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

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

Time: **9.30am**

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

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

**HEARING REPORT: VOL 5 – COPIES OF
SUBMISSIONS: NOR 6 & NOR 7**

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

**TE TUPU NGATAHI - SUPPORTING GROWTH
ALLIANCE**

COMMISSIONERS

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

Chayla Walker
KAITOHUTOHU WHAKAWĀTANGA
HEARINGS ADVISOR

Telephone: 098902009 or 027 2315937
Email: chayla.walker@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the requiring authority or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the requiring authority or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual procedure for a hearing is:

- **the chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- The Requiring Authority (the applicant) will be called upon to present their case. The Requiring Authority may be represented by legal counsel or consultants and may call witnesses in support of the application. After the Requiring Authority has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The **requiring authority** or their representative then has the right to summarise the application and reply to matters raised. Hearing panel members may ask further questions. The requiring authority's reply may be provided in writing after the hearing has adjourned.
- **The chairperson** will outline the next steps in the process and adjourn or close the hearing.
- The hearing panel will make a recommendation to the Requiring Authority. The Requiring Authority then has 30 working days to make a decision and inform council of that decision. You will be informed in writing of the Requiring Authority's decision, the reasons for it and what your appeal rights are.

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

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Andrew Wilkinson, Planner

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

REQUIRING AUTHORITY: TE TUPU NGATAHI - SUPPORTING GROWTH ALLIANCE

The 13 NoRs are:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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8 December 2023

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

Email: unitaryplan@aucklandcouncil.govt.nz

**North (NoR 6) New Connection between Milldale and Grand Drive, Orewa
Submission by Vineway Limited concerning 53b Russell Road and 55 Russell Road, Wainui**

1. Find attached a submission (Form 21) on behalf of Vineway Limited concerning NoR 6 and the impact on land situated at 53b Russell Road and 55 Russell Road, Wainui (Parcel ID 400226 and 400325).
2. The submitter wishes to be heard in support of the matters raised.
3. Please direct correspondence to the writer.

Yours faithfully



Ian Campbell

Director

Email ian@publicworksadvisory.co.nz

Mobile 0274 770 486

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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Vineway Limited

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

Address for service of Submitter

Public Works Advisory Limited Level 8 139 Quay Street Auckland 1010

Attention: Ian Campbell

Telephone:

274770486

Email:

ian@publicworksadvisory.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 6) New Connection between Milldale and Grand Drive, Ōrewa

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

Impact of the proposed road corridor designation at 53b Russell Road and 55 Russell Road, Wainui (Parcel ID 400226 and 400325) and consideration for future residential development in the area.

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

The proposed designation does not integrate with a future residential development on the land.

We are concerned that the proposed road network plan requires significant land taken for batter support and temporary occupation. We question the land requirement, and proposed stormwater pond location, and the proposed built levels without referencing or integration with a future residential development on the land.

Furthermore, the road design doesn't tie in, or provide vehicle access for servicing a future residential development. NoR 6 #01

(continue on a separate sheet if necessary)

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

We ask that consideration for a future residential development at 53b Russell Road and 55 Russell Road is given, and to integrate the proposed road designation with a full residential development including (but not limited to) optimal positioning, levels, setback, batter support, retaining walls, vehicle access, stormwater management and other development considerations.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

12/08/2023

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1118] Notice of Requirement online submission - Manuhiri Kaitiaki Charitable Trust
Date: Tuesday, 12 December 2023 2:00:37 pm

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

Contact details

Full name of submitter: Manuhiri Kaitiaki Charitable Trust

Organisation name:

Full name of your agent:

Email address: kaitiaki@ngatimanuhiri.iwi.nz

Contact phone number:

Postal address:

PO BOX 117
Warkworth
Auckland 0941

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 6 New Connection between Milldale and Grand Drive, Ōrewa

The specific provisions that my submission relates to are:

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

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:

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

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

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

Submission date: 12 December 2023

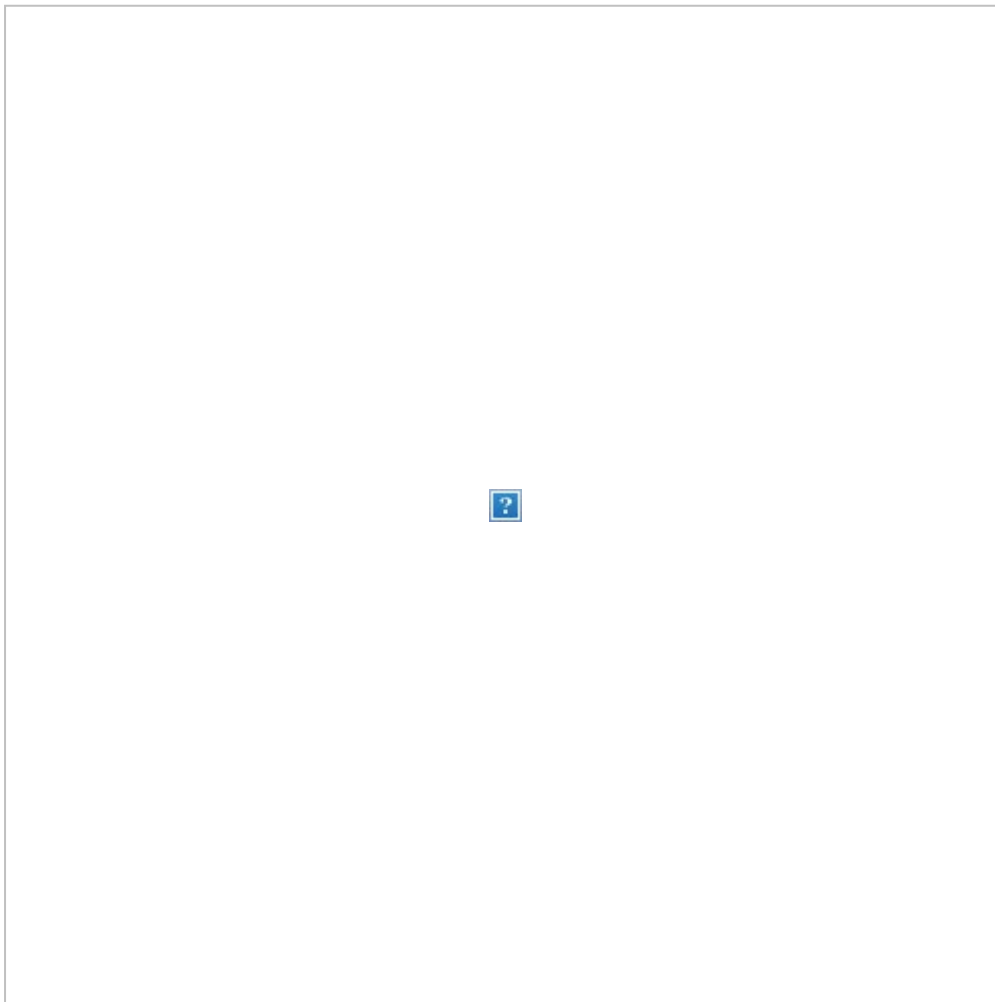
Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Form 21

Submission on requirements for designations

To: Auckland Council
Private Bag 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

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

Chorus New Zealand Limited (Chorus)
PO Box 632
Wellington

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

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

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

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

The Proposal:

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

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

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

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

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

The Telecommunications Submitters' submission is that:

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

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

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

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

Existing Infrastructure

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

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

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

Future Infrastructure Requirements

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

Spark achieved a more satisfactory outcome through participation as a submitter in the Auckland East West Link and Warkworth to Wellsford (W2W) project designation conditions where there was a specific obligation for the Requiring Authority to consult with network utility operators as part of the detailed design phase of the project to identify opportunities to enable the development of new network utility including telecommunications infrastructure where practicable to do so¹. While the Telecommunication

¹ East West Link Condition NU2, W2W Condition 24A

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

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

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

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

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

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

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

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

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

Consultation with Telecommunications Network Utility Operators

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

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

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

Land Use Integration Process (LIP)

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

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

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

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

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

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

Network Utility Management Plan (NUMP)

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

(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:

(i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;

- (ii) protect and where necessary, relocate existing network utilities;*
 - (iii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and*
 - (iv) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical Hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.*
- (c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.*
- (d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) during the further project stages including detailed design where practicable.*
- (e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.*
- (f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.*
- (g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner*

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

Advice Note:

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

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

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

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



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

Date: 12 December 2023

Address for service of submitter:

Chris Horne

Incite

PO Box 3082

Auckland

Telephone: 0274 794 980

E-mail: chris@incite.co.nz

Appendix A

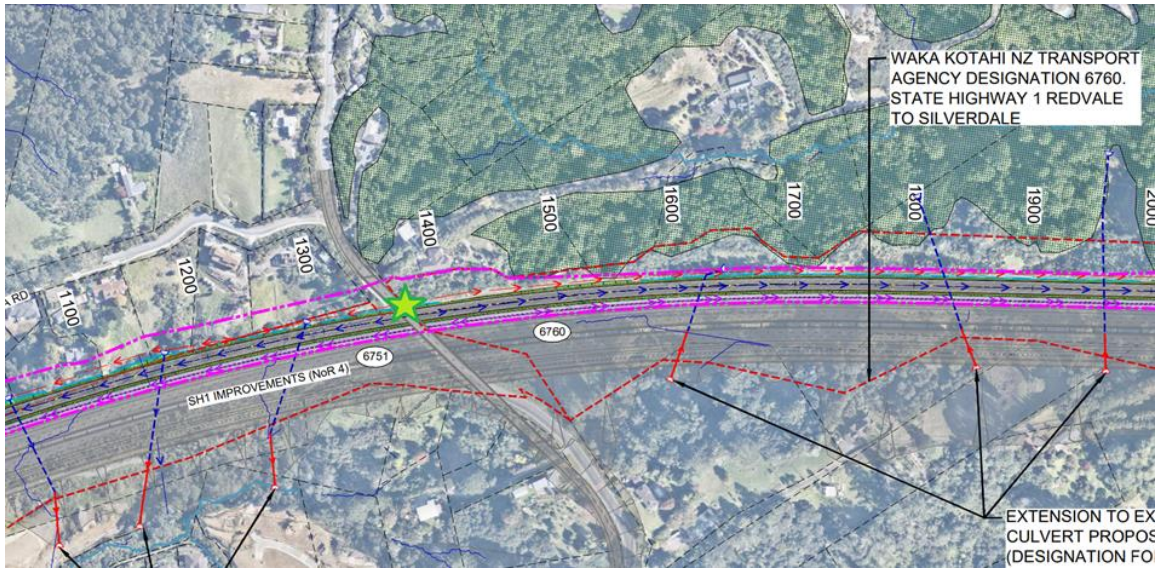
Impacted Telecommunication Facilities

Telecommunication Sites Impacted

FortySouth

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

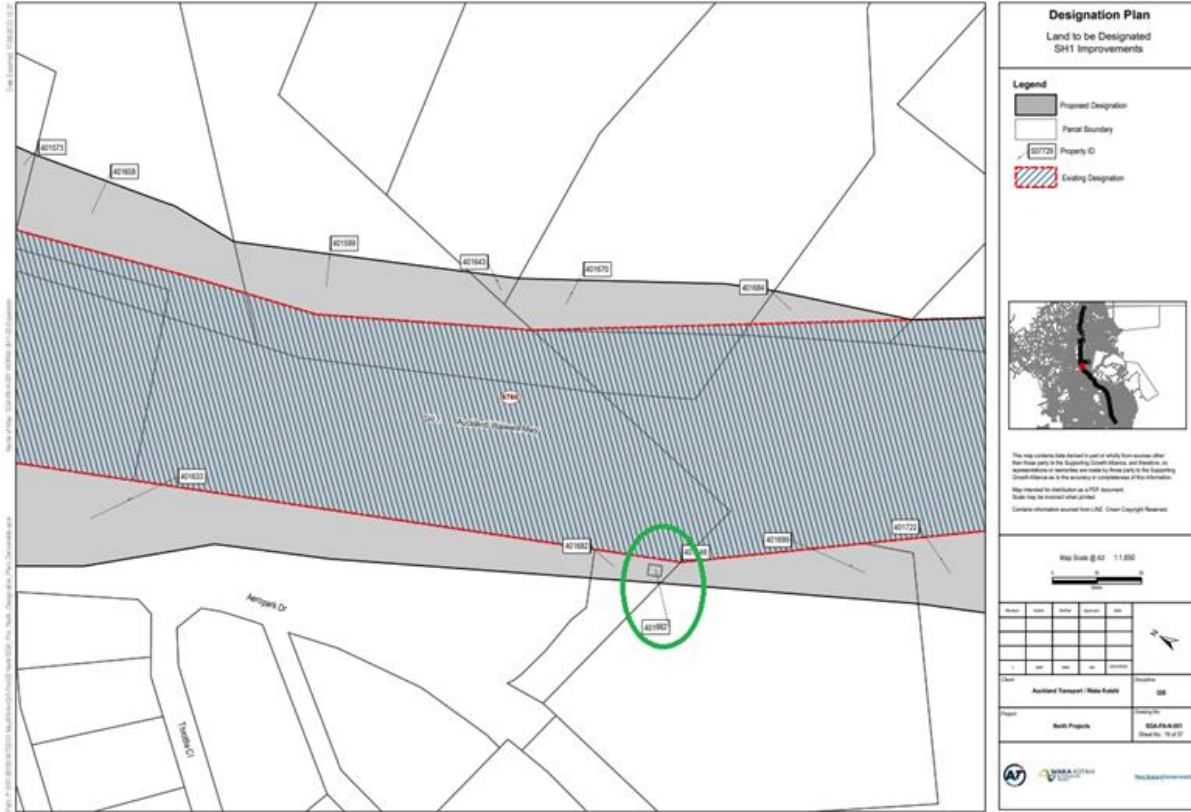
- Pole located on Lonely Track Road Bridge crossing above State Highway 1 (supporting One NZ)



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

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





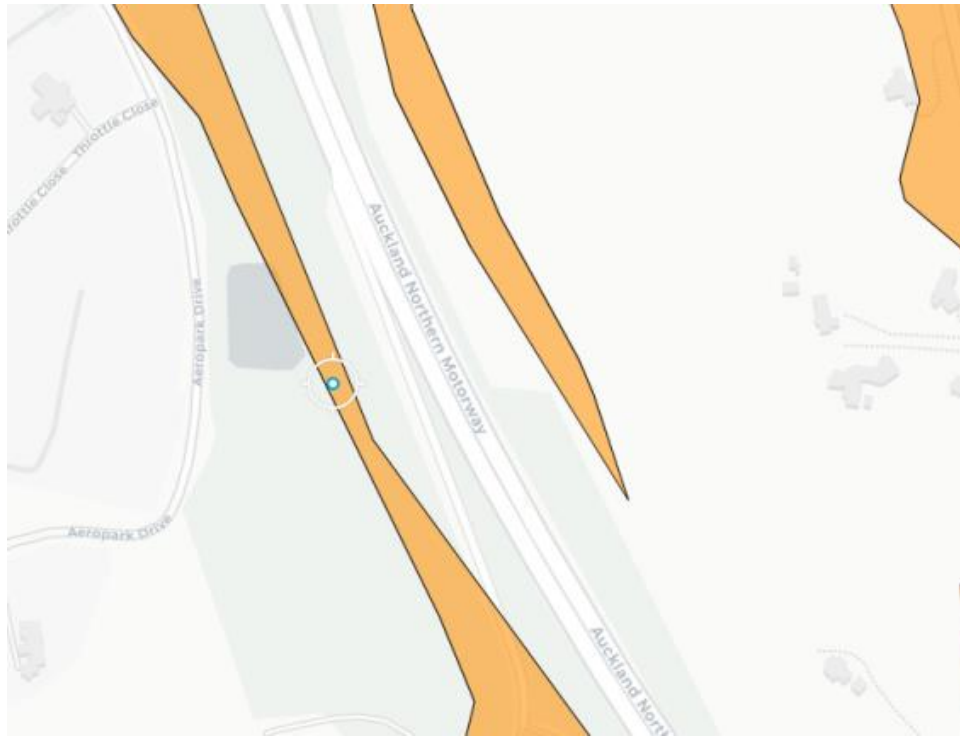
Connexa

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

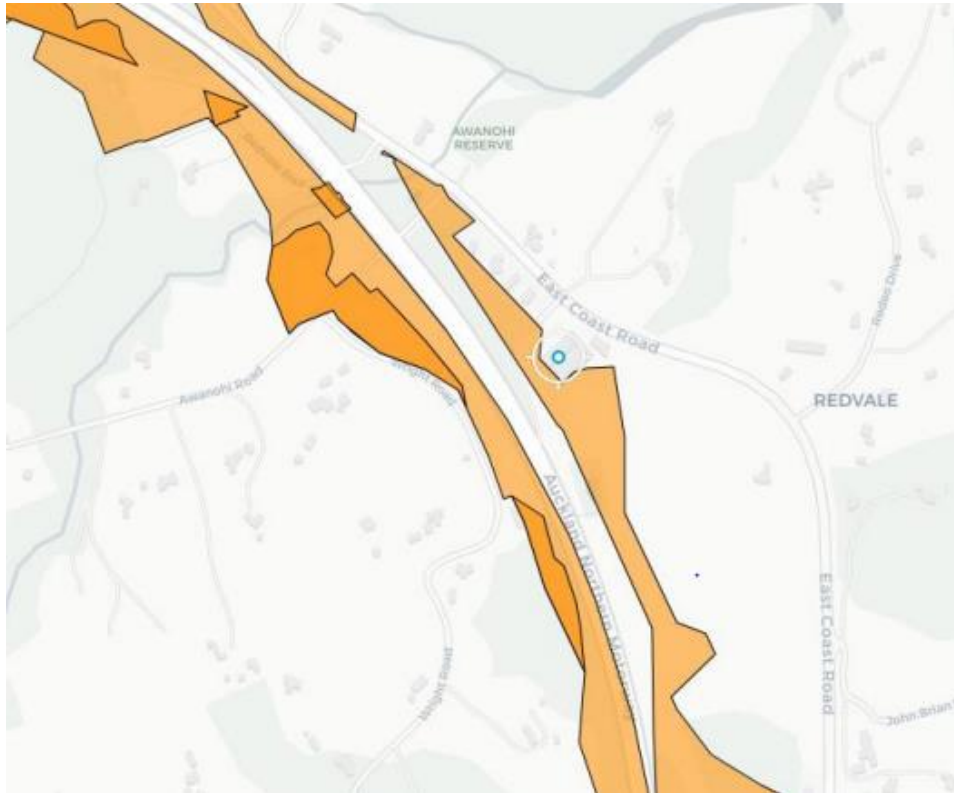
- Telecommunication pole on Silverdale Offramp (supporting 2degrees Network)



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



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

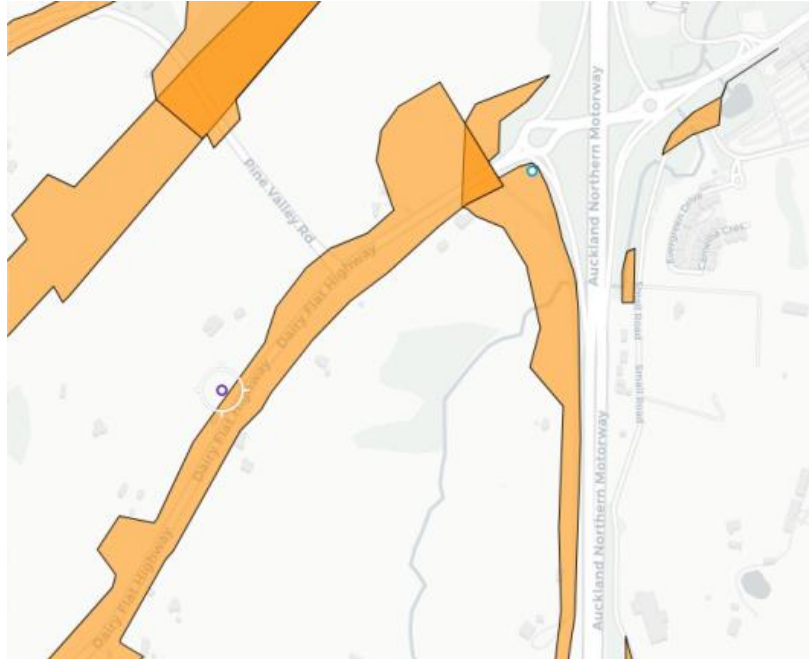


- Telecommunication pole on Lonely Track Road (supporting Spark Network)



