

Memo

Date 11 January 2023

To: Celia Davison Manager Planning – Central South

From: Vanessa Leddra Policy Planner Central /South Plans and Places

Subject: **Plan Modification: Clause 20A modification to Auckland Unitary Plan**

Corrections are required to the Auckland Unitary Plan (Operative in Part) 2016 (the AUP).

I seek your approval of this plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991.

You have delegated authority, as a tier four manager, to make a decision to correct an error to an operative plan under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register¹ authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions.

Rule or Section of Unitary Plan	Chapter K Designations <ul style="list-style-type: none"> • Auckland Transport
Subject Site (if applicable)	470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Legal Description (if applicable)	n/a
Nature of change	<p>A Clause 20A modification is required to correct Chapter K Designations for the above Requiring Authority and properties.</p> <p>Discussion</p> <p>An application relating to designation 1404 was initially submitted under s184 to extend the lapse date in October 2021</p> <p>This is a complex designation due to the history. The subjectsites were split between the Penlink project and road widening.</p> <p>In assessing the proposal to extend the lapse period, it became apparent that there were anomalies in the road numbering of the designation and further investigation was required.</p> <p>History of designation and partial removal</p> <p>Details are provided by AT on pages 2-3 of the initial application dated 29 October 2021 [under s184] with regard to the history and the subsequent partial removal of the designation [s182]. See attachment 2 and 3 of this report.</p>

This designation was originally associated with the Penlink project to be delivered by AT until the sites affected by the designation were separated. Waka Kotahi will now deliver the Penlink project and the subsequent road widening on Whangaparaoa Road would be delivered by AT to improve conditions for walking, cycling and general road safety.

In 2021, AT reviewed Designation 1404 to determine whether its full extent was still required for the purposes of future road widening. That review led to the removal of 22 properties covered by the designation, as those properties were either no longer considered to be necessary for achieving the purpose of the designation [nineteen] or were already legalised as road reserve [three]. The remaining properties still covered by the designation are therefore required to achieve the purpose of the designation.

This was pursuant to a s182 notice issued by AT in May 2021 and the AUP was updated in June 2021 to include the partial removal of the designation under s182.

Further discussion

However there appears to be an error in the AUP rollover notice which was not picked up by AT during the process. The relevant matters are

- The street addresses in sheets 4 and 6 were not included in the rollover notice, only sheet 5 and therefore not all addresses are included in the [location] description of the designation
- the designation notation on the GIS viewer is correct i.e the properties addresses are mapped and have been throughout the process to date
- this was not picked up by AT when the partial removal of the designation occurred in June 2021

In summary, the mapped properties are not all listed in the designation schedule.





In order to clarify this, it has been agreed that the individual property numbers should be listed for clarity. AT have provided confirmation of the property/street numbers in an email dated 19 September 2022 which are considered to be included in designation 1404.

Investigation has shown that these addresses should have been included and were simply missed out. These addresses were shown in the shape files that AT provided at the time which reinforces that the intent that all the addresses were meant to be included in designation 1404.

Once the AUP has been updated, a s184 application to extend the lapse date will be considered and given the research done to date and information provided, there is no evidence to suggest that this should not be recommended for approval.

Effect of change	<p>These changes to provide clear and consistent street numbering are minor in nature. The amendments do not change the designation or intent of the provisions.</p> <p>There is no effect nor impact upon either the environment or the person.</p>
Changes required to be made (text/in-text diagrams)	<p>Amend Chapter K Designations, Auckland Transport in the Operative in Part version.</p> <p>Amend the designation from Chapter K Designations Auckland Transport Designation Number 1404</p> <p>Delete</p> <p>470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa</p> <p>Include all properties shown on the AUP maps but not listed in the text</p> <p>309 Whangaparaoa Road 388-402 Whangaparaoa Road 441 Whangaparaoa Road 454A Whangaparaoa Road 455 Whangaparaoa Road 456 Whangaparaoa Road 468 Whangaparaoa Road 470 Whangaparaoa Road 473 Whangaparaoa Road 475 Whangaparaoa Road 510 Whangaparaoa Road 514A Whangaparaoa Road 516A Whangaparaoa Road 518 Whangaparaoa Road 520 Whangaparaoa Road 522A Whangaparaoa Road 525 Whangaparaoa Road 527 Whangaparaoa Road 529 Whangaparaoa Road 540 Whangaparaoa Road 597 Whangaparaoa Road 601 Whangaparaoa Road 609 Whangaparaoa Road 611 Whangaparaoa Road 637 Whangaparaoa Road 640 Whangaparaoa Road 642a Whangaparaoa Road 644a Whangaparaoa Road 663 Whangaparaoa Road 722 Whangaparaoa Road</p>

	<p>724 Whangaparaoa Road 726 Whangaparaoa Road 728 Whangaparaoa Road 736 Whangaparaoa Road 740 Whangaparaoa Road 742 Whangaparaoa Road 746 Whangaparaoa Road 748 Whangaparaoa Road 750A Whangaparaoa Road 752 Whangaparaoa Road 756 Whangaparaoa Road 758 Whangaparaoa Road 760 Whangaparaoa Road 770A Whangaparaoa Road 772A Whangaparaoa Road 772 Whangaparaoa Road 774 Whangaparaoa Road 849 Whangaparaoa Road 851 Whangaparaoa Road 853A Whangaparaoa Road 1073 Whangaparaoa Road 1075 Whangaparaoa Road 2 Cedar Terrace, Whangaparaoa 1 Brightside Road, Whangaparaoa 3 Brightside Road, Whangaparaoa 5 Brightside Road, Whangaparaoa 9 Brightside Road, Whangaparaoa 1 Penton Road, Whangaparaoa 1 Tower Hill, Whangaparaoa 1 Homestead Road, Whangaparaoa 7 Homestead Road, Whangaparaoa 2 Ladies Mile, Whangaparaoa 1 Zita Avenue 1 Scott Road, Whangaparaoa 2 Scott Road, Whangaparaoa 2 D'Oyly Drive</p>
<p>Changes required to be made (maps)</p>	<p>N/A as shapefiles provided by AT match AUP designation</p>
<p>Attachments</p>	<p>Attachment 1: Auckland Transport email dated 19 September 2022 Attachment 2:[Original] S184 application from Auckland Transport dated 29 October 2021 Attachment 3:Information relating to partial removal of designation #1404 dated June 2021 Attachment 4: Corrections to text Attachment 5: Corrected Auckland Transport designation schedule</p>

<p>Prepared by: Vanessa Leddra Policy Planner Central / South</p>	<p>Text Entered by: Bronnie Styles Planning Technician</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Maps prepared by: n/a</p>	<p>Reviewed by: Craig Cairncross Team Leader Central / South</p>
<p>Signature:</p>	<p>Signature:</p> 
<p>Decision: I agree/disagree to authorise the Clause 20A modification using my delegated authority</p> <p>Celia Davison Manager Planning – Central South Date: 17/01/2024</p>	
<p>Signature:</p> 	

Auckland Transport email dated 19 September 2022

ATTACHMENT 1

EMAIL FROM LLOYD JOHNSTON at AT dated 19 September

Hi Vanessa,

All good. This is an exceptionally complex designation due to the history of being split into Penlink + road widening.

For sites no. 535 and 549 Whangaparaoa Road – I can't find any property records for either site. Assume these may have been purchased and already merged with other sites or legalised as road reserve for Penlink?

All other properties listed in your email, yes, should be included. A full list is in blue below – I hope this helps.

309 Whangaparaoa Road
388-402 Whangaparaoa Road
441 Whangaparaoa Road
454A Whangaparaoa Road
455 Whangaparaoa Road
456 Whangaparaoa Road
468 Whangaparaoa Road
470 Whangaparaoa Road
473 Whangaparaoa Road
475 Whangaparaoa Road
510 Whangaparaoa Road
514A Whangaparaoa Road
516A Whangaparaoa Road
518 Whangaparaoa Road
520 Whangaparaoa Road
522A Whangaparaoa Road
525 Whangaparaoa Road
527 Whangaparaoa Road
529 Whangaparaoa Road
540 Whangaparaoa Road
597 Whangaparaoa Road
601 Whangaparaoa Road
609 Whangaparaoa Road
611 Whangaparaoa Road
637 Whangaparaoa Road
640 Whangaparaoa Road
642a Whangaparaoa Road
644a Whangaparaoa Road
663 Whangaparaoa Road
722 Whangaparaoa Road
724 Whangaparaoa Road
726 Whangaparaoa Road
728 Whangaparaoa Road
736 Whangaparaoa Road

740 Whangaparaoa Road
742 Whangaparaoa Road
746 Whangaparaoa Road
748 Whangaparaoa Road
750A Whangaparaoa Road
752 Whangaparaoa Road
756 Whangaparaoa Road
758 Whangaparaoa Road
760 Whangaparaoa Road
770A Whangaparaoa Road
772A Whangaparaoa Road
772 Whangaparaoa Road
774 Whangaparaoa Road
849 Whangaparaoa Road
851 Whangaparaoa Road
853A Whangaparaoa Road
1073 Whangaparaoa Road
1075 Whangaparaoa Road
2 Cedar Terrace, Whangaparaoa
1 Brightside Road, Whangaparaoa
3 Brightside Road, Whangaparaoa
5 Brightside Road, Whangaparaoa
9 Brightside Road, Whangaparaoa
1 Penton Road, Whangaparaoa
1 Tower Hill, Whangaparaoa
1 Homestead Road, Whangaparaoa
7 Homestead Road, Whangaparaoa
2 Ladies Mile, Whangaparaoa
1 Zita Avenue
1 Scott Road, Whangaparaoa
2 Scott Road, Whangaparaoa
2 D'Oyly Drive

Ngā mihi,

Lloyd Johnson | Principal Planner ([he / him](#))
PMO, Strategic Programmes and Property Group | Integrated Networks Division
Auckland Transport
20 Viaduct Harbour Avenue, Auckland 1010

Auckland Transport s184 application 29 October 2021

29 October 2021

Plan and Places
Auckland Council
Private Bag 92300
Auckland 1142
Attn: Jo Hart - Senior Policy Planner; Kasey Zhai - Policy Planner
Via email: unitaryplan@aucklandcouncil.govt.nz

Dear Jo and Kasey,

SECTION 184(1)(b) APPLICATION FOR DESIGNATION 1404 - WHANGAPARAOA ROAD

Auckland Transport is the requiring authority for Designation 1404 in the Auckland Unitary Plan. The purpose of this designation is “road widening” and it has a lapse date of 15 November 2021, being five years from the effective operative (in part) date of the Auckland Unitary Plan.

Pursuant to section 184(1)(b) of the Resource Management Act 1991 (**RMA**), Auckland Transport seeks to extend the lapse date of this designation by 5 years to 15 November 2026. Please accept this letter as our application under section 184(1)(b).

1 Designation Details

The description of the designation, including its conditions, is included as **Attachment 1**. Please note that Designation 1404 was removed from 22 properties, out of a total 86 properties, pursuant to a section 182 notice issued by Auckland Transport in May 2021. Nineteen of these properties were considered to no longer be required to achieve the purpose of the designation, while the remaining three had already been legalised as road.

Please also note that the section 182 notice made clear, at page 4, that:

“As the designation is a linear designation for road widening extending over a long extent of Whangaparaoa Road, removal of the designation from the identified properties will not preclude the use of the designation for road widening along the extents of Whangaparaoa Road over which the designation will remain.”

For information, that section 182 notice is included as **Attachment 2**.



2 Statutory context

184 *Lapsing of designations which have not been given effect to*

- (1) *A designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless—*
- (a) *it is given effect to before the end of that period; or*
 - (b) *the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection; or*
 - (c) *the designation specified a different period when incorporated in the plan.*

3 **Assessment against section 184(1)(b)**

In accordance with the requirements of section 184(1)(b) of the RMA, Auckland Transport has made substantial progress and effort towards giving effect to the designation and continues to do so.

History of designation and partial removal

This designation was originally associated with the Penlink project, until the designations were separated in 2014. The Penlink designation, number 6777, was transferred to Waka Kotahi as part of the New Zealand Upgrade Programme in 2020. Penlink will provide a new 7km corridor connecting Whangaparaoa Road directly to the Northern Motorway at Redvale, Modelling predicts an increase in average annual daily traffic east of Penlink of approximately 3,900 to 6,900 vehicles per day by 2041 once Penlink is completed¹.

While Penlink will now be delivered by Waka Kotahi, any subsequent road widening on Whangaparaoa Road would be delivered by Auckland Transport to improve conditions for walking, cycling and general road safety.

In 2020-2021, Auckland Transport reviewed Designation 1404 to determine whether its full extent was still required for the purposes of future road widening. That review led to the removal of 22 out of the total 86 properties covered by the designation, as those properties were either no longer considered to be necessary for achieving the purpose of the designation or were already legalised as road reserve. The remaining 64 properties still covered by the designation are therefore required to achieve the purpose of the designation.

Other schemes

There is a proposed Whangaparaoa bus station, which may need to make use of this designation as Whangaparaoa Road may need to be widened to provide for improved bus access to and from the station. However, that work is not yet advanced enough to be

¹ Report: Penlink Traffic and Economic Analysis, Prepared for Auckland Transport (Client) by Beca Ltd (Beca), 30 June 2014, Table 7-2 p.40

relied upon for the purposes of this extension application, and while the RLTP 2021 identifies that \$34million would be required for the project, funding was not made available².

Property purchase

Within the designation, the following properties have been acquired by Auckland Council:

Address	Comments
470 Whangaparaoa Road	Full acquisition by Auckland Council
475 Whangaparaoa Road	B.156930.1
504 Whangaparaoa Road	Full acquisition by NZTA
518 Whangaparaoa Road	S26 - issued 1956
520 Whangaparaoa Road	S26 - issued 1956
529 Whangaparaoa Road	Full acquisition by NZTA
585 Whangaparaoa Road	Gazette Notice 22/1/2004 No7 p124 - sec 1 SO 328825 acquired for road
593 Whangaparaoa Road	Comp cert 5453406.1 - issued 7/1/2003
595 Whangaparaoa Road	Comp cert D659674.1 issued 23/11/2001
597 Whangaparaoa Road	Comp cert D666332.1 issued 14/12/2001
601 Whangaparaoa Road	Comp cert D605395.1 issued 18/5/2001
609 Whangaparaoa Road	Full acquisition by Auckland Council

Funding

Funding towards Penlink has been committed in the Regional Land Transport Plan, with an excerpt shown as Figure 1 below. Note this does not include direct funding for any widening of Whangaparaoa Road, other than at the direct connection point to Penlink.

