

**IN THE ENVIRONMENT COURT**

**ENV-**

**I MUA I TE KOOTI TAIAO  
I ŌTAUTAHU ROHE**

**IN THE MATTER**

of the Resource Management Act 1991 ("**RMA**")

**AND**

**IN THE MATTER**

of Clause 14(1) of Schedule 1 of the RMA

**BETWEEN**

**KIWIRAIL HOLDINGS LIMITED**

Applicant

**AND**

**AUCKLAND COUNCIL**

Respondent

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**NOTICE OF APPEAL TO THE ENVIRONMENT COURT AGAINST DECISIONS  
ON PROPOSED PRIVATE PLAN CHANGE 48 (DRURY CENTRE PRECINCT)**

**17 JUNE 2022**

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To: The Registrar  
The Environment Court  
AUCKLAND

**KIWIRAIL HOLDINGS LIMITED** ("**KiwiRail**") appeals against parts of the decisions of Auckland Council ("**Council**") in respect of changes to the Auckland Unitary Plan ("**AUP**") under Private Plan Change 48 ("**PC48**").

### **BACKGROUND AND DECISIONS APPEALED**

1. KiwiRail made a submission on PC48 on 22 October 2020.<sup>1</sup> KiwiRail presented evidence and legal submissions in support of its submission at the hearing on PC48 on 3 August 2021.
2. KiwiRail received notice of the Council's decision on PC48 on 5 May 2022 ("**Decision**").
3. The parts of the Decision being appealed are the decisions to reject or to accept only in part the matters raised in KiwiRail's submission or to amend PC48 in a way that is inconsistent with the matters raised in KiwiRail's submission.
4. KiwiRail is not a trade competitor for the purposes of section 308D of the RMA.
5. KiwiRail is a State-Owned Enterprise responsible for the management and operation of the national railway network. Its role includes managing railway infrastructure and land, as well as freight and passenger services within New Zealand.
6. KiwiRail is a requiring authority pursuant to section 167 of the RMA and is responsible for designations for railway purposes throughout New Zealand, including the North Island Main Trunk Line ("**NIMT**"), which is adjacent to the PC48 area.

### **SCOPE OF APPEAL**

7. KiwiRail appeals the following parts of the Decision:
  - (a) Objective IX.2(10).
  - (b) Policy IX.3(27).

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<sup>1</sup> Submission Number 24.

- (c) Standard IX.6.5(1).
- (d) Standard IX.6.11(1).
- (e) Restricted discretionary activities: Matter of discretion IX.8.1(11)(a) – Infringement of standard IX.6.5.
- (f) Restricted discretionary activities: Assessment criteria IX.8.2(10)(a) – Infringement of standard IX.6.5.
- (g) Restricted discretionary activities: Assessment criteria IX.8.2(16)(a) – Infringement of standard IX.6.11.

### **REASONS FOR APPEAL**

8. PC48, in its present form:
  - (a) will not promote the sustainable management of the natural and physical resources in Drury, and is therefore contrary to or inconsistent with Part 2 and other provisions of the RMA;
  - (b) is inconsistent with other relevant planning documents, including the AUP;
  - (c) will not meet the reasonably foreseeable needs of future generations;
  - (d) will not enable the social, economic and cultural wellbeing of the people of Drury;
  - (e) does not avoid, remedy or mitigate actual and potential adverse effects on the environment; and
  - (f) is not the most appropriate way to achieve the objectives of the AUP in terms of section 32 of the RMA.
9. In addition to the general reasons outlined above, KiwiRail appeals the Decision for the specific reasons set out below.

### **Reverse sensitivity and noise and vibration mitigation for sensitive activities in proximity to rail network**

10. Reverse sensitivity is a well-established planning principle and is an adverse effect for the purposes of the RMA.<sup>2</sup> It refers to the susceptibility of lawfully established effects-generating activities (which often cannot internalise all of their effects) to complaints or objections about their lawful activities arising from the location of new sensitive activities, typically residential dwellings, nearby.
11. Full internalisation of the noise and vibration effects of the NIMT cannot reasonably be achieved due to the nature of rail activities. While KiwiRail constantly seeks to ensure it operates the rail corridor in a way to internalise noise and vibration effects as far as reasonably practicable, it has limited ability to change the levels of noise and vibration from the use of the tracks. Accordingly, KiwiRail sought that PC48 recognise the need to both mitigate the potential health and amenity effects on nearby residents arising from rail activities but also to mitigate the potential for reverse sensitivity effects on the NIMT.
12. To achieve this outcome, KiwiRail's submission sought amendments to PC48 as notified to provide a framework to address reverse sensitivity and health and amenity effects arising from noise and vibration created by the rail corridor, including through land use controls requiring noise and vibration standards to be met for noise sensitive activities within 100 metres of the rail corridor.
13. The Decision only partially addresses the provisions sought by KiwiRail. The Decision accepted that activities located near a rail corridor need noise mitigation for health and amenity effects,<sup>3</sup> and incorporated acoustic attenuation controls for habitable spaces adjacent to the rail corridor to address adverse health and amenity effects.<sup>4</sup> The Decision also accepted the requirement for mechanical ventilation and certification as recommended by the s42A Report.<sup>5</sup>
14. However, the Decision did not accept the need to include acoustic attenuation in relation to vibration in response to rail noise.<sup>6</sup>

<sup>2</sup> See *AFFCO New Zealand v Napier City Council* NZEnvC Wellington W082/2004, 4 November 2004 at [29] as cited in *Tasti Products Ltd v Auckland Council* [2016] NZHC 1673 at [60].

<sup>3</sup> Decision of the Auckland Council Hearing Panel (29 April 2022) at [337].

<sup>4</sup> Decision of the Auckland Council Hearing Panel (29 April 2022) at [339].

<sup>5</sup> Decision of the Auckland Council Hearing Panel (29 April 2022) at [338].

<sup>6</sup> Decision of the Auckland Council Hearing Panel (29 April 2022) at [340].



15. As accepted in the s42A Report, rail vibration is not an effect that can be readily internalised in the rail corridor.<sup>7</sup> The inclusion of a vibration standard was supported by the s42A Report.<sup>8</sup>
16. The Decision includes references to health and amenity effects in the relevant objectives, policies, standards, matters for discretion and assessment criteria. However, the Decision did not incorporate reference to the need to protect the NIMT from reverse sensitivity effects.<sup>9</sup>
17. The Decision fails to adequately acknowledge the link that health and amenity effects and vibration effects have with reverse sensitivity effects on infrastructure development. This failure to acknowledge reverse sensitivity puts KiwiRail's significant infrastructure in the NIMT at risk. As recognised in the AUP:<sup>10</sup>

The sensitivity of adjacent activities, particularly residential, to these effects can lead to complaints and ultimately constraints on the operation of infrastructure. Managing these reverse sensitivity effects is essential.

18. This risk is significant given the national importance of the infrastructure that KiwiRail provides, its increasing role in freight and passenger transport, and the benefits of modal shift to rail in helping meet New Zealand's climate change emission reduction targets.
19. The development that will be provided for by PC48 is new residential development, on a greenfields site, located adjacent to existing infrastructure. This will result in increased urbanisation. It is appropriate, and prudent planning practice, that the PC48 provisions recognise and provide for the interface between the adjoining activities and the potential for effects not only on residents but also on the rail network itself.
20. The AUP also contains objectives and policies that recognise and provide for the potential for reverse sensitivity effects on regionally significant infrastructure, and direct that such infrastructure be protected from these effects.<sup>11</sup> The relief sought by KiwiRail would give effect to these provisions

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<sup>7</sup> Private Plan Modifications 48, 49 and 50 Addendum Hearing Report, David Mead, Auckland Council, 19 November 2021, at [159].

<sup>8</sup> Private Plan Modifications 48, 49 and 50 Addendum Hearing Report, David Mead, Auckland Council, 19 November 2021, at [159].

<sup>9</sup> Decision of the Auckland Council Hearing Panel (29 April 2022) at [339].

<sup>10</sup> This is recognised in the AUP at E26.1.1.

<sup>11</sup> See for example the Auckland-wide infrastructure rules (E26.2.1(6) Objectives and E26.2.2(3) Policies) and E25.2 and E25.3 (Noise and Vibration).

by providing protection for the rail network from potential adverse effects associated with reverse sensitivity – protection that is not provided in the Decision.

*Relief sought*

21. KiwiRail seeks that PC48 is amended as follows or such alternative or consequential relief that addresses KiwiRail's concerns:

IX.2 Objectives

(10) Activities sensitive to noise and vibration adjacent to the railway corridor are designed to protect people's health and residential amenity while they are indoors, and to protect the North Island Main Trunk Line against adverse effects, including reverse sensitivity effects, of subdivision, use and development.

Policy IX.3 – Noise and vibration sensitive activities adjacent to the rail corridor

(27) Ensure that "Activities sensitive to noise and vibration" adjacent to the railway corridor are designed with acoustic attenuation measures to protect people's health and residential amenity while they are indoors and to protect the North Island Main Trunk Line against adverse effects, including reverse sensitivity effects, of subdivision, use and development.

Standard IX.6.5 Noise and vibration sensitive activities within 60m of the rail corridor

Purpose: Ensure Activities sensitive to noise and vibration adjacent to the railway corridor are designed to protect people's health and residential amenity while they are indoors, and to protect the North Island Main Trunk Line against adverse effects, including reverse sensitivity effects, of subdivision, use, and development.

(1) Any new buildings or alteration to an existing building that contains an activity sensitive to noise and / or vibration within 60 metres of the rail corridor must be designed, constructed and maintained to:

- (a) not exceed 35 dB LAeq (1 hour) for sleeping areas and 40 dB LAeq(1 hour) for all other habitable spaces; and
- (b) achieve rail vibration levels not exceeding 0.3 mm/s.

IX.8.1 Matters of discretion

(11) Infringement of standard IX.6.5 – Development within 60m of the rail corridor

(a) Effects on human health and residential amenity while people are indoors and to protect the North Island Main Trunk Line from reverse sensitivity effects.

#### IX.8.2 Assessment criteria

(10) Infringement of standard IX.6.5 - Development within 60m of the rail corridor

(a) Whether Activities sensitive to noise and vibration adjacent to the railway corridor are designed to protect people from adverse health and residential amenity effects while they are indoors and protect the North Island Main Trunk Line from reverse sensitivity effects. This includes:-

(i) whether the activities sensitive to noise and vibration could be located further from the railway corridor;

(ii) the extent to which the noise and vibration criteria are achieved and the effects of any non-compliance;

(iii) the character of and degree of amenity provided by the existing environment and proposed activity;

(iv) the reverse sensitivity effects on the railway corridor and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade;

(v) special topographical building features or ground conditions which will mitigate vibration impacts; and

(vi) the outcome of any consultation with KiwiRail.

#### **Setback of buildings and structures from railway corridor boundary**

22. KiwiRail's submission sought to include a new permitted activity standard in various zones requiring that all buildings and structures be set back a minimum of 5 metres from the rail corridor.
23. The Decision stated that 2.5 metres is adequate for routine building maintenance on properties adjoining the railway line.<sup>12</sup> While this goes some way to addressing KiwiRail's concerns, 2.5 metres is not a sufficient distance to ensure that potential health and safety risks are appropriately managed, and to ensure that landowners and occupiers can safely conduct their activities and maintain and use their buildings or structures, while minimising the potential for interference with the rail corridor. This is especially the case for high rise buildings, for which noise and vibration effects can be particularly acute.
24. Sufficient setbacks are a critical land use control to manage the interface between operations within the railway corridor and activities that may occur

<sup>12</sup> Decision of the Auckland Council Hearing Panel (29 April 2022) at [341].

near the boundary of adjoining land, and to ensure the health and safety of people and communities. If development near the railway corridor is not appropriately managed, there is a risk of conflict between the operation of the rail network and use of the built environment. A district plan requirement for buildings and structures to be sufficiently set back from the railway corridor boundary is therefore an appropriate mechanism to reduce the likelihood of adjoining landowners inadvertently accessing the rail corridor.

