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>27 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>2-4 Workspace Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Connemara Court</u>	<u>Altered Road</u>	<u>A</u>
<u>29 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>30 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>2/19 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Whiting Grove</u>	<u>Altered Road</u>	<u>A</u>
<u>157e Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Ergrove Place</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>6a Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1/13 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Marina View Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>2 Optimist Place</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Ergrove Place</u>	<u>Altered Road</u>	<u>A</u>
<u>153c Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>121 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>4 Luckens Road</u>	<u>Altered Road</u>	<u>A</u>
<u>28 Glucina Avenue</u>	<u>Altered Road</u>	<u>A</u>
<u>20 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Seagrove Road</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>153b Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>25 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Whiting Grove</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>2/25 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>2/28 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Soling Place</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>23 Cherub Place</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Ergrove Place</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Ergrove Place</u>	<u>Altered Road</u>	<u>A</u>
<u>3a Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Hendrika Court</u>	<u>Altered Road</u>	<u>A</u>
<u>1/28 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1-2/38 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>155d Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>
<u>36 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>2/22 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>26 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Belleaire Court</u>	<u>Altered Road</u>	<u>A</u>
<u>30 Sailfish Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>52 Hobsonville Road</u>	<u>Altered Road</u>	<u>A</u>

## Schedule 3: Identified PPFs Noise Criteria Categories

## NOR R1

Address	New or Altered Road	Noise Criteria Category
1090 Coatesville-Riverhead Highway	Altered Road	A
315 State Highway 16	Altered Road	A
1404 Coatesville-Riverhead Highway	Altered Road	A
1293 Coatesville-Riverhead Highway	Altered Road	A
1397 Coatesville-Riverhead Highway	Altered Road	A
1363 Coatesville-Riverhead Highway	Altered Road	A
1323 Coatesville-Riverhead Highway	Altered Road	A
1351 Coatesville-Riverhead Highway	Altered Road	A
1404 Coatesville-Riverhead Highway	Altered Road	A
2 Princes Street	Altered Road	A
1351 2 Coatesville-Riverhead Highway	Altered Road	A
1197 Coatesville-Riverhead Highway	Altered Road	A
1175 Coatesville-Riverhead Highway	Altered Road	A
1 Riverhead Point Drive	Altered Road	A
2 Pitoitōi Drive	Altered Road	A
1156 Coatesville-Riverhead Highway	Altered Road	A
1411 Coatesville-Riverhead Highway	Altered Road	A
15 Grove Way	Altered Road	A
1356 Coatesville-Riverhead Highway	Altered Road	A
5 Grove Way	Altered Road	A
1088 Coatesville-Riverhead Highway	Altered Road	A
1187 Coatesville-Riverhead Highway	Altered Road	A
1320 Coatesville-Riverhead Highway	Altered Road	A
1200 Coatesville-Riverhead Highway	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
1295 Coatesville-Riverhead Highway	Altered Road	A
19 Grove Way	Altered Road	A
1093 Coatesville-Riverhead Highway	Altered Road	A
1158 Coatesville-Riverhead Highway	Altered Road	A
1229 Coatesville-Riverhead Highway	Altered Road	A
1352 Coatesville-Riverhead Highway	Altered Road	A
21 Grove Way	Altered Road	A
7 Grove Way	Altered Road	A
1296 Coatesville-Riverhead Highway	Altered Road	A
1368 Coatesville-Riverhead Highway	Altered Road	A
9 Grove Way	Altered Road	A
11 Grove Way	Altered Road	A
1186 Coatesville-Riverhead Highway	Altered Road	A
1095 Coatesville-Riverhead Highway	Altered Road	A
1210 Coatesville-Riverhead Highway	Altered Road	A
1140 Coatesville-Riverhead Highway	Altered Road	A
1308 B3 Coatesville-Riverhead Highway	Altered Road	A
1328 Coatesville-Riverhead Highway	Altered Road	A
8 Jelas Drive	Altered Road	A
1308 B2 Coatesville-Riverhead Highway	Altered Road	A
1156 B2 Coatesville-Riverhead Highway	Altered Road	A
1230 Coatesville-Riverhead Highway	Altered Road	A
4 Princes Street	Altered Road	A
1385 B2 Coatesville-Riverhead Highway	Altered Road	A
1288 Coatesville-Riverhead Highway	Altered Road	A
1335 Coatesville-Riverhead Highway	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
1229 2 Coatesville-Riverhead Highway	Altered Road	A
6 Princes Street	Altered Road	A
1 Pitoittoi Drive	Altered Road	A
1409 Coatesville-Riverhead Highway	Altered Road	A
1335 2 Coatesville-Riverhead Highway	Altered Road	A
14 Leebank Crescent	Altered Road	A
8 2 Riverland Road	Altered Road	A
3 Riverhead Point Drive	Altered Road	A
1293 2 Coatesville-Riverhead Highway	Altered Road	A
7 Short Road	Altered Road	A
18 Leebank Crescent	Altered Road	A
8 Princes Street	Altered Road	A
5 Riverhead Point Drive	Altered Road	A
1385 Coatesville-Riverhead Highway	Altered Road	A
1092 Coatesville-Riverhead Highway	Altered Road	A
1194 Coatesville-Riverhead Highway	Altered Road	A
10 Princes Street	Altered Road	A
16 Leebank Crescent	Altered Road	A
3A Riverhead Point Drive	Altered Road	A
1170 Coatesville-Riverhead Highway	Altered Road	A
12 Short Road	Altered Road	A
182 Old Railway Road	Altered Road	A
3 Kaipara Portage Road	Altered Road	A
1158 B2 Coatesville-Riverhead Highway	Altered Road	A
5 Kaipara Portage Road	Altered Road	A
1156 B3 Coatesville-Riverhead Highway	Altered Road	A
12 Jelas Drive	Altered Road	A
11 Leebank Crescent	Altered Road	A
3 Pitoittoi Drive	Altered Road	A
1229 3 Coatesville-Riverhead Highway	Altered Road	A
9 Leebank Crescent	Altered Road	A
12 Leebank Crescent	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
7 Kaipara Portage Road	Altered Road	A
20 Jelas Drive	Altered Road	A
26 Jelas Drive	Altered Road	A
30 Jelas Drive	Altered Road	A
28 Jelas Drive	Altered Road	A
24 Jelas Drive	Altered Road	A
16 Jelas Drive	Altered Road	A
14 Jelas Drive	Altered Road	A
22 Jelas Drive	Altered Road	A
13 Jelas Drive	Altered Road	A
183 Old Railway Road	Altered Road	A
5 Moontide Road	Altered Road	A