PROJECT NAME	RESPONSIBLE AGENCY	TEN 10-YEAR CAPITAL EXPENDITURE (\$MILLION)
Mill Road safety improvements and local infrastructure investment in Drury network	Waka Kotahi	874
Puhi-Warkworth	Waka Kotahi	874
Penlink	Waka Kotahi	830
State Highway 1 Papakura to Drury South - Stage 1	Waka Kotahi	655
Southern Corridor Improvements (Manukau-Papakura) (Debt repayment)	Waka Kotahi	241

Figure 1

Source: Regional Land Transport Plan 2021-2031, p.67

Summary

Overall, in our opinion, the assessment above demonstrates the progress and effort that Auckland Transport has made, and continues to make, towards giving effect to this designation.

² Auckland Regional Land Transport Plan 2021–2031, Appendix 7



4 Conclusion

Based on the above, there is no reason precluding Auckland Council from extending the lapse date of Designation 1404 by 5 years, in line with section 184(1)(b) of the RMA.

Auckland Transport has provided the following purchase order number for lodgement and processing fees: **4200072941**.

Please contact Lloyd Johnson on 09 447 4607 or lloyd.johnson@at.govt.nz if you have any queries about this application.

Yours sincerely,

A handwritten signature in black ink, which appears to read 'Jane Small', is written over the printed name.

Jane Small

Group Manager Property and Planning

Integrated Networks Division



Attachment 1 – Excerpt from Auckland Unitary Plan

1404 Road Widening - Whangaparaoa Road

Designation Number	1404
Requiring Authority	Auckland Transport
Location	470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Rollover Designation	Yes
Legacy Reference	Sheet 5 - Roads to be Widened and Stopped of the Planning Maps, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior

Purpose

Road widening.

Conditions

1. General

1.1 The scope and extent of the works (including the horizontal and vertical alignment of the carriageway) within the designation shall be generally in accordance with the plans contained in the Notice of Requirement dated 14 April 1998 (Appendix D – Designation drawings) and referenced as Figures A1.0 to A1.3 (BCHF Cad File No. 6507C935.DWG to 6507C938.DWG Rev. E) and Figures B1.1 to B1.4 (BCHF Cad File No. 6507C931.DWG to 6507C934.DWG Rev.D.)

1.2 The designation and proposed works on the area of land subject to the designation shall not include any toll-booth type facilities or structures.

1.3 Before any construction is commenced an Outline Plan shall be submitted in terms of section 176A of the Resource Management Act 1991 to council. The outline plan may be submitted in stages to reflect any proposed staging of the physical works. This outline plan is to be submitted to council for assessment and recommendations to the council. The outline plan shall show those matters required to be included by section 176A(3) of the Act. It shall be prepared in consultation with directly affected property owners and occupiers with the record of such consultation being documented in the outline plan.

1.4 Prior to the start of physical works, the requiring authority (or its agent) shall obtain all resource consents required under the Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014.

2. Design Considerations

2.1 The requiring authority (or its agents) shall incorporate retaining walls into the detailed design to reduce the property effects at critical parts of the alignment, in general accordance with the details identified in Appendix C of the requiring authority's closing submissions.

2.2 As part of the upgrading works the requiring authority (or its agents) shall, subject to the proper

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performance of its statutory functions, provide suitable pedestrian crossing facilities at the following general localities along Whangaparaoa Road:

- a. Brightside Road;
- b. Weiti Crossing / Whangaparaoa Road intersection;
- c. Stanmore Bay Road;
- d. Ladies Mile;
- e. Pedestrian linkage of Duck Creek Road across the Weiti Crossing; and
- f. Such other places as may be identified in future analysis as necessary for safety purposes.

2.3 The requiring authority (or its agents) shall permit vehicle access from the Weiti Crossing road alignment to the following parcels of land in consultation with the landowners and in accordance with the provisions of the Local Government Act 1974:

- a. Lot 3 DP 95982 and Lot 1 DP 100141 being respectively the Kilmacrennan Farm and Kerrykeel Farm which are farmed as one unit known as Weiti Station (Green and McCahill Group submission); and
- b. Part Lot 1 DP 95984, Lot 1 DP 51255 and Lot 1 DP 49038 being land owned by Green and McCahill Holdings Ltd.

Explanation:

Given the size of the Green and McCahill Holdings Ltd landholding (908 hectares) two access points would be appropriate. The third access point sought by this company includes access to the Stillwater settlement which should be the subject of other considerations apart from this designation.

3. Noise Impact Mitigation

3.1 During construction, New Zealand Standard 6803P : 1984, The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work shall be complied with and the principles for managing noise set out within that document shall be formally adopted.

3.2 The road alignment shall be designed to achieve the following noise standards:

- a. For the properties identified in Table A – the relevant traffic noise design limit contained in Table A.
- b. For all other properties – the relevant noise standard contained in NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

Table A:

Location	Traffic Noise Design Limits Leq (24 hours)
Dwelling A (at the western end of the proposed road as indicated on the AEE document). This will require mitigation from the expected noise levels.	65 dBA
All other existing* dwellings west of the Weiti River Dwelling 1 on Lot 1 DP 138956 Dwelling 2 on Lot 4 DP 64380 Dwelling 3 on Lot 6 DP 64380 Dwelling 4 on Lot 7 DP 64380 This will require mitigation from the expected noise levels particularly for the properties at 173, 250, 301, 305 and 307 Duck Creek Road and that identified as Dwelling B in the AEE document along Weiti Station Road.	55 dBA
Dwellings at 7 to 37 Cedar Terrace inclusive.	62 dBA
All existing* dwellings on Whangaparaoa Rd.	65 dBA or ambient (whichever is greater)



*Existing at 14 April 1998

Note:

The assessment point for Table A is 1m in front of the most exposed point on the facades of the dwellings.

3.3 In addition to the standards in Table A above, the road alignment shall be designed with the appropriate noise mitigation measures to achieve compliance with a single event noise limit of 78 dBA L_{max} at the façade of any residential building situated within 12 metres from the new road carriageway. This shall not apply to residential buildings currently located within 12 metres of the existing road carriageway.

Explanation:

This is in accordance with the NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

3.4 If it is impracticable to meet the Design Limits in the above Conditions 3.2 and 3.3, then prior to completion of the road widening, the requiring authority (or its agents) shall, with the agreement of the owner of the dwelling and if so required by them, provide insulation and, if required, mechanical ventilation to all living rooms (including kitchens) and bedrooms, to ensure that an internal criterion of 40 dBA Leq (24 hours) is not exceeded. If it is impracticable or uneconomic to design mitigation to achieve this internal criterion then the requiring authority (or its agents) shall, with the agreement of the owner, and at a price not exceeding market value, purchase the property.

3.5 Without limiting the requirements for consultation imposed under condition 3.4, the requiring authority shall consult with the owners of 236 Duck Creek Road, being Part Lot 3 DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403 ("the Webster properties") in relation to the location, nature and extent of any proposed noise mitigation measures.

3.6 In undertaking this consultation the requiring authority shall give special consideration to the need for additional or alternative noise mitigation measures which mitigate to the greatest extent practicable the acoustic and amenity effects of the designation upon the Webster properties within the noise limit set out in condition 3.2.

3.7 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed noise mitigation measures;
- ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- the requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties to identify other mitigation measures which may be cost effective and meet the noise limits set out in condition 3.2 and shall give special consideration to the findings of any peer review in deciding what noise mitigation measures it implements for the Webster properties.

4. Ecological Impact Mitigation

4.1 The requiring authority (or its agents) shall, in conjunction with the council and in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust, produce the following programmes:

- An Ecological Mitigation Programme that outlines the methods and implementation and monitoring processes to be used to avoid, remedy or mitigate adverse effects on the environment, particularly in regard to indigenous vegetation, ecosystems and species, geological features and areas of wildlife



habitats; and

b. A Restoration Planting Programme that outlines the methods and implementation and monitoring processes to restore areas of indigenous vegetation, ecosystems or wildlife habitat likely to be affected by the proposed works.

The programmes shall be submitted as part of the outline plan.

4.2 Without limiting the requirements for consultation imposed under condition 4.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed ecological mitigation measures.

4.3 In undertaking this consultation the requiring authority shall give special consideration to the need for mitigation measures which mitigate to the greatest extent practicable adverse effects of the designation and related works have upon existing trees and vegetation on the Webster properties.

4.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures; and
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed ecological mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what ecological mitigation measures it implements for the Webster properties.

5. Visual Impact Mitigation

5.1 A Visual Mitigation Plan shall be prepared by the requiring authority (or its agents) in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust. The plan shall incorporate, where relevant, the recommendations of the ecological mitigation programme and the restoration planting programme and be submitted as part of the outline plan.

The Visual Mitigation Plan shall include, but not be limited to, details of all proposed planting (including species, species sizes, densities and locations), the planting programme and the required maintenance programme. Existing trees and vegetation on the properties are to be included in any maintenance programme. Attention shall also be paid to the angle and extent of cut and batter slopes through highly visible ridgelines, for example where cut and batter slopes and the proposed roadway would be viewed from properties in Duck Creek Road. In the event that noise mitigation measures such as bunds or barriers are to be employed then these are also to be incorporated in to the visual mitigation plan.

5.2 Without limiting the requirements for consultation imposed under condition 5.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed visual mitigation measures proposed.

5.3 In undertaking this consultation the requiring authority shall give special consideration to the need for measures which mitigate to the greatest extent practicable adverse effects of the designation on the Webster properties. When undertaking consultation in respect of this issue any noise mitigation measures (such as bunds or barriers) that are employed to address the noise effects of the designation on the Websters properties are also to be considered by the requiring authority.

5.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

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- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures;
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what visual mitigation measures it implements for the Webster properties.

6. Archaeological

6.1 Prior to construction and the obtaining of any necessary consents under the Historic Places Act 1993 the requiring authority (or its agents) shall undertake further investigation of archaeological sites R10/943 and R10/944 if these sites are affected by the proposed works or immediately adjoin the proposed works.

6.2 The archaeological sites recorded in the immediate vicinity of the proposed works shall be clearly marked on construction plans to be provided to the Council and pegged out/fenced off prior to, and during the period of, construction.

7. Vibration

7.1 The road alignment shall be designed with due regard to the effects of vibration.

7.2 In the event that the requiring authority receives, in respect of any building existing as at 14 April 1998, a complaint of vibration induced by construction activities or by traffic on completion of the widened/realigned section of Whangaparaoa Road, then the requiring authority shall:

- a. Monitor traffic induced vibration at location(s) from which complaints have been received where considered appropriate by the Auckland Council; and
- b. Where construction vibration levels exceed the relevant standards of ISO 2631-2, then the requiring authority shall implement practicable mitigation measures.

8. Stormwater

8.1 The requiring authority (or its agents) shall, in consultation with the Council:

- a. Provide suitable detention of concentrated stormwater flows which arise from construction works and the completed roadway to avoid, as far as is practicable, stream erosion by the discharging of this stormwater;
- b. Design, install and operate sediment control ponds to remove, to the maximum extent practicable, sediment from all concentrated discharge from the earthworks;
- c. Arrange all stormwater treatment devices in accordance with the Auckland Council's Technical Publication No. 10 being the Design Guideline Manual : Stormwater Treatment Devices, dated 2003; and
- d. Take all practicable measures to ensure stormwater is not discharged into tributaries or overland flow paths which ultimately directly flow into the Okura River Estuary.

9. Physical Works Contract

9.1 All contract documentation for physical works shall include the designation conditions, the approved outline plan and any other resource consents (including conditions) held for the project.

9.2 Construction shall be limited to the following hours:

- a. Weekdays: 7.00 a.m. to 6.00 p.m.;
- b. Saturdays: 8.00 a.m. to 4.00 p.m.; and
- c. Sundays and Public Holidays: No work.



9.3 Construction can be extended to the hours of 7.00 a.m. to 6.00 p.m. every day (with the specific consent of the Auckland Council) between East Coast Road and the northern boundary of the Weiti Forest with the agreement of Green and McCahill Ltd and Green and McCahill Holdings Ltd or any successors in title.

9.4 At all times reasonable access shall be maintained to properties directly affected by the construction and operation of the Weiti Crossing and the Whangaparaoa Road widening unless agreement is reached with the property occupier that access can be temporarily stopped.

10. Public Notification

10.1 At six-monthly intervals from the date of this decision the requiring authority (or its agents) shall notify all property occupiers directly affected by the designation of the current status of the project and the estimated date of commencement of final design and construction. In addition, an advertisement is to be placed in the "Rodney Times" outlining the above information.

10.2 A Public Notification Plan shall be prepared and submitted for the approval of the Auckland Council prior to the start of physical works. The plan shall include, but not be limited to, the following:

- a. Dates for the release of newsletters to directly affected and adjoining property occupiers. These letters shall include details of the construction programme and a single point of contact for the requiring authority (or its agents) for any concerns or enquiries relating to the project, including a contact person name and a telephone and facsimile number; and
- b. Details of proposed signage to advise motorists of periods of likely traffic delays.

11. Duration of Designation

11.1 In accordance with s.184 of the Resource Management Act 1991, this designation will lapse five years from being operative in the Unitary Plan unless:

- a. It is given effect to before the end of that period; or
- b. The territorial authority resolves that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fixes a longer period to give effect to the designation; or
- c. The designation lapses earlier by virtue of the Unitary Plan ceasing to be operative.

12. Other

12.1 Prior to preparing an assessment of effects upon the environment under s. 88 of the Act for the resource consents required from the council, the requiring authority (or its agents) shall prepare a Scoping Report for the consideration of the council. This shall indicate what is to be addressed in the assessment of effects and allow some agreement to be reached between the parties prior to the detailed analysis required for the assessment.