25. A 5 metre setback minimises the risk of objects or structures entering the rail corridor from neighbouring properties which could cause disruption to the network or, more seriously, a collision or accident. As the railway corridor will be electrified, there will also be high risks of electrocution should an object or person from a neighbouring property come into contact with the wires. Unless the neighbouring buildings are sufficiently set back from the railway corridor, these are significant safety hazards. Five metres is the appropriate distance for a setback to ensure that these risks can be appropriately managed.

*Relief sought*

26. KiwiRail seeks that PC48 is amended as follows or by such alternative or consequential relief that addresses KiwiRail's concerns:

Standard IX.6.11 Safe operation of the NIMT

Purpose: To ensure the safe operation of the North Island Main Trunk Line by providing for buildings on adjoining sites to be maintained within their site boundaries.

(1) Buildings must be setback at least ~~2.55~~ metres from any boundary which adjoins the North Island Main Trunk Line.

IX.8.2 Assessment criteria

(16) Infringement of standard IX.6.11 - Safe operation of the NIMT

(a) Whether the proposal ensures that buildings can be maintained within their site boundaries while providing for the safe operation of the North Island Main Trunk Line, including:

(a) the size, nature and location of the buildings on the site;

(b) the extent to which the safety and efficiency of railway operations will be adversely affected;

(c) the outcome of any consultation with KiwiRail; and

(d) any characteristics of the proposed use that will make compliance unnecessary.

**ATTACHMENTS**

27. The following documents are attached to this notice:

- (a) A copy of the relevant parts of the Decision.
- (b) A copy of KiwiRail's submission.
- (c) A list of the relevant names and addresses of persons who lodged submissions who are to be served with a copy of this notice.

**KIWIRAIL HOLDINGS LIMITED** by its solicitors  
and authorised agents Russell McVeagh:



<b>Signature:</b>	A A Arthur-Young   K L Gunnell
<b>Date:</b>	17 June 2022
<b>Address for Service:</b>	C/- Kristen Gunnell Russell McVeagh Barristers and Solicitors 48 Shortland Street Vero Centre PO Box 8/DX CX10085 <b>AUCKLAND</b>
<b>Telephone:</b>	(09) 367 8295
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TO: The Registrar of the Environment Court at Auckland.

AND TO: Auckland Council.

AND TO: The relevant submitters on the provisions appealed.

**Advice to recipients of copy of notice of appeal***How to become a party to proceedings*

1. You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.
2. To become a party to the appeal, you must:
  - (a) within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
  - (b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.
3. Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.
4. You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

*Advice*

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

**APPENDIX A – DECISION ON APPEAL**

	<p><u>Tabled Statements</u></p> <p>Transpower, Ms Rebecca Eng, Planning; 13 July 2021</p> <p>Transpower, Ms Rebecca Eng, Planning; 26 November 2021</p> <p>Ministry of Education, Ms Karin Lepoutre, planning; 15 July 2021</p> <p>Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development, Mr Mike Hurley, Policy; 26 July 2021.</p> <p>Counties Power, Ms Josephine Michalakakis Planning; 15 July 2021.</p>
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## EXECUTIVE SUMMARY

We have set out at a 'high level' our key findings in the Executive Summary to provide 'context' when reading the substantive part of the decision. Other matters are also addressed that are not included in the Executive Summary.

- We have approved the Plan Change.
- The Plan Change will give effect to the National Policy Statement on Urban Development (**NPS-UD**). It also gives effect to the Regional Policy Statement (**RPS**) in terms of B2 – Urban Growth and Form and B3 – Infrastructure, Transport and Energy.
- We are satisfied that the transport infrastructure related upgrades identified by the Applicant are those necessary to address the adverse effects from PC 48, and those necessary to give effect to the statutory planning documents.
- The Staging of Development with Transport Upgrades provisions, and the other associated precinct provisions are appropriate and workable and will ensure the necessary transport infrastructure related upgrades are provided prior to or at the same time as subdivision and or development.
- We have applied the zoning and sub-precinct, heights and activities (and their status) as set out in the Reply precinct provisions.
- We have included acoustic attenuation controls for habitable spaces (but not outdoor spaces) adjacent to the rail corridor zone to address adverse health and amenity effects. We have not included vibration as we had insufficient evidence to warrant imposing controls. We have imposed a 2.5 m building setback from the rail designation boundary.



298. Mr Schwartzger in his evidence-in-chief noted<sup>142</sup> that the Applicant to-date has held fourteen hui with Mana Whenua. He expressed the view that the Applicant shared a large number of common interests and values with respect to kaitiakitanga (stewardship). He also noted that the Applicant proposed to work with Mana Whenua through the design process and have also proposed to include an integrated approach to stormwater management and use Te Aranga design principles for the design of streets and publicly accessible open spaces. This process was currently being reaffirmed and documented in memorandum of understandings (“**MoU’s**”) with Mana Whenua.
299. We questioned Mr Schwartzger on the current status of the MoU’s; he noted that it remained work in progress and that the Applicant was committed to the MoU process.
300. Mr Roberts and Ms Morgan noted<sup>143</sup> that in response to the Section 42A Report recommendations, they had proposed a new policy that brings together a policy response to the way in which the development will respond to Mana Whenua values. This policy is given effect to by the various provisions of the AUP and PC48.
301. As Mana Whenua representatives did not attend the hearings, we were unable to question them on their issues or to seek clarification on the measures proposed to address those issues. Notwithstanding this, given the Applicant’s commitment, as set out above, we are satisfied, based on the information and evidence before us, that PC48 would give effect to the RPS and Part 2 in relation to Mana Whenua interests and values.

## **Noise and Vibration**

302. Noise and vibration was a key issue outstanding in PC 48 (and PCs 49 and 50) between the Applicant, Kāinga Ora (KO), Kiwirail and ACS/AT. The issue was, if, and if so the extent to which, noise and vibration attenuation was required to mitigate the health and amenity effects from road and rail noise and vibration.

### **Rail Noise and Vibration**

303. In response to the submissions received, Mr Mead originally recommended that precinct standards be introduced to address potential effects from rail vibration and set back of buildings from the rail corridor, but otherwise considered that rail and road noise issues could be managed by standards in E25.6.10 in the AUP (OP) (which require noise insulation for noise sensitive activities in Business zones).
304. With respect to rail noise, Kiwirail’s submission sought to insert permitted activity standards to require all new buildings, and alterations to existing buildings, containing noise sensitive activities located within 100m of the rail corridor to be appropriately mitigated in relation to rail noise and vibration.<sup>144</sup> Where a proposed activity did not

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<sup>142</sup> Mr Schwartzger’s evidence-in-chief at [7.4(e)]

<sup>143</sup> Mr Roberts’ and Ms Morgan’s evidence-in-chief at [5.20]

<sup>144</sup> Kiwirail submission 24.8

comply with those standards a restricted discretionary activity resource consent would be required.

305. Ms Butler, planner for Kiwirail, advised that in applying KiwiRail's standard, all bedrooms in new buildings, or alterations to existing buildings, within 100m of the railway corridor would be required to achieve an internal noise level of 35dB LAeq, with a 40dBAeq limit for all other habitable rooms based on rail activity noise levels. If windows were required to be closed to achieve the internal noise levels, then an alternative ventilation system would be required to be installed to ensure an adequate supply of fresh air. The proposed standard also included provision for variable topography to be considered where this blocks line of sight or exposure to the noise source.<sup>145</sup>
306. It was Ms Butler's opinion that the provisions sought by KiwiRail were necessary and appropriate to ensure the ongoing safe and efficient operation of the railway network so that it is not compromised by reverse sensitivity effects, and that sensitive land uses were protected from the effects of rail noise and vibration in terms of health and amenity.<sup>146</sup>
307. Mr Mead noted in the section 42A report that the Business Mixed Use and Business Metropolitan Centre zonings contain a noise standard E25.6.10 which has very similar internal environments to those KiwiRail was seeking to introduce. However, he stated that the AUP (OP) standard doesn't specifically account for the noise generated from trains running on lines adjacent to the zone. Instead, the noise levels are based on the maximum permitted noise levels for the relevant zone or precinct standards.<sup>147</sup>
308. Mr Robinson, the Applicant's acoustic expert, considered that noise sensitive activities should be managed using the KiwiRail standard but at a distance of 60m from the railway corridor boundary, preferring the ventilation requirements associated with the KiwiRail standard in favour of those contained in the AUP OP standard E25.6.10.3.b.
309. Mr Hegley, Acoustic Consultant for KO, was of the opinion that if existing train movements were creating adverse noise and/or vibration effects (and KiwiRail's own criteria show this is the case) then KiwiRail were obliged to implement section 17 of the RMA<sup>148</sup>. He stated if KiwiRail believed there was a noise or vibration issue they should implement a programme to avoid, remedy, or mitigate those adverse effects.<sup>149</sup> He did not believe there was a reverse sensitivity issue with respect to train noise. Furthermore, Mr Hegley was not aware of any credible research or

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<sup>145</sup> Ms Butler's evidence-in-chief at [3.17]

<sup>146</sup> Ibid, at [3.18]

<sup>147</sup> E25.6.10(2)

<sup>148</sup> Mr Hegley's evidence-in-chief at [6.6]

<sup>149</sup> Ibid

studies that had been undertaken in New Zealand to demonstrate there was a noise problem from trains.<sup>150</sup>

310. Mr Hegley agreed with Mr Robinson that the design requirements of the AUP OP for the proposed re-zoning meant the façade of any residential development would provide a good level of protection from train noise.<sup>151</sup> He supported Mr Robinson's recommendation of using the AUP (OP) rule to provide general protection from what is at present, an unknown level of train noise.<sup>152</sup> Mr Campbell, KO's planner, was also of the opinion that there were already controls within the AUP (OP) to manage any actual or perceived noise or reverse sensitivity effects on the rail corridor.<sup>153</sup>
311. KiwiRail went on to acknowledge that buildings adjacent to the railway corridor have the potential to contribute towards noise mitigation by acting as barriers for activities further back from the corridor in this case. In these particular circumstances KiwiRail was willing to accept a reduced buffer distance of 60m, but only on the basis that KiwiRail's standard was applied rather than Rule E25.6.10.<sup>154</sup>
312. During the course of the hearing the Applicant's planners Mr Roberts and Ms Morgan changed their original position of support for the Kiwirail provisions to later state at the reconvened hearing that they considered the provisions regarding the proposed Kiwirail noise standard were more appropriately addressed on a region-wide basis. Despite this, the Applicant Kiwi Property advised that they would be willing to accept the provisions set out below.
313. Notwithstanding the above, the Applicant's position was that there was no evidential basis for concluding that any reverse sensitivity effects arise for either road or rail operators. The Applicant submitted that complaints alone do not amount to reverse sensitivity effects and neither did implementing mitigation measures to address effects generated by a land use. In practice, Mr D Allan submitted that road and rail links are not closed because of noise, and reverse sensitivity effects do not arise, and if these controls were warranted it was because of health and amenity effects. We agree.
314. On the issue of vibration, Mr Mead adopted KiwiRail's request for a standard relating to addressing the potential effects of railway vibration within 60m of the railway corridor.<sup>155</sup> The requested standard was included in the changes recommended to the PC text as sought by Kiwirail.<sup>156</sup> Mr Robinson considered that the management of vibration effects should be provided for by KiwiRail through the maintenance of its tracks. The Applicant maintained this position in its Reply Submissions.