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

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



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



From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1153] Notice of Requirement online submission - Simon Wu
Date: Wednesday, 13 December 2023 11:46:25 am
Attachments: [NOR6 Submission - 379 Wainui Road - 13122023.pdf](#)

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

Contact details

Full name of submitter: Simon Wu
Organisation name: Northridge2018 Limited
Full name of your agent: Daniel Shaw
Email address: daniel@sfhconsultants.co.nz
Contact phone number: 092169857
Postal address:
168 Hibiscus Coast Highway
Orewa
Auckland 0932

Submission details

Name of requiring authority: Auckland Transport
The designation or alteration: North: NOR 6 New Connection between Milldale and Grand Drive, Ōrewa
The specific provisions that my submission relates to are:
Please refer to the AEE for specific details
Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.
The reason for my or our views are:
Please refer to the AEE for specific details
I or we seek the following recommendation or decision from Auckland Council:
Please refer to the AEE for specific details
Submission date: 13 December 2023
Supporting documents
NOR6 Submission - 379 Wainui Road - 13122023.pdf

Attend a hearing

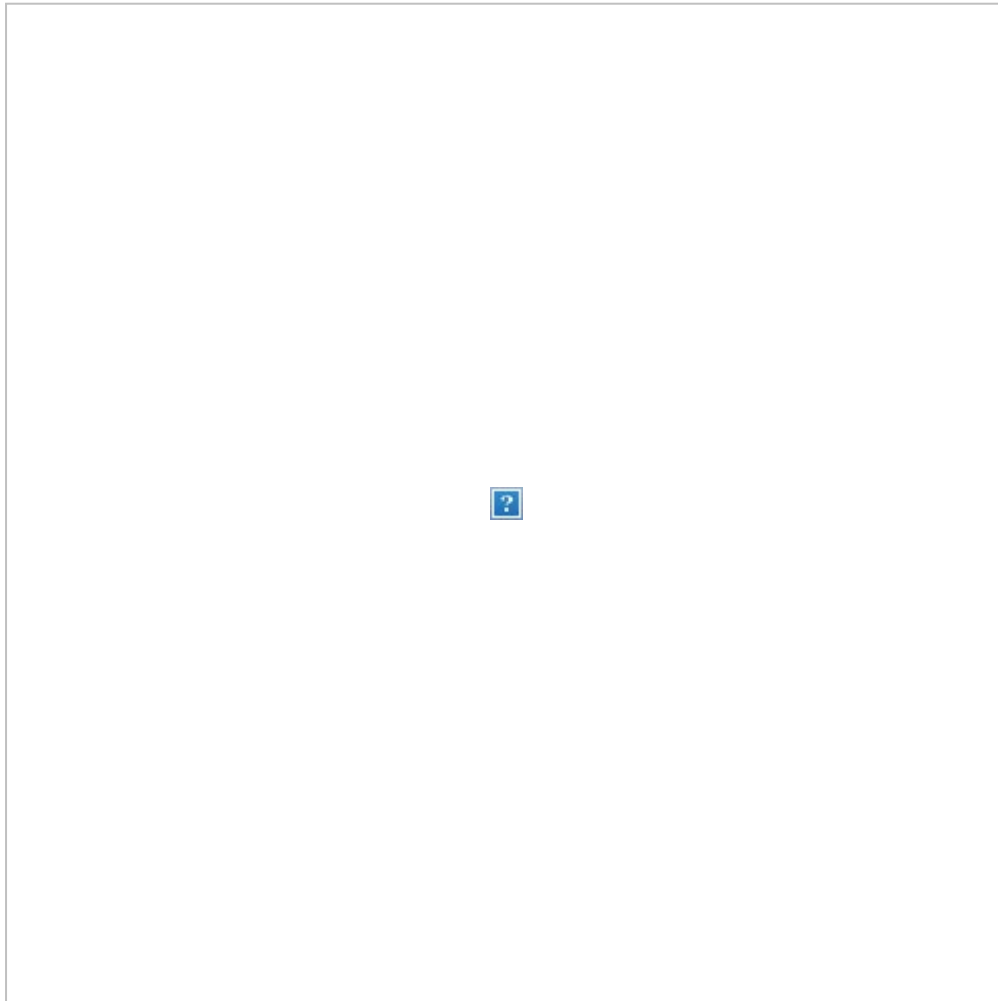
Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,

I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Simon Wu

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

Northridge2018 Limited

Address for service of Submitter

379 Wainui Road, Wainui

Telephone:

94265324

Email:

simon.wu@northridgelodge.com

Contact Person: (Name and designation if applicable)

northridge2018@hotmail.com

This is a submission on a notice of requirement:

By: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 6) New Connection between Milldale and Grand Drive, Ōrewa

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

Please refer to the attached submission

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

Please refer to the attached submission

(continue on a separate sheet if necessary)

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

Please refer to the attached submission

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



11/12/2023

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

Date

Notes to person making submission:

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If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

SUBMISSION ON REQUIREMENT FOR DESIGNATION OR HERITAGE ORDER OR ALTERATION OF DESIGNATION OR HERITAGE ORDER THAT IS SUBJECT TO PUBLIC NOTIFICATION OR LIMITED NOTIFICATION BY A TERRITORIAL AUTHORITY

Section 168A, 169, 181, 189A, 190 and 195A, Resource Management Act 1991

To Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Email: unitaryplan@aucklandcouncil.govt.nz

Reference: 379 Wainui Road, Wainui, Auckland 0992

- 1 The submitter is Northridge2018 Limited. C/- Simon Wu, simon.wu@northridgelodge.com. Their address for service is 379 Wainui Road, Wainui, Auckland 0992.
- 2 This is a submission on two notices of requirement from Auckland Transport;
 - 2.1 Notice of Requirement - New Connection between Milldale and Grand Drive, Ōrewa (NoR 6); and
 - 2.2 Notice of Requirement - Upgrade to Wainui Road (NoR 10).
- 3 The submitter is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (**RMA**).
- 4 The specific parts of the NOR that this submission relates to are those that affect the submitter's property at 379 Wainui Road, Wainui and the surrounding area.
- 5 The submission is:
 - 5.1 **Submitter**
 - 5.1.1 Northridge2018 Limited is the registered owner of 379 Wainui Road, Wainui (legally described as **Pt Allot 52 Psh Of Waiwera SO 1138 held in record of title NA15D/1457** and **Pt Allot 52 Psh Of Waiwera SO 1138 held in record of title NA86D/471**). The property houses the Northridge Golf Resort, which offers a 9-hole golf course, 27-unit accommodation, venue hire for conferences, functions and weddings, and a restaurant. The facility is nestled in the park like surrounds of the site which derives its amenity and desirability from the large mature trees, boundary vegetation, pockets of bush and manicured lawns. The property was purchased in February 2020.
 - 5.2 **Site Description**
 - 5.2.1 The subject site is known as Northridge Country Lodge or the Northridge Golf Resort. It is located at 379 Wainui Road, Wainui on the north side of Waterloo Creek – an upper reach of the Orewa Rivier. With a site area of over 10 hectares, the property is an irregular triangle shape with a long road frontage of approximately 650 m. Overall, the site gently has sloping topography, sloping down in a south-easterly direction towards Waterloo Creek.



Figure 1: Aerial Image of the Submitter's Site

5.2.2 As noted above, the site provides for a 9-hole golf course, a 27-unit accommodation complex, function / conference facilities, and a restaurant. The site maintenance facilities and access/parking areas are located close to Wainui Road. Formal gardens and outdoor seating areas are also provided between the road and the building. The tree lined boundary with the road is an important feature for the site which provides a high level of amenity. The site operates under several resource consents which have been implemented over the years. The image below provides the general arrangement of the site; however, we note that the main building and facilities have expanded since 1991;

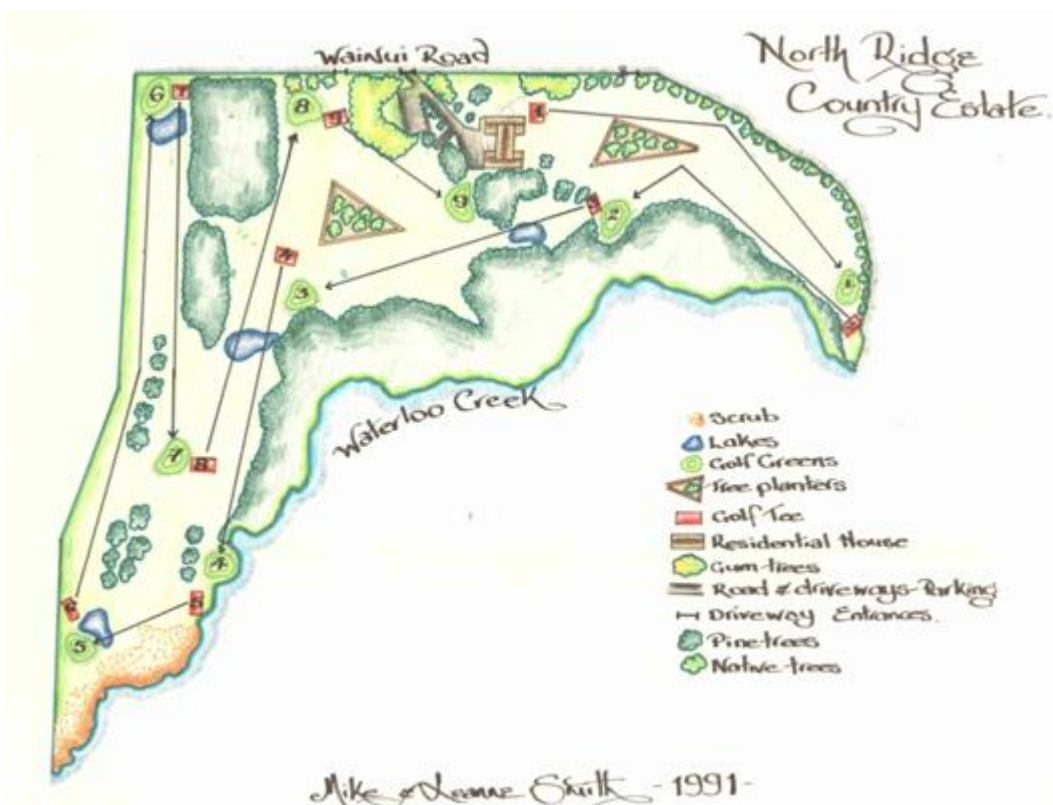


Figure 2: Initial Site Layout 1991

5.3 Proposed NORs

5.3.1 This site at 379 Wainui Road is located within the Notice of Requirement 6 (NOR6) and 10 (NOR 10) areas. The following provides an overview of the NOR's in relation to the site.

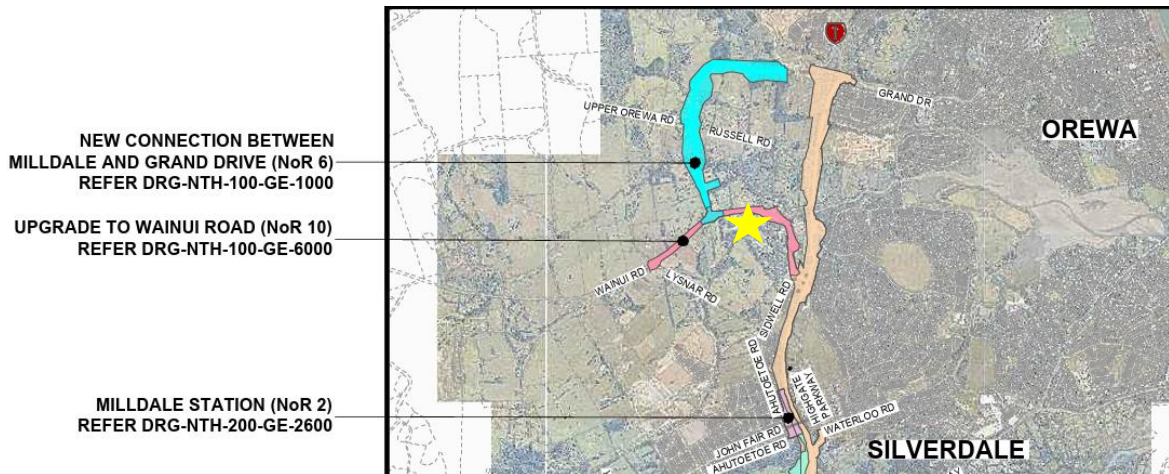


Figure 3: General Arrangement Plan

5.3.2 For assistance in understanding the items proposed in the specific NOR plans below, the legend is as follows;

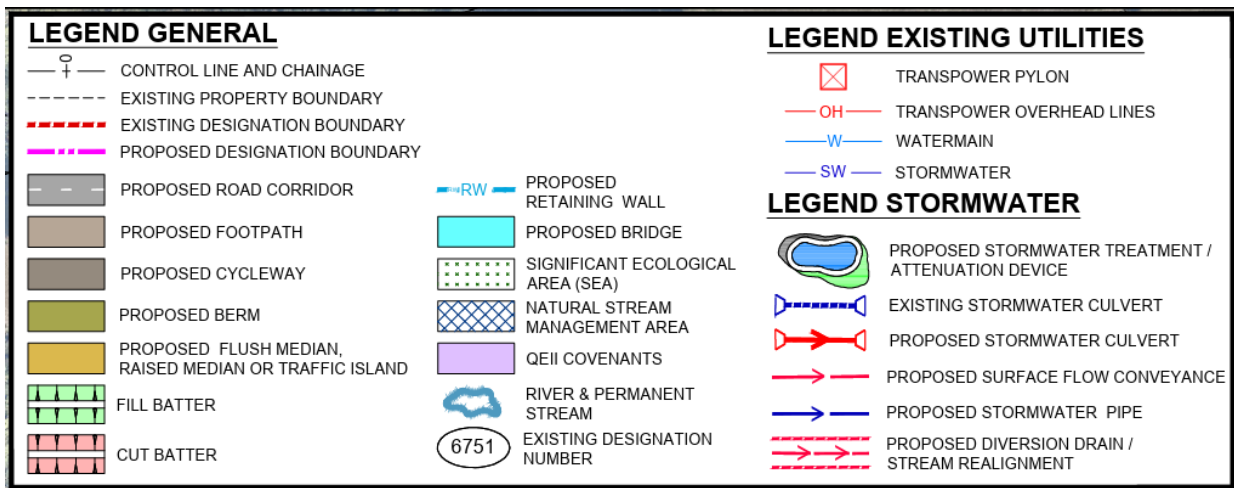


Figure 4: Legend for NOR Plans

NOR6

5.3.3 NOR6 is a new connection between Milldale and Grand Drive in Orewa. This begins at the intersection of Wainui Road and Upper Orewa Road and extends northwards, then eventually eastwards to Grandview Drive in the vicinity of Ara Hills. The proposed work is the construction, operation, and maintenance of an urban arterial corridor between Wainui Road in Milldale and Grand Drive in Upper Orewa, including active transport facilities and associated infrastructure. A new roundabout intersection at Upper Orewa Road is proposed.

5.3.4 It is understood the SGA seeks a 30-year lapse date for NOR6.

5.3.5 The relevant plan and section are provided below.

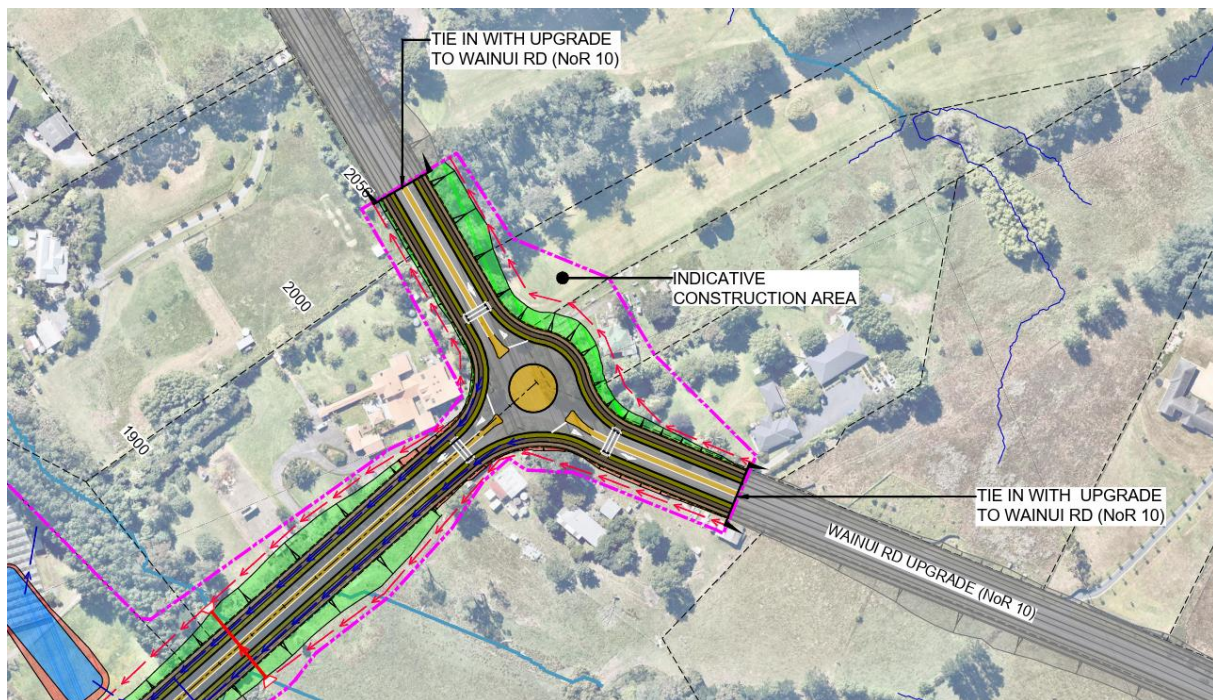


Figure 5: Relevant Plan of NOR6 in the Vicinity of the Submitter's Property



Figure 129: CFAF Outcome - New Connection between Milldale and Grand Drive indicative 24 m cross section

Figure 6: Relevant Cross Section in the Vicinity of the Submitter's Property

NOR10

5.3.6 NOR 10 is an upgrade to the existing Wainui Road between Lysnar Road and the Wainui Road off ramp from State Highway 1. The proposed work is the construction, operation, and maintenance of an upgrade to Wainui Road to an urban arterial corridor between Lysnar Road, Wainui, and the State Highway 1 northbound Wainui Road offramp, including active mode facilities and associated infrastructure.

5.3.7 It is understood the SGA seeks a 20-year lapse date for NOR10.

5.3.8 The relevant plan and section are provided below.



Figure 7: Relevant Plan of NOR10 in the Vicinity of the Submitter's Property



Figure 167: CFAF Outcome - Upgrade to Wainui Road indicative 24 m cross section

Figure 8: Relevant Cross Section NOR10 in the Vicinity of the Submitter's Property

5.3.9 Based on the plans provided in the notified documents the site is impacted over an area of some 18,000 square metres. The following image shows this.

5.3.10 As can be seen in the aerial images and verified by a site visit, the area to be affected by the designation includes (but is not limited to);

- (a) All of hole 1, including tee off, fairway, and green
- (b) Half of hole 2, including tee off and half of the fairway
- (c) The green associated with hole 6
- (d) The tee off associated with hole 7
- (e) Half of the green for hole 8
- (f) All of the northern tree lined boundary
- (g) The storage sheds and maintenance building to the west of the main building, which is nestled underneath the trees
- (h) A row of parking spaces, being 30 m in length; and

- (i) Formal garden, seating areas and pathways associated with the restaurant and wedding / venue hire.



Figure 9: Impacted Area of Northridge Golf Resort

5.3.11 None of these items have been noted or factored into any of the assessment provided by the SGA, nor has the impact on the submitter or their business, property, or employees been considered.

5.4 Positive Impacts

5.4.1 The submitter acknowledges that the wider project contemplated by the NOR will have the following positive impacts:

- (a) Improved access to transport, support public and active transport for the local and wider area; and
- (b) Creation of improved and additional connection routes within the area and provision of more efficient movement between industrial centres throughout Auckland. This also reduces operational costs and increases business efficiency.