13. Costs

13.1 Pursuant to s.36 of the Resource Management Act 1991, the requiring authority shall be responsible for paying administrative charges relating to receiving, processing and making a decision in respect of the requirement. The total amount payable will be communicated to the requiring authority within two months of the process being completed.

14. Local access to Stillwater Community

14.1 Safe and efficient two-way access to the Stillwater community (on both sides of the designated route) shall be provided, including throughout the construction period. Such access shall include provision for public transport (including bus stops) and for the safe and efficient movement of school buses and boat trailers. The design of any such access shall be undertaken in full consultation with



the Stillwater Ratepayers and Residents Association, the owners of the Webster properties and directly affected members of the Stillwater community.

14.2 Following such consultation, the requiring authority will submit the proposed access design to an independent auditor for a safety audit prior to construction. The cost of this audit is to be met by the requiring authority.

15. Water Supply

15.1 During each construction season (1 October – 30 April) the requiring authority shall periodically check and wash down any residences (including the roof) which are located along the designation route and which are affected by the construction of the bridge and its approaches. The cost of this cleaning will be met by the requiring authority.

15.2 The requiring authority will test the water quality of the bores at 165 Duck Creek Road, being the land described in 113B/679 (North Auckland Registry), and 236 Duck Creek Road, being the land described in certificates of title 682/218 and 1020/274 (North Auckland Registry), on a monthly basis.

15.3 In the event that either of the bores at 165 or 236 Duck Creek Road becomes contaminated, the requiring authority will provide an equivalent alternative free water supply.

15.4 The requiring authority will test the water quality of each domestic water tank located along the designation route, including the Webster properties, affected by construction of the bridge and its approaches on a monthly basis during the construction season and for one month following (1 October – 31 May) of each year of the construction period. If the water in any such tank is contaminated, the requiring authority will immediately, and at its cost entirely, have any such tank cleaned out and refilled.

16. Land Stabilisation

16.1 The requiring authority will conduct a "before and after" dilapidation survey of the properties (including the interiors of buildings) located along the designation route, including the Webster properties to assess any effects as a result of construction of the bridge and its approaches.

16.2 In any agreements entered into with any third party to carry out construction of the road and bridge, the requiring authority will require that party to accept liability for any damage or instability to land or buildings caused by construction and will also require that party to monitor slope stability throughout the duration of construction and for a period of 12 months following completion of the project. In the event that the requiring authority undertakes construction itself, it will accept such liability and conduct such monitoring.

17. Noise

17.1 Once the new road is operational, council will pass any bylaw required to enable a restriction on engine braking to be imposed on vehicles using the road in the vicinity of Stillwater, should such a restriction prove necessary.

17.2 The requiring authority will use asphalted concrete on the road surface on the Weiti Bridge and extend this surface along the road up to 307 Duck Creek Road, being the land described in certificate of title 16C/1432 (North Auckland Registry).

17.3 The requiring authority will use its best endeavours to provide a building (which is surplus to roading requirements) to be used as the Stillwater community hall. The requiring authority shall arrange for the transport at its cost of any such building to the agreed site.



18. Stock Underpass

18.1 The requiring authority shall enter into an agreement with the owners of the Webster properties to provide them with a stock underpass (under the new carriageway provided for by the designation) to agreed specifications and with agreed rights of access or tenure, to provide the owners of the properties access between the two parts of the property which will be bisected by the new carriageway.

18.2 During the period of construction of the Weiti Link, while the Webster properties are bisected by works, but before the stock underpass is completed, the requiring authority shall provide reasonable stock access across the carriageway so owners of the properties can utilise all parts of their property.

19. Duck Creek Intersection

19.1 No part of the realigned Duck Creek Road, including its intersection on the eastern side of the Weiti link will be positioned further north than indicated on the plan annexed as Appendix A of the NOR.

20. Water Supply

20.1 The requiring authority shall ensure that during construction and operation of the Weiti Crossing Road, a water supply is maintained for the purpose of watering livestock located at 236 Duck Creek Road, being Part Lot 3, DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403.

Attachments

No attachments.

Information relating to partial removal June 2021

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan, Manager Planning, Regional, North, West & Islands

FROM Wayne Siu, Policy Planner, Regional, North, West & Islands


DATE 16 June 2021

SUBJECT Partial Removal of a Designation in accordance with s182 of the Resource Management Act to the Auckland Unitary Plan (AUP) Operative in part (15 November 2016)



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – Partial removal of designation 1404	
Chapter	Chapter K Designations AUP GIS Viewer
Section	Schedules and Designations – Auckland Transport
Designation only	
Designation #1404	Road Widening – Whangaparaoa Road
Locations:	470-502, 473-475, 504-522A, 529-549, 540, 585-587, 593-601, 609-611, 616A, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 and 4 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior
Purpose	Road widening.
Changes to text (shown in underline and strikethrough)	470- 502 , 473-475, 504-522A, 529-549, 540, 585-587, 593- <u>597</u> , 601 , 609-611, 616A , 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 and 4 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Changes to diagrams	N/A
Changes to spatial data	Removal of designation 1404 from 502 and 616A Whangaparaoa Road and 4 Brightside Road. Inclusion of Designation at 597 Whangaparaoa Road.
Attachments	Attachment A: s182 Report Attachment B: Updated Text Attachment C: Updated GIS Viewer

Prepared by: Wayne Siu Policy Planner	Text Entered by: Harry Barnes Planning Technician
Signature:	Signature: 

Maps prepared by: Mitesh Bhula Geospatial Specialist	Reviewed by: Wayne Siu Policy Planner
Signature: 	Signature:
Signed off by: Warren MacLennan Manager Planning, Regional, North, West & Islands	
Signature:	

Attachment A: s182 Report

Partial removal of a designation under section 182 of the Resource Management Act 1991



To: Peter Vari – Team Leader, Planning Regional, North/West, and Islands

From: Wayne Siu – Policy planner, Planning Regional, North/West, and Islands

Date: 15 June 2021

Subject: Partial removal of Designation 1404 – Road Widening – Whangaparaoa Road in the Auckland Unitary Plan

Summary

Auckland Council has received a request from Auckland Transport under section 182 of the Resource Management Act 1991 (RMA), dated 31 May 2021, to remove in part Designation 1404 – Road Widening – Whangaparaoa Road.

A section 182(1) request is required to uplift the existing designation in part from land which has been deemed surplus by the requiring authority.

Auckland Council, as the territorial authority, is required to amend its district plan, without using the process in Schedule 1, as soon as reasonably practicable after receiving a Section 182 request unless it considers that the effect of the removal of part of the designation on the remaining designation is more than minor.

It is recommended that the partial removal be accepted.

Recommendation

1. That the area 182 request from Auckland Transport for the partial removal of Designation 1404 – Road Widening – Whangaparaoa Road in the Auckland Unitary Plan from the areas of land identified in Attachment One to **Attachment A** be **accepted** for the following reasons:
 - i) Those areas of land that are necessary for the designation have recently been legally identified as road in the AUP(OP);
 - ii) Auckland Transport no longer require the designation on the land, given (i) above; and
 - iii) The effects of the removal of part of the designation are no more than minor.
2. That Designation 1404 – Road Widening – Whangaparaoa Road be removed from the areas of land identified in Attachment One to **Attachment A**, as soon as reasonably practicable, in the Designation overlay and amend the text in Chapter K Designations in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	1404 – Road Widening – Whangaparaoa Road
Lodgement date:	31 May 2021
Requiring authority:	Auckland Transport
Reporting officer:	Wayne Siu
Site address:	Various – - 309, 388-402, 441, 454A, 455, 456, 468, 470, 472, 473, 474, 475, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 599, 601, 609, 611, 616A, 637, 640, 642a, 644a, 663, 722, 724, 726, 728, 736, 740, 742, 746, 748, 750A, 752, 756, 758, 760, 770A, 772A, 772, 774, 849, 851, 853A, 1073, 1075 Whangaparaoa Road; - 2 Cedar Terrace, Whangaparaoa; - 1, 3, 4, 5, 9 Brightside Road, Whangaparaoa; - 1 Penton Road, Whangaparaoa; - 1 Tower Hill, Whangaparaoa; - 1, 7 Homestead Road, Whangaparaoa; - 2, Ladies Mile, Whangaparaoa; - 1 Zita Avenue, Whangaparaoa; - 1, 2 Scott Road, Whangaparaoa; - 2 D’oyly Drive, Whangaparaoa; - Lot 83 DP 38718 (pedestrian accessway with no physical address); - Road Reserve.
UP Zoning:	Various – - Road reserve - Residential – Single House

2.0 Background

2.1 Details of designation

Designation 1404 in the Auckland Unitary Plan provides for the road widening of Whangaparaoa Road. It is a rollover of a road widening designation in the Auckland Council District Plan (Rodney Section) 2011. Auckland Transport has served a notice under section 182 of the Resource Management Act 1991, signed by Jane Small, Group manager Property and Planning, to remove the designation from the sites identified in Attachment One to **Attachment A**.

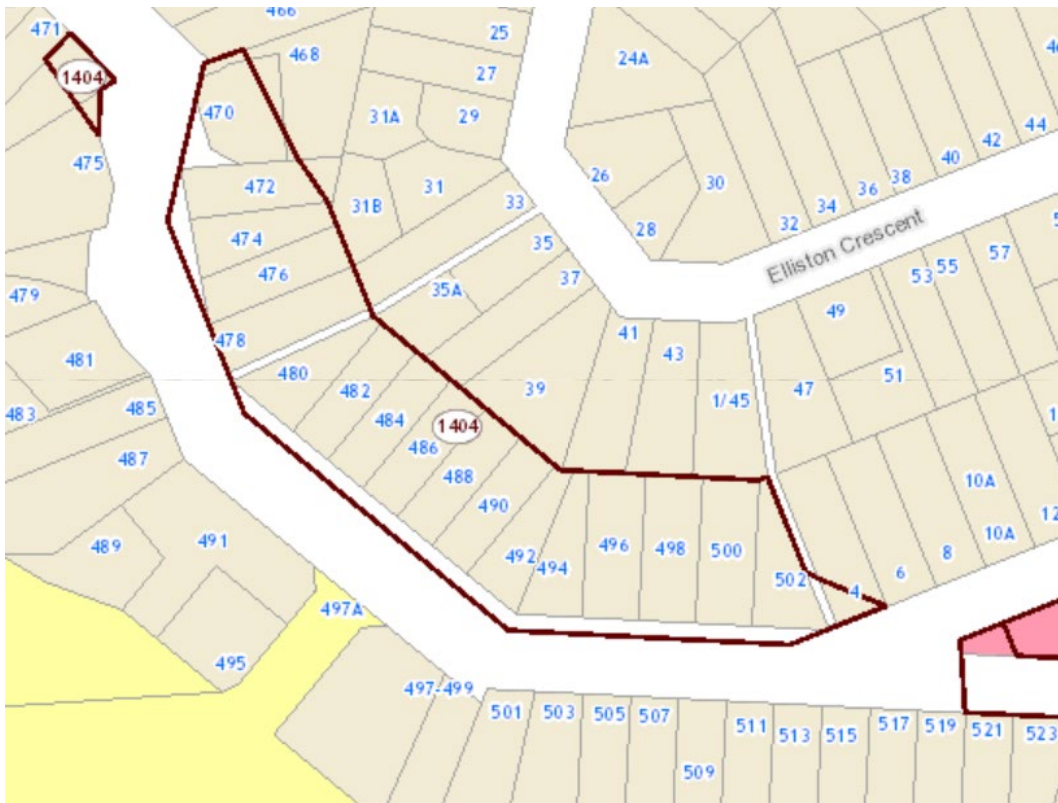
Areas of land necessary for the purpose of the designation have recently been through legalisation action to be declared as road and are now shown as road in the AUP(OP). Therefore, the remaining identified land no longer needs to be designated.

Except for 599b Whangaparaoa Road (a cross lease property), Auckland Council owns all properties (identified as areas A to S in Attachment A) and these are to be disposed of in support of council's Emergency Budget 2020/2021 funding initiative.

Other areas of designated land identified for removal are unformed pedestrian accessways which are owned by Auckland Transport/Auckland Council. These areas are removed for administrative purposes as the designation is not necessary to function for their intended purpose.

1.2 Land affected by removal

The relevant part of the designation is currently shown in the AUP maps as follows.





Auckland Transport has provided a site plan showing the extent of the designation which is to be partially removed (refer to Attachment One of **Attachment A**).

1.3 Delegated authority to consider alterations to designations

The Team Leader - Planning Regional, North/West and Islands (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2021), to exercise the Council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to Section 182 to approve a removal of a designation.

The section 182 request to remove the designation can therefore be considered by the Team Leader – Planning Regional, North/West and Islands (Plans and Places Tier 5) and accepted or declined.

1.4 Relevant Statutory Provisions

Section 182 of the RMA allows a requiring authority to remove a designation or part of a designation if it no longer wants it. This section also applies to a notice by a territorial authority, to withdraw its own designation or part of a designation within its own district.

Section 182(2) states that as soon as reasonably practicable the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly. If the territorial authority considers that the effect of the removal of part of a designation on the remaining designation is more than minor, it may, within 20 working days of receipt of a section 182 notice, decline to remove that part of the designation.

It is considered that Auckland Transport has provided sufficient justification for the partial removal of Designation 1404 – Road Widening – Whangaparaoa Road for the following reasons:

- The removal of the identified areas does not affect the use of the rest of the designation for its intended purpose.
- The identified areas are not required for road widening purposes. The areas required for widening having been through legalisation processes to become road.

2.0 Recommendation

1. That pursuant to Section 182 of the Resource Management Act 1991 that the removal of Designation 1404 – Road Widening – Whangaparaoa Road from the areas of land identified in Attachment One of **Attachment A** be **accepted** for the following reasons:
 - i. Those areas of land that are necessary for the designation have recently been legally identified as road in the AUP(OP);
 - ii. Auckland Transport no longer require designation on the land, given (i) above; and
 - iii. The effects of the removal of part of the designation are no more than minor.
- 2) That Designation 1404 – Road Widening – Whangaparaoa Road be removed from the areas of land identified in Attachment One to **Attachment A**, as soon as reasonably practicable, in the Designation overlay and amend the text in Chapter K Designations in the Auckland Unitary Plan.