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<sup>150</sup> Ibid, at [6.7]

<sup>151</sup> Ibid, at [7.5]

<sup>152</sup> Ibid

<sup>153</sup> Mr Campbell's evidence-in-chief at [1.3(a)]

<sup>154</sup> Ms Butler's evidence-in-chief at [3.22]

<sup>155</sup> Paragraphs 574 and 575 pages 129 and 130 section 42A Report 1

<sup>156</sup> Page 163 Section 10 paragraph 672 pages 163 and 164. S42A Report 1

315. Mr Hegley agreed with Mr Robinson in relation to vibration issues stating that KiwiRail needed to 'adopt' section 16 of the RMA rather than seek reliance on their neighbours to adopt an unknown limit to accommodate for the quality of the track and rolling stock.<sup>157</sup> Mr Hegley advised us that the cost of vibration isolating a dwelling for this situation (ie unknown) would be cost prohibitive for the average resident and not justified compared to the benefit.<sup>158</sup> He went on to say that he was not aware of any potential reverse sensitivity effects from train vibration for KiwiRail, and that based on information available; he did not support a train vibration control.<sup>159</sup>
316. In response to Mr Hegley's opinion, Ms Butler advised that even well-maintained tracks cannot fully internalise site-specific vibration effects. These effects are heavily dependent on the ground conditions at the development site and its ability to withstand ground movement.<sup>160</sup> She further stated that KiwiRail expends considerable time and cost in keeping its track and infrastructure in good condition. Railway corridors are relatively narrow (generally 20m wide) and while internalising noise and vibration effects might be possible in some locations, this was not realistic in all cases due to physical, operational or amenity constraints.<sup>161</sup>

#### Building Setback (rail)

317. The other matter to be considered in relation to the effects of rail noise and vibration is whether there should be a building yard setback from the rail corridor. Kiwirail sought a 5m setback on the basis that it would be a safety control that is concerned with managing the interface between operations within the rail corridor and activities on adjoining sites. Ms Butler considered there was potential for significant adverse effects in terms of health and safety if the interface between the rail corridor and adjacent activities was not appropriately managed.<sup>162</sup>
318. Mr Hegley did not consider there was any technical reason why there needed to be a 5 metre setback from the rail corridor.<sup>163</sup> Mr Campbell was of the opinion that a designation is intended to enable a range of activities to occur, including for example, maintenance and any works required for safety purposes. He considered there should be no rail activities that need to occur outside the designation, or unreasonably constrain the use of the adjoining land for its zoned purpose.
319. In response to the matters raised, the Applicant proposed a 2.5m setback from any boundary which adjoins the North Island Main Trunk in order to ensure its safe operation.<sup>164</sup>

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<sup>157</sup> Mr Hegley's evidence-in-chief at [7.10]

<sup>158</sup> Ibid, at [7.9]

<sup>159</sup> Ibid, at [7.11]

<sup>160</sup> Ms Butler's evidence-in-chief at [3.26]

<sup>161</sup> Ibid.

<sup>162</sup> Ibid, at [3.10]

<sup>163</sup> Mr Hegley's evidence-in-chief at [7.12]

<sup>164</sup> Reply Submissions, at [8.16]

## Road Noise and Vibration

320. Turning to noise and vibration effects associated with road transport, ACS/AT put forward a similar case to that provided in Plan Change 51<sup>165</sup>. Ms Karyn Sinclair set out AT's position summarising that their primary submission identified concerns about potential health effects and reverse sensitivity challenges of noise sensitive activities developed in proximity to arterial roads. AT requested a new policy, rule and assessment criteria for noise sensitive activities in proximity to arterial roads (in this instance, Waihoehoe Road).
321. Mr Mead's initial recommendation on this submission point relied on Standard E25.6.10 Noise Levels for noise sensitive spaces in Business - Mixed Use and Metropolitan Centre zones. Further, the matters of discretion/assessment criteria in E25 include reverse sensitivity. He concluded that no specific noise standards should be recommended for road noise in PC 48.
322. Ms Drewery advised that the Drury East plan changes sought to enable urban development located in what are currently greenfield areas. The proposals precede the formation of the arterial road network required to support the development area and therefore she considered the plan changes should consider the impacts of the future road network. As a consequence, Ms Drewery advised that precinct-specific provisions were appropriate to address the reverse sensitivity and health effects likely to result from development adjacent to what would potentially be high noise generating arterial roads.<sup>166</sup>
323. Ms Drewery further advised that as the Best Practicable Option (BPO) mitigation was still to be confirmed at this stage she considered that it was appropriate to look at road traffic noise levels under the 'Do Minimum' scenario as defined by NZS 6806, for assessing reverse sensitivity effects.<sup>167</sup> Under the Do Minimum scenario, Ms Drewery advised that noise levels of up to 69 dB LAeq(24 hour) could be expected at the boundary of PC 48 adjacent to Waihoehoe Road West.<sup>168</sup>
324. Ms Drewery therefore considered there was a scenario for road traffic noise levels to exceed 65 dB LAeq(24 hour) within the boundary of Waihoehoe Road West. At levels above 65 dB LAeq(24 hour), Ms Drewery was of the opinion that the façade noise reduction required by Rule E25.6.10 was not sufficient to achieve an internal noise level of 40 dB LAeq(24 hour) and that this could lead to health and reverse sensitivity effects.<sup>169</sup>

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<sup>165</sup> Karaka and Drury Limited – to rezone 33.65 hectares of Future Urban zoned land in Drury West (located on Burberry Road and State Highway 22/Karaka Road, Drury) to enable the development of Town Centre and residential development.

<sup>166</sup> Ms Drewery's evidence-in-chief at [4.1]

<sup>167</sup> Ibid, at [5.3]

<sup>168</sup> Ibid, at [5.4]

<sup>169</sup> Ms Drewery's evidence-in-chief at [6.2]

325. Ms Sinclair agreed with Ms Drewery; that the existing provisions in Chapter E25 were not adequate to address AT's concerns of reverse sensitivity for the development of noise sensitive activities adjacent to Waihoehoe Road (as an existing and future arterial road).<sup>170</sup> Ms Sinclair proposed a set of provisions that would satisfy AT's submission to ensure health and reverse sensitivity effects were adequately managed within 60m of the boundary of an existing and/or future arterial road. She noted that her proposed provisions were consistent with those provisions agreed between the Applicant and KiwiRail to address their similar submission point for road noise.<sup>171</sup>
326. Mr Campbell agreed with the reporting officer Mr Mead. It was Mr Campbell's opinion that there were already sufficient controls within E25 (noise and vibration) chapter of the AUP (OP) to ensure effects on noise sensitive activities were appropriately managed. It was his opinion that the provision of an additional layer of controls within the precinct plan was an unnecessary doubling up of regulatory methods.<sup>172</sup> He therefore disagreed with AT's request to include reverse sensitivity controls for Waihoehoe Road (or other arterial roads), further noting that mitigation can be achieved through the future roading construction to manage any perceived or actual reverse sensitivity effects on the roading corridor.<sup>173</sup>

#### Rail and Rail – Findings

327. Mr Mead amended his recommendation as it related to rail and arterial road noise in the Addendum section 42A report. He advised he now understood that E25.6.10 assumed that the external noise received by a noise sensitive activity in Metropolitan Centre and Mixed Use zones would not exceed the maximum level of noise permitted by the zone or any adjacent zone or precinct. As there was potential for arterial road and rail noise to be louder than the relevant zone or precinct standards, he concluded a specific standard was now required.<sup>174</sup>
328. The Addendum section 42A Report acknowledged that there may be benefit from taking a region-wide approach to this issue as it relates to greenfield land. However, with no such prospect of a region-wide approach in sight, Mr Mead saw the benefit of introducing appropriate standards within the large greenfield development areas now, having reviewed the advice of Mr Gordon, Council's Acoustic expert.
329. Mr Mead now generally supported the amendments sought by KiwiRail with a suggested 60m control area from the rail corridor. His proposed wording was very similar to the Applicant's position, with the exception being that he continued to

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<sup>170</sup> Ms Sinclair's evidence-in-chief at [10.6]

<sup>171</sup> Ibid, at [10.7]

<sup>172</sup> Mr Campbell's evidence-in-chief at [7.3]

<sup>173</sup> Ibid, at [7.20]

<sup>174</sup> Section 42A Addendum report at [127]

support Kiwirail's submission and included a provision for rail vibration levels not exceeding 0.3mm/s as well as a requirement for mechanical ventilation.<sup>175</sup>

330. In addition, Mr Mead advised that the standard could be further improved by setting out the method of compliance (e.g. certification). He included within his standard provision for certification. Ms Butler expressed her support for Mr Mead's standard.<sup>176</sup>
331. Based on the evidence, Mr Mead concluded that the most sensitive development was that adjacent to the road, with development further back likely to be shielded by development fronting the road. In his view a 40m wide control area was sufficient to capture the first row of development and he proposed a standard to the effect, with an accompanying clause that requires the preparation of a compliance report.<sup>177</sup>
332. Mr Mead did not see the need for a specific road vibration standard. His understanding was that such a standard was aimed at annoyance type issues, rather than directly related to an impact on people's health. Further, vehicles driving along a well-maintained road free of any potholes or other uneven surfaces are expected to create negligible vibration at immediately adjacent buildings.<sup>178</sup>
333. With regards to the rail building setback standard, Mr Mead agreed with KiwiRail's general concerns about development adjacent to the rail corridor potentially disrupting operations. He considered a 2.5m wide set back was sufficient to address these concerns.<sup>179</sup>
334. We note that Mr Campbell stated that if we were to consider that acoustic attenuation was required, he would favour a standard based approach to address noise sensitive activities that fronted the arterial road, rather than the provision of the 40 metre deep control area along the corridor and a requirement for a suite of acoustic assessments, many of which might ultimately demonstrate that no specific acoustic attenuation is required. He recommended that acoustic controls could be limited to the first block of development fronting an arterial road, for example, a standard could apply to any noise sensitive building (whole or part) located within 10 metres of an arterial road.<sup>180</sup>
335. Mr Campbell was also of the opinion that if we were to adopt a standard to manage noise effects from the road, then it should include a requirement for the provision of ventilation for sensitive activities that front an arterial road<sup>181</sup>. He then changed his position on the appropriateness of a building setback, advising that having reviewed the matter further; he would support the provision of a maintenance yard adjoining

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<sup>175</sup> Ibid, at [140]

<sup>176</sup> Ms Butler's Fourth Statement of evidence, at [3.2]

<sup>177</sup> Ibid, at [145-146]

<sup>178</sup> Ibid, at [151]

<sup>179</sup> Ibid, at [162]

<sup>180</sup> Mr Campbell's supplementary evidence, at [2.11]

<sup>181</sup> Mr Campbell's supplementary evidence, at [2.13]

the NIMT line on that basis, with a clear policy connection being for proposed building maintenance reasons only.<sup>182</sup>

336. As a consequence of the proposed condition for the Drury Arterial Network, Ms Drewery advised us that the designation is likely to require the use of a low noise road surface regardless of NZS6806 mitigation. Based on this, Ms Drewery and Ms Sinclair revised their recommendations for PC 48 such that they now considered that no setback was required, and that compliance with E25.6.10 would suffice.
337. In light of the evidence before us (from the submitters and Mr Mead) we accept there is sufficient evidence to demonstrate that a resource management response is required to address the health and amenity effects associated with rail noise.
338. We accept the Applicant's position that specific precinct provisions are appropriate to address the identified effects in terms of rail noise. This was an agreed position with Kiwirail, and includes the reduced distance from 100m to 60m. We have however also included the requirement for mechanical ventilation and certification as recommended in the Addendum section 42A report and supported by Kiwirail. We agree with Mr Mead that this standard should include a requirement to demonstrate compliance with this standard.
339. We have therefore included acoustic attenuation controls for habitable spaces adjacent to the rail corridor zone to address adverse health and amenity effects. We were not persuaded that the noise and vibration would lead to reverse sensitivity effects on the rail network.
340. We have not included acoustic attenuation in relation to vibration, or for outdoor areas in response to rail noise. This is because we found there was insufficient evidence to warrant the imposition of a rule as being the most appropriate means to address this issue.
341. With regards to an appropriate width for a building setback from the rail designation, we are in agreement with the Applicant and Mr Mead that a 2.5m width is adequate for routine building maintenance on properties adjoining the railway line.