**Schedule 3: Identified PPFs Noise Criteria Categories****NOR RE1**

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
9/14 Royal Road	Altered Road	B
538 Don Buck Road	Altered Road	A
1 Rush Creek Drive	Altered Road	A
540 Don Buck Road	Altered Road	A
546 Don Buck Road	Altered Road	A
10/14 Royal Road	Altered Road	B
461 Don Buck Road	Altered Road	B
510 Don Buck Road	Altered Road	B
463 Don Buck Road	Altered Road	B
11/14 Royal Road	Altered Road	B
6/14 Royal Road	Altered Road	B
492 Don Buck Road	Altered Road	A
2 Rush Creek Drive	Altered Road	B
459 Don Buck Road	Altered Road	B
508 Don Buck Road	Altered Road	B
12/14 Royal Road	Altered Road	B
504 Don Buck Road	Altered Road	A
560 Don Buck Road	Altered Road	A
502 Don Buck Road	Altered Road	A
506 Don Buck Road	Altered Road	A
500 Don Buck Road	Altered Road	A
494 Don Buck Road	Altered Road	A
465 Don Buck Road	Altered Road	A
552A Don Buck Road	Altered Road	A
7/14 Royal Road	Altered Road	A
496 Don Buck Road	Altered Road	A
501 Don Buck Road	Altered Road	A
1/14 Royal Road	Altered Road	A
490 Don Buck Road	Altered Road	A
2/14 Royal Road	Altered Road	A
8/520 Don Buck Road	Altered Road	A
480 Don Buck Road	Altered Road	A
513 Don Buck Road	Altered Road	A
8/14 Royal Road	Altered Road	A
556 Don Buck Road	Altered Road	A
13/14 Royal Road	Altered Road	A
466 Don Buck Road	Altered Road	A
2 Royal Road	Altered Road	A