5.5 Concerns

5.5.1 While there are some general positive effects, the proposal will result in wide ranging negative effects as well, including undermining the entirety of the submitter's business.

5.5.2 The submitter is extremely concerned about:

- (a) Pre-notification Consultation: The submitter was not informed about or consulted on the NOR prior to public notification. Given the significance of the impact of the NOR on the submitter's property, the lack of consultation or early communication has caused significant distress and pressure to understand effect of the NOR in a short timeframe. The submitter feels that many other landowners, will be on the back foot in terms of reading the application materials, considering their impacts, engaging specialists and lodging submissions. This will contribute to low submitter turnout, and high anxiety/discontent in the community.

- (b) Documents: Reading the NOR documents, the assessment of effects (including all specialist reports) is pitched at a high and general level, rather than anything specific. The voluminous size of the documents, the structure of the documents with heavy use of abbreviations, and with the assessment for all 13 NORs bundled together (rather than separated into the discreet NORs), makes it extremely challenging for the submitter to wade through and find anything specific to their site or area. There is no mention of the Submitter's business or site details. This makes the assessments of the SGA specialists inaccurate and the conclusions wrong.
- (c) Social Impact Assessment: The social impact assessment has wrapped the submitter's property and business (without identifying it) into the generally impact assessment relating to Milldale. There are obvious differences in the kinds of impacts relevant to the submitter's site and business versus the residential properties and owners of Milldale. Moreover, unlike some of the rural properties in the area, this facility will endure into the future rather than converted to residential development. These social facilities are extremely important in intensification areas and are difficult to establish or retrofit. The community services and facilities map does not recognise or identify the site or use, only noting the childcare facility and the education facility nearby.



Figure 10: The Community Services and Facilities Map

- (d) Arboricultural Assessment: Section 5.2 of the assessment confirms; *“Vegetation removal and works within the protected root zones of retained vegetation within the footprint of all future construction works are anticipated. Indicative cut/fill and infrastructure alignments are shown for each NoR as illustrated in the layout plans for each NoR. For the purposes of this assessment, all vegetation standing within the designation is assumed for removal, unless explicitly discussed and/or excluded in the later sections of this report.”* Despite this significant impact on the submitter's property and business from the removal of the boundary vegetation, the arboricultural assessment relating to NOR10 is lacking. It makes no mention of the impact at 379 Wainui Road or any measures to mitigate the loss of mature vegetation.
- (e) Landscape, Natural Character, and Visual Assessment: This report fails to acknowledge the nature of the site at 379 Wainui Road. While 379 is briefly

mentioned, this is in the context of a rural residential use, which is incorrect. The conclusions and recommendations of this report should be revisited. Particularly in terms of the construction effects on landscape, natural character, and the visual and associative effects. In relation to the mitigation measures offered, the following are supported and should be specifically implemented at 379 Wainui Road:

- (i) Minimise and restrict the footprint of the designation and works
 - (ii) Avoid valuable landscape features (e.g. through construction yard location) wherever practicable.
 - (iii) Consider opportunities for early (prior to construction commencing) and regular communication with the community on the finalised construction programme and duration of works to assist with providing a degree of certainty over timing of construction aspects, giving residents (and business owners and operators) the opportunity to have input into landscape treatments to minimise adverse visual and perceptual effects
 - (iv) Prior to the Start of Construction for a Stage of Work, revalidate the landscape, natural character, and visual effects of construction within the contemporary landscape context for each NoR. The ULDM shall clearly state which effects identified in this assessment are still valid and how they will be addressed in the proposed ULDM
 - (v) Minimise earthworks and retaining walls by following the natural topography of the land
 - (vi) Minimise vegetation loss by restricting the construction footprint as far as practicable; and
 - (vii) Retention of established rural and amenity plantings within the designation along Wainui Road.
- (f) Site Impacts: Impacts on existing activities are significant. The area included within the NOR is too large and onerous for the intended works. This needs to be refined and reduced to balance the need for infrastructure upgrades while also maintaining the functionality of the site. A more refined area and proposal should be progressed.
- (g) Access: The pedestrian, vehicle and cyclist access to and from the site will be disrupted for significant periods. This will likely impact on the viability of the business. Moreover, the loss of the vehicular right turns in and out of the site is concerning. However, this could be overcome by the roundabouts – although, this will increase trip length for customers and employees.
- (h) Stormwater: The proposed stormwater pond shown on 379 Wainui Road will have significant permanent adverse effects on the business and the amenity and function of the property as a golf resort. This effectively cuts the 9-hole golf course down to a 7-hole golf course. There have not been any considerations of alternative locations for this pond, which is disappointing. This is not reasonably required to achieve the outcomes of the proposal. The pond location should be directly opposite on the northern side of Wainui Road, where the small residential property is being fully acquired. This would require a small re-design, but the site is equally down hill and close to the stream for appropriate discharge of stormwater.

- (i) Flooding: Like that above, the increased impervious area and differing contours, has the potential to increase the impacts of flooding and overland flows at the submitters site. This will have negative impacts for the property's current and future use, as well as its value and needs to be avoided. As illustrated on the maps in **attachment C**, the surrounding area is highly affected by flooding. It is obvious that the assessment and control of natural hazards will be more and more onerous as time goes on. Any increased flooding or overland flows (location, area, depth) should be avoided and managed within the designation area. This may lead to the creation of new wetland areas onsite which will limit the ability to use the site and evolve the business/develop.
- (j) Duration: the indicated 20-year (NOR10) and 30-year (NOR6) duration for the designation is extremely long. This has a very lengthy impact on the submitter's property, its useability, and saleability. It would span at least two district plan life spans. The duration should be reduced to 10-15 years in order to moderate the impact and burden on landowners. The FDS indicates that the area will be rezoned after 2050, which is too far away to plan with any certainty.
- (k) Land Value: Negative impacts on land value plus impact on use and saleability of the land. The submitter (the current owner) purchased the site recently in February 2020 and is now faced with extreme hardship.
- (l) Compensation: The financial burden for the requiring authority of purchasing a large area of land for temporary construction purposes and stormwater pond, is significant. Given the impact on the submitter's business the compensation costs will be significantly higher than that of a normal rural property. Given the lack of acknowledgement of the site's use, this is unlikely to have been considered.
- (m) Construction Effects: The indicated levels of noise and vibration proposed, are very high and for long periods: early mornings and evenings including Monday-Sunday and public holidays. This will unreasonably affect the amenity of the business particularly the 27 accommodation units and the restaurant. These units are not designed to handle high noise and vibrations, and this will impact on the ability for the business to operate. Moreover, the construction effects will destroy the natural amenity of the vegetated northern boundary, and the manicured fairways.
- (n) Loss of Income: Due to the impact on the business during the construction, there will be a significant loss of income for the operator and also for the staff. This is because it is unlikely that the facility will be able to operate during the lengthy construction works. Moreover, once completed and the golf course is reduced in terms of area and viable holes, as well as the loss of the formal gardens and park like setting, there is likely to be permanent loss of income from failure of the business.
- (o) Conditions: In addition to the comments above, which could be reflected in varied conditions, the submitter has the following general comments on the proposed conditions;
 - (i) Condition 2: project website: this is supported, as is the mailing list. However, the condition should be updated to include:
 - (l) The frequency of updates and quality of information should be as detailed as possible. The website should be frequently updated. The readability and navigability for lay persons is important.

- (II) A requirement that the project website should house a complaints portal, with the register published including the ways in which complaints are dealt with and resolved.
- (ii) Condition 4: Duration: 20 and 30 years is too long and onerous. A 10-15-year period is preferred.
- (iii) Condition 7: Outline Plan: this should be published on the project website.
- (iv) Condition 8: Management Plans: Condition (a)(iv) needs to be updated to include “affected landowners” specifically as “stakeholders”. A process where these plans are sent to affected landowners / stakeholders for review and comment should be available, so they can provide feedback. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. The management plans should all be published on the project website.
- (v) Condition 10: Land Use Integration: This appears to be focused on how all existing and future land uses must integrate with the designation works. As the SGA team have not acknowledged the existence of the submitter’s business the designation should be refined to accommodate this facility, as an existing and continuing land use activity.
- (vi) Condition 11: ULDMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners, prior to finalising. The feedback from affected landowners / stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. The management plan should summarise the feedback and the RA’s response. This should be kept on the project website.
- (vii) Condition 12: Flood Hazard: The intent is supported. However, natural hazards are having an increasingly negative impact on development potential, the ability to have insurance, cost of premiums, obtaining a mortgage, and the consenting process. I anticipate this will only get worse in the future. Climate change will increase the frequency and severity of flooding in the future, and this designation is proposed to have a 20-30 year lapse date. Therefore, there is a need to avoid increasing flood hazards outside the designation area. Affected owners should be consulted early about changes to flood hazards and have the ability for early input. The feedback from affected landowners / stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. Information about this should be published on the project website.
- (viii) Condition 13: Access: The cost should be borne by the RA, which should be noted in the condition.
- (ix) Condition 14: CEMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners, prior to finalising. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website.

- (x) Condition 15: SCEMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners / stakeholders, prior to finalising, for feedback and comments. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website.
- (xi) Condition 16: Complaints: This needs to be held on the project website, with a portal for online complaints. The register should also be frequently updated. A copy of the register should be regularly sent to Council for review.
- (xii) Condition 18: CTMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners / stakeholders, prior to finalising, for feedback and comments. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website.
- (xiii) Condition 19: Noise: The levels in table 19.1 enable noise that is too high and for too long. The levels should be reduced, particularly in the morning and evening, Sundays and public holidays. The impact on the business (particularly the accommodation) has not been factored into the assessment.
- (xiv) Condition 20: Vibration: as with condition 19, these levels are too high, and for too long. The levels should be reduced, particularly in the mornings and evenings, and on Sundays and public holidays. The impact on the business (particularly the accommodation) has not been factored into the assessment.
- (xv) Condition 21: CNVMP: This should be provided earlier than “Prior to the start of construction” and should be sent to affected landowners, prior to finalising, for feedback and comments. Affected owners should have some choice in the mitigation options available. The feedback from stakeholders should be summarised, along with a summary of where comments have been incorporated or not and why. This should be updated and published on the project website. Building condition surveys should be more widely offered to protect affected owners but also the contractors.
- (xvi) Condition 22: Schedule of CNVMP: Given the noise and vibration levels in condition 19 and 20 are very liberal, the trigger for notification needs to be reduced below the 2 weeks duration. Moreover, condition 22(b)(iii) should provide for all receivers to be identified along with the anticipated noise and vibration levels. This should be updated and published on the project website. Affected owners should be notified well in advance.
- (xvii) Condition 26: Tree Management Plan: the submitter’s trees along the northern boundary should be added to the list of vegetation that is required to be protected including during construction. The TMP should be provided much earlier than “Prior to the start of construction” and should be sent to affected landowners / stakeholders, prior to finalising, for feedback and input.

5.6 Alternative Options

- 5.6.1 Minimal alternatives have been considered by the SGA. The different options including generally widening the road to the north, widening to the south or widening from the centreline. These are very basic alternatives transferred across all 13 NOR's.
- 5.6.2 In order to minimise the adverse impacts mentioned above, while retaining the generally intended alignment and width of road upgrades, a variety of further alternative options have been considered by the submitter.
- 5.6.3 These alternatives should be pursued due to the SGA assessments failure to acknowledge the nature and use of the submitter's property.

Road widening:

- 5.6.4 Given the significant impacts on the submitter's property, and the SGA's assessment documents not accurately considering the submitter's property, the conclusions and recommendations are wrong and underestimate the adverse effects on 379 Wainui Road. It is considered that widening Wainui Road northwards, rather than southwards would be a more appropriate option as:
- It will minimise the impact on the landscape character, natural character, and amenity values mainly from avoiding the removal of the mature boundary vegetation, but also avoiding the removal of integral aspects of the golf course, wedding venue and garden areas
 - Reduce the cost of compensation
 - Minimise earthwork and batters due to the more level contours
 - The adjacent sites to the north are limited to rural pasture and will generally not be affected to any greater extent. The adjacent smaller, residential property at 348 Wainui Road is already being fully acquired. This is indicated in the image below; and
 - The above are generally in line with mitigation options proposed by the SGA assessments.



Figure 11: Shift NOR10 Northwards to Widen Wainui Road

Pond Location Area:

- 5.6.5 The stormwater pond identified at 379 Wainui Road will have significant and permanent detrimental effects on the Northridge Country Lodge. The location is not required to be here, and the alternative location on the adjacent side of the road should be explored. The adjacent site at 348 Wainui Road is being taken for construction area, and that site is of a similar size and location (relative to contours, levels, and proximity to the stream). This alternative would:
- (a) Not permanently impact a successful business which is unique in the context of NOR10 area
 - (b) Avoid the removal of areas of SEA and riparian planting
 - (c) Avoid the removal of mature boundary treatment; and
 - (d) Still achieve the required area and volume and discharge proximal to the Orewa River.

Temporary Construction Area:

- 5.6.6 The temporary construction area is noted as being over a large area of the golf course. This will be very impactful and there is limited potential that the contractors will be able to return the area to a similar standard as when they received the land. The experience of the submitter is not good. They are currently dealing with Watercare's contractors who installed the large wastewater pipe through the site. There are on-going and robust discussions about the quality of the reinstatement works, which might be easily resolved if the site was a rural paddock, but not a golf course.
- 5.6.7 The alternative that should be more closely considered is the use of the rural paddocks on the northern side of Wainui Road. These are generally open and flat areas of pasture and not a manicured fairway.

5.7 **Conclusion**

- 5.7.1 While the intended benefits of the NOR and transport upgrades are noted, it is evident that the SGA assessment has failed to properly define the nature and use of the submitter's property, and in doing so failed to properly assess the impacts. Moreover, the extent of the proposed designation area is excessive, and the duration of the designations proposed are excessive. The extent of area and duration need to be reduced, and the interface with the new road better considered. Moreover, better alternatives exist including in relation to the widening of the road northwards, the location of the stormwater pond and the construction areas.
- 5.7.2 The submitter expresses his concern of the notification process and readability of the documents.
- 5.7.3 Overall, the NOR will have significant adverse effects on a range of matters covered in this submission.
- 5.7.4 The proposed arrangement is not the most appropriate option given the context of the site and surrounds. And, the proposed alignment is not reasonably necessary to achieve the purpose of the NOR.

- 6 The submitter and its advisors also seek a meeting with SGA to discuss the contents of its submission and better understand the NOR details and opportunities for adjustments to resolve the issues.
- 7 Northridge2018 Limited seeks to be heard in support of its submission and will be submitting expert evidence in support.

Date - 13th December 2023



Daniel L. Shaw (authorised signatory)

Address for Service

C/- SFH Consultants Limited
PO Box 86, Orewa, Auckland 0946
For: Daniel Shaw
Email: daniel@sfhconsultants.co.nz

North Ridge Country Estate.



A7

Mike & Deanne Smith - 1991-



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Limited as to Parcels**



**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**


R. W. Muir
Registrar-General
of Land

Identifier **NA15D/1457** **Part-Cancelled**

Land Registration District **North Auckland**

Date Issued 19 December 1968

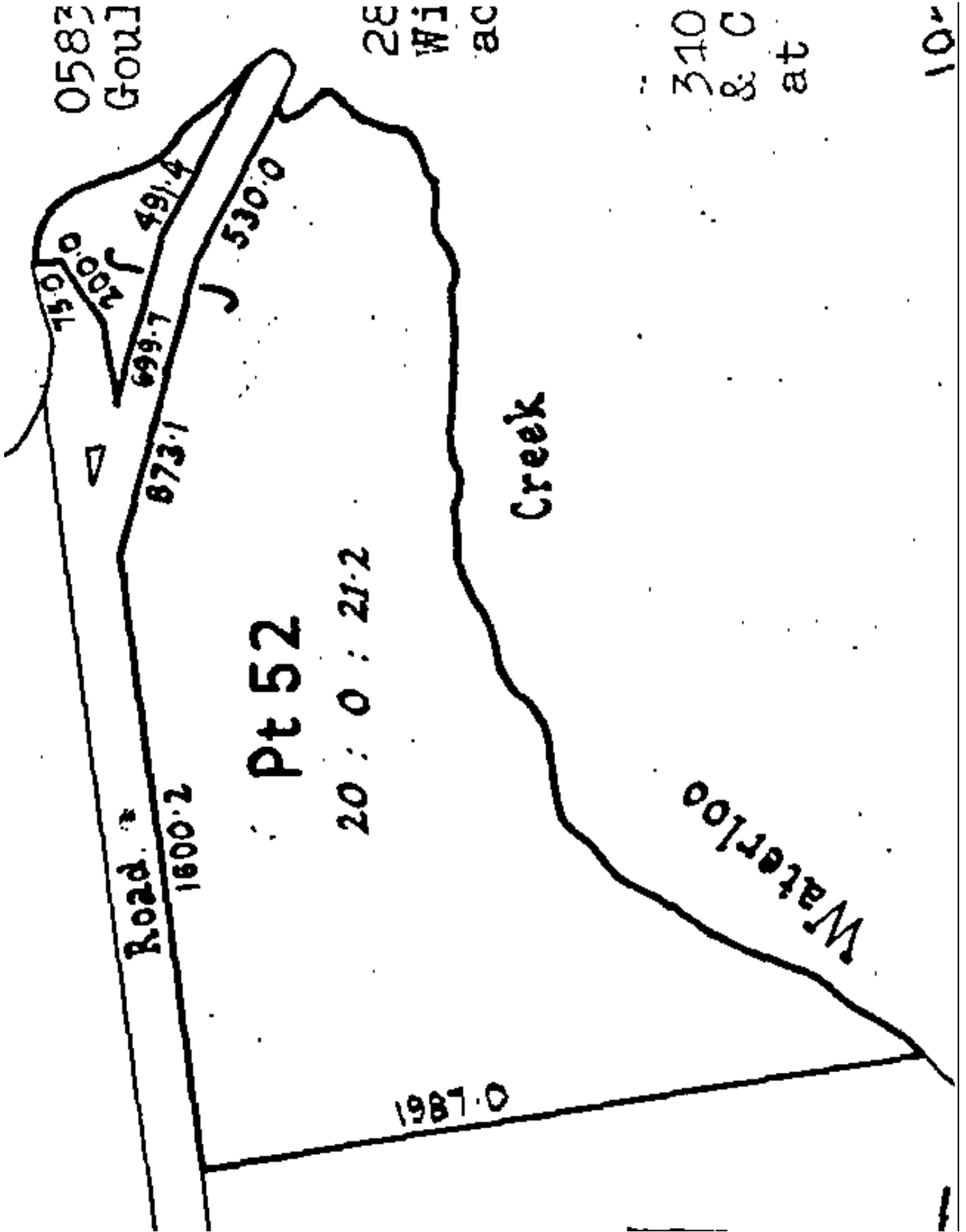
Prior References

NA10D/1268

Estate Fee Simple
Area 8.1473 hectares more or less
Legal Description Part Allotment 52 Parish of Waiwera
Registered Owners
Northridge2018 Limited

Interests

187805.1 New CT 32A/684 issued for Lot 1 DP 75493 - 11.8.1975 at 12:00 am
C338358.5 CERTIFICATE PURSUANT TO SECTION 308 LOCAL GOVERNMENT ACT 1974 (ALSO AFFECTS CT 2D/250) - 14.1.1992 at 11:38 am
D456192.1 Compensation Certificate pursuant to Section 19 Public Works Act 1981 - 26.11.1999 at 11:00 am
D631202.1 Gazette Notice (NZ Gazette 9.8.2001 No 84 p 2176) declaring part (319m2) to be acquired for road and vesting in the Rodney District Council on 9.8.2001 - 14.8.2001 at 3:07 pm





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier **NA86D/471**
Land Registration District **North Auckland**
Date Issued 31 January 1992