## Open Space

342. The Applicant's Section 32A Report set out their approach to open space and community facilities recording<sup>183</sup>:

*"Within the Plan Change area, a range of key open spaces are proposed that will cater for the varying needs of the future community, including:*

- Hingaia Creek and Maketu Creek Reserves which will provide public access to existing natural watercourses;*
- Station Plaza which will provide civic amenity and a central forecourt to public facilities; and*

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<sup>182</sup> Ibid, at [2.17]

<sup>183</sup> Application Report at [10.2]



24.4	KiwiRail Holdings Limited	Amend IX.1 Precinct Description as follows: "precinct also provides for the highest employment generating activities and retail and residential densities <del>around</del> <u>in the vicinity of</u> the future Drury Central train station"
24.11	KiwiRail Holdings Limited	Remove the land within Sub-precinct D from the listed plans. In addition, remove the reference to Sub-precinct D from the legend in Precinct Plan 1.
24.12	KiwiRail Holdings Limited	Move the 'future train station' and 'Station Plaza' symbols to the preferred location further north. In addition, annotate Precinct Plan 2 to make it clear that the 'future train station' and 'Station Plaza' are shown as indicative only. For ease of readership it would be preferable to have two legends, one for indicative features and one for confirmed features on Precinct Plan 2. Remove the land within Sub-Precinct D from the plan change area.
32.8	Drury South Limited	Assess the effects of the connections identified in Precinct Plan 2 - Spatial Features in the ITA and / or through the PC48 provisions, and include appropriate upgrades to mitigate any effects arising.

### Decisions

442. We have comprehensively addressed these matters in the decision above.
443. In approving PC 48 we have provided a set of precinct provisions that, in our view, appropriately address the matters of concern to submitters.
444. We are satisfied that, based on the issues and evidence before us, the matters relating to the appropriate precinct plan and provisions have been appropriately addressed. On this basis we **accept** or **accept in part** those submissions which supported or sought changes which we have accepted to address the precinct plan and provisions, and **reject** those submissions which sought changes to the precinct provisions which we have not made.

### **Submissions on Noise and Vibration Matters**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter
24.1	KiwiRail Holdings Limited	Amend IX.1 Precinct Description to add: <u>The North Island Main Trunk railway line is protected from reverse sensitivity effects by ensuring that new buildings and activities will be designed and located to manage any adverse effects</u>
24.2	KiwiRail Holdings Limited	Add new Objective IX.2(8) as follows: <u>(8) The NIMT is protected from adverse effects, including reverse sensitivity effects, of subdivision, use and development by,</u> <u>1. setbacks within which incompatible activities will be managed;</u> <u>2. standards designed to protect noise sensitive receiver's health and amenity.</u>
24.3	KiwiRail Holdings Limited	Add new policy IX.3 as follows: <u>(XX) Adverse effects on the operation of the regionally significant NIMT and on the health and safety of adjacent development and noise sensitive receivers are managed through setbacks and performance standards.</u>

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter
24.6	KiwiRail Holdings Limited	Insert new activity (A8) to Activity table IX.4.1 as set out below and renumber existing (A8) to (A20) accordingly. <u>(A8) Development that does not comply with IX6.9 Setback from NIMT and IX6.10 Noise Sensitive Activities within 100m of a Rail Network Boundary - RD</u>
24.7	KiwiRail Holdings Limited	Add to IX.6 Standards a new standard IX.6.9 as follows: <u>IX.6.9 Setback from NIMT</u> <u>Buildings must be setback at least 5 metres from any boundary which adjoins the NIMT railway line.</u>
24.8	KiwiRail Holdings Limited	Add to IX.6 Standards a new standard IX.6.10 to manage potential human health effects from rail noise and vibration where buildings containing noise sensitive activities are located adjacent to (within 100m of) the railway corridor. See submission for full proposed wording.
24.9	KiwiRail Holdings Limited	Insert new matters of discretion in IX.8.1 as follows: <u>(12) Setback from NIMT and Noise Sensitive Activities within 100m of a Rail Network Boundary</u> <u>Effects from non-compliance with Standards IX.6.9 and IX.6.10</u>
24.10	KiwiRail Holdings Limited	Insert new assessment criteria in IX.8.2 as follows: <u>(11) Setback from NIMT</u> <u>(a) The size, nature and location of the buildings on the site.</u> <u>(b) The extent to which the safety and efficiency of railway operations will be adversely affected.</u> <u>(c) The outcome of any consultation with KiwiRail.</u> <u>(d) Any characteristics of the proposed use that will make compliance unnecessary.</u>  <u>(12) Noise Sensitive Activities within 100m of a Rail Network Boundary</u> <u>(a) Whether the activity sensitive to noise could be located further from the railway corridor</u> <u>(b) The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance</u> <u>(c) The character of and degree of amenity provided by the existing environment and proposed activity.</u> <u>(d) The reverse sensitivity effects on the railway corridor and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.</u> <u>(e) Special topographical, building features or ground conditions which will mitigate vibration impacts;</u> <u>(f) The outcome of any consultation with KiwiRail.</u>
27.64	Auckland Transport	Add a new policy as follows: <u>Ensure that new activities sensitive to noise adjacent to arterial roads are located, designed and constructed to mitigate adverse effects of road noise on occupants.</u>
27.65	Auckland Transport	Add a new standard to IX.6 to require that the assessed incident noise level to the façade of any building facing an arterial road that accommodates a noise-sensitive space is limited to a given level (Auckland Transport to confirm appropriate level). As a consequential amendment, add a new rule to Activity table IX4.1 as follows: <u>(X) Development that does not comply with IX.6.X Noise Mitigation - RD</u>
27.66	Auckland Transport	Add a new assessment criterion as follows: <u>The extent to which noise sensitive activities in proximity to arterial roads are managed.</u>

## Decisions

445. We have comprehensively addressed these matters in the decision above.
446. In approving PC 48 we have provided a set of noise provisions that, in our view, appropriately address the matters of concern to submitters.
447. We are satisfied that, based on the issues and evidence before us, the matters relating to noise and vibration have been appropriately addressed. On this basis we **accept** or **accept in part** those submissions which supported or sought changes which we have accepted to address the noise issues, and **reject** those submissions which sought changes to the precinct provisions which we have not made.

## **Submissions on Stormwater and Flooding Matters**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter
15.4	Kiwi Property	Add new policy 21 to clarify stormwater management approach as follows: <u>Stormwater Management</u> <u>Policy IX.3(21): Require subdivision and development to be consistent with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design to achieve water quality and hydrology mitigation.</u>
15.5	Kiwi Property	Amend Standard IX6.6 as follows: IX6.6 Stormwater Quality (1) The activity rules and standards in E9 apply to development in the Drury Centre precinct as if the reference to 'high use roads', was a reference to 'all roads'. <u>(2) For all other impervious surfaces inert building materials should be used.</u>
21.7	Ngāti Te Ata Waiohū	Apply a minimum of a two-treatment train approach for all stormwater prior to discharge to a waterway
21.8	Ngāti Te Ata Waiohū	Require roof capture for reuse and groundwater recharge
22.3	Auckland Council	Amend the precinct to include additional policies and rules to manage the effects of stormwater as described in an approved SMP. This includes: • New policy: <u>Require subdivision and development to be assessed for consistency with any approved network discharge consent and supporting stormwater management plan including the application of water sensitive design to achieve water quality and hydrology mitigation.</u> • Additional matters of discretion/assessment... • Any other rules necessary...
22.4	Auckland Council	Retain application of SMAF 1 to the plan change area.
22.5	Auckland Council	Add a new policy to the following effect: <u>Ensure that all impervious services are treated through a treatment train approach to enhance water quality and protect the health of stream and marine environments.</u>
22.6	Auckland Council	Add a new policy to the following effect: <u>Provide sufficient floodplain storage within the Drury Centre precinct to avoid increasing flood risk upstream and downstream and manage increased flood risk within the precinct unless downstream infrastructure</u>

- (8) Development is coordinated with the supply of sufficient water, energy and communications infrastructure.
- (9) Freshwater, sediment quality, and biodiversity are improved.
- (10) Activities sensitive to noise adjacent to the railway corridor are designed to protect people's health and residential amenity while they are indoors.

### **IX.3 Policies**

#### *Land Use*

- (1) Provide for the greatest density of retail and commercial activities with supporting community and residential activities within Sub-Precinct A and discourage activities which do not support an active and lively retail street frontage with a fine grained, pedestrian orientated outcome.
- (2) Recognise that Sub-Precinct B will be the primary location for large format retail activities.
- (3) Provide for high density residential and supporting intensive employment activities compatible with residential amenity values in Sub-Precinct C, E and F that supports the function, role and amenity of Sub-Precinct A as the core centre.
- (4) Provide for a greater range of intensive employment activities in Sub-Precinct E responding to its close proximity to rapid transport, while supporting the function, role and amenity of Sub-Precinct A as the core centre.

#### *Street Network and Built Form*

- (5) Require attractively designed, safe and direct access to the Drury Central train station, with a particular focus on pedestrians and cyclists.
- (6) Require collector roads to be generally in the locations shown in IX.10.1 Drury Centre: Precinct Plan 2, while allowing for variation, where it would achieve a better connected street layout that integrates with the surrounding transport network.
- (7) Ensure that development provides a local road network that achieves a highly connected street layout and integrates with the collector road network within the precinct, and the surrounding transport network, and supports the safety and amenity of the open space and stream network.
- (8) Require streets to be attractively designed to appropriately provide for all modes of transport by:
  - (a) providing a high standard of amenity for pedestrians in areas where high volumes of pedestrians are expected; and
  - (b) providing for safe separated access for cyclists on arterial and collector roads that link key destinations; and
  - (c) providing a level of landscaping that is appropriate for the function of the street;

- (22) In addition to the matters in Policy E1.3(8), manage erosion and associated effects on stream health and values arising from development in the precinct, including parts of the Fitzgerald and Hingaia streams, and enable in-stream works to mitigate any effects.
- (23) In addition to the matters in Policy E.3.3(13), provide for stream works, including reclamation, where they are required to construct Drury Boulevard.
- (24) Contribute to improvements to water quality, habitat and biodiversity, including by providing planting on the riparian margins of permanent and intermittent streams.

#### *Stormwater Management*

- (25) Require subdivision and development to be consistent with the treatment train approach outlined in a supporting stormwater management plan, including:
- d) Application of water sensitive design to achieve water quality and hydrology mitigation;
  - e) Requiring the use of inert building materials to eliminate or minimise the generation and discharge of contaminants;
  - f) Requiring treatment of runoff from public road carriageways and publicly accessible carparks at or near source by a water quality device designed in accordance with GD01;
  - g) Requiring runoff from other trafficked impervious surfaces to apply a treatment train approach to treat contaminant generating surfaces, including cumulative effects of lower contaminant generating surfaces;
  - h) Providing planting on the riparian margins of permanent or intermittent streams;
  - i) Ensuring development is coordinated with sufficient stormwater infrastructure.

#### *Natural Hazards*

- (26) Ensure development manages flooding effects upstream of and downstream of the site and in the Drury Centre precinct so that the risks to people and property (including infrastructure) are not increased for all flood events, up to a 100-year ARI flood event. This may include appropriately designed and sited interim storage/attenuation areas prior to culvert upgrades.

#### *Noise sensitive activities adjacent to the rail corridor*

- (27) Ensure that “Activities sensitive to noise” adjacent to the railway corridor are designed with acoustic attenuation measures to protect people’s health and residential amenity while they are indoors..

#### *Mana Whenua values*

- (2) A building, or parts of a building, must be setback at least 20m from the bank of a river or stream measuring 3m or more in width, consistent with the requirements of E38.7.3.2.