Prepared by: Wayne Siu
Policy Planner
Planning Regional, North/West
and Islands

Accepted by: Peter Vari
Team Leader
Planning Regional,
North/West and Islands

Signature:



by:

Signature:



Date: 15 June 2021

SCHEDULE OF ATTACHMENTS:

Attachment A: Auckland Transport s182 Notice of Removal

Attachment B: Updated Text

1404 Road Widening - Whangaparaoa Road

Designation Number	1404
Requiring Authority	Auckland Transport
Location	470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
Rollover Designation	Yes
Legacy Reference	Sheet 5 - Roads to be Widened and Stopped of the Planning Maps, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior

Purpose

Road widening.

Conditions

1. General

1.1 The scope and extent of the works (including the horizontal and vertical alignment of the carriageway) within the designation shall be generally in accordance with the plans contained in the Notice of Requirement dated 14 April 1998 (Appendix D – Designation drawings) and referenced as Figures A1.0 to A1.3 (BCHF Cad File No. 6507C935.DWG to 6507C938.DWG Rev. E) and Figures B1.1 to B1.4 (BCHF Cad File No. 6507C931.DWG to 6507C934.DWG Rev.D.)

1.2 The designation and proposed works on the area of land subject to the designation shall not include any toll-booth type facilities or structures.

1.3 Before any construction is commenced an Outline Plan shall be submitted in terms of section 176A of the Resource Management Act 1991 to council. The outline plan may be submitted in stages to reflect any proposed staging of the physical works. This outline plan is to be submitted to council for assessment and recommendations to the council. The outline plan shall show those matters required to be included by section 176A(3) of the Act. It shall be prepared in consultation with directly affected property owners and occupiers with the record of such consultation being documented in the outline plan.

1.4 Prior to the start of physical works, the requiring authority (or its agent) shall obtain all resource consents required under the Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014.

2. Design Considerations

2.1 The requiring authority (or its agents) shall incorporate retaining walls into the detailed design to reduce the property effects at critical parts of the alignment, in general accordance with the details identified in Appendix C of the requiring authority's closing submissions.

2.2 As part of the upgrading works the requiring authority (or its agents) shall, subject to the proper

performance of its statutory functions, provide suitable pedestrian crossing facilities at the following general localities along Whangaparaoa Road:

- a. Brightside Road;
- b. Weiti Crossing / Whangaparaoa Road intersection;
- c. Stanmore Bay Road;
- d. Ladies Mile;
- e. Pedestrian linkage of Duck Creek Road across the Weiti Crossing; and
- f. Such other places as may be identified in future analysis as necessary for safety purposes.

2.3 The requiring authority (or its agents) shall permit vehicle access from the Weiti Crossing road alignment to the following parcels of land in consultation with the landowners and in accordance with the provisions of the Local Government Act 1974:

- a. Lot 3 DP 95982 and Lot 1 DP 100141 being respectively the Kilmacrennan Farm and Kerrykeel Farm which are farmed as one unit known as Weiti Station (Green and McCahill Group submission); and
- b. Part Lot 1 DP 95984, Lot 1 DP 51255 and Lot 1 DP 49038 being land owned by Green and McCahill Holdings Ltd.

Explanation:

Given the size of the Green and McCahill Holdings Ltd landholding (908 hectares) two access points would be appropriate. The third access point sought by this company includes access to the Stillwater settlement which should be the subject of other considerations apart from this designation.

3. Noise Impact Mitigation

3.1 During construction, New Zealand Standard 6803P : 1984, The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work shall be complied with and the principles for managing noise set out within that document shall be formally adopted.

3.2 The road alignment shall be designed to achieve the following noise standards:

- a. For the properties identified in Table A – the relevant traffic noise design limit contained in Table A.
- b. For all other properties – the relevant noise standard contained in NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

Table A:

Location	Traffic Noise Design Limits Leq (24 hours)
Dwelling A (at the western end of the proposed road as indicated on the AEE document). This will require mitigation from the expected noise levels.	65 dBA
All other existing* dwellings west of the Weiti River Dwelling 1 on Lot 1 DP 138956 Dwelling 2 on Lot 4 DP 64380 Dwelling 3 on Lot 6 DP 64380 Dwelling 4 on Lot 7 DP 64380 This will require mitigation from the expected noise levels particularly for the properties at 173, 250, 301, 305 and 307 Duck Creek Road and that identified as Dwelling B in the AEE document along Weiti Station Road.	55 dBa
Dwellings at 7 to 37 Cedar Terrace inclusive.	62 dBA
All existing* dwellings on Whangaparaoa Rd.	65 dBa or ambient (whichever is greater)

*Existing at 14 April 1998

Note:

The assessment point for Table A is 1m in front of the most exposed point on the facades of the dwellings.

3.3 In addition to the standards in Table A above, the road alignment shall be designed with the appropriate noise mitigation measures to achieve compliance with a single event noise limit of 78 dBA Lmax at the façade of any residential building situated within 12 metres from the new road carriageway. This shall not apply to residential buildings currently located within 12 metres of the existing road carriageway.

Explanation:

This is in accordance with the NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

3.4 If it is impracticable to meet the Design Limits in the above Conditions 3.2 and 3.3, then prior to completion of the road widening, the requiring authority (or its agents) shall, with the agreement of the owner of the dwelling and if so required by them, provide insulation and, if required, mechanical ventilation to all living rooms (including kitchens) and bedrooms, to ensure that an internal criterion of 40 dBA Leq (24 hours) is not exceeded. If it is impracticable or uneconomic to design mitigation to achieve this internal criterion then the requiring authority (or its agents) shall, with the agreement of the owner, and at a price not exceeding market value, purchase the property.

3.5 Without limiting the requirements for consultation imposed under condition 3.4, the requiring authority shall consult with the owners of 236 Duck Creek Road, being Part Lot 3 DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403 ("the Webster properties") in relation to the location, nature and extent of any proposed noise mitigation measures.

3.6 In undertaking this consultation the requiring authority shall give special consideration to the need for additional or alternative noise mitigation measures which mitigate to the greatest extent practicable the acoustic and amenity effects of the designation upon the Webster properties within the noise limit set out in condition 3.2.

3.7 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed noise mitigation measures;
- b. ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. the requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties to identify other mitigation measures which may be cost effective and meet the noise limits set out in condition 3.2 and shall give special consideration to the findings of any peer review in deciding what noise mitigation measures it implements for the Webster properties.

4. Ecological Impact Mitigation

4.1 The requiring authority (or its agents) shall, in conjunction with the council and in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust, produce the following programmes:

- a. An Ecological Mitigation Programme that outlines the methods and implementation and monitoring processes to be used to avoid, remedy or mitigate adverse effects on the environment, particularly in regard to indigenous vegetation, ecosystems and species, geological features and areas of wildlife

habitats; and

b. A Restoration Planting Programme that outlines the methods and implementation and monitoring processes to restore areas of indigenous vegetation, ecosystems or wildlife habitat likely to be affected by the proposed works.

The programmes shall be submitted as part of the outline plan.

4.2 Without limiting the requirements for consultation imposed under condition 4.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed ecological mitigation measures.

4.3 In undertaking this consultation the requiring authority shall give special consideration to the need for mitigation measures which mitigate to the greatest extent practicable adverse effects of the designation and related works have upon existing trees and vegetation on the Webster properties.

4.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures; and

b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and

c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed ecological mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what ecological mitigation measures it implements for the Webster properties.

5. Visual Impact Mitigation

5.1 A Visual Mitigation Plan shall be prepared by the requiring authority (or its agents) in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust. The plan shall incorporate, where relevant, the recommendations of the ecological mitigation programme and the restoration planting programme and be submitted as part of the outline plan.

The Visual Mitigation Plan shall include, but not be limited to, details of all proposed planting (including species, species sizes, densities and locations), the planting programme and the required maintenance programme. Existing trees and vegetation on the properties are to be included in any maintenance programme. Attention shall also be paid to the angle and extent of cut and batter slopes through highly visible ridgelines, for example where cut and batter slopes and the proposed roadway would be viewed from properties in Duck Creek Road. In the event that noise mitigation measures such as bunds or barriers are to be employed then these are also to be incorporated in to the visual mitigation plan.

5.2 Without limiting the requirements for consultation imposed under condition 5.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed visual mitigation measures proposed.

5.3 In undertaking this consultation the requiring authority shall give special consideration to the need for measures which mitigate to the greatest extent practicable adverse effects of the designation on the Webster properties. When undertaking consultation in respect of this issue any noise mitigation measures (such as bunds or barriers) that are employed to address the noise effects of the designation on the Websters properties are also to be considered by the requiring authority.

5.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures;
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what visual mitigation measures it implements for the Webster properties.

6. Archaeological

6.1 Prior to construction and the obtaining of any necessary consents under the Historic Places Act 1993 the requiring authority (or its agents) shall undertake further investigation of archaeological sites R10/943 and R10/944 if these sites are affected by the proposed works or immediately adjoin the proposed works.

6.2 The archaeological sites recorded in the immediate vicinity of the proposed works shall be clearly marked on construction plans to be provided to the Council and pegged out/fenced off prior to, and during the period of, construction.

7. Vibration

7.1 The road alignment shall be designed with due regard to the effects of vibration.

7.2 In the event that the requiring authority receives, in respect of any building existing as at 14 April 1998, a complaint of vibration induced by construction activities or by traffic on completion of the widened/realigned section of Whangaparaoa Road, then the requiring authority shall:

- a. Monitor traffic induced vibration at location(s) from which complaints have been received where considered appropriate by the Auckland Council; and
- b. Where construction vibration levels exceed the relevant standards of ISO 2631-2, then the requiring authority shall implement practicable mitigation measures.

8. Stormwater

8.1 The requiring authority (or its agents) shall, in consultation with the Council:

- a. Provide suitable detention of concentrated stormwater flows which arise from construction works and the completed roadway to avoid, as far as is practicable, stream erosion by the discharging of this stormwater;
- b. Design, install and operate sediment control ponds to remove, to the maximum extent practicable, sediment from all concentrated discharge from the earthworks;
- c. Arrange all stormwater treatment devices in accordance with the Auckland Council's Technical Publication No. 10 being the Design Guideline Manual : Stormwater Treatment Devices, dated 2003; and
- d. Take all practicable measures to ensure stormwater is not discharged into tributaries or overland flow paths which ultimately directly flow into the Okura River Estuary.

9. Physical Works Contract

9.1 All contract documentation for physical works shall include the designation conditions, the approved outline plan and any other resource consents (including conditions) held for the project.

9.2 Construction shall be limited to the following hours:

- a. Weekdays: 7.00 a.m. to 6.00 p.m;
- b. Saturdays: 8.00 a.m. to 4.00 p.m; and
- c. Sundays and Public Holidays: No work.

9.3 Construction can be extended to the hours of 7.00 a.m. to 6.00 p.m. every day (with the specific consent of the Auckland Council) between East Coast Road and the northern boundary of the Weiti Forest with the agreement of Green and McCahill Ltd and Green and McCahill Holdings Ltd or any successors in title.

9.4 At all times reasonable access shall be maintained to properties directly affected by the construction and operation of the Weiti Crossing and the Whangaparaoa Road widening unless agreement is reached with the property occupier that access can be temporarily stopped.

10. Public Notification

10.1 At six-monthly intervals from the date of this decision the requiring authority (or its agents) shall notify all property occupiers directly affected by the designation of the current status of the project and the estimated date of commencement of final design and construction. In addition, an advertisement is to be placed in the "Rodney Times" outlining the above information.

10.2 A Public Notification Plan shall be prepared and submitted for the approval of the Auckland Council prior to the start of physical works. The plan shall include, but not be limited to, the following:

- a. Dates for the release of newsletters to directly affected and adjoining property occupiers. These letters shall include details of the construction programme and a single point of contact for the requiring authority (or its agents) for any concerns or enquiries relating to the project, including a contact person name and a telephone and facsimile number; and
- b. Details of proposed signage to advise motorists of periods of likely traffic delays.

11. Duration of Designation

11.1 In accordance with s.184 of the Resource Management Act 1991, this designation will lapse five years from being operative in the Unitary Plan unless:

- a. It is given effect to before the end of that period; or
- b. The territorial authority resolves that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fixes a longer period to give effect to the designation; or
- c. The designation lapses earlier by virtue of the Unitary Plan ceasing to be operative.

12. Other

12.1 Prior to preparing an assessment of effects upon the environment under s. 88 of the Act for the resource consents required from the council, the requiring authority (or its agents) shall prepare a Scoping Report for the consideration of the council. This shall indicate what is to be addressed in the assessment of effects and allow some agreement to be reached between the parties prior to the detailed analysis required for the assessment.

13. Costs

13.1 Pursuant to s.36 of the Resource Management Act 1991, the requiring authority shall be responsible for paying administrative charges relating to receiving, processing and making a decision in respect of the requirement. The total amount payable will be communicated to the requiring authority within two months of the process being completed.

14. Local access to Stillwater Community

14.1 Safe and efficient two-way access to the Stillwater community (on both sides of the designated route) shall be provided, including throughout the construction period. Such access shall include provision for public transport (including bus stops) and for the safe and efficient movement of school buses and boat trailers. The design of any such access shall be undertaken in full consultation with

the Stillwater Ratepayers and Residents Association, the owners of the Webster properties and directly affected members of the Stillwater community.

14.2 Following such consultation, the requiring authority will submit the proposed access design to an independent auditor for a safety audit prior to construction. The cost of this audit is to be met by the requiring authority.

15. Water Supply

15.1 During each construction season (1 October – 30 April) the requiring authority shall periodically check and wash down any residences (including the roof) which are located along the designation route and which are affected by the construction of the bridge and its approaches. The cost of this cleaning will be met by the requiring authority.

15.2 The requiring authority will test the water quality of the bores at 165 Duck Creek Road, being the land described in 113B/679 (North Auckland Registry), and 236 Duck Creek Road, being the land described in certificates of title 682/218 and 1020/274 (North Auckland Registry), on a monthly basis.

15.3 In the event that either of the bores at 165 or 236 Duck Creek Road becomes contaminated, the requiring authority will provide an equivalent alternative free water supply.