Prior References
NA2D/250

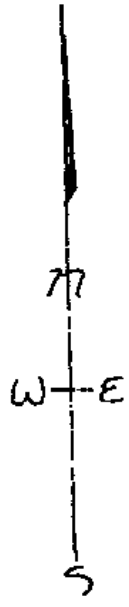
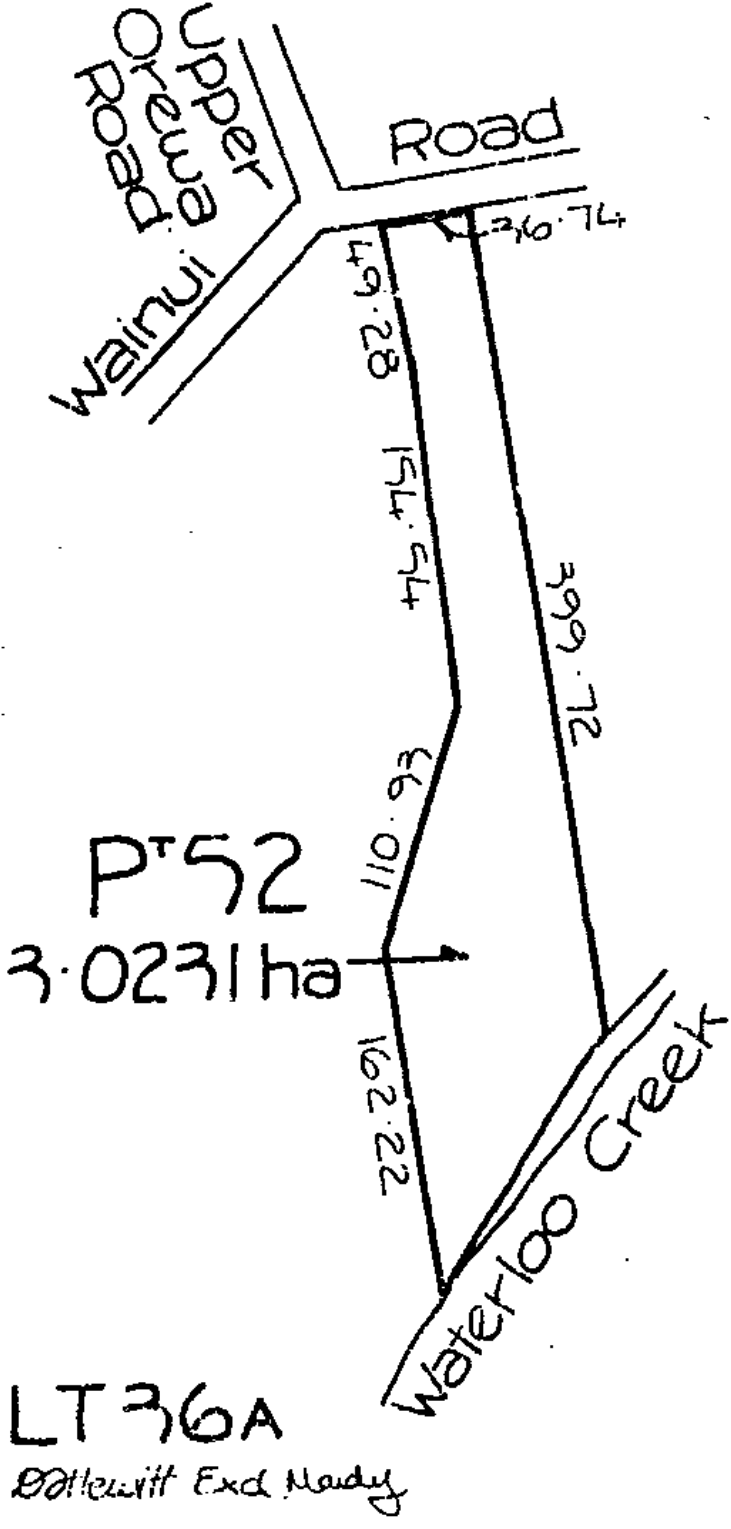
Estate Fee Simple
Area 3.0231 hectares more or less
Legal Description Part Allotment 52 Parish of Waiwera
Registered Owners
Northridge2018 Limited

Interests

C338358.5 CERTIFICATE PURSUANT TO SECTION 308(2) LOCAL GOVERNMENT ACT 1974 (ALSO AFFECTS CT NA15D/1457) - 14.1.1992 AT 11.38 AM

Assistant Land Registrar
 Rodney District

2)
 T
 R



Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

379 Wainui Road Upper Orewa 0992

Legal Description

Pt Allot 52 Psh Of Waiwera SO 1138

Appeals

Modifications

Notice of Requirements, NoR 10 - Upgrade to Wainui Road (AT), Designations, [View PDF](#), Notified, 16/11/2023

Notice of Requirements, NoR 6 - New Connection-Milldale to Grand Drive(AT), Designations, [View PDF](#), Notified, 16/11/2023

Zones

Future Urban Zone

Precinct

Controls

Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise

Controls: Macroinvertebrate Community Index - Exotic

Controls: Macroinvertebrate Community Index - Native

Controls: Macroinvertebrate Community Index - Rural

Overlays

Designations

Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

Pt Allot 52 SO 1138, Wainui Road Upper Orewa 0992

Legal Description

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Notice of Requirements, NoR 6 - New Connection-Milldale to Grand Drive(AT), Designations, [View PDF](#), Notified, 16/11/2023

Zones

Future Urban Zone

Precinct

Controls

Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise

Controls: Macroinvertebrate Community Index - Exotic

Controls: Macroinvertebrate Community Index - Rural

Overlays

Designations





Upper Orewa Rd

Northridge
Country Lodge

Wainui Rd

Orewa River

Kowhai Rd

Kowhai Rd

Kowhai Rd

Kowhai Rd

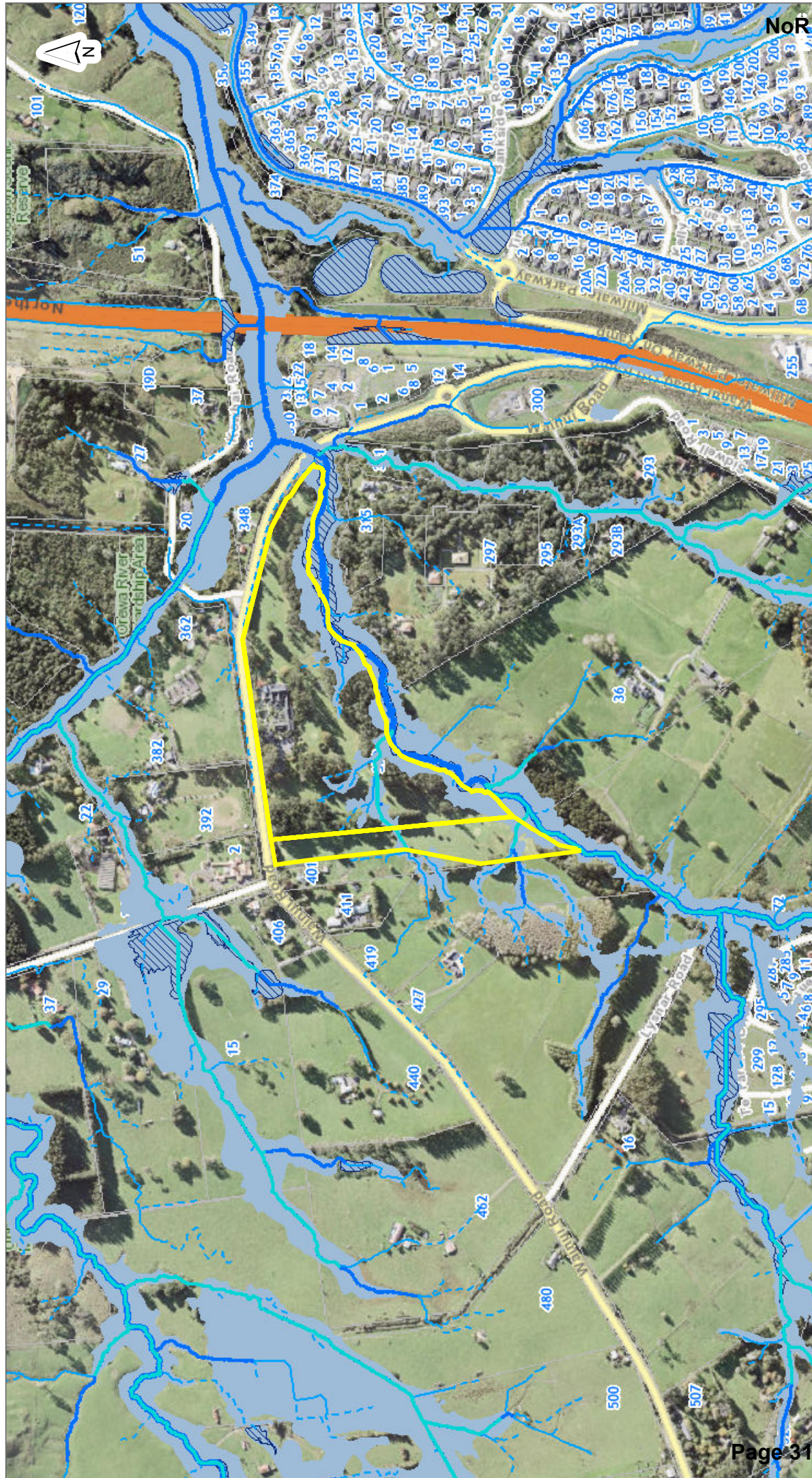
Kowhai Rd

Wainui Rd

Wainui Rd

Sidwell Rd

Northern Mtwy



NoR 6 #04

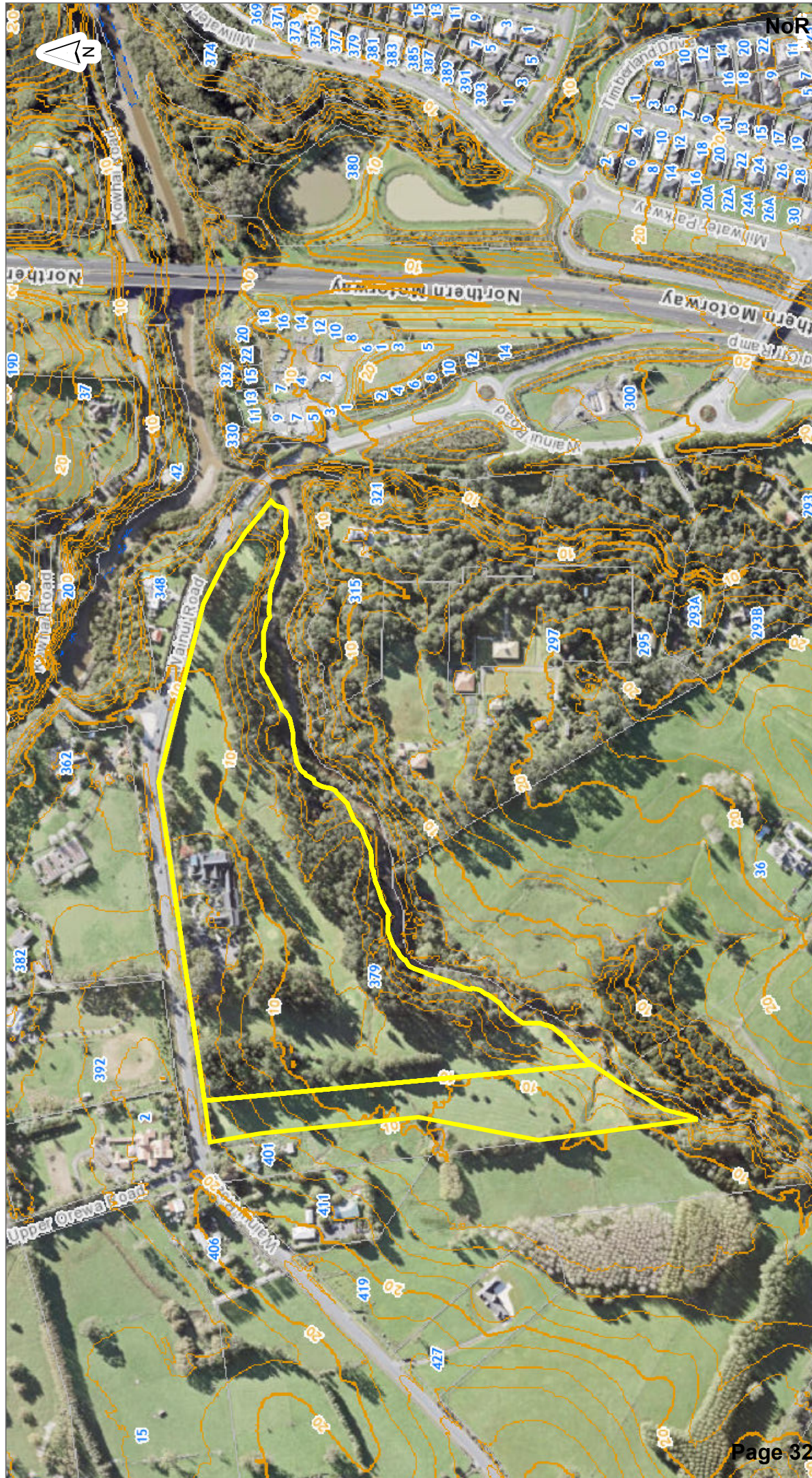


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Date Printed:
10/12/2023

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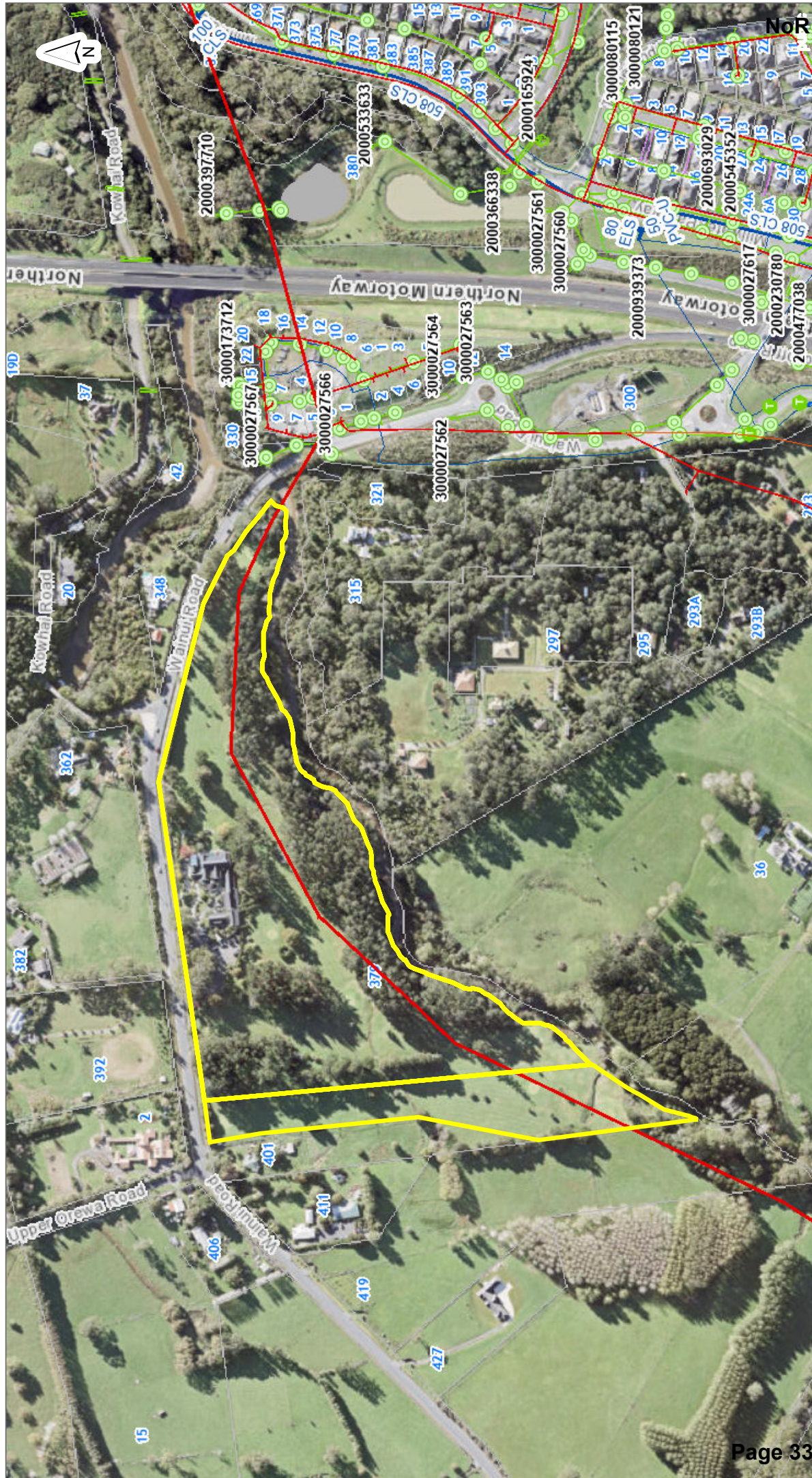


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Date Printed:
10/12/2023

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NoR 6 #04




Auckland Council
Te Kaunihanga o Tāmaki Makaurau

0 30 60 90
Meters
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Date Printed:
10/12/2023


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NOTATIONS


Appeals to the Proposed Plan

 Appeals seeking changes to zones or management layers

Proposed Modifications

 Notice of Requirements

 Plan Changes

 Future Coastal Hazards Plan Change

Tagging of Provisions:

[i] = Information only

[rp] = Regional Plan



[rcp] = Regional Coastal Plan

[rps] = Regional Policy Statement

[dp] = District Plan (only noted when dual provisions apply)

ZONING

Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone


Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

Infrastructure

-  Special Purpose Zone - Airports & Airfields
Cemetery
Quarry
Healthcare Facility & Hospital
Tertiary Education
Māori Purpose
Major Recreation Facility
School
-  Strategic Transport Corridor Zone

Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone



Precincts

--- Rural Urban Boundary

--- Indicative Coastline [i]

Natural Resources

- Terrestrial [rp/dp]
 - Marine 1 [rcp]
 - Marine 2 [rcp]
 - Water Supply Management Areas Overlay [rp]
 - Natural Stream Management Areas Overlay [rp]
 - High-Use Stream Management Areas Overlay [rp]
 - Natural
 - Urban
 - High-Use Aquifer Management Areas Overlay [rp]
 - Quality-Sensitive Aquifer Management Areas Overlay [rp]
 - Wetland Management Areas Overlay [rp]
- } Significant Ecological Areas Overlay

Natural Heritage

- Verified position of tree
 - Unverified position of tree
 - Group of Trees
 - Outstanding Natural Features Overlay [rcp/dp]
 - Outstanding Natural Landscapes Overlay [rcp/dp]
 - Outstanding Natural Character Overlay [rcp/dp]
 - High Natural Character Overlay [rcp/dp]
 - Viewshafts
 - Height Sensitive Areas
 - Regionally Significant Volcanic Viewshafts Overlay Contours [i]
 - Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
 - Locally Significant Volcanic Viewshafts Overlay Contours [i]
 - Modified
 - Natural
 - Local Public Views Overlay [rcp/dp]
 - Extent of Overlay
 - Subdivision Schedule
- } Notable Trees Overlay
- } Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
- } Waitakere Ranges Heritage Area Overlay

Infrastructure

- Airport Approach Surface Overlay
 - Aircraft Noise Overlay
 - City Centre Port Noise Overlay [rcp / dp]
 - Quarry Buffer Area Overlay
 - National Grid Subdivision Corridor
 - National Grid Substation Corridor
 - National Grid Yard Compromised
 - National Grid Yard Uncompromised
- } National Grid Corridor Overlay

Historic Heritage & Special Character

- Historic Heritage Overlay Place [rcp/dp]
- Historic Heritage Overlay Extent of Place [rcp/dp]
- Special Character Areas Overlay Residential and Business
- Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
- Auckland War Memorial Museum Viewshaft Overlay Contours [i]
- Stockade Hill Viewshaft Overlay – 8m height area
- Stockade Hill Viewshaft [i]

Mana Whenua

- Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]