#### **IX.6. 4 Stormwater Quality**

Purpose: Contribute to improvements to water quality and stream health.

- (1) Stormwater runoff from new, or redevelopment of existing, high contaminant generating carparks, all publicly accessible carparks exposed to rainfall, and all roads must be treated with a stormwater management device(s) meeting the following standards:
  - (a) the device or system must be sized and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01); or
  - (b) where alternative devices are proposed, the device must demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'.
  - (c) For all other trafficked impervious surfaces, water quality treatment in accordance with the approved stormwater management plan must be installed.
- (2) New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting building materials, that avoid the use of high contaminant yielding building products which have:
  - a) exposed surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc; or
  - b) exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper; or
  - c) exposed treated timber surface(s) or any roof material with a copper-containing or zinc-containing algaecide.

#### **IX.6. 5 Noise sensitive activities within 60m of the rail corridor**

Purpose: Ensure Activities sensitive to noise adjacent to the railway corridor are designed to protect people's health and residential amenity while they are indoors.

- (1) Any new building or alteration to an existing building that contains an activity sensitive to noise within 60 metres of the rail corridor must be designed, constructed and maintained to not exceed 35 dB LAeq (1 hour) for sleeping areas and 40 dB LAeq (1 hour) for all other habitable spaces.

**Note** - Railway noise is assumed to be 70 dB LAeq(1 hour) at a distance of 12 metres from the track and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.

- (2) If windows must be closed to achieve the design noise levels in Standard IX.6.5(1), the building must be designed, constructed and maintained with a mechanical ventilation system that meets the requirements of E25.6.10(3)(b).
- (3) A report must be submitted by a suitably qualified and experienced person to the council demonstrating compliance with Rule IX.6.5 (1) and (2) prior to the construction or alteration of any building containing an activity sensitive to noise located within the areas specified in IX.6.5 (1).

#### **IX.6. 6 Fences adjoining publicly accessible open space**

Purpose: Ensure development positively contributes to the visual quality and interest of open spaces.

- (1) Fences, or walls, or a combination of these structures, within a side or rear yard adjoining a publicly accessible open space (excluding roads) must not exceed the heights specified below, measured from the ground level at the boundary:
  - (i) 1.2m in height, or;
  - (ii) 1.8m in height if the fence is at least 50 per cent visually open.

#### **IX.6.7 Daylight**

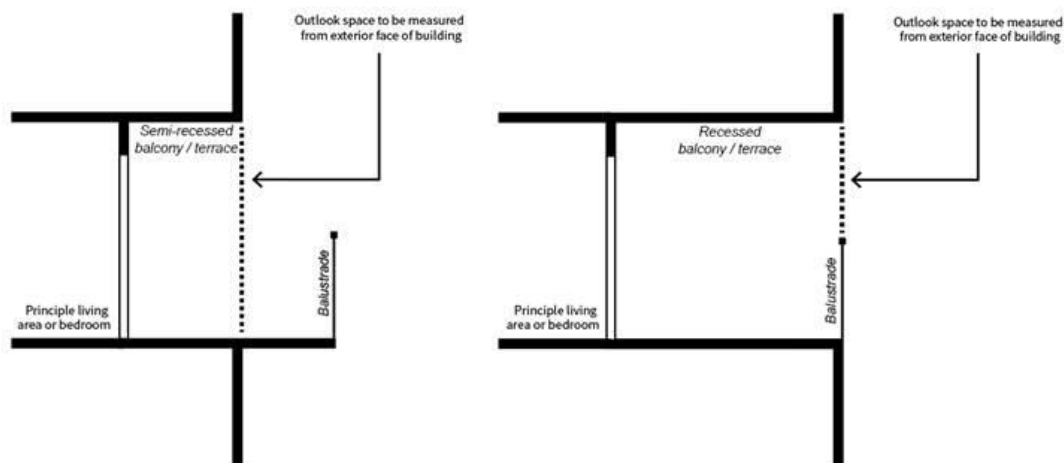
Purpose:

- Ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- In combination with the outlook control, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space, particularly at upper building levels.

- (1) Buildings which include dwellings, units in an integrated residential development, visitor accommodation and boarding houses within Sub-Precincts C, E and F must comply with H6.6.14 Daylight.

#### **IX.6.8 Outdoor Living Space**

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is directly accessible from the principal living room, dining room or kitchen and is separated from vehicle access and manoeuvring areas.



### IX.6.11 Safe operation of the NIMT

Purpose: To ensure the safe operation of the North Island Main Trunk Line by providing for buildings on adjoining sites to be maintained within their site boundaries.

- (1) Buildings must be setback at least 2.5 metres from any boundary which adjoins the North Island Main Trunk Line.

### IX.7 Assessment – controlled activities

There are no controlled activities in this precinct.

### IX.8 Assessment – restricted discretionary activities

#### IX.8.1 Matters of discretion

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

- (1) Subdivision, or new buildings prior to subdivision, including private roads:
  - (a) Location and design of the collector streets, local streets and connections with neighbouring sites to achieve an integrated street network, and appropriately provide for all modes;
  - (b) Provision of cycling and pedestrian networks;
  - (c) Location, design and sequencing of connections to the Drury Central train station;
  - (d) Design and sequencing of upgrades to the existing road network;
  - (e) Stormwater & flooding;
  - (f) Servicing;
  - (g) In Sub- precinct A, discourage activities which do not support an active and lively retail street frontage with fine grained, pedestrian orientated outcomes,



(d) The coordination of retail, commercial and residential development in Drury East; and

(e) The outcome of engagement with the road controlling authority.

**Note** – See IX.9 Special information requirements below.

(6) Infringement to standard IX.6.1 Building height:

(a) Matters of discretion H13.8.1(7) apply.

(7) Infringement of standard IX.6.2A Maximum parking rate

(a) Matters of discretion E27.8.1(5) apply.

(8) Infringement of standard IX.6.2B Minimum cycle parking, IX.6.2C End of Trip Facilities

(a) Matters of discretion E27.8.1(7) apply.

(9) Infringement to standard IX.6.3 Riparian Margins:

(a) Effects on water quality, biodiversity and stream erosion.

(10) Infringements to standard IX.6.4 Stormwater Quality

(a) Matters of discretion E9.8.1(1) apply.

(11) Infringement of standard IX.6.5 – Development within 60m of the rail corridor

(a) Effects on human health and residential amenity while people are indoors.

(12) Infringement of standard IX.6.6 Fences adjoining publicly accessible open space

(a) Effects on the amenity and safety of the open space.

(13) Infringement to standard IX.6.7 Daylight:

(a) Matters of discretion H13.8.1(7) apply.

(14) Infringement to standard IX.6.8 Outdoor Living Space:

(a) Matters of discretion H13.8.1(7) apply.

(15) Infringement of Standard IX.6.9. Residential at ground floor in Sub-Precinct E

by implementing travel demand management measures set out in a travel plan, which has been prepared in accordance with IX.9(4);

- (e) Whether the proposal would have a similar or lesser trip generation and similar effects on the surrounding road network to the development mix provided for in the Table IX.6.2.1 Threshold for Development;
- (f) Whether residential development is coordinated with retail and commercial development within the wider Drury East area identified on Precinct Plan 3 to minimise trips outside of the precinct providing additional capacity within the transport network;
- (g) Whether the actual rate of development in the wider area is slower than anticipated and provides additional capacity in the transport network;
- (h) The effect of the timing and development of any other transport upgrades or transport innovations not anticipated by the Drury Centre precinct;
- (i) Whether the integrated transport assessment supporting the application documents the outcome of engagement with the road controlling authority;
- (j) Whether the proposal demonstrates methods that promote the increased use of public transport, including details of how those methods would be implemented, monitored and reviewed so as to contribute to a reduction in vehicle trips;
- (k) Whether the intersection of Great South Road/Quarry Road and the Drury South Precinct roads can operate safely and efficiently prior to the full upgrade of Waihoehoe Road between Fitzgerald Road and Great South Road.

**(6) Infringement of standard IX.6.2A - Maximum parking rate**

- (a) Assessment criteria in E27.8.2(4) apply.

**(7) Infringement of standard IX.6.2B - Minimum cycle parking and IX.6.2C - End of Trip Facilities**

- (a) Assessment criteria in E27.8.2(6) apply.

**(8) Infringement to standard IX.6.3 - Riparian Planting**

- (a) Whether the infringement is consistent with Policy IX.3(20).

**(9) Infringement to IX.6.4 - Stormwater Quality**

- (a) Assessment criteria E9.8.2(1) apply;
- (b) Whether the proposal is in accordance with the approved Stormwater Management Plan and Policies E1.3(1) – (10) and (12) – (14);
- (c) Whether a treatment train approach is implemented to treat runoff so that all contaminant generating surfaces are treated, including cumulative effects of lower contaminant generating surfaces.

**(10) Infringement of standard IX.6.5 - Development within 60m of the rail corridor**

- (a) Whether Activities sensitive to noise adjacent to the railway corridor are designed to protect people from adverse health and residential amenity effects while they are indoors.

**(11) Infringement of standard IX.6.6 - Fences adjoining publicly accessible open space**

- (a) Whether the proposal positively contributes to the visual quality and interest of the adjoining open space, while providing an adequate degree of privacy and security for the development.

**(12) Infringement to standard IX.6.7 - Daylight:**

- (a) Whether the proposal is designed to meet the day to day needs of residents by providing adequate access to daylight to principal living rooms and bedrooms and providing a sense of space between buildings on the same site.

**(13) Infringement to standard IX.6.8 - Outdoor Living Space:**

- (a) Whether the proposal provides outdoor living space that is useable and accessible having regard to the functional requirements of the type of residential activity proposed.

**(14) Infringements to standard IX.6.9 and H9.6.5 - Residential at Ground Floor**

- (a) Whether the ground floor is designed with flexibility to accommodate commercial uses in the future;
- (b) Whether there are particular site characteristics that would make residential at ground floor suitable, for example where the site has frontage to a local road or minor public open space. In those instances, whether the dwellings are designed to enable passive surveillance of the street/public open space and provide privacy for residents.

**(15) Infringement of standard X.6.10 - Outlook Space**

- (a) Assessment criteria in H13.8.2(7) apply.

**(16) Infringement of standard IX.6.11 - Safe operation of the NIMT**

- (a) Whether the proposal ensures that buildings can be maintained within their site boundaries while providing for the safe operation of the North Island Main Trunk.

**IX.9 Special information requirements**

**(1) Riparian planting plan**

An application for land modification, development and subdivision which adjoins a permanent or intermittent stream must be accompanied by a riparian planting plan identifying the location, species, planter bag size and density of the plants. Plant species should be native. The riparian planting plan must be prepared in accordance with Appendix 16 - Guideline for native revegetation plantings.

**(2) Archaeological assessment**

**APPENDIX B – ORIGINAL SUBMISSION**

22 October 2020

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142  
Attn: John Duguid

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

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PLAN, CHANGE OR VARIATION (FORM 5)**  
**Plan Changes 48 and 50**

**NAME OF SUBMITTER:**  
KiwiRail Holdings Limited (KiwiRail)

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**KiwiRail Submission on Auckland Unitary Plan Operative in Part Plan Changes 48 and 50**

KiwiRail is the State-Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail is also the requiring authority for land designated "Railway Purposes" (or similar) in district plans throughout New Zealand.

KiwiRail is interested in Plan Changes 48 and 50 (Plan Changes) for several reasons;

1. Both Plan Change areas lie adjacent to the one of New Zealand's key main railway lines, the North Island Main Trunk line (**NIMT**), which carries both rail freight traffic and Metro passenger services and which forms part of the golden triangle network for rail freight between Auckland, Tauranga and Hamilton. KiwiRail seeks to protect the railway corridor to enable its ongoing use for operational purposes.
2. KiwiRail has commenced planning and design work for the Papakura to Pukekohe electrification (P2P) project as well as the platforms, signals and electric structures for three new Drury stations. The investment will extend the electrified rail network from Papakura to Pukekohe, and include a range of supporting network upgrades:
  - Electrification of 19km of track, including installation of overhead equipment (OLE), new traction power feed and signalling upgrades.
  - Potential lowering of tracks at a number of road overbridges (including SH1 Drury Interchange) to provide sufficient clearance for the OLE.