<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
12/520 Don Buck Road	Altered Road	A
486 Don Buck Road	Altered Road	A
464 Don Buck Road	Altered Road	A
478 Don Buck Road	Altered Road	A
558 Don Buck Road	Altered Road	A
3/14 Royal Road	Altered Road	A
11/520 Don Buck Road	Altered Road	A
554 Don Buck Road	Altered Road	A
28 Beauchamp Drive	Altered Road	A
14/14 Royal Road	Altered Road	A
4 Rush Creek Drive	Altered Road	A
3 Rush Creek Drive	Altered Road	A
4 Royal Road	Altered Road	A
462 Don Buck Road	Altered Road	A
10/520 Don Buck Road	Altered Road	A
488 Don Buck Road	Altered Road	A
451 Don Buck Road	Altered Road	A
31 Beauchamp Drive	Altered Road	A
476 Don Buck Road	Altered Road	A
9/520 Don Buck Road	Altered Road	A
482 Don Buck Road	Altered Road	A
9/485 Don Buck Road	Altered Road	A
484 Don Buck Road	Altered Road	A
554A Don Buck Road	Altered Road	A
12/485 Don Buck Road	Altered Road	A
542 Don Buck Road	Altered Road	A
13/485 Don Buck Road	Altered Road	A
470 Don Buck Road	Altered Road	A
544 Don Buck Road	Altered Road	A
17/14 Royal Road	Altered Road	A
460 Don Buck Road	Altered Road	A
5 Rush Creek Drive	Altered Road	A
496 2 Don Buck Road	Altered Road	A
472 Don Buck Road	Altered Road	A
475 Don Buck Road	Altered Road	A
26 Beauchamp Drive	Altered Road	A
29 Beauchamp Drive	Altered Road	A
2/485 Don Buck Road	Altered Road	A
4/14 Royal Road	Altered Road	A
16/14 Royal Road	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
477 Don Buck Road	Altered Road	A
474 Don Buck Road	Altered Road	A
492A Don Buck Road	Altered Road	A
6 Rush Creek Drive	Altered Road	A
5/14 Royal Road	Altered Road	A
468 Don Buck Road	Altered Road	A
7 Rush Creek Drive	Altered Road	A
3B Reverie Place	Altered Road	A
24 Beauchamp Drive	Altered Road	A
25 Beauchamp Drive	Altered Road	A
15/14 Royal Road	Altered Road	A
10 Royal Road	Altered Road	A
28 Beauchamp Drive	Altered Road	A
6 Royal Road	Altered Road	A
8 Royal Road	Altered Road	A
31 Regents Park Place	Altered Road	A
13 Reverie Place	Altered Road	A
11 Reverie Place	Altered Road	A
24 Reverie Place	Altered Road	A
8 Rush Creek Drive	Altered Road	A
26 Reverie Place	Altered Road	A
8/485 Don Buck Road	Altered Road	A
19/14 Royal Road	Altered Road	A
5/485 Don Buck Road	Altered Road	A
9 Rush Creek Drive	Altered Road	A
41 Regents Park Place	Altered Road	A
43 Regents Park Place	Altered Road	A
27 Beauchamp Drive	Altered Road	A
3/485 Don Buck Road	Altered Road	A
7/485 Don Buck Road	Altered Road	A
6/485 Don Buck Road	Altered Road	A
20A Princes Street	Altered Road	A
22 Beauchamp Drive	Altered Road	A
33 Regents Park Place	Altered Road	A
12 Royal Road	Altered Road	A
4/485 Don Buck Road	Altered Road	A
15 Reverie Place	Altered Road	A
23 Beauchamp Drive	Altered Road	A
476A Don Buck Road	Altered Road	A
29 Regents Park Place	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
42 Regents Park Place	Altered Road	A
10 Rush Creek Drive	Altered Road	A
39 Regents Park Place	Altered Road	A
37 Regents Park Place	Altered Road	A
16 Royal Road	Altered Road	A
18 Royal Road	Altered Road	A
35 Regents Park Place	Altered Road	A
7 Reverie Place	Altered Road	A
22 Reverie Place	Altered Road	A
3A Reverie Place	Altered Road	A
27 Regents Park Place	Altered Road	A
9 Reverie Place	Altered Road	A
5 Reverie Place	Altered Road	A
20 Royal Road	Altered Road	A
504/1 Don Buck Rd	Altered Road	C
504/2 Don Buck Rd	Altered Road	C
504/3 Don Buck Rd	Altered Road	C
504/4 Don Buck Rd	Altered Road	A
504/5 Don Buck Rd	Altered Road	A
504/6 Don Buck Rd	Altered Road	A
504/8 Don Buck Rd	Altered Road	A
504/7 Don Buck Rd	Altered Road	A

**NOR RE2**

<b><u>Address</u></b>	<b><u>New or Altered Road</u></b>	<b><u>Noise Criteria Category</u></b>
<u>89 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>122 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1A Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>127 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1B Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1C Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>1D Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>73 2 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>166 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>61 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>100 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>144 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>129 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>75 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>75B Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>164 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>96 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>130 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>116 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>114 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>83 2 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>112 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>83 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>94 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>109 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>110 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>102 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>88 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>98 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>2 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>77 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>77 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>3A Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>3B Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>118 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>111 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>121 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>1 Dunlop Road</u>	<u>Altered Road</u>	<u>A</u>
<u>78 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>122 2 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>122 3 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>106 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>123 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>108 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>105 Fred Taylor Drive</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>13 Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>15 Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>17 Matakoho Road</u>	<u>Altered Road</u>	<u>A</u>
<u>11 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>1 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>9 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>7 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>63 Tahetoka Street</u>	<u>Altered Road</u>	<u>A</u>
<u>3 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>5 Heri Lane</u>	<u>Altered Road</u>	<u>A</u>
<u>75 Tahetoka Street</u>	<u>Altered Road</u>	<u>A</u>
<u>71 Tahetoka Street</u>	<u>Altered Road</u>	<u>A</u>
<u>69 Tahetoka Street</u>	<u>Altered Road</u>	<u>A</u>
<u>73 Tahetoka Street</u>	<u>Altered Road</u>	<u>A</u>
<u>65 Tahetoka Street</u>	<u>Altered Road</u>	<u>A</u>
<u>67 Tahetoka Street</u>	<u>Altered Road</u>	<u>A</u>
<u>6/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>
<u>7/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>
<u>5/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>
<u>4/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>
<u>3/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>
<u>8/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>