Built Environment

- Identified Growth Corridor Overlay

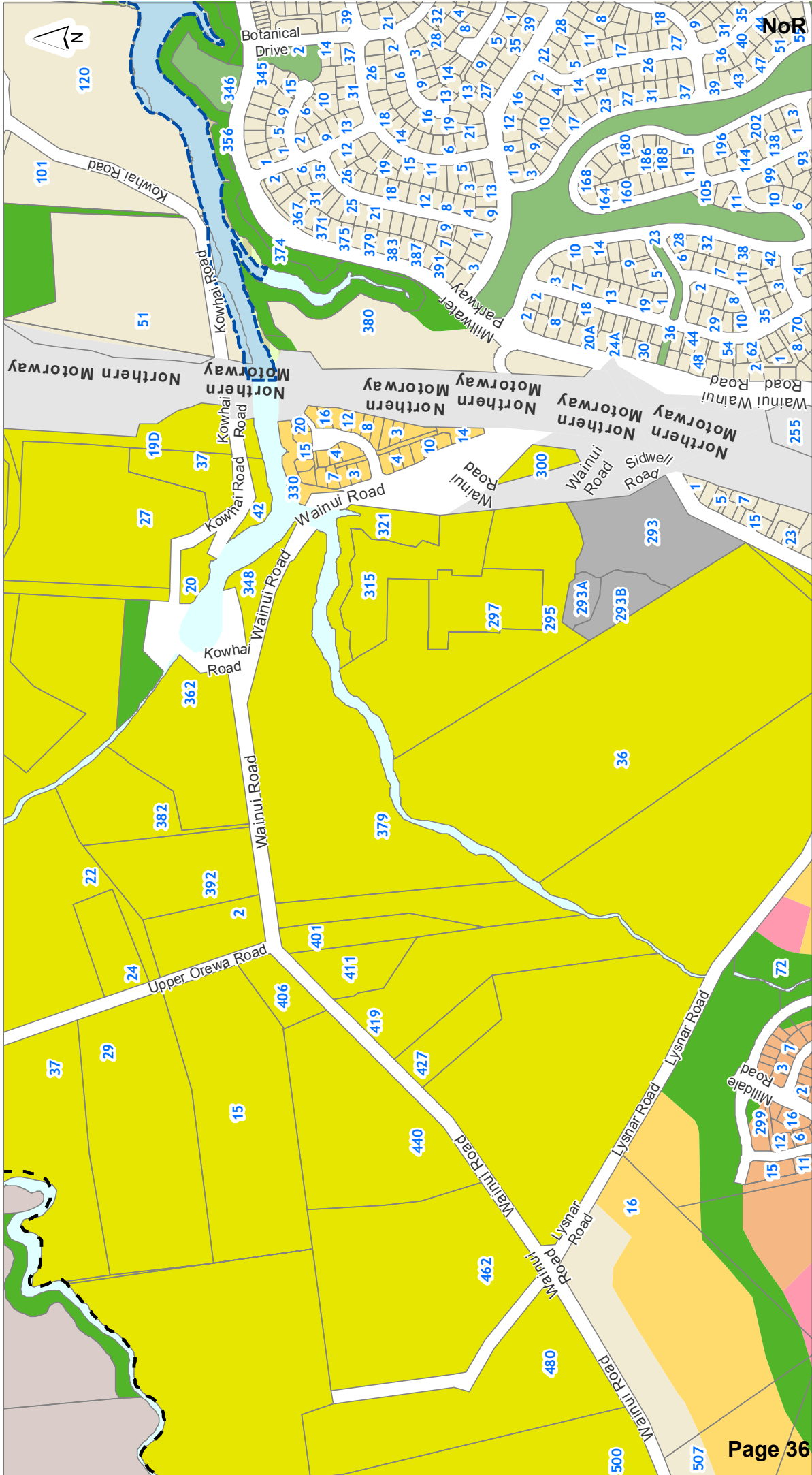
Controls

- Key Retail Frontage
 - General Commercial Frontage
 - Adjacent to Level Crossings
 - General
 - Motorway Interchange Control
 - Centre Fringe Office Control
 - Height Variation Control
 - Parking Variation Control
 - Level Crossings With Sightlines Control
 - Arterial Roads
 - Business Park Zone Office Control
 - Hazardous Facilities
 - Infrastructure
 - Macroinvertebrate Community Index
 - Flow 1 [rp]
 - Flow 2 [rp]
 - Subdivision Variation Control
 - Indigenous Vegetation 749.7 ha
 - Freshwater Wetland 14.6 ha
 - Surf Breaks [rcp]
 - Cable Protection Areas Control [rcp]
 - Coastal Inundation 1 per cent AEP Plus 1m Control
- } Building Frontage Control
- } Vehicle Access Restriction Control
- } Emergency Management Area Control
- } Stormwater Management Area Control
- } Kawau Island Rural Subdivision SEAs Control

Designations

- Designations

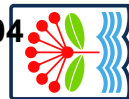
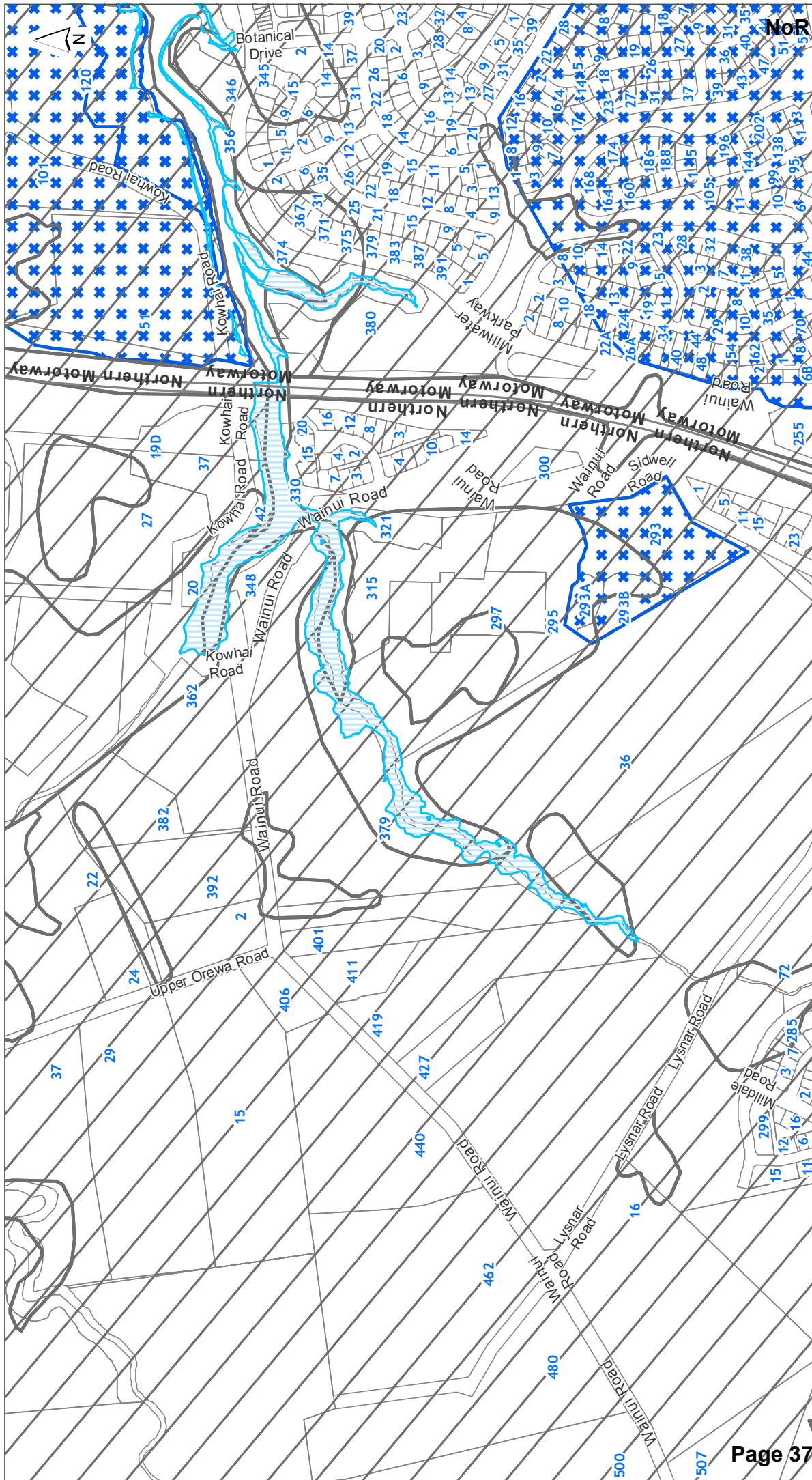
- Airspace Restriction Designations



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Zones and Rural Urban Boundary

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 Meters
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 Date Printed:
 10/12/2023



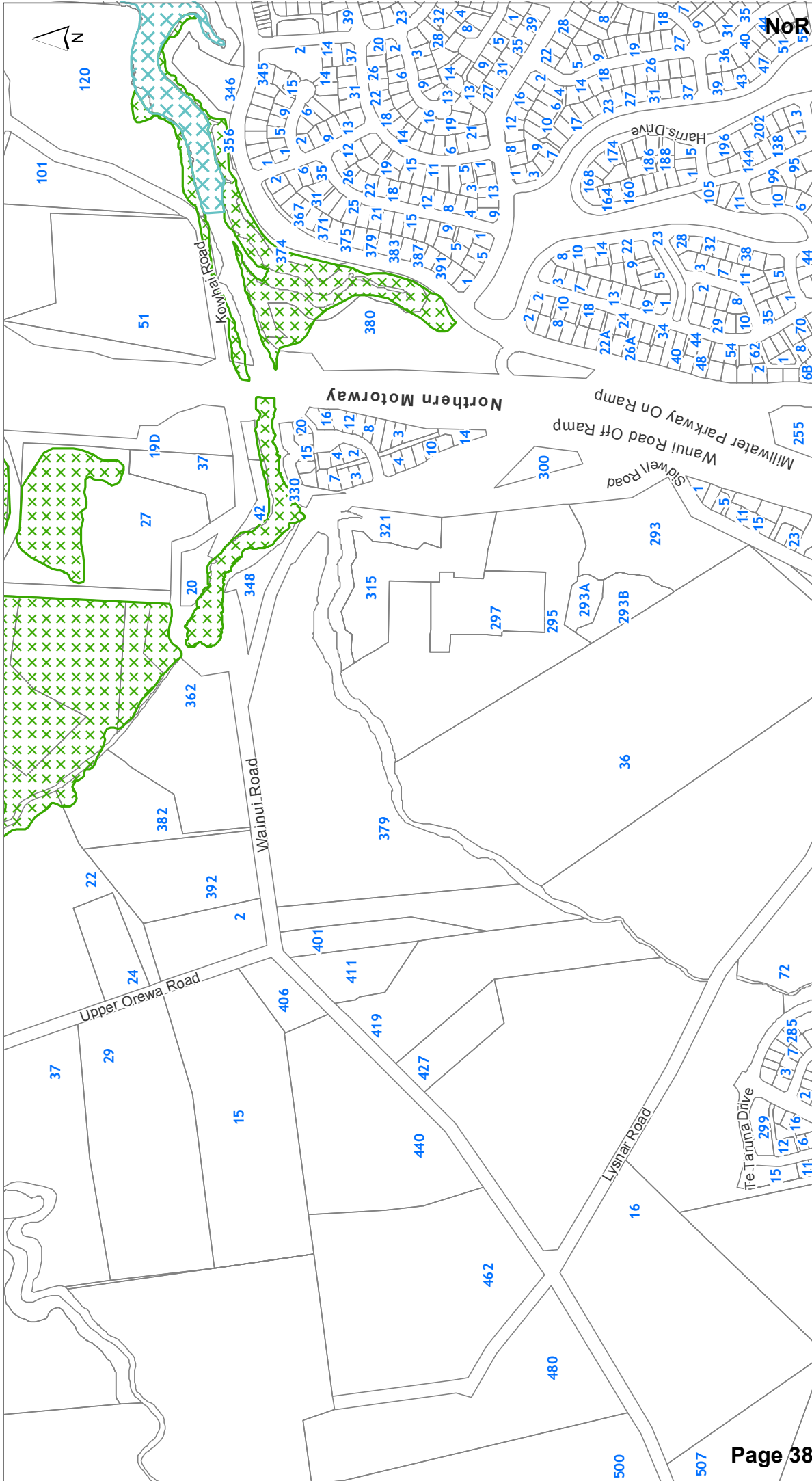
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Meters

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Controls

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NoR 6 #04



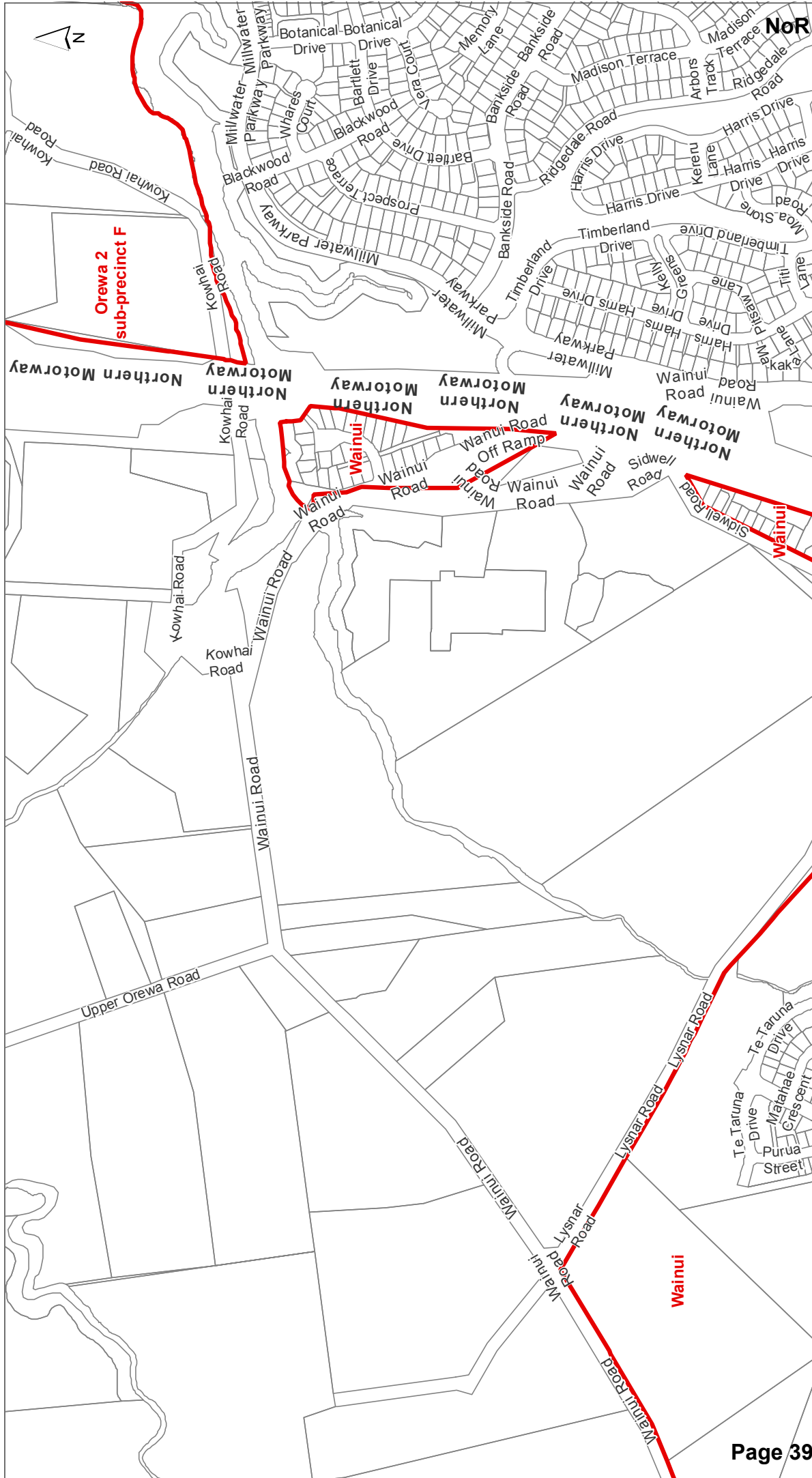
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Natural Resources

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NoR 6 #04



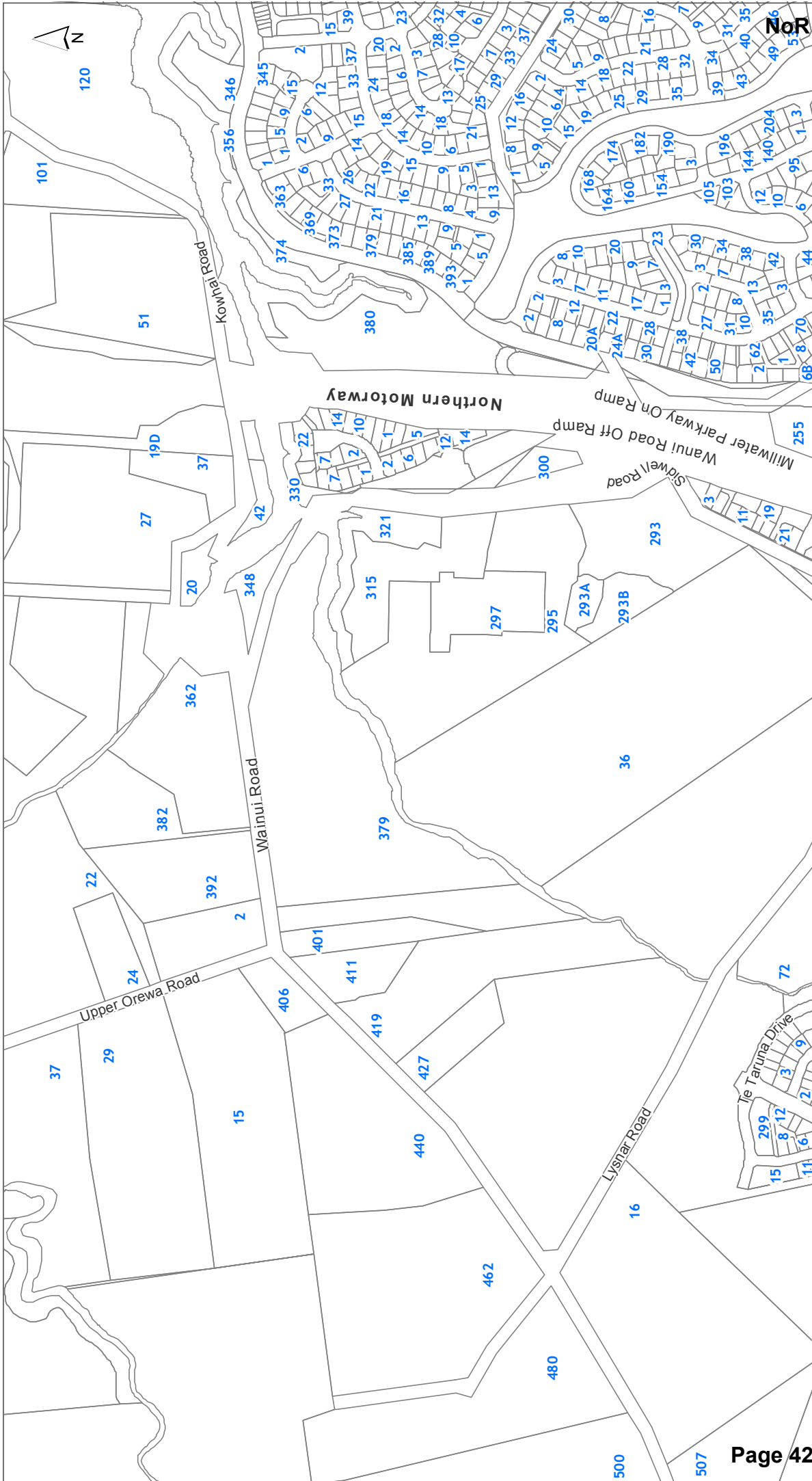
Auckland Council
 Te Kaunihera o Tāmaki Makaurau