15.4 The requiring authority will test the water quality of each domestic water tank located along the designation route, including the Webster properties, affected by construction of the bridge and its approaches on a monthly basis during the construction season and for one month following (1 October – 31 May) of each year of the construction period. If the water in any such tank is contaminated, the requiring authority will immediately, and at its cost entirely, have any such tank cleaned out and refilled.

16. Land Stabilisation

16.1 The requiring authority will conduct a “before and after” dilapidation survey of the properties (including the interiors of buildings) located along the designation route, including the Webster properties to assess any effects as a result of construction of the bridge and its approaches.

16.2 In any agreements entered into with any third party to carry out construction of the road and bridge, the requiring authority will require that party to accept liability for any damage or instability to land or buildings caused by construction and will also require that party to monitor slope stability throughout the duration of construction and for a period of 12 months following completion of the project. In the event that the requiring authority undertakes construction itself, it will accept such liability and conduct such monitoring.

17. Noise

17.1 Once the new road is operational, council will pass any bylaw required to enable a restriction on engine braking to be imposed on vehicles using the road in the vicinity of Stillwater, should such a restriction prove necessary.

17.2 The requiring authority will use asphalted concrete on the road surface on the Weiti Bridge and extend this surface along the road up to 307 Duck Creek Road, being the land described in certificate of title 16C/1432 (North Auckland Registry).

17.3 The requiring authority will use its best endeavours to provide a building (which is surplus to roading requirements) to be used as the Stillwater community hall. The requiring authority shall arrange for the transport at its cost of any such building to the agreed site.

18. Stock Underpass

18.1 The requiring authority shall enter into an agreement with the owners of the Webster properties to provide them with a stock underpass (under the new carriageway provided for by the designation) to agreed specifications and with agreed rights of access or tenure, to provide the owners of the properties access between the two parts of the property which will be bisected by the new carriageway.

18.2 During the period of construction of the Weiti Link, while the Webster properties are bisected by works, but before the stock underpass is completed, the requiring authority shall provide reasonable stock access across the carriageway so owners of the properties can utilise all parts of their property.

19. Duck Creek Intersection

19.1 No part of the realigned Duck Creek Road, including its intersection on the eastern side of the Weiti link will be positioned further north than indicated on the plan annexed as Appendix A of the NOR.

20. Water Supply

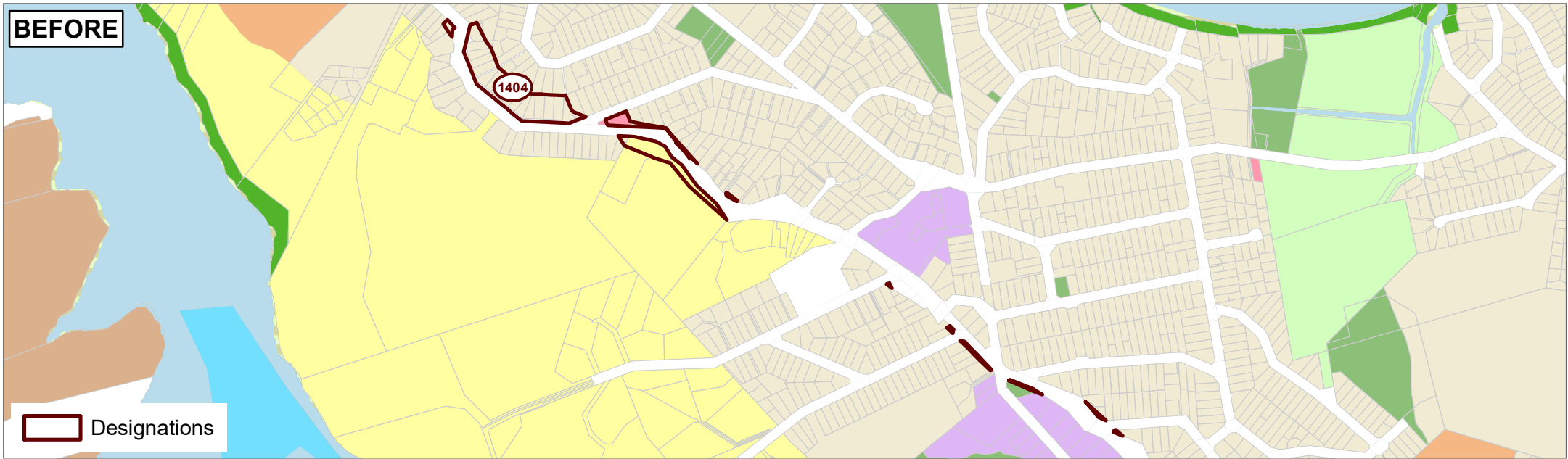
20.1 The requiring authority shall ensure that during construction and operation of the Weiti Crossing Road, a water supply is maintained for the purpose of watering livestock located at 236 Duck Creek Road, being Part Lot 3, DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403.

Attachments

No attachments.

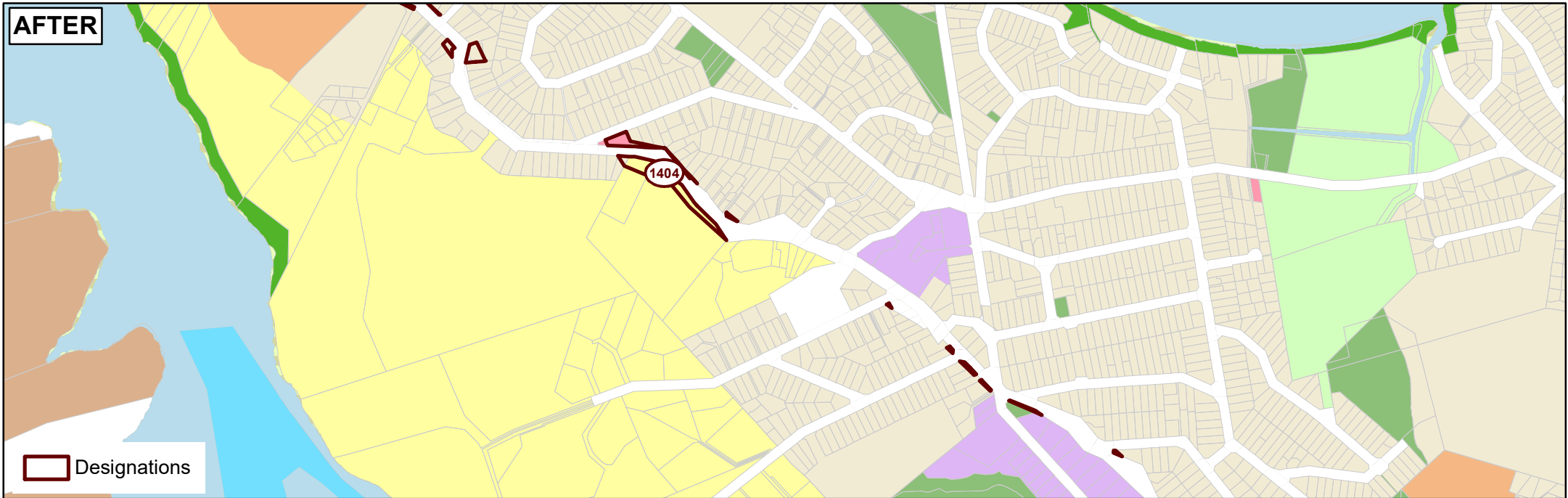
**Attachment C: Updated
GIS Viewer**

BEFORE

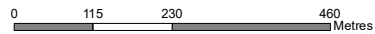


Designations

AFTER



Designations



Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 5/07/2021

Alteration to Designation 1404 Road Widening - Whangaparaoa Road Auckland Transport



Plans and Places

1404 Road Widening - Whangaparaoa Road
Corrections to text (strikethrough/underscore)

1404 Road Widening - Whangaparaoa Road

Designation Number	1404
Requiring Authority	Auckland Transport
Location	470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, <u>309, 388 – 402, 441, 454A, 455, 456, 468, 470, 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 637, 640, 642a, 644a, 663, 722, 724, 726, 728, 736, 740, 742, 746, 748, 750A, 752, 756, 758, 760, 770A, 772A, 772, 774, 849, 851, 853A, 1073, 1075 Whangaparaoa Road, Whangaparaoa</u> <u>2 Cedar Terrace, Whangaparaoa</u> <u>1, 3, 5, 9 Brightside Road, Whangaparaoa</u> <u>1 Penton Road, Whangaparaoa</u> <u>1 Tower Hill, Whangaparaoa</u> <u>21, 7 Homestead Road, Whangaparaoa and</u> <u>2 Ladies Mile, Whangaparaoa</u> <u>1 Zita Avenue, Whangaparaoa</u> <u>1, 2 Scott Road, Whangaparaoa</u> <u>2 D'Oyly Drive, Whangaparaoa</u>
Rollover Designation	Yes
Legacy Reference	Sheet 5 - Roads to be Widened and Stopped of the Planning Maps, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior

Purpose

Road widening.

Conditions

1. General

1.1 The scope and extent of the works (including the horizontal and vertical alignment of the carriageway) within the designation shall be generally in accordance with the plans contained in the Notice of Requirement dated 14 April 1998 (Appendix D – Designation drawings) and referenced as Figures A1.0 to A1.3 (BCHF Cad File No. 6507C935.DWG to 6507C938.DWG Rev. E) and Figures B1.1 to B1.4 (BCHF Cad File No. 6507C931.DWG to 6507C934.DWG Rev.D.)

1.2 The designation and proposed works on the area of land subject to the designation shall not include any toll-booth type facilities or structures.

1.3 Before any construction is commenced an Outline Plan shall be submitted in terms of section 176A of the Resource Management Act 1991 to council. The outline plan may be submitted in stages to reflect any proposed staging of the physical works. This outline plan is to be submitted to council for assessment and recommendations to the council. The outline plan shall show those matters required to be included by section 176A(3) of the Act. It shall be prepared in consultation with directly affected property owners and occupiers with the record of such consultation being documented in the outline plan.

1.4 Prior to the start of physical works, the requiring authority (or its agent) shall obtain all resource consents required under the Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014.

2. Design Considerations

2.1 The requiring authority (or its agents) shall incorporate retaining walls into the detailed design to reduce the property effects at critical parts of the alignment, in general accordance with the details identified in Appendix C of the requiring authority's closing submissions.

2.2 As part of the upgrading works the requiring authority (or its agents) shall, subject to the proper performance of its statutory functions, provide suitable pedestrian crossing facilities at the following general localities along Whangaparaoa Road:

- a. Brightside Road;
- b. Weiti Crossing / Whangaparaoa Road intersection;
- c. Stanmore Bay Road;
- d. Ladies Mile;
- e. Pedestrian linkage of Duck Creek Road across the Weiti Crossing; and
- f. Such other places as may be identified in future analysis as necessary for safety purposes.

2.3 The requiring authority (or its agents) shall permit vehicle access from the Weiti Crossing road alignment to the following parcels of land in consultation with the landowners and in accordance with the provisions of the Local Government Act 1974:

- a. Lot 3 DP 95982 and Lot 1 DP 100141 being respectively the Kilmacrennan Farm and Kerrykeel Farm which are farmed as one unit known as Weiti Station (Green and McCahill Group submission); and
- b. Part Lot 1 DP 95984, Lot 1 DP 51255 and Lot 1 DP 49038 being land owned by Green and McCahill Holdings Ltd.

Explanation:

Given the size of the Green and McCahill Holdings Ltd landholding (908 hectares) two access points would be appropriate. The third access point sought by this company includes access to the Stillwater settlement which should be the subject of other considerations apart from this designation.

3. Noise Impact Mitigation

3.1 During construction, New Zealand Standard 6803P : 1984, The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work shall be complied with and the principles for managing noise set out within that document shall be formally adopted.

3.2 The road alignment shall be designed to achieve the following noise standards:

- a. For the properties identified in Table A – the relevant traffic noise design limit contained in Table A.
- b. For all other properties – the relevant noise standard contained in NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

Table A:

Location	Traffic Noise Design Limits Leq (24 hours)
Dwelling A (at the western end of the proposed road as indicated on the AEE document). This will require mitigation from the expected noise levels.	65 dBA
All other existing* dwellings west of the Weiti River	55 dBA

Dwelling 1 on Lot 1 DP 138956 Dwelling 2 on Lot 4 DP 64380 Dwelling 3 on Lot 6 DP 64380 Dwelling 4 on Lot 7 DP 64380 This will require mitigation from the expected noise levels particularly for the properties at 173, 250, 301, 305 and 307 Duck Creek Road and that identified as Dwelling B in the AEE document along Weiti Station Road.	
Dwellings at 7 to 37 Cedar Terrace inclusive.	62 dBA
All existing* dwellings on Whangaparaoa Rd.	65 dBA or ambient (whichever is greater)

*Existing at 14 April 1998

Note:

The assessment point for Table A is 1m in front of the most exposed point on the facades of the dwellings.

3.3 In addition to the standards in Table A above, the road alignment shall be designed with the appropriate noise mitigation measures to achieve compliance with a single event noise limit of 78 dBA Lmax at the façade of any residential building situated within 12 metres from the new road carriageway. This shall not apply to residential buildings currently located within 12 metres of the existing road carriageway.

Explanation:

This is in accordance with the NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

3.4 If it is impracticable to meet the Design Limits in the above Conditions 3.2 and 3.3, then prior to completion of the road widening, the requiring authority (or its agents) shall, with the agreement of the owner of the dwelling and if so required by them, provide insulation and, if required, mechanical ventilation to all living rooms (including kitchens) and bedrooms, to ensure that an internal criterion of 40 dBA Leq (24 hours) is not exceeded. If it is impracticable or uneconomic to design mitigation to achieve this internal criterion then the requiring authority (or its agents) shall, with the agreement of the owner, and at a price not exceeding market value, purchase the property.

3.5 Without limiting the requirements for consultation imposed under condition 3.4, the requiring authority shall consult with the owners of 236 Duck Creek Road, being Part Lot 3 DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403 ("the Webster properties") in relation to the location, nature and extent of any proposed noise mitigation measures.

3.6 In undertaking this consultation the requiring authority shall give special consideration to the need for additional or alternative noise mitigation measures which mitigate to the greatest extent practicable the acoustic and amenity effects of the designation upon the Webster properties within the noise limit set out in condition 3.2.