- Provision of two additional platform faces and stabling for twelve 3-car Electric Multiple Units at Pukekohe.
  - Passive provision for future construction of three new Drury stations and additional tracks.
  - Safety enhancements at level crossings.
3. The NZUP programme allocated \$247m to KiwiRail to build new Drury stations including station structures, access and parking, by 2024. KiwiRail is working closely with the Te Tupu Ngatahi Supporting Growth Programme in planning designations to enable the transport system to be protected and delivered over both the short and longer term. In particular, the Drury Central railway station is included in the New Zealand Upgrade Programme (NZUP), with work expected to start in 2023.
4. The scope of KiwiRail's submissions relate to the protection of the NIMT and efficiency of the railway works and stations to operate. KiwiRail shares the objectives of ensuring that the railway corridor and station facilities are fully integrated into both the urban landscape and local road, public transport, walking and cycling networks, and that appropriately located, well designed and multi-mode transport opportunities are enabled and encouraged.

KiwiRail's specific submissions on the Plan Changes are covered in the following submission sheets:

- Plan Change 48 (Private) Drury Centre Precinct:                      Applicant Kiwi Property
- Plan Change 50 (Private) Waihoehoe Precinct:                      Applicant: Oyster Capital

KiwiRail supports the Plan Changes, subject to the matters raised in this submission being appropriately addressed to ensure that any adverse effects of the proposal on the transport network can be adequately avoided or mitigated.

KiwiRail has coordinated its submissions with those of other local and government agencies.

KiwiRail could not gain an advantage in trade competition through this submission.

KiwiRail wishes to speak to our submission and will consider presenting a joint case at the hearing with other parties who have a similar submission.

If you have any queries, please don't hesitate to contact me.

Yours faithfully,



Pam Butler  
Senior RMA Advisor  
KiwiRail

22 October 2020





Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 48 Drury	Relief Sought (as stated or similar to achieve the requested relief)
Plan Change 48 (Private) Drury Centre Precinct			
IX.1 Project description	Seek amendment	<p><b>Does not allow for appropriate precinct specific controls to address adverse effects on the North Island Main Trunk railway line (NIMT)</b></p> <p>The Plan Change seeks to bring forward both a metropolitan centre zone, business mixed use and open space zones. The use of precincts in the AUP OP is to "enable local differences to be recognised by providing detailed place-based provisions which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling". This has not been achieved.</p> <p>While all the relevant overlay, Auckland-wide and zone policies apply to the precinct the lack of any specific controls are an inadequate response to the intrinsic qualities and physical characteristics of the site and area, including the location of the existing NIMT, which runs through the north western portion of the Plan Change area</p> <p>The NIMT is one of New Zealand's key railway lines. This line is operated and maintained 24/7. There are no provisions, including objectives, seeking to ensure that development within the precinct addresses the operational effects of the adjacent railway corridor on receivers or reverse sensitivity effects on the NIMT. The railway can generate noise effects above what might be usually anticipated by residential receivers.</p> <p>It is noted that the Drury South Industrial and Mixed Use Precinct in Plan Change 46 included measures to manage the effects of quarrying activities on the precincts more sensitive receivers with policies and standards (I410.6.4 Sub-Precinct C (Noise and Ventilation) which sought to protect activities sensitive to noise from unreasonable levels of land transport noise. This provides an example of precinct controls that provide provisions to address constraints for new development within their boundaries. It is not unreasonable that provisions be made to address potential adverse effects experienced in neighbouring land uses. Kiwirail has had recent success seeing a developer add similar controls with a development for residential activities in Te Kauwhata.</p> <p><b>Inconsistent with other objectives and policies of the AUP OP</b></p> <p>The Plan Change does not address the Plan Change area's development with reference to its effects on the NIMT. Accordingly, it is inconsistent with the direction of Plan Policy B2.3.2 of the AUP OP which seeks to;</p> <p>"(2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following:"</p> <p>It is also inconsistent with the objective B2.4 Residential Growth B2.4.1. Objectives of the AUP OP:</p> <p>"(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area"</p> <p>And B3.3 Transport B3.3.2 of the AUP OP which provides:</p> <p>"5 (f) requiring activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure, and</p> <p>(6) Require activities sensitive to adverse effects from the operation of transport infrastructure to be located or designed to avoid, remedy or mitigate those potential adverse effects."</p> <p><b>Inconsistent with other provisions of the Plan Change</b></p> <p>Objective IX.2 of the Plan Change requires "Access to the precinct occurs in an effective, efficient, and safe manner and manages effects on State Highway 1 and the effectiveness and safety of the surrounding road network:" This objective accordingly recognises the effects on the state highway network but there is no corresponding objective to recognise, and protect, the NIMT from adverse effects.</p>	<p>Amend IX.1 Precinct Description to add:</p> <p><u>The North Island Main Trunk railway line is protected from reverse sensitivity effects by ensuring that new buildings and activities will be designed and located to manage any adverse effects</u></p> <p>Add new Objective IX.2</p> <p><u>(8) The NIMT is protected from adverse effects, including reverse sensitivity effects, of subdivision, use and development by.</u></p> <p><u>1. setbacks within which incompatible activities will be managed;</u></p> <p><u>2. standards designed to protect noise sensitive receiver's health and amenity.</u></p> <p>Add new policy IX.3</p> <p><u>(XX) Adverse effects on the operation of the regionally significant NIMT and on the health and safety of adjacent development and noise sensitive receivers are managed through setbacks and performance standards.</u></p>
IX.2 Objectives			
IX.3 Policies			
IX.1 Precinct Description	Seek amendment	<p>The statement in the first paragraph that the "precinct also provides for the highest employment generating activities and retail and residential densities around the future Drury Central train station" does not recognise that the preferred location of the station is planned to be further to the north than that shown on Precinct Plan 2. The</p>	<p>Delete "around" and replace with "in the vicinity of".</p>





Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 48 Drury	Relief Sought (as stated or similar to achieve the requested relief)												
		<p>retail and residential development may not necessarily be "around" the future Drury Central train station but will be in its vicinity.</p> <p>Sub- Precinct D bullet point refers to the Sub-Precinct that "provides for the establishment of the Drury Central Train Station and associated Park-and-Ride and transport interchange. A public plaza is provided for that will integrate the train station with the centre and will provide a high quality pedestrian experience." As above, the train station is likely to be in a location further north. In addition, the land proposed by the applicant to be included within Sub-Precinct D is third-party land outside the ownership of the applicants. Accordingly, it is not certain what could be developed within this area and it may be that this land does not form part of the Plan Change area.</p>	Delete the bullet point relating to Sub-Precinct D.												
Table IX.4.1 Activity	Seek amendment	<p>The reasons for setbacks and noise and vibration criteria are set out below. Activities that do not meet those standards should be classified as restricted discretionary activities to allow the effects of such non-compliances to be assessed on an application by application basis.</p>	<p>Insert new activity (A8) as set out below and renumber existing (A8) to (A20) accordingly</p> <p>New activity (A8):</p> <p>(A8) <u>Development that does not comply with IX.6.9 Setback from NIMT and IX.6.10 Noise Sensitive Activities within 100m of a Rail Network Boundary RD</u></p>												
IX.6	Seek amendment	<p>A key concern for KiwiRail is to ensure the safe and efficient operation of the rail network, in particular where neighbouring activities may come into conflict with adjacent land uses. Providing a physical setback for buildings adjoining the railway corridor boundary is a safety control which manages the interface between operations within the railway corridor and activities near the railway corridor i.e. it ensures that site occupants are able to carry out normal residential or business activities, including building maintenance with a reduced risk of coming into contact with the operational railway. A building setback is appropriate to reduce the potential conflict between the safe enjoyment and maintenance of buildings on adjacent properties and activities within the operational rail corridor.</p>	<p>Add to IX.6 Standards a new standard IX.6.9:</p> <p><b><u>IX.6.9 Setback from NIMT</u></b></p> <p><u>Buildings must be setback at least 5 metres from any boundary which adjoins the NIMT railway line.</u></p>												
IX.6	Seek amendment	<p>The Plan Change does not adequately address noise and vibration effects from the railway corridor. KiwiRail acknowledges that developing and intensifying land near transport corridors is good planning practice. Initiatives to create sustainable and liveable urban development in accordance with national policy documents are fully supported. However, this can bring new occupants close to existing noise and vibration effects areas.</p> <p>A key part of ensuring the safe and efficient operation of the Auckland railway network is ensuring that reverse sensitivity effects on the railway corridor are appropriately mitigated. These effects can arise from the impact of noise and vibration arising from railway operations on nearby residents. It is also widely accepted nationally and internationally that sound and vibration from road and rail networks has the potential to cause adverse health and amenity effects on people living nearby. Railways are generally an accepted part of the urban environment, but many do not appreciate the actual effects of living with rail sound and vibration when they choose to live near existing railway designations. Railway operations occur 24/7 and include maintenance activities.</p> <p>For new buildings being constructed near the railway it is relatively straight-forward to control internal sound and vibration through the building location, design and provision of adequate ventilation systems. Likewise, acoustic screening can be used to achieve reasonable external sound levels. With careful design, future occupants can be protected from the most significant adverse effects associated with railway noise. It is not possible nor appropriate to expect that the railway corridor can mitigate new development, especially at height.</p> <p>Rail noise effects will extend approximately 100m from the railway designation. The plan change process permits a full assessment of noise and vibration effects and given the future potential for rail within the region, it is reasonable that effects on this critical transport infrastructure are addressed under the plan change process in terms of effects on adjacent sites. The noise rules applying within the zone do not take into account railway noise specifically, rather the control is designed to address the noise from activities within the zone which tend to have different characteristics.</p> <p>Regional Policy Statement (RPS) objectives and policies seek to protect infrastructure by setting out issues of regional significance which include urban growth and form and infrastructure, transport and energy. For example, RPS objectives in B2.3.1 relating to 'quality-built environment' and 'infrastructure' and policies in B3.2.2 are relevant to any plan change.</p> <p>The Infrastructure and Noise chapters in the AUP OP build on the RPS with additional objectives:</p>	<p><b>Add to IX.6 Standards</b> a new standard IX.6.10 to manage potential human health effects from rail noise and vibration where buildings containing noise sensitive activities are located adjacent to the railway corridor as follows:</p> <p><b><u>IX.6.10 Noise Sensitive Activities within 100m of a Rail Network Boundary</u></b></p> <p><b><u>Indoor railway noise</u></b></p> <p>1. <u>Any new building or alteration to an existing building that contains an activity sensitive to noise where the building or alteration:</u></p> <p>(a) <u>Shall be designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in the following table, or</u></p> <table><tr><td>Building type</td><td>Occupancy/activity</td><td>Maximum railway noise level LAeq(1h)</td></tr><tr><td>Residential</td><td>Sleeping spaces</td><td>35 dB</td></tr><tr><td></td><td>All other habitable rooms</td><td>40 dB</td></tr><tr><td>Education</td><td>Lecture rooms/theatres, music studios, assembly halls</td><td>35 dB</td></tr></table>	Building type	Occupancy/activity	Maximum railway noise level LAeq(1h)	Residential	Sleeping spaces	35 dB		All other habitable rooms	40 dB	Education	Lecture rooms/theatres, music studios, assembly halls	35 dB
Building type	Occupancy/activity	Maximum railway noise level LAeq(1h)													
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Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 48 Drury	Relief Sought (as stated or similar to achieve the requested relief)															
		<p>"E26.2.1. Objectives</p> <p>(6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.</p> <p>E26.2.2. Policies</p> <p>(2) Avoid where practicable, or otherwise remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.</p> <p>E25.3 Noise policies</p> <p>(7) Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on; ....existing or authorised infrastructure. ...."</p> <p>The inadequate assessment of onsite amenity (health and therefore of the well-being of people and communities) and reverse sensitivity effects is inconsistent with these objectives and policies. This issue is created by the proposed zone change in close proximity to the operational railway corridor.</p>	<table><tr><td></td><td>Teaching areas, conference rooms, drama studios, sleeping areas</td><td>40 dB</td></tr><tr><td></td><td>Libraries</td><td>45 dB</td></tr><tr><td>Health</td><td>Overnight medical care, wards</td><td>40 dB</td></tr><tr><td></td><td>Clinics, consulting rooms, theatres, nurses' stations</td><td>45 dB</td></tr><tr><td>Cultural</td><td>Places of worship, marae</td><td>35 dB</td></tr></table> <p>(b) is at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks</p> <p><u>Mechanical ventilation</u></p> <p>2. If windows must be closed to achieve the design noise levels in clause 1(a), the building is designed, constructed and maintained with a mechanical ventilation system that</p> <p>(a) For habitable rooms for a residential activity, achieves the following requirements:</p> <p>i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</p> <p>ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and</p> <p>iii. provides relief for equivalent volumes of spill air;</p> <p>iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</p> <p>v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</p> <p>(b) For other spaces, is as determined by a suitably qualified and experienced person.</p> <p><u>Indoor railway vibration</u></p> <p>3. Any new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 60 metres from the boundary of a railway network:</p> <p>(a) is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw 95 or</p> <p>(b) is a single-storey framed residential building with;</p> <p>i. a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</p> <p>ii. vibration isolation separating the sides of the floor slab from the ground; and</p> <p>iii. no rigid connections between the building and the ground.</p>		Teaching areas, conference rooms, drama studios, sleeping areas	40 dB		Libraries	45 dB	Health	Overnight medical care, wards	40 dB		Clinics, consulting rooms, theatres, nurses' stations	45 dB	Cultural	Places of worship, marae	35 dB
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Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 48 Drury	Relief Sought (as stated or similar to achieve the requested relief)
			<p>4. A report is submitted to the council demonstrating compliance with clauses (1) to (3) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:</p> <p>(a) railway noise is assumed to be 70 LAeq(1h) at a distance of 12 metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</p>
IX.8.1	Seek amendment	Consequential change to accommodate restricted discretionary status if the development does not meet IX.6.9 Setback from NIMT and IX.6.10 Noise Sensitive Activities within 100m of a Rail Network Boundary	<p>Insert new matters of discretion in IX.8.1 as follows:</p> <p>(12) <u>Setback from NIMT and Noise Sensitive Activities within 100m of a Rail Network Boundary</u></p> <p><u>Effects from non-compliance with Standards IX.6.9 and IX.6.10</u></p>
IX.8.2	Seek amendment	Consequential change to accommodate restricted discretionary status if the development does not meet IX.6.9 Setback from NIMT and IX.6.10 Noise Sensitive Activities within 100m of a Rail Network Boundary. There are no specific assessment criteria included relating to the railway corridor. The assessment criteria proposed by KiwiRail reflects criteria developed by a Network Utilities industry working group. These include considerations for required mitigation based on how far removed from the rail corridor a building is. The ability to consider applications and the effects arising from reduced mitigation, along with the ability to require written approval from KiwiRail will enable specific circumstances to be taken into account as necessary for each application.	<p>Insert new assessment criteria in IX.8.2 as follows:</p> <p>(11) <u>Setback from NIMT</u></p> <p>(a) <u>The size, nature and location of the buildings on the site.</u></p> <p>(b) <u>The extent to which the safety and efficiency of railway operations will be adversely affected.</u></p> <p>(c) <u>The outcome of any consultation with KiwiRail.</u></p> <p>(d) <u>Any characteristics of the proposed use that will make compliance unnecessary.</u></p> <p>(12) <u>Noise Sensitive Activities within 100m of a Rail Network Boundary</u></p> <p>(a) <u>Whether the activity sensitive to noise could be located further from the railway corridor</u></p> <p>(b) <u>The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance</u></p> <p>(c) <u>The character of and degree of amenity provided by the existing environment and proposed activity.</u></p> <p>(d) <u>The reverse sensitivity effects on the railway corridor and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.</u></p> <p>(e) <u>Special topographical, building features or ground conditions which will mitigate vibration impacts;</u></p> <p>(f) <u>The outcome of any consultation with KiwiRail.</u></p>
Drury Centre Zoning Plan Drury Centre Precinct Plan Drury Centre Precinct Plan 1 - Building Height Drury Centre Precinct Plan 3 - Transport	Seek amendment	The land proposed by the applicant to be included within Sub-precinct D is third-party land outside the ownership of the applicants. Accordingly, it is not certain what could be developed within this area and it may be that this land does not form part of the Plan Change area. In that case the listed maps would need to be amended to remove this land from the Plan Change area.	<p>Remove the land within Sub-precinct D from the listed plans.</p> <p>In addition, remove the reference to Sub-precinct D from the legend in Precinct Plan 1.</p>



Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 48 Drury	Relief Sought (as stated or similar to achieve the requested relief)
Staging Boundary			
Precinct Plan 2 - Spatial features	Seek amendment	<p>The location and/or design of the train station should be determined by the designation process to be undertaken by KiwiRail. The 'train station' and 'Station Plaza' locations do not recognise that the preferred location of the station is further to the north.</p> <p>In addition, the land proposed by the applicant to be included within Sub-Precinct D is third-party land (outside the ownership of the applicants). Accordingly, it is not certain what could be developed within this area and it may be that this land does not form part of the Plan Change area.</p>	<p>Move the 'future train station' and 'Station Plaza' symbols to the preferred location further north.</p> <p>In addition, annotate Precinct Plan 2 to make it clear that the 'future train station' and 'Station Plaza' are shown as indicative only. For ease of readership it would be preferable to have two legends, one for indicative features and one for confirmed features on Precinct Plan 2.</p> <p>Remove the land within Sub-Precinct D from the Plan Change area.</p>
Plan Change provisions	Seek amendment	The land proposed by the applicant to be included within Sub-precinct D is third-party land outside the ownership of the applicants. Accordingly, it is not certain what could be developed within this area and it may be that this land does not form part of the Plan Change area.	Any consequential changes to the Plan Change provisions to give effect to the relief sought above.





Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 50 (Private) Waihoehoe	Relief Sought (as stated or similar to achieve the requested relief)
<b>Plan Change 50 (Private) Waihoehoe Precinct</b>			
IX.1 Precinct description	Seek amendment	<p><b>Does not allow for appropriate precinct specific controls to address adverse effects on the North Island Main Trunk railway line (NIMT)</b></p> <p>The Plan Change seeks to add a new Waihoehoe Precinct, with two sub precincts A and B within it to be zoned THAB. The use of precincts in the AUP OP is to 'enable local differences to be recognised by providing detailed place-based provisions which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling'. This has not been achieved.</p> <p>While all the relevant overlay, Auckland-wide and zone policies apply to the precinct the lack of any specific controls are an inadequate response to the intrinsic qualities and physical characteristics of the site and area, including the location of the existing NIMT, which runs the entire length of the Precinct's western boundary. The NIMT is one of New Zealand's key railway lines. This line is used 24/7. There are no provisions, including objectives, seeking to ensure that development within the Precinct addresses the operational effects of the adjacent railway corridor on receivers or reverse sensitivity effects on the NIMT. The railway can generate noise effects above what might be usually anticipated by residential receivers.</p> <p>It is noted that the Drury South Industrial and Mixed Use Precinct in Plan Change 46<sup>1</sup> included measures to manage the effects of quarrying activities on the precinct's more sensitive receivers through policies and standards (I410.6.4 Sub-Precinct C (Noise and Ventilation)) which sought to protect activities sensitive to noise from unreasonable levels of land transport noise. This provides an example of precinct controls that provide bespoke provisions to address constraints and adverse effects for new development within their boundaries. Kiwirail has had recent success seeing a developer add similar controls with a development for residential activities in Te Kauwhata (Waikato District).</p>	<p><b>Amend IX.1 Precinct Description</b> to add:</p> <p><i>The North Island Main Trunk railway line, which runs the entire length of the Precinct's western boundary, is protected from reverse sensitivity effects by ensuring new buildings and activities will be designed and located to manage any adverse effects</i></p> <p><b>Add new Objective IX.2</b></p> <p><i>(5) The NIMT is protected from adverse effects, including reverse sensitivity effects, of subdivision, use and development by:</i></p> <ol style="list-style-type: none"> <li><i>1. setbacks within which incompatible activities will be managed;</i></li> <li><i>2. standards designed to protect noise sensitive receiver's health and amenity</i></li> </ol>
IX.2 Objectives			
IX.3 Policies		<p><b>Inconsistent with other objectives and policies of the AUP OP</b></p> <p>The Plan Change does not address the Plan Change area's development with reference to its effects on the NIMT. Accordingly, it is inconsistent with the direction of Plan Policy B2.3.2 of the AUP OP which seeks to:</p> <p>"(2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following: ..."</p> <p>It is also inconsistent with the objective B2.4 Residential Growth B2.4.1. Objectives of the AUP OP:</p> <p>"(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area"</p> <p>And B3.3 Transport B3.3.2 of the AUP OP which provides:</p> <p>"(f) requiring activities adjacent to transport infrastructure to avoid, remedy or mitigate effects which may compromise the efficient and safe operation of such infrastructure, and</p> <p>(6) Require activities sensitive to adverse effects from the operation of transport infrastructure to be located or designed to avoid, remedy or mitigate those potential adverse effects."</p> <p><b>Inconsistent with other provisions of the Plan Change</b></p> <p>Objective IX.2 of the Plan Change requires "Access to the precinct occurs in an effective, efficient, and safe manner and manages effects on State Highway 1 and the effectiveness and safety of the surrounding road network." This objective accordingly recognises the effects on the state highway network but there is no corresponding objective to recognise, and protect, the NIMT from adverse effects.</p>	<p><b>Add new Policy IX.3</b></p> <p><i>(12) Adverse effects on the operation of the regionally significant NIMT and on the health and safety of adjacent development and noise sensitive receivers are managed through setbacks and performance standards.</i></p>
Table IX.4.1 Activity	Seek amendment	<p>The reasons for setbacks and noise and vibration criteria are set out below. Activities that do not meet those standards should be classified as restricted discretionary activities to allow the effects of such non-compliances to be assessed on an application by application basis.</p>	<p>Insert new activity (A5) as set out below and renumber current (A5) and (A6) to (A6) and (A7).</p> <p>New activity (A5):</p>





Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 50 (Private) Waihoehoe	Relief Sought (as stated or similar to achieve the requested relief)																											
IX.6	Seek amendment	<p>A key concern for KiwiRail is to ensure the safe and efficient operation of the rail network, in particular where neighbouring activities may come into conflict with adjacent land uses. Providing a physical setback for buildings adjoining the railway corridor boundary is a safety control which manages the interface between operations within the railway corridor and activities near the railway corridor i.e. it ensures that site occupants are able to carry out normal residential or business activities, including building maintenance with a reduced risk of coming into contact with the operational railway. A building setback is appropriate to reduce the potential conflict between the safe enjoyment and maintenance of buildings on adjacent properties and activities within the operational rail corridor.</p>	<p>(A5) Development that does not comply with IX.6.7 Setback from NIMT and IX.6.8 Noise Sensitive Activities within 100m of a Rail Network Boundary — RD</p>																											
IX.6	Seek amendment	<p>The Plan Change does not adequately address noise and vibration effects from the railway corridor. KiwiRail acknowledges that developing and intensifying land near transport corridors is good planning practice. Initiatives to create sustainable and liveable urban development in accordance with national policy documents are fully supported. However, this can bring new occupants close to existing noise and vibration effects areas.</p> <p>A key part of ensuring the safe and efficient operation of the Auckland railway network is ensuring that reverse sensitivity effects on the railway corridor are appropriately mitigated. These effects can arise from the impact of noise and vibration arising from railway operations on nearby residents. It is also widely accepted nationally and internationally that sound and vibration from road and rail networks has the potential to cause adverse health and amenity effects on people living nearby. Railways are generally an accepted part of the urban environment, but many do not appreciate the actual effects of living with rail sound and vibration when they choose to live near existing railway designations. Railway operations occur 24/7 and include maintenance activities.</p> <p>For new buildings being constructed near the railway it is relatively straight-forward to control internal sound and vibration through the building location, design and provision of adequate ventilation systems. Likewise, acoustic screening can be used to achieve reasonable external sound levels. With careful design, future occupants can be protected from the most significant adverse effects associated with railway noise. It is not possible nor appropriate to expect that the railway corridor can mitigate new development, especially at height.</p> <p>Rail noise effects will extend approximately 100m from the railway designation. The plan change process permits a full assessment of noise and vibration effects and given the future potential for rail within the region, it is reasonable that effects on this critical transport infrastructure are addressed under the plan change process in terms of effects on adjacent sites. The noise rules applying within the zone do not take into account railway noise specifically, rather the control is designed to address the noise from activities within the zone which tend to have different characteristics.</p> <p>Regional Policy Statement (RPS) objectives and policies seek to protect infrastructure by setting out issues of regional significance which include urban growth and form and infrastructure, transport and energy. For example, RPS objectives in B2.3.1 relating to 'quality-built environment' and 'infrastructure' and policies in B3.2.2 are relevant to any plan change.</p> <p>The Infrastructure and Noise chapters in the AUP OP build on the RPS with additional objectives:</p> <p>"E26.2.1. Objectives</p> <p>(6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.</p> <p>E26.2.2. Policies</p> <p>(2) Avoid where practicable, or otherwise remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.</p> <p>E25.3 Noise policies</p> <p>(7) Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on: .....existing or authorised infrastructure ....."</p>	<p>Add to IX.6 Standards a new standard IX.6.7:</p> <p><b>IX.6.7 Setback from NIMT</b></p> <p><i>Buildings must be setback at least 5 metres from any boundary which adjoins the NIMT railway line.</i></p> <p>Add to IX.6 Standards a new standard IX.6.8 to manage potential human health effects from rail noise and vibration where buildings containing noise sensitive activities are located adjacent to the railway corridor, as follows:</p> <p><b>IX.6.8 Noise Sensitive Activities within 100m of a Rail Network Boundary</b></p> <p><b>Indoor railway noise</b></p> <p>1. Any new building or alteration to an existing building that contains an activity sensitive to noise where the building or alteration:</p> <p>(a) Shall be designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in the following table, or</p> <table><tr><th>Building type</th><th>Occupancy/activity</th><th>Maximum railway noise level LAeq(1h)</th></tr><tr><td>Residential</td><td>Sleeping spaces</td><td>35 dB</td></tr><tr><td></td><td>All other habitable rooms</td><td>40 dB</td></tr><tr><td>Education</td><td>Lecture rooms/theatres, music studios, assembly halls</td><td>35 dB</td></tr><tr><td></td><td>Teaching areas, conference rooms, drama studios, sleeping areas</td><td>40 dB</td></tr><tr><td>Health</td><td>Libraries</td><td>45 dB</td></tr><tr><td></td><td>Overnight medical care, wards</td><td>40 dB</td></tr><tr><td></td><td>Clinics, consulting rooms, theatres, nurses' stations</td><td>45 dB</td></tr><tr><td>Cultural</td><td>Places of worship, marae</td><td>35 dB</td></tr></table>	Building type	Occupancy/activity	Maximum railway noise level LAeq(1h)	Residential	Sleeping spaces	35 dB		All other habitable rooms	40 dB	Education	Lecture rooms/theatres, music studios, assembly halls	35 dB		Teaching areas, conference rooms, drama studios, sleeping areas	40 dB	Health	Libraries	45 dB		Overnight medical care, wards	40 dB		Clinics, consulting rooms, theatres, nurses' stations	45 dB	Cultural	Places of worship, marae	35 dB
Building type	Occupancy/activity	Maximum railway noise level LAeq(1h)																												
Residential	Sleeping spaces	35 dB																												
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Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 50 (Private) Waihoehoe	Relief Sought (as stated or similar to achieve the requested relief)
		The inadequate assessment of onsite amenity (health and therefore of the well-being of people and communities) and reverse sensitivity effects is inconsistent with these objectives and policies. This issue is created by the proposed zone change in close proximity to the operational railway corridor.	<p>(b) is at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.6 metres above railway tracks</p> <p><u>Mechanical ventilation</u></p> <p>2. If windows must be closed to achieve the design noise levels in clause 1(a), the building is designed, constructed and maintained with a mechanical ventilation system that</p> <p>(a) For habitable rooms for a residential activity, achieves the following requirements:</p> <p>i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code, and</p> <p>ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour, and</p> <p>iii. provides relief for equivalent volumes of spill air;</p> <p>iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</p> <p>v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</p> <p>(b) For other spaces, is as determined by a suitably qualified and experienced person.</p> <p><u>Indoor railway vibration</u></p> <p>3. Any new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 60 metres from the boundary of a railway network:</p> <p>(a) is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s v.w. 95 or</p> <p>(b) is a single-storey framed residential building with:</p> <p>i. a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</p> <p>ii. vibration isolation separating the sides of the floor slab from the ground; and</p> <p>iii. no rigid connections between the building and the ground.</p> <p>4. A report is submitted to the council demonstrating compliance with clauses (1) to (3) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:</p> <p>(a) railway noise is assumed to be 70 LAeq(1h) at a distance of 12 metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</p>
IX.8.1	Seek amendment	Consequential change to accommodate restricted discretionary status if the development does not meet IX.6.7 Setback from NIMT and IX.6.8 Noise Sensitive Activities within 100m of a Rail Network Boundary	Insert new matters of discretion in IX.8.1 as follows: (4) Setback from NIMT and Noise Sensitive Activities within 100m of a Rail Network Boundary Effects from non-compliance with Standards IX.6.7 and IX.6.8
IX.8.2	Seek amendment	Consequential change to accommodate restricted discretionary status if the development does not meet IX.6.7 Setback from NIMT and IX.6.8 Noise Sensitive Activities within 100m of a Rail Network Boundary. There are no specific assessment criteria included relating to the railway corridor. The assessment criteria proposed in the	Insert new assessment criteria in IX.8.2 as follows:



Proposed Amendment	Support/Oppose/ Seek Amendment	Submission/Comments/Reasons Plan Change 50 (Private) Waihoehoe	Relief Sought (as stated or similar to achieve the requested relief)
		<p>relief sought reflect criteria developed by a Network Utilities industry working group. These include considerations for required mitigation based on how far removed from the rail corridor a building is. The ability to consider applications and the effects arising as a result of an application providing reduced mitigation, along with the ability to require written approval from KiwiRail will enable specific circumstances to be taken into account as necessary for each application.</p>	<p>(4) <u>Selback from NIMT</u></p> <p>(a) <u>The size, nature and location of the buildings on the site.</u></p> <p>(b) <u>The extent to which the safety and efficiency of railway operations will be adversely affected.</u></p> <p>(c) <u>The outcome of any consultation with KiwiRail.</u></p> <p>(d) <u>Any characteristics of the proposed use that will make compliance unnecessary.</u></p> <p>(5) <u>Noise Sensitive Activities within 100m of a Rail Network Boundary</u></p> <p>(a) <u>Whether the activity sensitive to noise could be located further from the railway corridor</u></p> <p>(b) <u>The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance</u></p> <p>(c) <u>The character of and degree of amenity provided by the existing environment and proposed activity.</u></p> <p>(d) <u>The reverse sensitivity effects on the railway corridor and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.</u></p> <p>(e) <u>Special topographical, building features or ground conditions which will mitigate vibration impacts;</u></p> <p>(f) <u>The outcome of any consultation with KiwiRail.</u></p>



## APPENDIX C – RELEVANT NAMES AND ADDRESSES OF SUBMITTERS

### Auckland Council

**Address for service:** unitaryplan@aucklandcouncil.govt.nz

### Submitters to be served:

SUBMITTER NAME	ADDRESS FOR SERVICE
Danielle Haerewa	<a href="mailto:dhaerewa@gmail.com">dhaerewa@gmail.com</a>
Doug Signal	<a href="mailto:wiseolddog@hotmail.com">wiseolddog@hotmail.com</a>
Fire and Emergency New Zealand	eloise.taylforth@beca.com
Jack Philip Burton	<a href="mailto:Jackburton_89@hotmail.com">Jackburton_89@hotmail.com</a>
Wendy Hannah	Hannahshouse87@gmail.com
Michael and Rachel Gilmore	<a href="mailto:mikejamesgilmore@gmail.com">mikejamesgilmore@gmail.com</a>
Geoff Yu and Rebecca Mao	<a href="mailto:rebeccamaonz@hotmail.com">rebeccamaonz@hotmail.com</a>
Phil Hogan	paulsousa@xtra.co.nz
Brookfield Road Limited	PO Box 37680, Parnell, Auckland 1151
Transpower New Zealand Ltd	Environment.policy@transpower.co.nz
Papakura Business Association	tcm@papakura.co.nz
Oyster Capital	jeremy@brabant.co.nz
Rodney Bremner	allrightladder@callplus.net.nz
Tony Chien	tchien2007@gmail.com
Kiwi Property Holdings No. 2 Limited	dallan@ellisgould.co.nz
Fulton Hogan Land Development Ltd	sue@berrysimons.co.nz
Spark New Zealand Trading Limited	Fiona.matthews@spark.co.nz
Fletcher Residential Limited	mtweedie@frl.co.nz
Lomai Properties Limited	<a href="mailto:bill.loutit@simpsonagrierson.com">bill.loutit@simpsonagrierson.com</a>
The Ministry of Housing and Urban Development (HUD), Te Puni Kōkiri and the Department of Corrections	Ernst.zollner@hud.govt.nz
Ngāti Te Ata Waiohua	Bill.loutit@simpsonagrierson.com
Auckland Council	<a href="mailto:christopher.turbott@aucklandcouncil.govt.nz">christopher.turbott@aucklandcouncil.govt.nz</a>
The New Zealand Transport Agency	Evan.keating@nzta.govt.nz
KiwiRail Holdings Limited	Pam.butler@kiwirail.co.nz



SUBMITTER NAME	ADDRESS FOR SERVICE
Pukekohe Business Association	kendyl@pukekohe.org.nz
Karaka and Drury Limited	<a href="mailto:helen@berrysimons.co.nz">helen@berrysimons.co.nz</a>
Auckland Transport	<a href="mailto:Josephine.Tam@at.govt.nz">Josephine.Tam@at.govt.nz</a>
Counties Power Limited	<a href="mailto:jmichalak@align.net.nz">jmichalak@align.net.nz</a>
Ministry of Education	<a href="mailto:Jess.rose@beca.com">Jess.rose@beca.com</a>
Leith McFadden	<a href="mailto:leith@playgrounds.co.nz">leith@playgrounds.co.nz</a>
Heritage New Zealand Pouhere Taonga	sandrews@heritage.org.nz
Drury South Limited	<a href="mailto:Lauren.eaton@russellmcveagh.com">Lauren.eaton@russellmcveagh.com</a>
Kāinga Ora	michael@campbellbrown.co.nz
Watercare	Ilze.gotelli@water.co.nz
Ngāti Tamaoho	<a href="mailto:Rmaofficer@tamaoho.maori.nz">Rmaofficer@tamaoho.maori.nz</a>