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Precincts

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NoR 6 #04



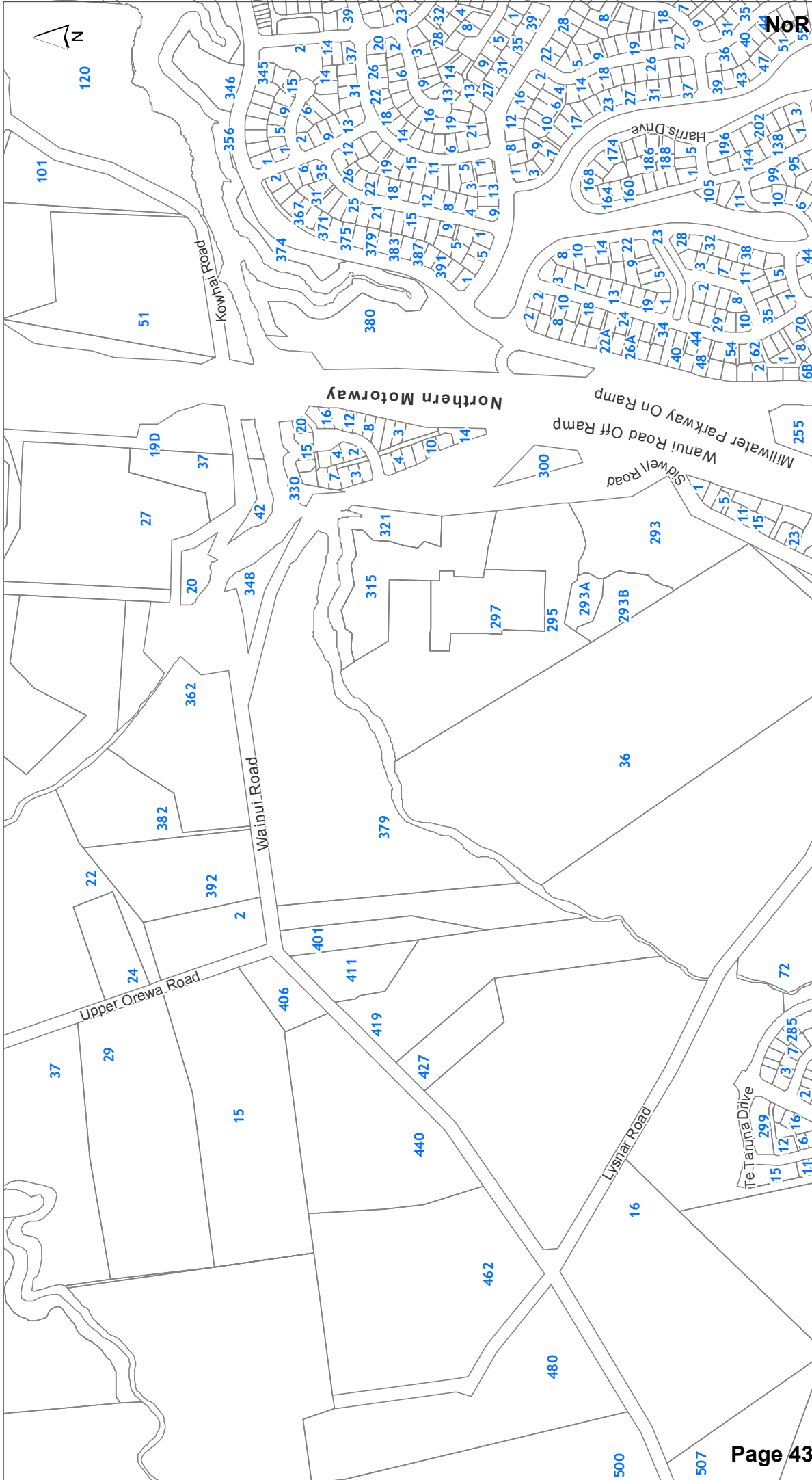
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Infrastructure

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NoR 6 #04



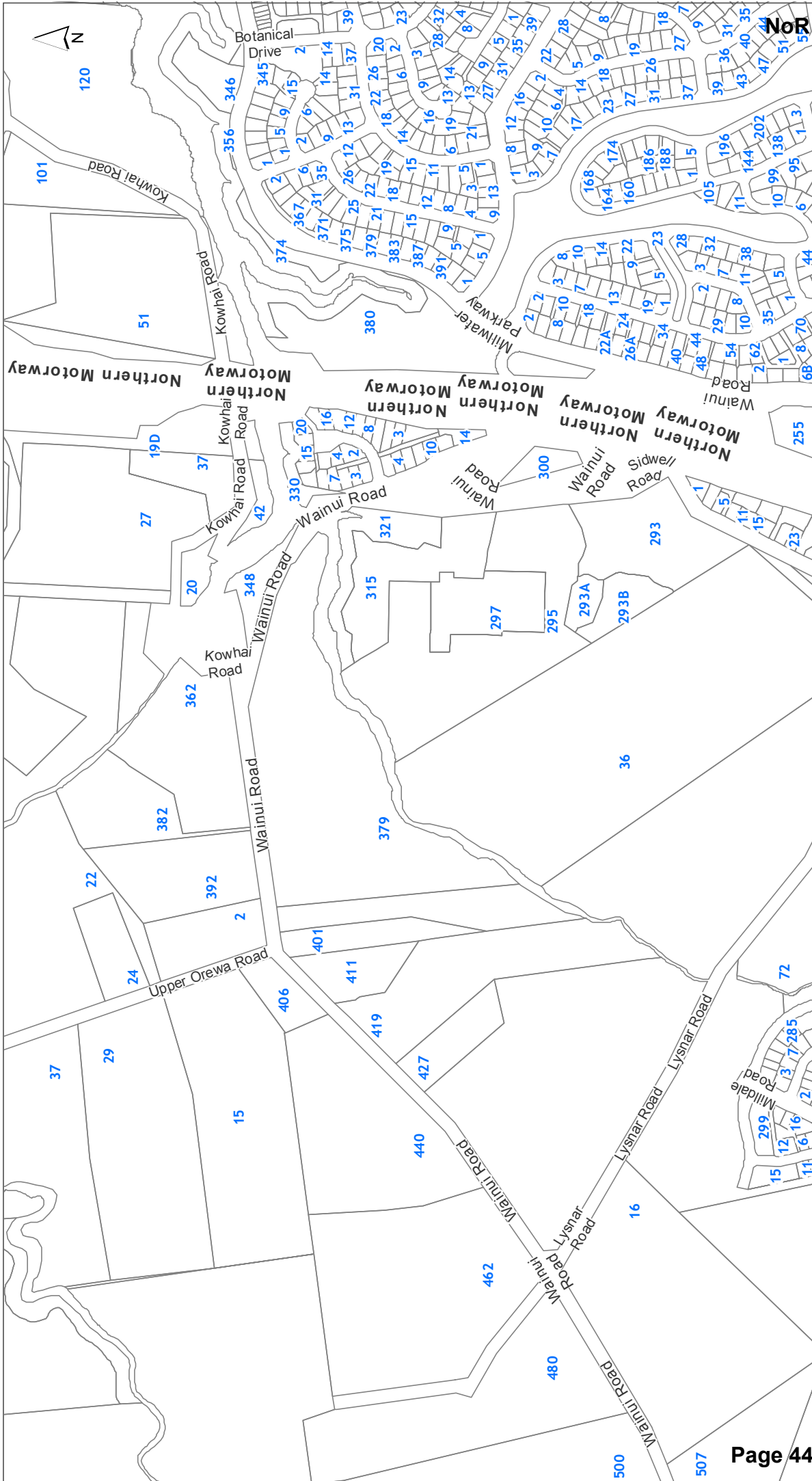
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Mana Whenua

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NoR 6 #04



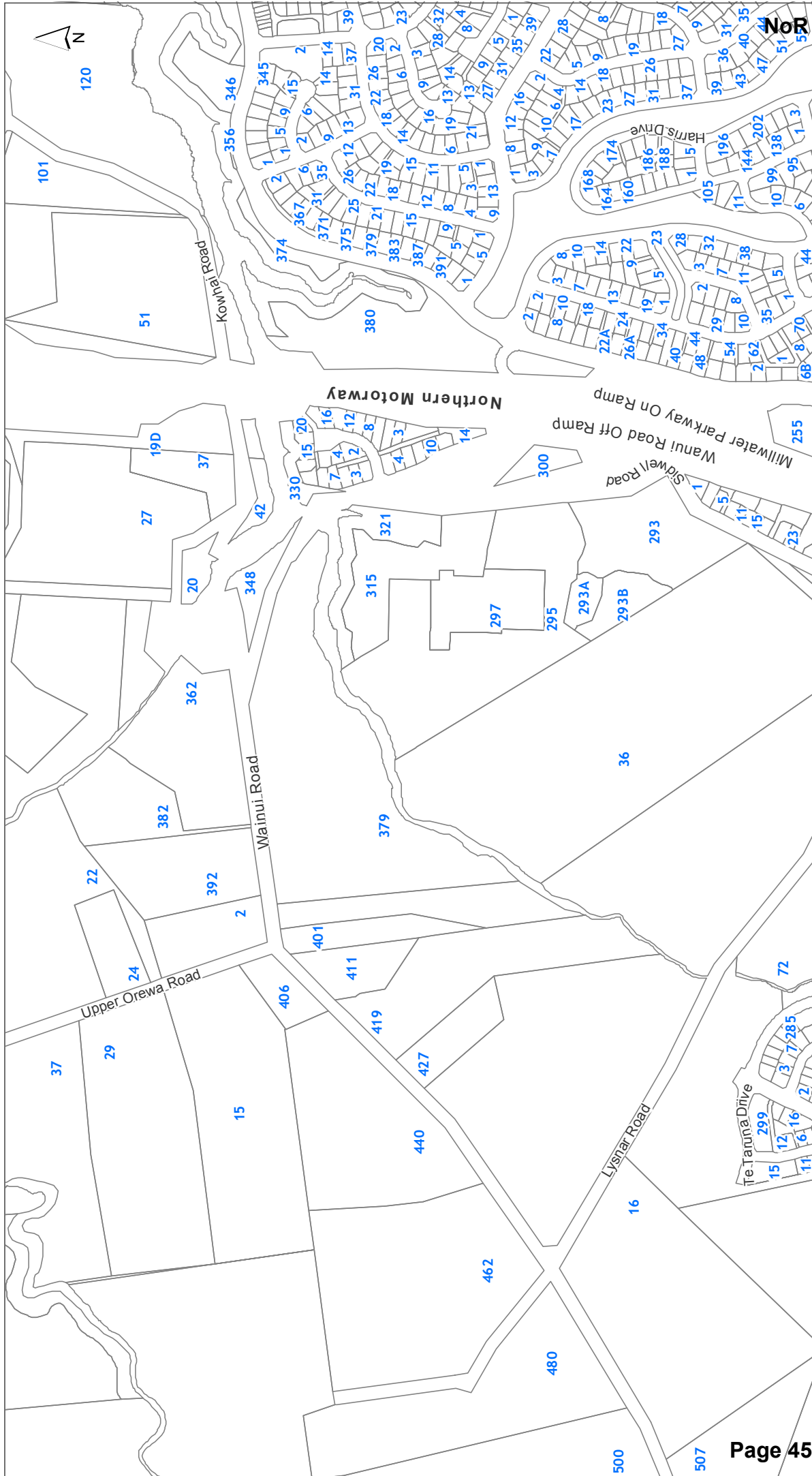
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Natural Heritage

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No R 6 #04



0 50 100 150
Meters

Scale @ A4
= 1:8,000

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Built Environment

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SUBMISSION ON NOTICES OF REQUIREMENT FOR A DESIGNATION

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

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

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

ADDRESS FOR SERVICE: C/- JGH Advisory
james@jgh.nz

COPY TO: Auckland Transport, C/- Sophia Coulter
unitaryplan@aucklandcouncil.govt.nz

Introduction

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

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

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

Affected property/ies: 10 Old Pine Valley Road

2. While Ms Coulter has said:

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

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

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

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

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

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

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

The submission is

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

Submission / Reasons for submission

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

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

Relief sought

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

Wish to be heard

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

DATED 14 December 2023



Project Manager for the Submitter

SUBMISSION ON NOTICE OF REQUIREMENT 6 – North – New Connection between Milldale and Grand Drive (Auckland Transport)

To: Auckland Council
unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: AV Jennings Ltd

AV Jennings Ltd provides this submission on Notice of Requirement – New Connection between Milldale and Grand Drive (“**NoR 6**”) to the Auckland Unitary Plan. This seeks to propose a new designation.

The purpose of the NOR is described in the public notice as being for the construction, operation and maintenance of an arterial transport corridor and associated facilities.

The activities to be enabled by the designation include environmental mitigation, temporary construction areas, ancillary structures and other activities required for the Project.

The Project objectives for NoR 6 are to provide for a new transport corridor between Milldale and SH1 at Grand Drive that:

- a) Improves connectivity.
- b) Is safe.
- c) Is efficient, resilient and reliable.
- d) Integrates with and supports planned urban growth.
- e) Integrates with and supports the existing and future transport network.
- f) Improves travel choice and contributes to mode shift.

The submitter is the landowner of the Ara Hills Development site which encompasses land identified as Lot 1001 DP 58247, Lot 1003 DP 57636 and Lot 1 DP 310813 known as 47 Ara Hills Drive and 226 Grand Drive Orewa, which would be directly affected by the proposal, including required land acquisition (see **Figure 1 and 2** below).

There is an underlying approved integrated resource consent to develop the site that was granted on the 7th August 2017 to subdivide two existing rural lots with a ten-year lapse date. This consent provides for 575 lots, including 17 mixed use lots, ranging from 230m² to 2,000m², roads and utility/recreational reserves to vest, the taking of water for domestic consumption, the diverting, bridging and reclamation of streams, associated earthworks and vegetation removal and re-planting, and the discharge of stormwater and occasional wastewater overflows (Council Reference BUN20441333). This consent has been partially given effect to on site. The approved concept structure plan is included in **Appendix A**.

AV Jennings have been engaging and progressing an Infrastructure Funding Agreement (IFA) for over five years with Auckland Transport. An agreement is in the process of being executed.

The Submitter could not gain an advantage in trade competition through this submission and the submission does not raise matters that relate to trade competition or the effects of trade competition.

The submission relates to the designation corridor, extent of physical works, and conditions.

The Submitter **supports in part** the application for the NOR subject to the following relief sought.

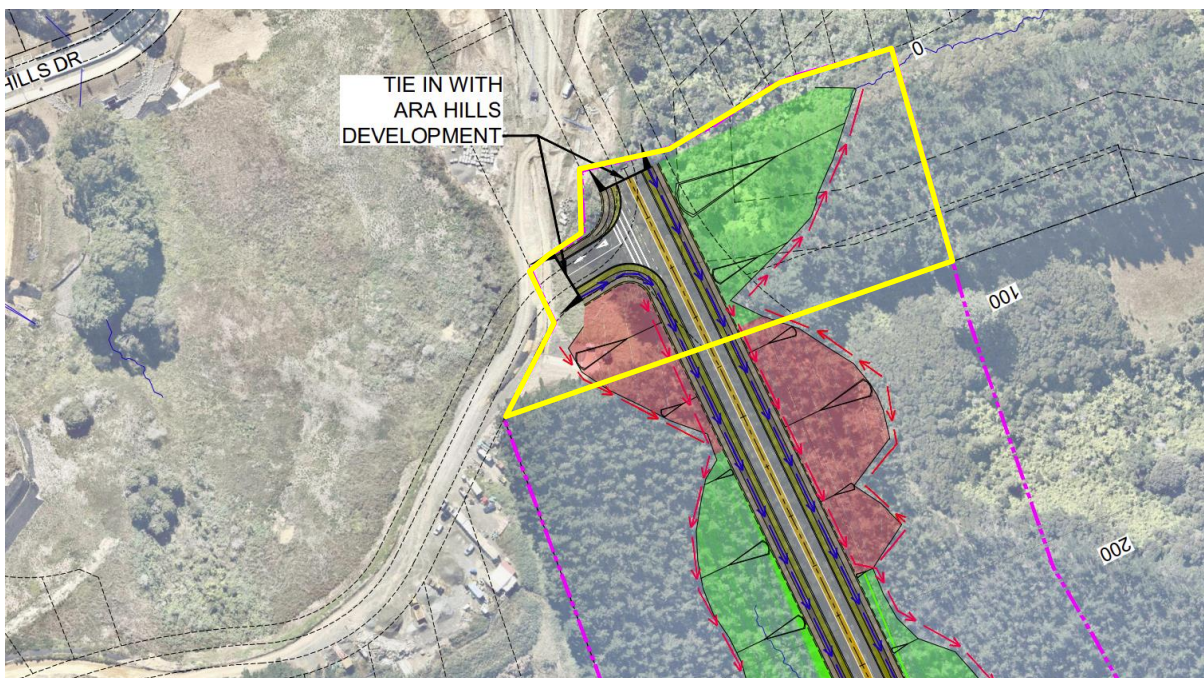


Figure 1: Location and extent of Ara Hills Development and the NOR extent

The reasons for the submitter's support in part are:

1. The submitter supports the principle of the NoR '6'. The Ara Hills Development has intentionally been designed to provide for this project through the site. An IFA is in the process of being entered into between AV Jennings and Auckland Transport. This IFA covers matters a

number of matters including acquisition of the additional arterial width along Grand Drive, gradient work completed by AV Jennings and road stopping for paper roads.

2. The information provided with the application illustrates that the extent of designation into the site is as identified in **Figure 1** above with southern parts of the site adjoining the new arterial corridor see **Figure 2** below. However, the interface of the works adjacent to the lots adjoining are not clear.

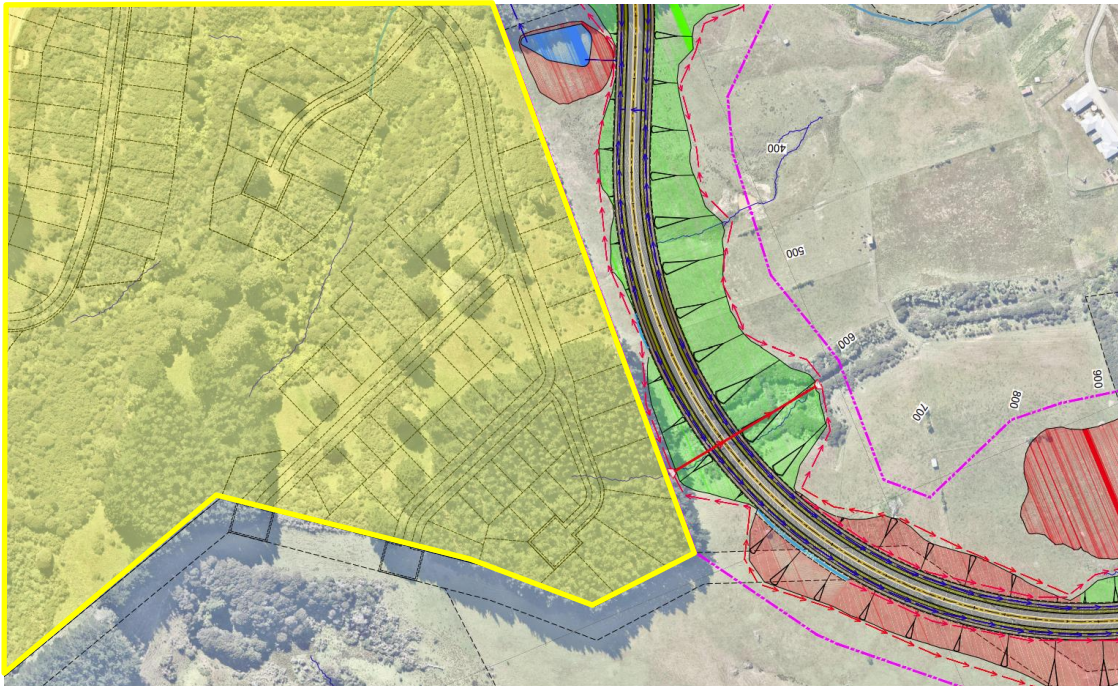


Figure 2: Designation corridor adjacent to southern boundaries of Ara Hills (Ara Hills site shown in yellow)

3. A lapse period of 30 years is sought. It is considered this is excessive and provides uncertainty to landowners and occupiers. A lapse date of 10 years is recommended.
4. The extent of the designation, into the site outside the road corridor will require removal of vegetation protected by covenant in the underlying resource consent being given effect to on site. It is not clear that this matter has been considered. It would be helpful to know that any amendments to the covenant and replacement vegetation will be at the responsibility and at the cost of the requiring authority.
5. The interface with southern stage (shown in **Figure 2**) will result in a narrow slither of land in between the arterial road and the Ara Hills Development site. This will need to have a suitable landscape response to manage amenity impacts on this adjacent consented lots. It is not clear if there are conditions that will suitably manage this interface and relationship to ensure it responds to the consented dwellings (not yet constructed).
6. A palisade wall is under construction at Stage 2 shown to the east of the designation boundary. The earthworks plans are showing fill batter directly adjacent to this wall. It is not clear what

proposed conditions will manage the protection of this wall and the stability of future consented development beyond this area.