3.7 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed noise mitigation measures;
- b. ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. the requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties to identify other mitigation measures which may be cost effective and meet the noise limits set out in condition 3.2 and shall give special

consideration to the findings of any peer review in deciding what noise mitigation measures it implements for the Webster properties.

4. Ecological Impact Mitigation

4.1 The requiring authority (or its agents) shall, in conjunction with the council and in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust, produce the following programmes:

- a. An Ecological Mitigation Programme that outlines the methods and implementation and monitoring processes to be used to avoid, remedy or mitigate adverse effects on the environment, particularly in regard to indigenous vegetation, ecosystems and species, geological features and areas of wildlife habitats; and
- b. A Restoration Planting Programme that outlines the methods and implementation and monitoring processes to restore areas of indigenous vegetation, ecosystems or wildlife habitat likely to be affected by the proposed works.

The programmes shall be submitted as part of the outline plan.

4.2 Without limiting the requirements for consultation imposed under condition 4.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed ecological mitigation measures.

4.3 In undertaking this consultation the requiring authority shall give special consideration to the need for mitigation measures which mitigate to the greatest extent practicable adverse effects of the designation and related works have upon existing trees and vegetation on the Webster properties.

4.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures; and
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed ecological mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what ecological mitigation measures it implements for the Webster properties.

5. Visual Impact Mitigation

5.1 A Visual Mitigation Plan shall be prepared by the requiring authority (or its agents) in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust. The plan shall incorporate, where relevant, the recommendations of the ecological mitigation programme and the restoration planting programme and be submitted as part of the outline plan.

The Visual Mitigation Plan shall include, but not be limited to, details of all proposed planting (including species, species sizes, densities and locations), the planting programme and the required maintenance programme. Existing trees and vegetation on the properties are to be included in any maintenance programme. Attention shall also be paid to the angle and extent of cut and batter slopes through highly visible ridgelines, for example where cut and batter slopes and the proposed roadway would be viewed from properties in Duck Creek Road. In the event that noise mitigation measures such as bunds or barriers are to be employed then these are also to be incorporated in to the visual mitigation plan.

5.2 Without limiting the requirements for consultation imposed under condition 5.1, the requiring

authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed visual mitigation measures proposed.

5.3 In undertaking this consultation the requiring authority shall give special consideration to the need for measures which mitigate to the greatest extent practicable adverse effects of the designation on the Webster properties. When undertaking consultation in respect of this issue any noise mitigation measures (such as bunds or barriers) that are employed to address the noise effects of the designation on the Websters properties are also to be considered by the requiring authority.

5.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures;
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what visual mitigation measures it implements for the Webster properties.

6. Archaeological

6.1 Prior to construction and the obtaining of any necessary consents under the Historic Places Act 1993 the requiring authority (or its agents) shall undertake further investigation of archaeological sites R10/943 and R10/944 if these sites are affected by the proposed works or immediately adjoin the proposed works.

6.2 The archaeological sites recorded in the immediate vicinity of the proposed works shall be clearly marked on construction plans to be provided to the Council and pegged out/fenced off prior to, and during the period of, construction.

7. Vibration

7.1 The road alignment shall be designed with due regard to the effects of vibration.

7.2 In the event that the requiring authority receives, in respect of any building existing as at 14 April 1998, a complaint of vibration induced by construction activities or by traffic on completion of the widened/realigned section of Whangaparaoa Road, then the requiring authority shall:

- a. Monitor traffic induced vibration at location(s) from which complaints have been received where considered appropriate by the Auckland Council; and
- b. Where construction vibration levels exceed the relevant standards of ISO 2631-2, then the requiring authority shall implement practicable mitigation measures.

8. Stormwater

8.1 The requiring authority (or its agents) shall, in consultation with the Council:

- a. Provide suitable detention of concentrated stormwater flows which arise from construction works and the completed roadway to avoid, as far as is practicable, stream erosion by the discharging of this stormwater;
- b. Design, install and operate sediment control ponds to remove, to the maximum extent practicable, sediment from all concentrated discharge from the earthworks;
- c. Arrange all stormwater treatment devices in accordance with the Auckland Council's Technical Publication No. 10 being the Design Guideline Manual : Stormwater Treatment Devices, dated 2003; and
- d. Take all practicable measures to ensure stormwater is not discharged into tributaries or overland

flow paths which ultimately directly flow into the Okura River Estuary.

9. Physical Works Contract

9.1 All contract documentation for physical works shall include the designation conditions, the approved outline plan and any other resource consents (including conditions) held for the project.

9.2 Construction shall be limited to the following hours:

- a. Weekdays: 7.00 a.m. to 6.00 p.m;
- b. Saturdays: 8.00 a.m. to 4.00 p.m; and
- c. Sundays and Public Holidays: No work.

9.3 Construction can be extended to the hours of 7.00 a.m. to 6.00 p.m. every day (with the specific consent of the Auckland Council) between East Coast Road and the northern boundary of the Weiti Forest with the agreement of Green and McCahill Ltd and Green and McCahill Holdings Ltd or any successors in title.

9.4 At all times reasonable access shall be maintained to properties directly affected by the construction and operation of the Weiti Crossing and the Whangaparaoa Road widening unless agreement is reached with the property occupier that access can be temporarily stopped.

10. Public Notification

10.1 At six-monthly intervals from the date of this decision the requiring authority (or its agents) shall notify all property occupiers directly affected by the designation of the current status of the project and the estimated date of commencement of final design and construction. In addition, an advertisement is to be placed in the "Rodney Times" outlining the above information.

10.2 A Public Notification Plan shall be prepared and submitted for the approval of the Auckland Council prior to the start of physical works. The plan shall include, but not be limited to, the following:

- a. Dates for the release of newsletters to directly affected and adjoining property occupiers. These letters shall include details of the construction programme and a single point of contact for the requiring authority (or its agents) for any concerns or enquiries relating to the project, including a contact person name and a telephone and facsimile number; and
- b. Details of proposed signage to advise motorists of periods of likely traffic delays.

11. Duration of Designation

11.1 In accordance with s.184 of the Resource Management Act 1991, this designation will lapse five years from being operative in the Unitary Plan unless:

- a. It is given effect to before the end of that period; or
- b. The territorial authority resolves that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fixes a longer period to give effect to the designation; or
- c. The designation lapses earlier by virtue of the Unitary Plan ceasing to be operative.

12. Other

12.1 Prior to preparing an assessment of effects upon the environment under s. 88 of the Act for the resource consents required from the council, the requiring authority (or its agents) shall prepare a Scoping Report for the consideration of the council. This shall indicate what is to be addressed in the assessment of effects and allow some agreement to be reached between the parties prior to the detailed analysis required for the assessment.

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15.3 In the event that either of the bores at 165 or 236 Duck Creek Road becomes contaminated, the requiring authority will provide an equivalent alternative free water supply.

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Attachments

No attachments.

Designation Schedule - Auckland Transport (1/3)

North and West

Number	Purpose	Location
1400	Service lane and car park	Leal Place, Manly
1401	Road	Hauti Drive to Blue Gum Drive, Warkworth
1402-	Weiti Crossing	East Coast Road, Redvale (crossing Weiti River) to corner Whangaparaoa Road and Cedar Road, Whangaparaoa Transferred to New Zealand Transport Agency (NZTA) on 30 October 2020
1403	Lapsed	
1404	Road widening	470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, <u>309, 388 – 402, 441, 454A, 455, 456, 468, 470, 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 637, 640, 642a, 644a, 663, 722, 724, 726, 728, 736, 740, 742, 746, 748, 750A, 752, 756, 758, 760, 770A, 772A, 772, 774, 849, 851, 853A, 1073, 1075 Whangaparaoa Road,</u> <u>Whangaparaoa</u> <u>2 Cedar Terrace, Whangaparaoa</u> <u>1, 3, 5, 9 Brightside Road, Whangaparaoa</u> <u>1 Penton Road, Whangaparaoa</u> <u>1 Tower Hill, Whangaparaoa</u> 21, 7 Homestead Road, Whangaparaoa and <u>2 Ladies Mile, Whangaparaoa</u> <u>1 Zita Avenue, Whangaparaoa</u> <u>1, 2 Scott Road, Whangaparaoa</u> <u>2 D'Oyly Drive, Whangaparaoa</u>
1406	Car park	Wharf Street, Warkworth
1407	Road widening	Corner of Hudson Road and State Highway 1, Warkworth
1408	Public car park	7A Rawene Road and 204 Hinemoa Street, Birkenhead
1409	Public car park	21 Sunnyhaven Avenue, Beach Haven
1410	Public car park	29 Anzac Road, Browns Bays
1411	Public car park	5 Bute Road, Browns Bay
1412	Public car park	472 Beach Road, Murrays Bay
1413	Public car park	3 Montrose Terrace, Mairangi Bay
1414	Withdrawn	
1415	Public car park	1A Jutland Road, Hauraki
1416	Public car park	14 Huron Street, Takapuna
1417	Withdrawn	
1418	Public car park	139 Kitchener Street, Milford
1419	Public car park	3-5 Fleet Street, Devonport
1420	Constellation Bus Station	62 Parkway Drive, Albany
1421	Albany Bus Station	A250 Oteha Valley Road and 125 McClymonts Road, Albany
1422	Intersection upgrade to provide priority access to the North Shore Busway for buses/high occupancy	Onewa Road and Sylvan Avenue, Northcote

	vehicles	
1423	Akoranga Station	20 Takapuna Landing, Takapuna
1424	Akoranga Station link road	Takapuna Landing, Takapuna
1425	Akoranga Pedestrian Overbridge	20 Takapuna Landing (Akoranga Station), Takapuna (over State Highway 1) to 72 Akoranga Drive (Akoranga Campus), Northcote
1426	Westlake Station	Shakespeare Road (adjoins No. 78 Taharoto Road), Takapuna
1427	Sunnynook Station	168Z Sunnynook Road, Sunnynook
1428	Constellation Drive Station	62 Parkway Drive, Rosedale
1429	Wairau Road / Taharoto Road transport corridor widening and associated works	7-15 Wairau Road and 78Z Taharoto Road, Milford, Part Allotment 103 Parish of Takapuna and Part Allotment 91 Parish of Takapuna (2 Wairau Road, Takapuna)
1430	Public off-street parking ...	23-27 Sir Peter Blake Parade, Bayswater
1431	Road widening	107 Chivalry Road, Glenfield
1432	Road widening	43, 47-51, 55, 59, 65, 69 and 106 Anzac Street, Takapuna
1433	Transport corridor	Fred Taylor Drive, Massey/Whenuapai
1434	Road widening purposes	125A Metcalfe Road to 46 Ranui Station Road, Ranui
1435	Road widening purposes	Waitemata Drive (over Birdwood Park) to Waitemata Drive West, Ranui
1436	Withdrawn	
1437	Transport corridor	Hobsonville Road, Hobsonville
1438	Public car parking purposes	16 Delta Avenue, New Lynn
1439	Road widening access purposes	7 Fairbanks Place, Glendene
1441	Road widening access purposes	35 Ranui Station Road, Ranui
1442	Service lane	342-344 Great North Road (Henderson Square A), Henderson
1443	Service lane	2 RAILSIDE AVENUE (Henderson Square B), Henderson
1444	Service lane	McNaughton Way to 11 High Brown Drive, New Lynn
1445	Service lane	60 James Laurie Street to 240C-D Great North Road, Henderson
1446	Lapsed	
1447	Road widening purposes	2-16, 24-26, 28-30 Clark Street, New Lynn
1448	Road widening purposes	1-3 Edmonton Road, Henderson
1449	Road widening purposes	267-287, 290-300, 295-297A, 301-309, 304-318A, 311-325, 429-447, 450, 4004-4012, 4007-4035, 4018, 4022-4024, 4040-4048, 4052-4054, 4070, 4087-4131, 4092-4094, 4098 and 4104-4118A Great North Road, 1-3 West Coast Road, 1 and 2 Montel Avenue, 2 Blacklock Avenue and 1 Buscomb Avenue, Henderson to Te Atatu
1450	Lapsed	
1452	Road widening purposes	241-275, 272-294, 281-314, 300-326, 330-332, 338-342 and 354-358 Te Atatu Road South, 93 Royal View Road, 1, 82 and 85 Jaemont Avenue, 1A and 2A Covil Avenue and 2A Bridge Avenue, Te Atatu
1453	Road widening purposes	2-14, 9-11, 17-35, 30, 40, 44-54, 45-49, 53, 58, 58-64, 65-171A, 68-68A, 74-114 and 118-160 Titirangi Road, 2 Margan Avenue and 1 and 2 Northhall Road, Titirangi
1454	Road widening purposes	1-23, 2, 24-34, 25-33, 37-47, 53-59, 63A-141, 64-186, 198-274, 273-347, 282-312, 318-320, 326-360, 351A-409, 370-386 and

		390-400 West Coast Road, 69-71 Clayburn Road and 1 Pleasant Road, Glen Eden
1455	Road widening purposes	1-25, 12-40, 37,47-55A, 52-54, 58, 78, 80A-82, 86-88, 92-94 Swanson Road, Henderson
1456	Withdrawn	
1457	Withdrawn	
1458	Public off-street parking ...	76 Swanson Road, Henderson
1459	Public off-street parking ...	2 Fenwick Avenue, Milford
1461	Public off-street parking ...	12 Channel View Road, Takapuna
1462	Withdrawn	
1463	Public off-street parking ...	20 Clarence Street, Devonport
1464	Withdrawn	
1465	Public off-street parking ...	85 Hurstmere Road, Takapuna
1466	Public off-street parking ...	41 Glenmall Road, Glen Eden
1467	Road widening	Hobsonville Road, Hobsonville
1468	Road widening	State Highway 16 (Westgate to Whenuapai)
1469	Road widening and improvement works.	Albany Highway, Albany
1470	The construction, operation and maintenance of a new road and improvements to the existing Gills Road.	Between Gills Road, Albany (south of Living Stream Road) to Oteha Valley Road (opposite Appian Way), from south of Living Stream Road along Gills Road to east of Lucas Creek bridge.
1471	Roading purposes	Between Mansel Drive and Falls Road, Warkworth.
1472	Withdrawn	
1473	Roading purposes	Land between Northside Drive West, Massey North and Trig Road, Whenuapai
1474	Construction, operation and maintenance of a new road link and associated wetland and improvements to the existing Glenvar Road.	Glenvar Ridge Road, Long Bay
1476	Road – Medallion Drive Link	56 Fairview Avenue, Albany
1477	Road widening and improvement works.	Lincoln Road, Henderson
1478	Road – Matakana Road Link	State Highway 1 to Matakana Road, Warkworth
1479	Construction, operation and maintenance of a road, cycleways, pedestrian paths and associated infrastructure.	Land from Argent Lane roundabout at the intersection with Old Pine Valley Road south through the properties of 10 and 36 Old Pine Valley Road, tying into the existing Pine Valley Road to the north of the property boundary with 1731 Dairy Flat Highway: <ul style="list-style-type: none"> • 10 Old Pine Valley Road (Sec 7 SO 315843, Sec 8 SO 315843, Pt Lot 5 DP 136559) • 36 Old Pine Valley Road (Lot 6 DP 136559) • The public road reserve between the parcels of land that form 10 Old Pine Valley Road.