<u>Address</u>	<u>New or Altered Road</u>	<u>Noise Criteria Category</u>
<u>2/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>
<u>1/86 Fred Taylor Dr</u>	<u>Altered Road</u>	<u>A</u>
<u>4 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>6 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>18 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>8 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>16 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>14 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>20 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>12 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>22 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>24 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>
<u>10 Matakoho Rd</u>	<u>Altered Road</u>	<u>A</u>

## Schedule 3: Identified PPFs Noise Criteria Categories

## NOR S4

Address	New or Altered Road	Noise Criteria Category
24 Access Road, Kumeu	Altered Road	A
26 Access Road, Kumeu (3)	Altered Road	A
26 Access Road, Kumeu (1)	Altered Road	A
27 Access Road, Kumeu (2)	Altered Road	A
27 Access Road, Kumeu (1)	Altered Road	A
40 Access Road, Kumeu	Altered Road	A
44 Access Road, Kumeu	Altered Road	A
60 Access Road, Kumeu	Altered Road	A
64 Access Road, Kumeu	Altered Road	A
95 Access Road, Kumeu (2)	Altered Road	A
95 Access Road, Kumeu (1)	Altered Road	A
116 Access Road, Kumeu (4)	Altered Road	A
116 Access Road, Kumeu (3)	Altered Road	A
116 Access Road, Kumeu (2)	Altered Road	A
116 Access Road, Kumeu (1)	Altered Road	A
121 Access Road, Kumeu (2)	Altered Road	A
121 Access Road, Kumeu (1)	Altered Road	A
161 Access Road, Kumeu	Altered Road	A
162 Access Road, Kumeu	Altered Road	A
165 Access Road, Kumeu	Altered Road	A
171 Access Road, Kumeu	Altered Road	A
174 Access Road, Kumeu	Altered Road	A
175 Access Road, Kumeu	Altered Road	A
176 Access Road, Kumeu (2)	Altered Road	A
176 Access Road, Kumeu (1)	Altered Road	A
181 Access Road, Kumeu	Altered Road	A
184 Access Road, Kumeu (2)	Altered Road	A
184 Access Road, Kumeu (1)	Altered Road	A
199 Access Road, Kumeu	Altered Road	A
211 Access Road, Kumeu	Altered Road	A
218 Access Road, Kumeu	Altered Road	A
233 Access Road, Kumeu	Altered Road	A
236 Access Road, Kumeu	Altered Road	A
127A Access Road, Kumeu	Altered Road	A
127B Access Road, Kumeu	Altered Road	A
64 Farrand Road, Kumeu	Altered Road	A
8 Grivelle Street, Kumeu (2)	Altered Road	A
8 Grivelle Street, Kumeu (1)	Altered Road	A

<b>Address</b>	<b>New or Altered Road</b>	<b>Noise Criteria Category</b>
150 Motu Road, Kumeu	Altered Road	A
158 Motu Road, Kumeu	Altered Road	A
164 Motu Road, Kumeu	Altered Road	A
147 Station Road, Kumeu	Altered Road	A
150 Station Road, Kumeu	Altered Road	A
152 Station Road, Kumeu	Altered Road	A
17 Tawa Road, Kumeu	Altered Road	A
25 Tawa Road, Kumeu	Altered Road	B
56 Tawa Road	Altered Road	A
59 Tawa Road, Kumeu	Altered Road	A
63 Tawa Road, Kumeu	Altered Road	A
66 Tawa Road, Kumeu	Altered Road	A
73 Tawa Road, Kumeu	Altered Road	A
76 Tawa Road, Kumeu	Altered Road	A
79 Tawa Road, Kumeu	Altered Road	A
83 Tawa Road, Kumeu (2)	Altered Road	A
83 Tawa Road, Kumeu (1)	Altered Road	A
86 Tawa Road, Kumeu (2)	Altered Road	A
86 Tawa Road, Kumeu (1)	Altered Road	A