7. Regarding the conditions 29-35 in respect of operational acoustic matters, it is not clear if the condition wording (and mitigation/ attenuation) has provided for the consented dwellings not yet constructed adjacent to and along the designation boundary.

Relief sought

The Submitter seeks the following decision from Auckland Council in respect of the NOR's:

- A reduced lapse period of 10 years is sought instead of the 30 years sought;
- Confirmation that the operational noise matters and suitable attenuation will be provided for the consented dwellings within the Ara Hills development site;
- Confirmation is provided that the covenanted vegetation within the area of works will be replanted and the need to amend any covenant documents or conditions of consent will be the responsibility of the requiring authority;
- That confirmation and/or conditions are provided to ensure that the palisade walls under construction are protected and surrounding development will not be structurally impacted by the placement of the fill extent adjacent to the boundary as shown on the arrangement plans.
- That all earthworks will be managed to minimise any impact to adjoining private properties including from airborne or deposited dust, and any other associated construction impacts on other construction activities occurring adjacent. In the event adjoining properties are affected, the cost of rectifying and restoring the asset to its original condition (such as building washing in the event future dwellings are constructed) will be met by the requiring authority;
- That any costs to resolve any consenting matters (such as varying consent conditions, or s127) as a result of the designation would be met by the requiring authority;
- That construction noise and associated conditions takes account of the future residents within the new dwellings that will be constructed on the adjacent lots shown on the notice of requirement;
- Such other consequential amendments to the provisions of the NoR 6 as may be necessary to give effect to the relief sought in this submission including conditions on the designation; and
- The submitter would like to request a meeting with the Requiring Authority prior to any hearing.

The Submitter wishes to be heard in support of this submission.



Ila Daniels
Campbell Brown Planning Limited
For and on behalf of AV Jennings Ltd as its duly authorised agent.

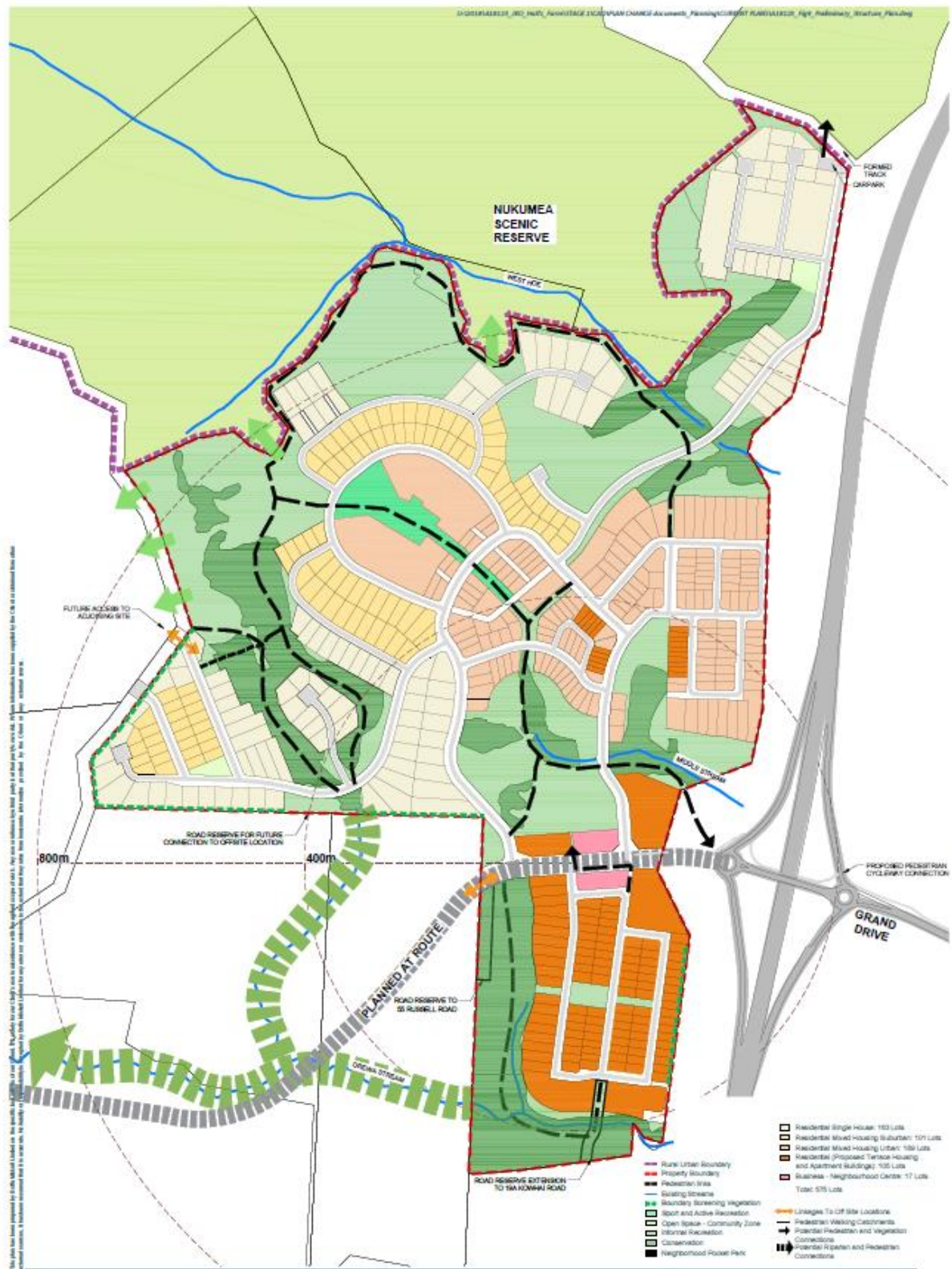
14^h December 2023

Address for service of submitter:

C/- Campbell Brown Planning Limited
PO Box 147001
Ponsonby
AUCKLAND 1144

Attention: Ila Daniels
Mobile: 021 147 9681
Email: ila@campbellbrown.co.nz

APPENDIX A: APPROVED CONCEPT STRUCTURE PLAN



Boffa Miskell
www.boffa miskell.co.nz

Date: 17 Dec 2021 | Revision: 7 |
Plan prepared for Oneas West by Boffa Miskell Limited
Project Manager: klem.dove@boffamiskell.co.nz | Drawn: JDS | Checked: JDS

Auckland Council | Approved Resource Consent Plan | LU050010513-GD1580048302-C | 06/05/2022 | Page 42 of 50

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1216] Notice of Requirement online submission - Cole McCallion
Date: Thursday, 14 December 2023 3:00:49 pm

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

Contact details

Full name of submitter: Cole McCallion

Organisation name:

Full name of your agent:

Email address: coolahkass@hotmail.com

Contact phone number: 021514624

Postal address:
2 Upper Orewa Road
Silverdale
Auckland 0992

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 6 New Connection between Milldale and Grand Drive, Ōrewa

The specific provisions that my submission relates to are:
2 Upper Orewa Silverdale 0992

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

Are you taking the land permanently or just for construction timeframe? We would like to no what is actually happening and what is needed as the letters give minimal details. WE currently have tenants on the Wainui side of the house that has 2 adults 1 teen and 2 kids. they have 3 cars and it looks like you are wanting to take away access and parking to their house. Will you be removing our mature trees that we have been growing for years and love. These trees also block sound from the road and daily golf balls from hitting our house and children playing in the back yard. Will you be removing and replacing our fence? Will you be creating a new place for the tenants to park? or will we need to kick them out and will you be paying for loss of income? Will we have access to our driveway as we have 6 cars 5 adults and 1 teen that all work daily or go to school. The tenants Children also go to school daily and will need to make it to the bus on time as they go to Gulf Harbour and we do not want to miss this bus. Basically I need more details on what you expect. Can you please let us know actual realistic timeframes? I don't want to live here if construction is happening and strangers are on our property will you be putting us up elsewhere. Are we getting reimbursement for the inconvenience. I would love if you have can get someone to sit down with us and explain what is expected.

I or we seek the following recommendation or decision from Auckland Council:
We need more details as to what you expect and realistic timeframes

Submission date: 14 December 2023

Attend a hearing

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

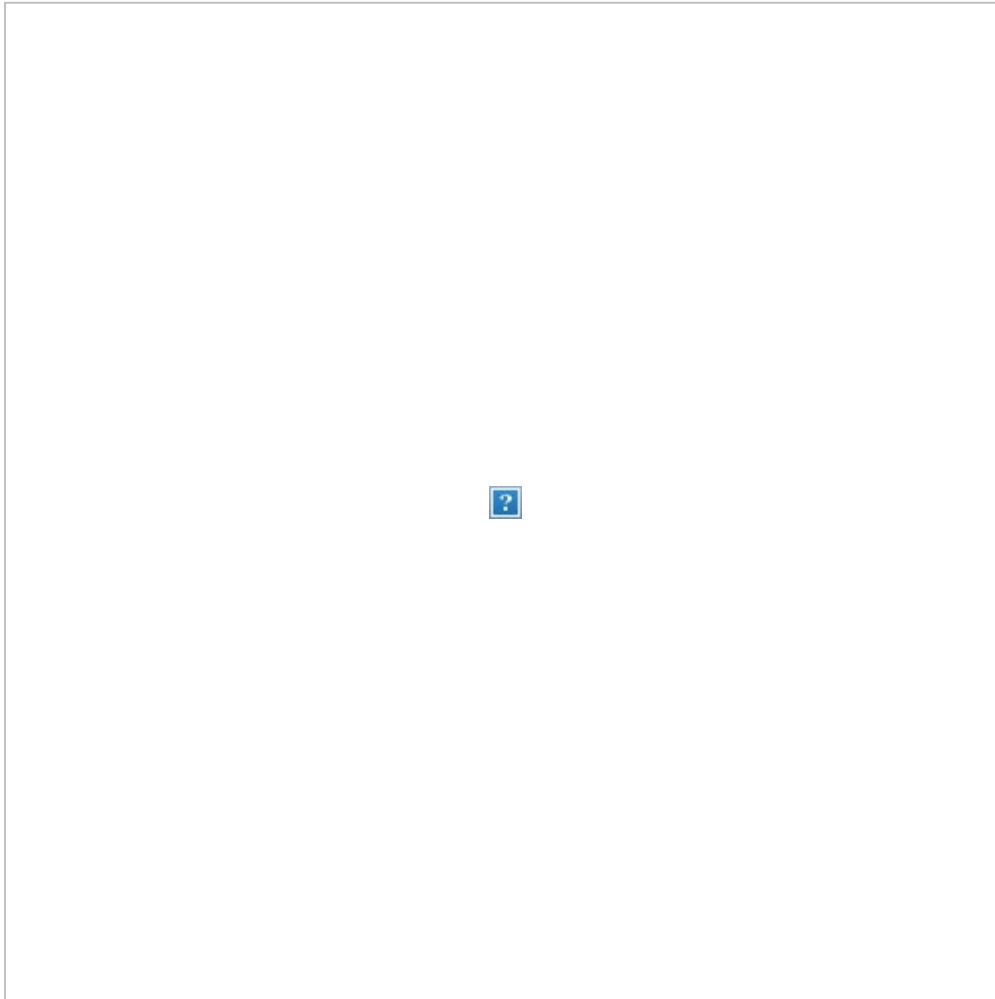
Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1248] Notice of Requirement online submission - Mitchell Kivits
Date: Thursday, 14 December 2023 7:00:43 pm

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

Contact details

Full name of submitter: Mitchell Kivits

Organisation name: Visavis Ltd

Full name of your agent:

Email address: visavis@xtra.co.nz

Contact phone number: 0223413997

Postal address:

PO Box 4
Silverdale
0944

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 6 New Connection between Milldale and Grand Drive, Ōrewa

The specific provisions that my submission relates to are:
24 Upper Orewa Road 22 Upper Orewa Road

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

We oppose this the plan for 24 Upper Orewa Road in its entirety would like to suggest that you find another location on Upper Orewa Road for the storm water pond you have planned for this site. For example across the road, Upper Orewa border of 406 Wainui Road, on the school land which has been purchased by the ministry of education. As this is the back field of the new school and will not be used apart from being planted out. Rather than disturbing the flow of potential housing on the even side of Upper Orewa Road. With the school eventually going in across the road we think it would be more beneficial to have more houses, town houses and apartments to service the growing community. Furthermore if Upper Orewa Road is to serve as a corridor with a school and housing we do not think it will look aesthetically pleasing to have a oblong shaped pond just as people enter the road and in between housing. In our opinion the Orewa river which borders 22 Upper Orewa must surely be able to act as a catchment area. After owning 22 Upper Orewa Road for 22+ years, we bought 24 upper Orewa Road nearly 4 years ago as an investment to one day develop the land for housing, not for it to be taken away by Auckland Transport. If you use 24 upper Orewa for storm water your pink line indicates you would be taking the complete block? This is also long term tenanted property with their business being run from the glasshouses, including wildlife inherent to the land, ecological value is high (see nnor6 appendix d assessment of ecological effects 1-6)

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

We insist our "reason for our views" above be considered and taken seriously please. We would like to: See the storm water pond moved to another location which is not on our property. Be kept up to date of any planning, changes and want to be included in the hearing. Be notified at least 12 months before any works begin and discuss compensation.

Submission date: 14 December 2023

Attend a hearing

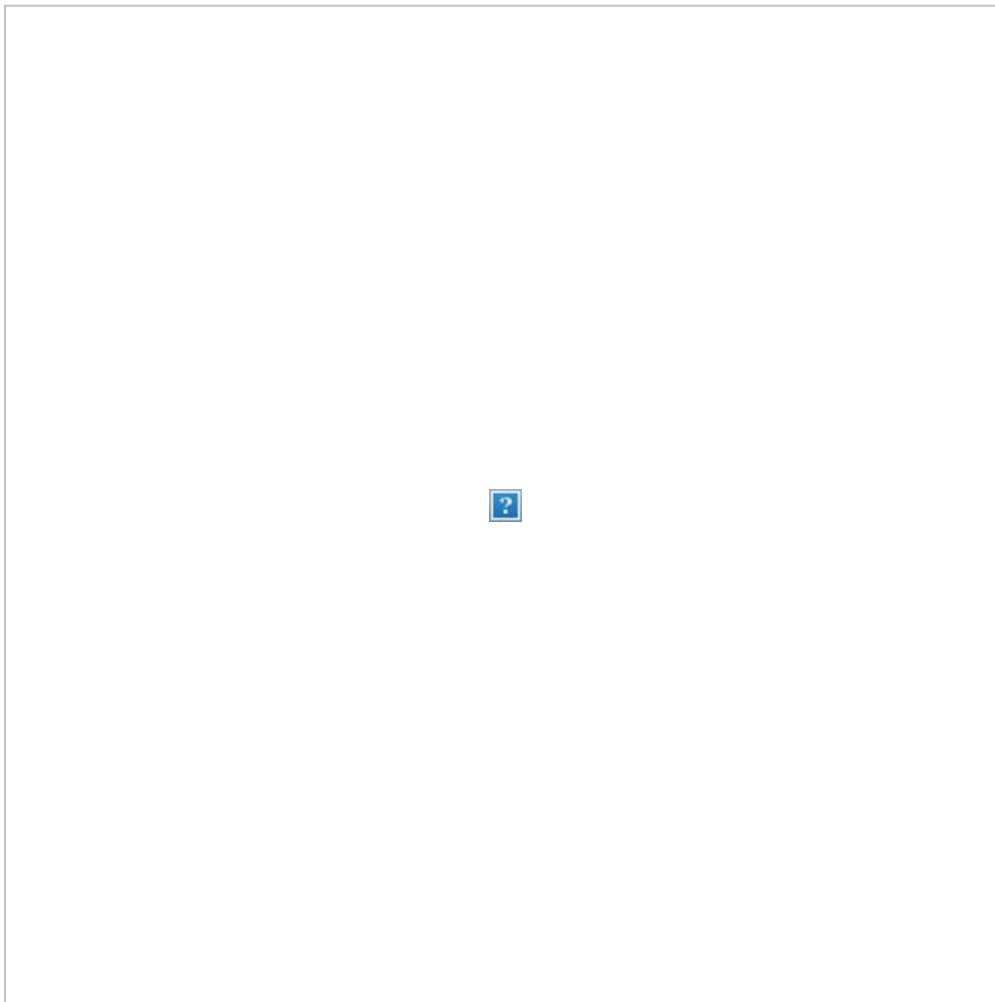
Do you wish to be heard in support of your submission? Yes

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

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



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FORM 21

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification under Section 168A, 169, 181, 189A, 190 and 195A of the Resource Management Act 1991.

To: Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

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

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

Attention: Chris Horne

Phone: 09 369 1465

Email: chris@incite.co.nz

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

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

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

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

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

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

Background

The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting



on education provision at all levels of the education network. This is to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact existing and future educational facilities and assets in the Auckland region.

The Ministry of Education's submission is:

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

Under the Resource Management Act 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

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

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

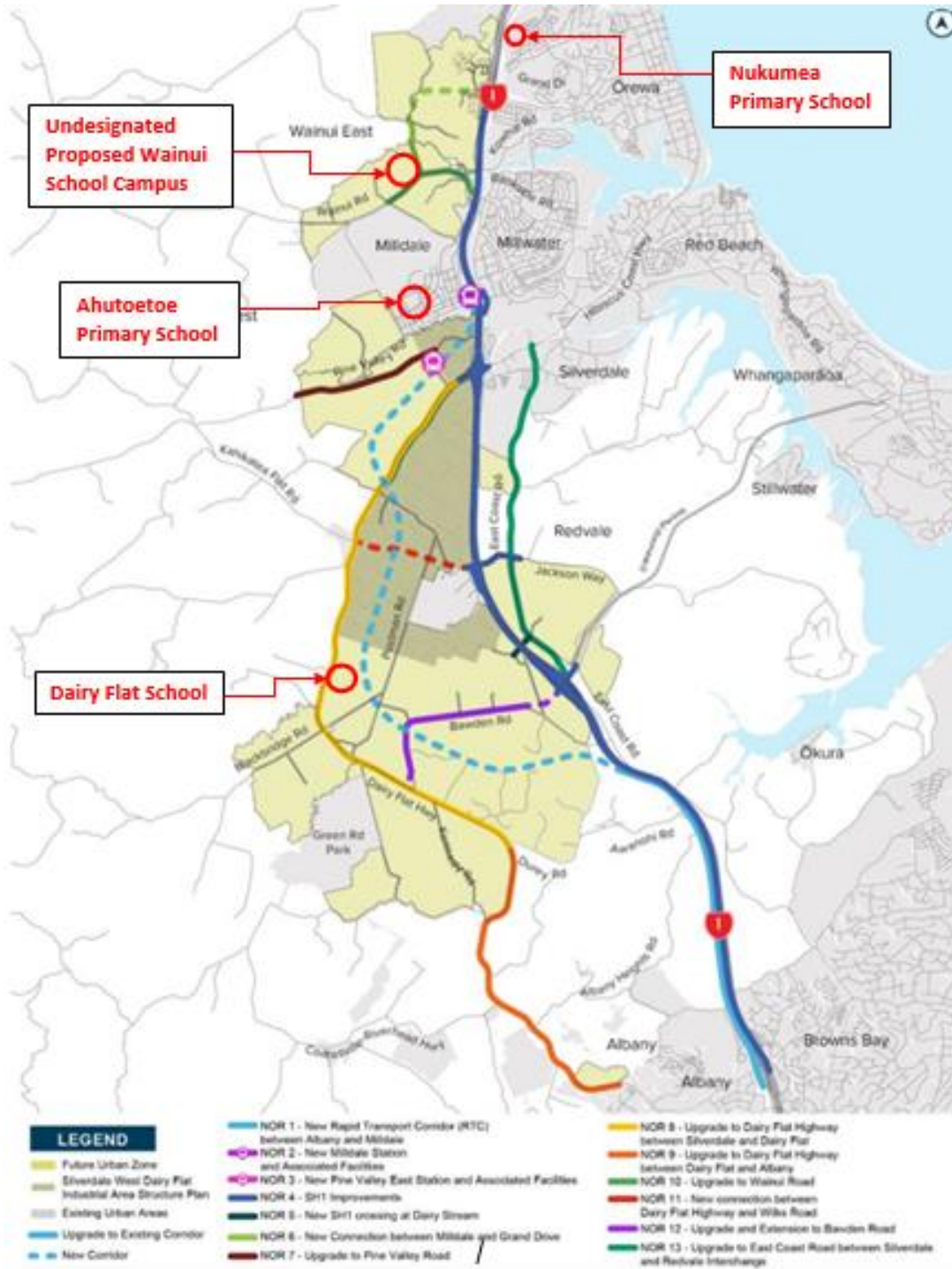


Figure 1: Project Overview - Location of NoRs in relation to the Ministry of Education's School Network.