1480	Construction, operation and maintenance of a road, cycleways, pedestrian paths and associated infrastructure.	<p>Dairy Flat Highway from the edge of the Northern Motorway northbound Silverdale off-ramp to the intersection of Dairy Flat Highway and Pine Valley Road, continuing up Pine Valley Road to the northern property boundary of 1731 Dairy Flat Highway:</p> <ul style="list-style-type: none"> • 1687 Dairy Flat Highway (Lot 1 DP 131154) • 1700 Dairy Flat Highway (Pt Lot 1 DP 68886) • 1731 Dairy Flat Highway (Sec 5 SO 315843, Sec 6 SO 315843, Pt Lot 1 DP 101886) • 1732 Dairy Flat Highway (Pt Lot 2 DP 68886) • The public road reserve on Pine Valley Road and Dairy Flat Highway
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**1404 Road Widening - Whangaparaoa
Road Corrected Text**

1404 Road Widening - Whangaparaoa Road

Designation Number	1404
Requiring Authority	Auckland Transport
Location	309, 388 – 402, 441, 454A, 455, 456, 468, 470, 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 637, 640, 642a, 644a, 663, 722, 724, 726, 728, 736, 740, 742, 746, 748, 750A, 752, 756, 758, 760, 770A, 772A, 772, 774, 849, 851, 853A, 1073, 1075 Whangaparaoa Road, Whangaparaoa 2 Cedar Terrace, Whangaparaoa 1, 3, 5, 9 Brightside Road, Whangaparaoa 1 Penton Road, Whangaparaoa 1 Tower Hill, Whangaparaoa 1, 7 Homestead Road, Whangaparaoa 2 Ladies Mile, Whangaparaoa 1 Zita Avenue, Whangaparaoa 1, 2 Scott Road, Whangaparaoa 2 D'Oyly Drive, Whangaparaoa
Rollover Designation	Yes
Legacy Reference	Sheet 5 - Roads to be Widened and Stopped of the Planning Maps, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior

Purpose

Road widening.

Conditions

1. General

1.1 The scope and extent of the works (including the horizontal and vertical alignment of the carriageway) within the designation shall be generally in accordance with the plans contained in the Notice of Requirement dated 14 April 1998 (Appendix D – Designation drawings) and referenced as Figures A1.0 to A1.3 (BCHF Cad File No. 6507C935.DWG to 6507C938.DWG Rev. E) and Figures B1.1 to B1.4 (BCHF Cad File No. 6507C931.DWG to 6507C934.DWG Rev.D.)

1.2 The designation and proposed works on the area of land subject to the designation shall not include any toll-booth type facilities or structures.

1.3 Before any construction is commenced an Outline Plan shall be submitted in terms of section 176A of the Resource Management Act 1991 to council. The outline plan may be submitted in stages to reflect any proposed staging of the physical works. This outline plan is to be submitted to council for assessment and recommendations to the council. The outline plan shall show those matters required to be included by section 176A(3) of the Act. It shall be prepared in consultation with directly affected property owners and occupiers with the record of such consultation being documented in the outline plan.

1.4 Prior to the start of physical works, the requiring authority (or its agent) shall obtain all resource consents required under the Resource Management Act 1991 and the Heritage New Zealand

Pouhere Taonga Act 2014.

2. Design Considerations

2.1 The requiring authority (or its agents) shall incorporate retaining walls into the detailed design to reduce the property effects at critical parts of the alignment, in general accordance with the details identified in Appendix C of the requiring authority's closing submissions.

2.2 As part of the upgrading works the requiring authority (or its agents) shall, subject to the proper performance of its statutory functions, provide suitable pedestrian crossing facilities at the following general localities along Whangaparaoa Road:

- a. Brightside Road;
- b. Weiti Crossing / Whangaparaoa Road intersection;
- c. Stanmore Bay Road;
- d. Ladies Mile;
- e. Pedestrian linkage of Duck Creek Road across the Weiti Crossing; and
- f. Such other places as may be identified in future analysis as necessary for safety purposes.

2.3 The requiring authority (or its agents) shall permit vehicle access from the Weiti Crossing road alignment to the following parcels of land in consultation with the landowners and in accordance with the provisions of the Local Government Act 1974:

- a. Lot 3 DP 95982 and Lot 1 DP 100141 being respectively the Kilmacrennan Farm and Kerrykeel Farm which are farmed as one unit known as Weiti Station (Green and McCahill Group submission); and
- b. Part Lot 1 DP 95984, Lot 1 DP 51255 and Lot 1 DP 49038 being land owned by Green and McCahill Holdings Ltd.

Explanation:

Given the size of the Green and McCahill Holdings Ltd landholding (908 hectares) two access points would be appropriate. The third access point sought by this company includes access to the Stillwater settlement which should be the subject of other considerations apart from this designation.

3. Noise Impact Mitigation

3.1 During construction, New Zealand Standard 6803P : 1984, The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work shall be complied with and the principles for managing noise set out within that document shall be formally adopted.

3.2 The road alignment shall be designed to achieve the following noise standards:

- a. For the properties identified in Table A – the relevant traffic noise design limit contained in Table A.
- b. For all other properties – the relevant noise standard contained in NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

Table A:

Location	Traffic Noise Design Limits Leq (24 hours)
Dwelling A (at the western end of the proposed road as indicated on the AEE document). This will require mitigation from the expected noise levels.	65 dBA
All other existing* dwellings west of the Weiti River Dwelling 1 on Lot 1 DP 138956 Dwelling 2 on Lot 4 DP 64380 Dwelling 3 on Lot 6 DP 64380	55 dBa

Dwelling 4 on Lot 7 DP 64380 This will require mitigation from the expected noise levels particularly for the properties at 173, 250, 301, 305 and 307 Duck Creek Road and that identified as Dwelling B in the AEE document along Weiti Station Road.	
Dwellings at 7 to 37 Cedar Terrace inclusive.	62 dBa
All existing* dwellings on Whangaparaoa Rd.	65 dBa or ambient (whichever is greater)

*Existing at 14 April 1998

Note:

The assessment point for Table A is 1m in front of the most exposed point on the facades of the dwellings.

3.3 In addition to the standards in Table A above, the road alignment shall be designed with the appropriate noise mitigation measures to achieve compliance with a single event noise limit of 78 dBA Lmax at the façade of any residential building situated within 12 metres from the new road carriageway. This shall not apply to residential buildings currently located within 12 metres of the existing road carriageway.

Explanation:

This is in accordance with the NZS6806:2010 Acoustics - Road Traffic Noise - New and altered roads.

3.4 If it is impracticable to meet the Design Limits in the above Conditions 3.2 and 3.3, then prior to completion of the road widening, the requiring authority (or its agents) shall, with the agreement of the owner of the dwelling and if so required by them, provide insulation and, if required, mechanical ventilation to all living rooms (including kitchens) and bedrooms, to ensure that an internal criterion of 40 dBA Leq (24 hours) is not exceeded. If it is impracticable or uneconomic to design mitigation to achieve this internal criterion then the requiring authority (or its agents) shall, with the agreement of the owner, and at a price not exceeding market value, purchase the property.

3.5 Without limiting the requirements for consultation imposed under condition 3.4, the requiring authority shall consult with the owners of 236 Duck Creek Road, being Part Lot 3 DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403 ("the Webster properties") in relation to the location, nature and extent of any proposed noise mitigation measures.

3.6 In undertaking this consultation the requiring authority shall give special consideration to the need for additional or alternative noise mitigation measures which mitigate to the greatest extent practicable the acoustic and amenity effects of the designation upon the Webster properties within the noise limit set out in condition 3.2.

3.7 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed noise mitigation measures;
- b. ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. the requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties to identify other mitigation measures which may be cost effective and meet the noise limits set out in condition 3.2 and shall give special consideration to the findings of any peer review in deciding what noise mitigation measures it implements for the Webster properties.

4. Ecological Impact Mitigation

4.1 The requiring authority (or its agents) shall, in conjunction with the council and in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust, produce the following programmes:

- a. An Ecological Mitigation Programme that outlines the methods and implementation and monitoring processes to be used to avoid, remedy or mitigate adverse effects on the environment, particularly in regard to indigenous vegetation, ecosystems and species, geological features and areas of wildlife habitats; and
- b. A Restoration Planting Programme that outlines the methods and implementation and monitoring processes to restore areas of indigenous vegetation, ecosystems or wildlife habitat likely to be affected by the proposed works.

The programmes shall be submitted as part of the outline plan.

4.2 Without limiting the requirements for consultation imposed under condition 4.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed ecological mitigation measures.

4.3 In undertaking this consultation the requiring authority shall give special consideration to the need for mitigation measures which mitigate to the greatest extent practicable adverse effects of the designation and related works have upon existing trees and vegetation on the Webster properties.

4.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures; and
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed ecological mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what ecological mitigation measures it implements for the Webster properties.

5. Visual Impact Mitigation

5.1 A Visual Mitigation Plan shall be prepared by the requiring authority (or its agents) in consultation with directly affected property owners and occupiers, including the Queen Elizabeth II National Trust. The plan shall incorporate, where relevant, the recommendations of the ecological mitigation programme and the restoration planting programme and be submitted as part of the outline plan.

The Visual Mitigation Plan shall include, but not be limited to, details of all proposed planting (including species, species sizes, densities and locations), the planting programme and the required maintenance programme. Existing trees and vegetation on the properties are to be included in any maintenance programme. Attention shall also be paid to the angle and extent of cut and batter slopes through highly visible ridgelines, for example where cut and batter slopes and the proposed roadway would be viewed from properties in Duck Creek Road. In the event that noise mitigation measures such as bunds or barriers are to be employed then these are also to be incorporated in to the visual mitigation plan.

5.2 Without limiting the requirements for consultation imposed under condition 5.1, the requiring authority shall consult with the owners of the Webster properties in relation to the location, nature and extent of any proposed visual mitigation measures proposed.

5.3 In undertaking this consultation the requiring authority shall give special consideration to the need for measures which mitigate to the greatest extent practicable adverse effects of the designation on the Webster properties. When undertaking consultation in respect of this issue any noise mitigation measures (such as bunds or barriers) that are employed to address the noise effects of the designation on the Websters properties are also to be considered by the requiring authority.

5.4 In undertaking consultation with the owners of the Webster properties the requiring authority shall:

- a. Provide copies to the owners of all relevant reports and plans prepared by it in relation to the proposed ecological mitigation measures;
- b. Ensure that the owners have at least two weeks to peruse this material and respond to the requiring authority with their position; and
- c. The requiring authority shall obtain (at its reasonable cost) a peer review of the proposed mitigation measures and consequential effects on the Webster properties and shall give special consideration to the findings of any peer review in deciding what visual mitigation measures it implements for the Webster properties.

6. Archaeological

6.1 Prior to construction and the obtaining of any necessary consents under the Historic Places Act 1993 the requiring authority (or its agents) shall undertake further investigation of archaeological sites R10/943 and R10/944 if these sites are affected by the proposed works or immediately adjoin the proposed works.

6.2 The archaeological sites recorded in the immediate vicinity of the proposed works shall be clearly marked on construction plans to be provided to the Council and pegged out/fenced off prior to, and during the period of, construction.

7. Vibration

7.1 The road alignment shall be designed with due regard to the effects of vibration.

7.2 In the event that the requiring authority receives, in respect of any building existing as at 14 April 1998, a complaint of vibration induced by construction activities or by traffic on completion of the widened/realigned section of Whangaparaoa Road, then the requiring authority shall:

- a. Monitor traffic induced vibration at location(s) from which complaints have been received where considered appropriate by the Auckland Council; and
- b. Where construction vibration levels exceed the relevant standards of ISO 2631-2, then the requiring authority shall implement practicable mitigation measures.

8. Stormwater

8.1 The requiring authority (or its agents) shall, in consultation with the Council:

- a. Provide suitable detention of concentrated stormwater flows which arise from construction works and the completed roadway to avoid, as far as is practicable, stream erosion by the discharging of this stormwater;
- b. Design, install and operate sediment control ponds to remove, to the maximum extent practicable, sediment from all concentrated discharge from the earthworks;
- c. Arrange all stormwater treatment devices in accordance with the Auckland Council's Technical Publication No. 10 being the Design Guideline Manual : Stormwater Treatment Devices, dated 2003; and
- d. Take all practicable measures to ensure stormwater is not discharged into tributaries or overland flow paths which ultimately directly flow into the Okura River Estuary.

9. Physical Works Contract

9.1 All contract documentation for physical works shall include the designation conditions, the approved outline plan and any other resource consents (including conditions) held for the project.

9.2 Construction shall be limited to the following hours:

- a. Weekdays: 7.00 a.m. to 6.00 p.m;
- b. Saturdays: 8.00 a.m. to 4.00 p.m; and
- c. Sundays and Public Holidays: No work.

9.3 Construction can be extended to the hours of 7.00 a.m. to 6.00 p.m. every day (with the specific consent of the Auckland Council) between East Coast Road and the northern boundary of the Weiti Forest with the agreement of Green and McCahill Ltd and Green and McCahill Holdings Ltd or any successors in title.

9.4 At all times reasonable access shall be maintained to properties directly affected by the construction and operation of the Weiti Crossing and the Whangaparaoa Road widening unless agreement is reached with the property occupier that access can be temporarily stopped.

10. Public Notification

10.1 At six-monthly intervals from the date of this decision the requiring authority (or its agents) shall notify all property occupiers directly affected by the designation of the current status of the project and the estimated date of commencement of final design and construction. In addition, an advertisement is to be placed in the "Rodney Times" outlining the above information.

10.2 A Public Notification Plan shall be prepared and submitted for the approval of the Auckland Council prior to the start of physical works. The plan shall include, but not be limited to, the following:

- a. Dates for the release of newsletters to directly affected and adjoining property occupiers. These letters shall include details of the construction programme and a single point of contact for the requiring authority (or its agents) for any concerns or enquiries relating to the project, including a contact person name and a telephone and facsimile number; and
- b. Details of proposed signage to advise motorists of periods of likely traffic delays.

11. Duration of Designation

11.1 In accordance with s.184 of the Resource Management Act 1991, this designation will lapse five years from being operative in the Unitary Plan unless:

- a. It is given effect to before the end of that period; or
- b. The territorial authority resolves that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fixes a longer period to give effect to the designation; or
- c. The designation lapses earlier by virtue of the Unitary Plan ceasing to be operative.

12. Other

12.1 Prior to preparing an assessment of effects upon the environment under s. 88 of the Act for the resource consents required from the council, the requiring authority (or its agents) shall prepare a Scoping Report for the consideration of the council. This shall indicate what is to be addressed in the assessment of effects and allow some agreement to be reached between the parties prior to the detailed analysis required for the assessment.

13. Costs

13.1 Pursuant to s.36 of the Resource Management Act 1991, the requiring authority shall be responsible for paying administrative charges relating to receiving, processing and making a decision in respect of the requirement. The total amount payable will be communicated to the requiring

authority within two months of the process being completed.

14. Local access to Stillwater Community

14.1 Safe and efficient two-way access to the Stillwater community (on both sides of the designated route) shall be provided, including throughout the construction period. Such access shall include provision for public transport (including bus stops) and for the safe and efficient movement of school buses and boat trailers. The design of any such access shall be undertaken in full consultation with the Stillwater Ratepayers and Residents Association, the owners of the Webster properties and directly affected members of the Stillwater community.

14.2 Following such consultation, the requiring authority will submit the proposed access design to an independent auditor for a safety audit prior to construction. The cost of this audit is to be met by the requiring authority.

15. Water Supply

15.1 During each construction season (1 October – 30 April) the requiring authority shall periodically check and wash down any residences (including the roof) which are located along the designation route and which are affected by the construction of the bridge and its approaches. The cost of this cleaning will be met by the requiring authority.

15.2 The requiring authority will test the water quality of the bores at 165 Duck Creek Road, being the land described in 113B/679 (North Auckland Registry), and 236 Duck Creek Road, being the land described in certificates of title 682/218 and 1020/274 (North Auckland Registry), on a monthly basis.

15.3 In the event that either of the bores at 165 or 236 Duck Creek Road becomes contaminated, the requiring authority will provide an equivalent alternative free water supply.

15.4 The requiring authority will test the water quality of each domestic water tank located along the designation route, including the Webster properties, affected by construction of the bridge and its approaches on a monthly basis during the construction season and for one month following (1 October – 31 May) of each year of the construction period. If the water in any such tank is contaminated, the requiring authority will immediately, and at its cost entirely, have any such tank cleaned out and refilled.

16. Land Stabilisation

16.1 The requiring authority will conduct a “before and after” dilapidation survey of the properties (including the interiors of buildings) located along the designation route, including the Webster properties to assess any effects as a result of construction of the bridge and its approaches.

16.2 In any agreements entered into with any third party to carry out construction of the road and bridge, the requiring authority will require that party to accept liability for any damage or instability to land or buildings caused by construction and will also require that party to monitor slope stability throughout the duration of construction and for a period of 12 months following completion of the project. In the event that the requiring authority undertakes construction itself, it will accept such liability and conduct such monitoring.

17. Noise

17.1 Once the new road is operational, council will pass any bylaw required to enable a restriction on engine braking to be imposed on vehicles using the road in the vicinity of Stillwater, should such a restriction prove necessary.

17.2 The requiring authority will use asphalted concrete on the road surface on the Weiti Bridge and extend this surface along the road up to 307 Duck Creek Road, being the land described in certificate of title 16C/1432 (North Auckland Registry).

17.3 The requiring authority will use its best endeavours to provide a building (which is surplus to roading requirements) to be used as the Stillwater community hall. The requiring authority shall arrange for the transport at its cost of any such building to the agreed site.

18. Stock Underpass

18.1 The requiring authority shall enter into an agreement with the owners of the Webster properties to provide them with a stock underpass (under the new carriageway provided for by the designation) to agreed specifications and with agreed rights of access or tenure, to provide the owners of the properties access between the two parts of the property which will be bisected by the new carriageway.

18.2 During the period of construction of the Weiti Link, while the Webster properties are bisected by works, but before the stock underpass is completed, the requiring authority shall provide reasonable stock access across the carriageway so owners of the properties can utilise all parts of their property.

19. Duck Creek Intersection

19.1 No part of the realigned Duck Creek Road, including its intersection on the eastern side of the Weiti link will be positioned further north than indicated on the plan annexed as Appendix A of the NOR.

20. Water Supply

20.1 The requiring authority shall ensure that during construction and operation of the Weiti Crossing Road, a water supply is maintained for the purpose of watering livestock located at 236 Duck Creek Road, being Part Lot 3, DP 26549 and 266 Duck Creek Road, being Lot 2 DP 29403.

Attachments

No attachments.

Designation Schedule - Auckland Transport (1/3)

North and West

Number	Purpose	Location
1400	Service lane and car park	Leal Place, Manly
1401	Road	Hauti Drive to Blue Gum Drive, Warkworth
1402	Weiti Crossing	East Coast Road, Redvale (crossing Weiti River) to corner Whangaparaoa Road and Cedar Road, Whangaparaoa Transferred to New Zealand Transport Agency (NZTA) on 30 October 2020
1403	Lapsed	
1404	Road widening	309, 388 – 402, 441, 454A, 455, 456, 468, 470, 473, 475, 510, 514A, 516A, 518, 520, 522A, 525, 527, 529, 540, 597, 601, 609, 611, 637, 640, 642a, 644a, 663, 722, 724, 726, 728, 736, 740, 742, 746, 748, 750A, 752, 756, 758, 760, 770A, 772A, 772, 774, 849, 851, 853A, 1073, 1075 Whangaparaoa Road, Whangaparaoa 2 Cedar Terrace, Whangaparaoa 1, 3, 5, 9 Brightside Road, Whangaparaoa 1 Penton Road, Whangaparaoa 1 Tower Hill, Whangaparaoa 1, 7 Homestead Road, Whangaparaoa 2 Ladies Mile, Whangaparaoa 1 Zita Avenue, Whangaparaoa 1, 2 Scott Road, Whangaparaoa 2 D'Oyly Drive, Whangaparaoa
1406	Car park	Wharf Street, Warkworth
1407	Road widening	Corner of Hudson Road and State Highway 1, Warkworth
1408	Public car park	7A Rawene Road and 204 Hinemoa Street, Birkenhead
1409	Public car park	21 Sunnyhaven Avenue, Beach Haven
1410	Public car park	29 Anzac Road, Browns Bays
1411	Public car park	5 Bute Road, Browns Bay
1412	Public car park	472 Beach Road, Murrays Bay
1413	Public car park	3 Montrose Terrace, Mairangi Bay
1414	Withdrawn	
1415	Public car park	1A Jutland Road, Hauraki
1416	Public car park	14 Huron Street, Takapuna
1417	Withdrawn	
1418	Public car park	139 Kitchener Street, Milford
1419	Public car park	3-5 Fleet Street, Devonport
1420	Constellation Bus Station	62 Parkway Drive, Albany
1421	Albany Bus Station	A250 Oteha Valley Road and 125 McClymonts Road, Albany
1422	Intersection upgrade to provide priority access to the North Shore Busway for buses/high occupancy vehicles	Onewa Road and Sylvan Avenue, Northcote
1423	Akoranga Station	20 Takapuna Landing, Takapuna

1424	Akoranga Station link road	Takapuna Landing, Takapuna
1425	Akoranga Pedestrian Overbridge	20 Takapuna Landing (Akoranga Station), Takapuna (over State Highway 1) to 72 Akoranga Drive (Akoranga Campus), Northcote
1426	Westlake Station	Shakespeare Road (adjoins No. 78 Taharoto Road), Takapuna
1427	Sunnynook Station	168Z Sunnynook Road, Sunnynook
1428	Constellation Drive Station	62 Parkway Drive, Rosedale
1429	Wairau Road / Taharoto Road transport corridor widening and associated works	7-15 Wairau Road and 78Z Taharoto Road, Milford, Part Allotment 103 Parish of Takapuna and Part Allotment 91 Parish of Takapuna (2 Wairau Road, Takapuna)
1430	Public off-street parking ...	23-27 Sir Peter Blake Parade, Bayswater
1431	Road widening	107 Chivalry Road, Glenfield
1432	Road widening	43, 47-51, 55, 59, 65, 69 and 106 Anzac Street, Takapuna
1433	Transport corridor	Fred Taylor Drive, Massey/Whenuapai
1434	Roading purposes	125A Metcalfe Road to 46 Ranui Station Road, Ranui
1435	Roading purposes	Waitemata Drive (over Birdwood Park) to Waitemata Drive West, Ranui
1436	Withdrawn	
1437	Transport corridor	Hobsonville Road, Hobsonville
1438	Public car parking purposes	16 Delta Avenue, New Lynn
1439	Roading access purposes	7 Fairbanks Place, Glendene
1441	Roading access purposes	35 Ranui Station Road, Ranui
1442	Service lane	342-344 Great North Road (Henderson Square A), Henderson
1443	Service lane	2 Railside Avenue (Henderson Square B), Henderson
1444	Service lane	McNaughton Way to 11 High Brown Drive, New Lynn
1445	Service lane	60 James Laurie Street to 240C-D Great North Road, Henderson
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1452	Road widening purposes	241-275, 272-294, 281-314, 300-326, 330-332, 338-342 and 354-358 Te Atatu Road South, 93 Royal View Road, 1, 82 and 85 Jaemont Avenue, 1A and 2A Covil Avenue and 2A Bridge Avenue, Te Atatu
1453	Road widening purposes	2-14, 9-11, 17-35, 30, 40, 44-54, 45-49, 53, 58, 58-64, 65-171A, 68-68A, 74-114 and 118-160 Titirangi Road, 2 Margan Avenue and 1 and 2 Northhall Road, Titirangi
1454	Road widening purposes	1-23, 2, 24-34, 25-33, 37-47, 53-59, 63A-141, 64-186, 198-274, 273-347, 282-312, 318-320, 326-360, 351A-409, 370-386 and 390-400 West Coast Road, 69-71 Clayburn Road and 1 Pleasant Road, Glen Eden

1455	Road widening purposes	1-25, 12-40, 37,47-55A, 52-54, 58, 78, 80A-82, 86-88, 92-94 Swanson Road, Henderson
1456	Withdrawn	
1457	Withdrawn	
1458	Public off-street parking ...	76 Swanson Road, Henderson
1459	Public off-street parking ...	2 Fenwick Avenue, Milford
1461	Public off-street parking ...	12 Channel View Road, Takapuna
1462	Withdrawn	
1463	Public off-street parking ...	20 Clarence Street, Devonport
1464	Withdrawn	
1465	Public off-street parking ...	85 Hurstmere Road, Takapuna
1466	Public off-street parking ...	41 Glenmall Road, Glen Eden
1467	Road widening	Hobsonville Road, Hobsonville
1468	Road widening	State Highway 16 (Westgate to Whenuapai)
1469	Road widening and improvement works.	Albany Highway, Albany
1470	The construction, operation and maintenance of a new road and improvements to the existing Gills Road.	Between Gills Road, Albany (south of Living Stream Road) to Oteha Valley Road (opposite Appian Way), from south of Living Stream Road along Gills Road to east of Lucas Creek bridge.
1471	Roading purposes	Between Mansel Drive and Falls Road, Warkworth.
1472	Withdrawn	
1473	Roading purposes	Land between Northside Drive West, Massey North and Trig Road, Whenuapai
1474	Construction, operation and maintenance of a new road link and associated wetland and improvements to the existing Glenvar Road.	Glenvar Ridge Road, Long Bay
1476	Road – Medallion Drive Link	56 Fairview Avenue, Albany
1477	Road widening and improvement works.	Lincoln Road, Henderson
1478	Road – Matakana Road Link	State Highway 1 to Matakana Road, Warkworth
1479	Construction, operation and maintenance of a road, cycleways, pedestrian paths and associated infrastructure.	Land from Argent Lane roundabout at the intersection with Old Pine Valley Road south through the properties of 10 and 36 Old Pine Valley Road, tying into the existing Pine Valley Road to the north of the property boundary with 1731 Dairy Flat Highway: <ul style="list-style-type: none"> • 10 Old Pine Valley Road (Sec 7 SO 315843, Sec 8 SO 315843, Pt Lot 5 DP 136559) • 36 Old Pine Valley Road (Lot 6 DP 136559) • The public road reserve between the parcels of land that form 10 Old Pine Valley Road.

1480	Construction, operation and maintenance of a road, cycleways, pedestrian paths and associated infrastructure.	<p>Dairy Flat Highway from the edge of the Northern Motorway northbound Silverdale off-ramp to the intersection of Dairy Flat Highway and Pine Valley Road, continuing up Pine Valley Road to the northern property boundary of 1731 Dairy Flat Highway:</p> <ul style="list-style-type: none"> • 1687 Dairy Flat Highway (Lot 1 DP 131154) • 1700 Dairy Flat Highway (Pt Lot 1 DP 68886) • 1731 Dairy Flat Highway (Sec 5 SO 315843, Sec 6 SO 315843, Pt Lot 1 DP 101886) • 1732 Dairy Flat Highway (Pt Lot 2 DP 68886) • The public road reserve on Pine Valley Road and Dairy Flat Highway
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