The Ministry broadly supports the Project's aim to enable better active modes of transportation and support a resilient and integrated transport network. With regard to the Ministry's property portfolio, two school sites are directly affected by the Project. These are:

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

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

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

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

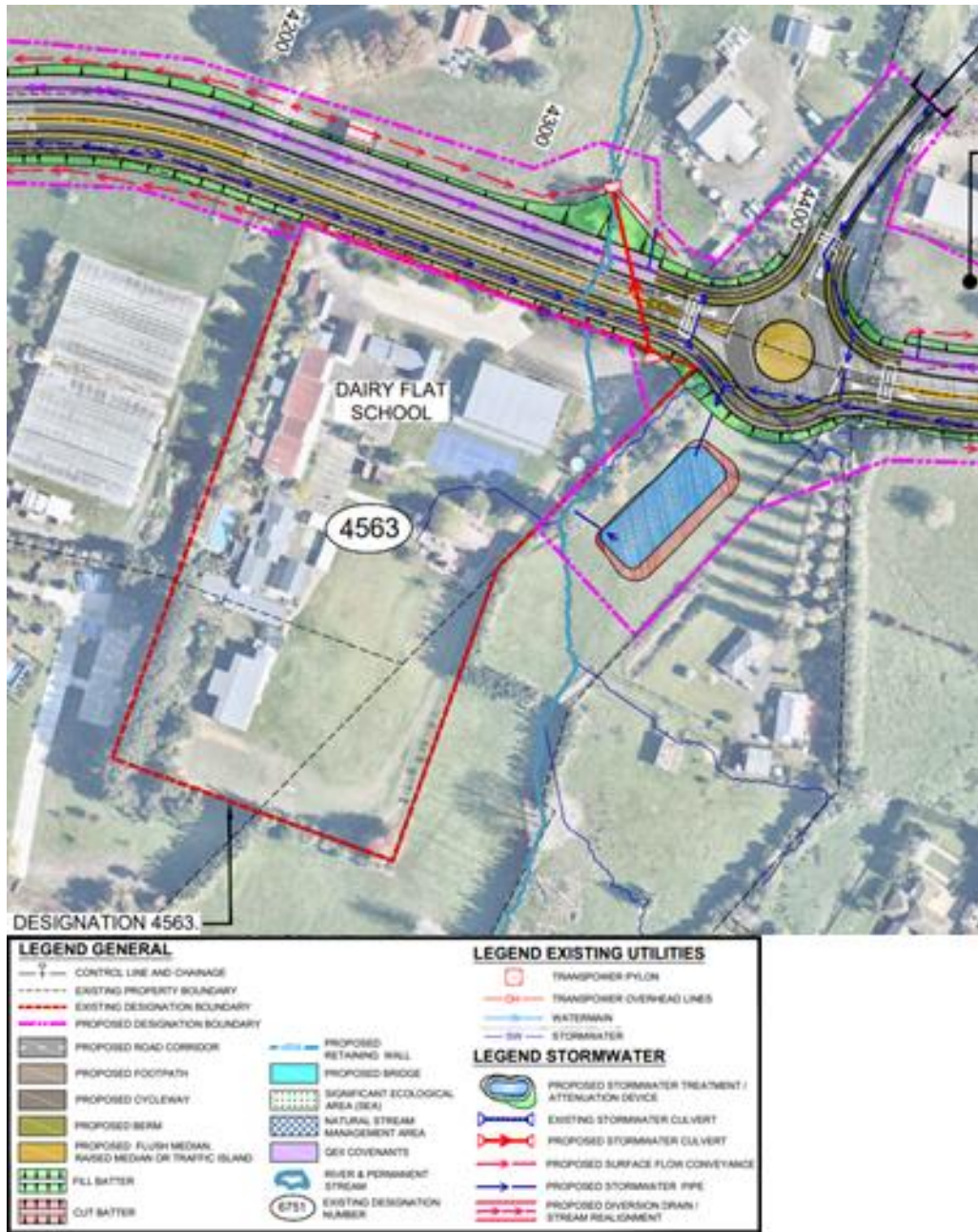


Figure 2: Proposed works in proximity to the Dairy Flat School

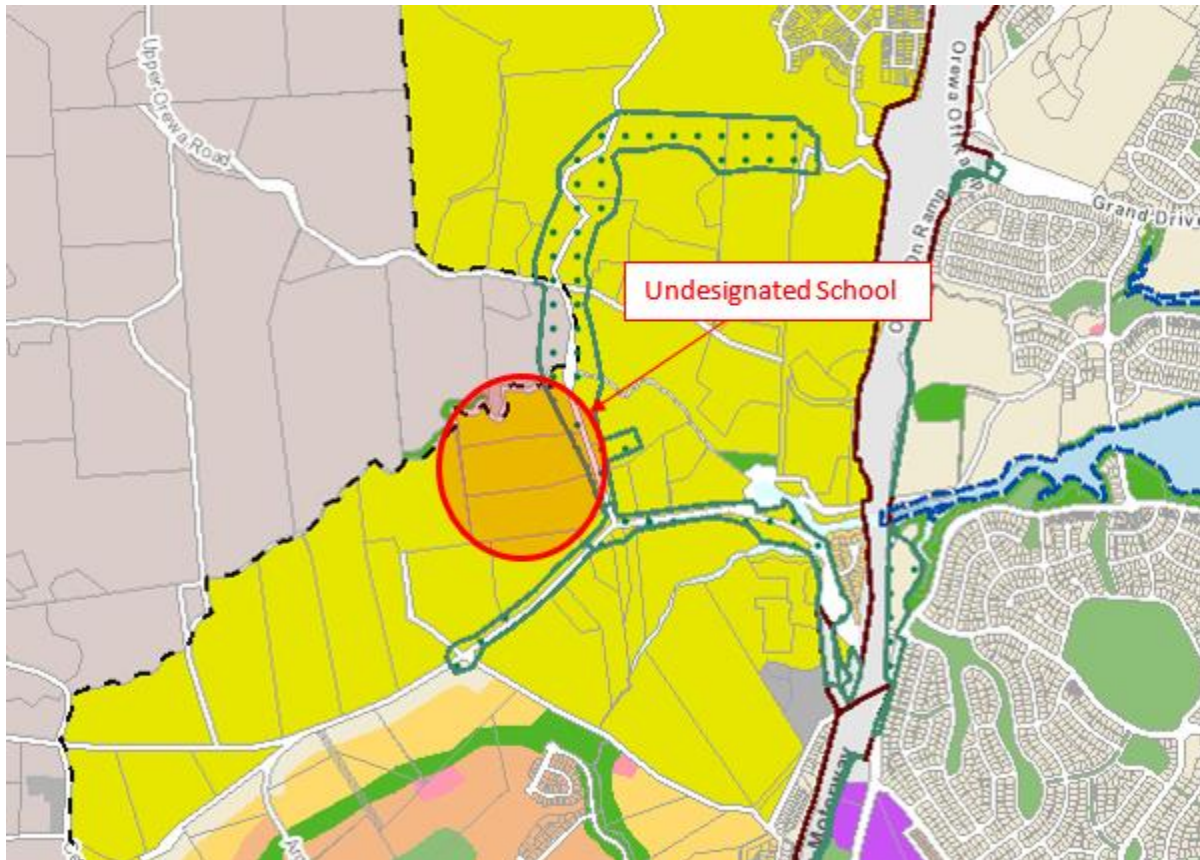


Figure 3: NoR 6 and 10 Footprints in relation to proposed Wainui School campus on Upper Orewa Road

Walking and cycling provisions

The Ministry strongly supports the provision of separated walking and cycle facilities that will provide safe access to the current and future wider school network. Encouraging mode shift will provide significant health benefits for students and staff and will reduce traffic generation at pick-up and drop-off times. Schools should be well serviced by safe and accessible pedestrian and cycling links as well as public transportation facilities, and it is considered that the proposed upgrades will generally provide adequate cycling and walking infrastructure to the schools in Orewa.

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

Dairy Flat School – NoR 8

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

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

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

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

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

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



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



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

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

Designation boundary overlap

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

When the Ministry develops its Wainui site or any other site that may be affected by these designations in the future given the long lapse periods, it will undertake earthworks to prepare the site for development. The development of the school site may result in earthworks by Auckland Transport not being required. The earthworks undertaken by the Ministry may change the gradient and interface on the school campus site with the road, and the existing levels that inform the extent of the NoR and the estimated earthworks may no longer apply. The Ministry requests recognition in the condition that earthworks on the school campus site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks before the road project proceeds, then the NoR boundaries can be revised.

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

All NORs - General Matters Relating to Existing and Future Schools

Construction noise and vibration

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



Construction traffic effects

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

Each NoR includes a condition requiring the preparation of a Construction Traffic Management Plan (CTMP) prior to the start of construction. The Ministry supports the inclusion of this condition but requests minor alterations to the condition to provide a more explicit focus on the need to manage heavy traffic routes that pass in the vicinity of schools during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school.

Stakeholder engagement

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



Decision sought

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

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

Changes to Conditions

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

Designation Review (NoRs 5-13)

Amend Condition 3 as follows:

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

Land Integration Process (NoRs 5-13)

Amend Condition 10 as follows:

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

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



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

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

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

- (a) *A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:*
 - (i) *the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);*
 - (ii) *the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;*
 - (iii) *methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;*
 - (iv) *a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with;*
 - (v) **methods for engaging with the Ministry of Education and schools in the Project area including any future schools that have or are being acquired but are not yet designated;**
 - (vi)

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

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

- (a) *A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:*



- (i) *methods to manage the effects of temporary traffic management activities on traffic;*
- (ii) *measures to ensure the safety of all transport users;*
- (iii) *the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools, **and in particular the avoidance of heavy traffic in the vicinity of schools around peak pick-up and drop-off times,** or to manage traffic congestion;*
- (iv) *site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;*
- (v) *identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists;*
- (vi) *methods to maintain access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be;*
- (vii) *the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;*
- (viii) *methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services);*
- (ix) *Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;*
- (x) *details of minimum network performance parameters to be achieved during the construction phase, including any measures to monitor compliance with the performance parameters; and*
- (xi) *(xi) details of any measures proposed to be implemented in the event of thresholds identified in (x) being exceeded.*

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

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

NoR 8: Dairy Flat School

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

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



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

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

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

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

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

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

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

Should you wish to discuss any aspect of this feedback, please do not hesitate to contact the undersigned.

The Ministry wishes to be heard in support of its submission.

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



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

A handwritten signature in blue ink, consisting of a series of fluid, connected strokes.

Chris Horne
Consultant Planner for Ministry of Education

Date: 14 December 2023

Submission on the Thirteen Notices of Requirement for the North Projects lodged by Waka Kotahi NZ Transport Agency and Auckland Transport as requiring authorities under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the North Projects

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

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

DATE: 14 December 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the thirteen NoRs for the "North Projects" lodged by Waka Kotahi NZ Transport Agency ("**Waka Kotahi**") and Auckland Transport as requiring authorities under the Resource Management Act 1991 ("**RMA**").
- 1.2 Watercare neither supports nor opposes the NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made to confirm the NoRs responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("LGA") and are wholly owned by Auckland Council ("Council"). Watercare has a significant role in helping Auckland Council achieve its vision for the city. Our services are vital for life, keep people safe and help communities to flourish.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.7 million people in the Auckland region. Over the next 30 years, from 2023 – 2053, this is expected to increase by another 520,000 people, potentially requiring another 200,000 dwellings along with associated drinking water, stormwater and wastewater infrastructure. The rate and speed of Auckland's population growth puts pressure on our communities, our environment, and our housing and infrastructure networks. It also means increasing demand for space, infrastructure, and services necessary to support this level of growth.
- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the recently adopted Auckland Council Future Development Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²

3. PLANNED AND EXISTING WATERCARE ASSETS

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

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

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

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

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

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

b) NoR North Projects: New Rapid Transit Station at Milldale (NoR 2)⁵ – Waka Kotahi (NZTA)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. SUBMISSION POINTS AND RELIEF SOUGHT

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

4.2 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made on the NoRs responds to the issues raised in this submission and avoids, remedies, or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.

Early engagement

4.3 Watercare seeks to ensure that there is a live and continual process planned forward to recognise that asset management and construction plans are constantly updating and changing.

4.4 Watercare acknowledges the proactive approach to engagement shown by the requiring authorities to date. Watercare has been in discussions with the Supporting Growth Alliance, and the preceding 'future urban land use strategy' project work, as well as independent engagement with Waka Kotahi and AT during the development of these NoR's.

4.5 Watercare supports in depth collaboration and consultation (including information, data sharing and identification of opportunistic works) across infrastructure providers on the development (or redevelopment) of urban environments and wishes to ensure that there is ongoing and timely engagement and collaboration as these projects develop.

4.6 As noted, Watercare seeks early engagement from the requiring authorities for future planning and construction works including prior to detailed design and during implementation of construction works. Early and fulsome engagement with Watercare, along with other infrastructure providers, can enable opportunities to plan and future proof the delivery of assets to provide for well-functioning urban environments. For Watercare, this includes applying for, in a timely manner, "Works Over" Approvals, in compliance with Watercare's "Water Supply and Wastewater Network Bylaw 2015" (updated 2021).

4.7 Watercare seeks to ensure the NoRs do not impact its wastewater and water services in the NoR areas now and into the future (these planned projects are detailed in paragraph [3.4] above). Watercare wishes to ensure it maintains access to its assets 24 hours a day, 7 days a week for maintenance, safety and efficient operation of its services and that it is consulted on any works undertaken by the requiring authorities that may impact Watercare's services.

Specific amendments to conditions

4.8 Watercare has filed evidence, and attended, recent NoR hearings for other Supporting Growth Alliance projects (the North West Strategic Network, and the Airport to Botany Bus Rapid Transit Project). The conditions proposed for the NoRs by the requiring authorities for these NoRs are similar to those which have been proposed at the recent North West Strategic Network hearing (in rebuttal evidence).

4.9 Watercare supports the intention of conditions proposed by the requiring authority which seek to ensure that there is engagement with relevant stakeholders during the development of all thirteen NoRs (ie the conditions which require a Network Utility Management Plan

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

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

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

Network Utility Strategic Outcomes Plan (NUSOP)

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

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

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

...

- (c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project and shall include any s177 consents required for works affecting prior Designations and Watercare 'Works Over Approvals'.

...

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

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

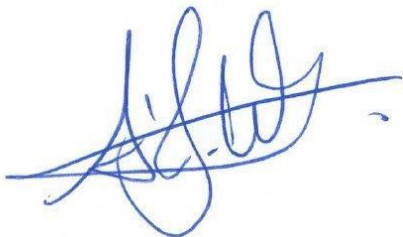
5. RECOMMENDATION SOUGHT

5.1 Watercare seeks that the Council recommend:

- (a) amendments to the conditions of the NoRs, as set out above in its submissions (and any other conditions), to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above; and / or
- (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

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

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



Steve Webster
Chief Infrastructure Officer
Watercare Services Limited

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Andrew Nigel Philipps Kay

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

Address for service of Submitter

95 Postman Rd, Dairy Flat 0794

Telephone:

21622016

Email:

anpkay@gmail.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 6) New Connection between Milldale and Grand Drive, Ōrewa

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

The entire corridor designated by this NoR

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

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

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

(continue on a separate sheet if necessary)

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

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

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

12/14/2023
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1093] Notice of Requirement online submission - N Z Property Investments Limited
Date: Monday, 11 December 2023 1:01:07 pm
Attachments: [90 Upper Orewa road.pdf](#)

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

Contact details

Full name of submitter: N Z Property Investments Limited

Organisation name:

Full name of your agent: Philipp Ripa

Email address: Philipp@eurobuild.co.nz

Contact phone number:

Postal address:
53 Lloyd drive ,
RD1 Silverdale
Auckland 0994

Submission details

Name of requiring authority: Auckland Transport

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

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
Directly affected

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

Submission date: 11 December 2023

Supporting documents
90 Upper Orewa road.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.

Dear Auckland council

I trust this correspondence finds you in good health. My name is Philipp Ripa, and I am representing NZ Property Investments LTD, an entity deeply invested in the community and concerned with the ongoing developments in our region.

Firstly, let me express our appreciation for the committee's commitment to seeking input from the community as you deliberate on the new roading layout. It is heartening to witness a collaborative approach to address the challenges and opportunities associated with this initiative.

As stakeholders directly impacted by the proposed changes, we wish to outline our perspective on the matter. While we understand the necessity of infrastructural developments for the overall benefit of the community, we find ourselves compelled to express concerns regarding the potential adverse effects on our property.

Our primary contention lies in the need for fair compensation in light of the changes that will significantly impact our access and land utility. We are open to supporting the new roading layout if adequate compensation measures are implemented to safeguard our interests.

To address these concerns, we propose the following compensation package:

Access to Property for Future Subdivision:

We request assured access to our property for future subdivision purposes. At least one point of road access.

The access points should be strategically designed to provide connectivity to essential utilities such as water, electricity, and sewage.

Land Redevelopment Opportunity:

We are willing to collaborate on the redevelopment of our land.

We propose utilizing the earth excavated during the road construction to be placed and graded on our property to address the current steep gradient.

This graded land can then be effectively utilized for subdivision purposes, aligning with the broader developmental goals of the community.

In supporting or opposing aspects of the proposed changes, we emphasize the importance of a balanced approach that considers both community needs and individual property rights. Our stance is contingent on the fair and just compensation for the challenges we would face due to the roading layout alterations.

We believe that our proposal not only mitigates the impact on our property but also contributes positively to the overall development goals of the community. We look forward to further discussions on these matters and remain open to collaboration to find solutions that benefit all stakeholders involved.

Thank you for your time and consideration.

NZ Property Investments LTD

Director



From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1022] Notice of Requirement online submission - Geoff Upson
Date: Sunday, 3 December 2023 12:30:15 pm

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

Contact details

Full name of submitter: Geoff Upson

Organisation name:

Full name of your agent:

Email address: geoff.upson@hotmail.com

Contact phone number: 02102410569

Postal address:
112 oyster point road
kaukapakapa
auckland 0984

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 7 Upgrade to Pine Valley Road

The specific provisions that my submission relates to are:

i am concerned about the ability to safely travel from state highway 16 at kaukapakapa to state highway 1 at silverdale

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

consideration needs to be given to protecting the ability to safely travel through the area at an appropriate speed. the designs proposed do not allow for a safe and appropriate speed limit of 100km/h and it seems that almost no consideration has been given to protecting the ability of long distance travelers being able to safely get through the area without conflicts such as driveways and intersections.

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

i would like to see the designs updated to allow safe and efficient travel through the subdivision (east to west) for essential motor vehicle travel such as freight and commuters. when state highway one is congested or blocked due to an incident traffic needs to get from silverdale to kaukapakapa to use state highway 16 and the suburbs such as hellensville and kaukapakapa are growing areas which need safe transport corridors to state highway one. i know there is additional connections from kahikatea flat road to the new proposed wilks road onramp but after reviewing the design this does not provide safe and efficient travel from the east to west of the new development due to the number of potential conflicts with properties alongside the road and intersections. the rodney local board has also voted in support of urbanizing and reducing the speed limit on part of kahikatea flat road which will reduce the safety and efficiency of motorists being able to use the road. we need to protect the ability to travel past the development without combining long distance travellers and short distance travellers and pedestrians etc.

Submission date: 3 December 2023

Attend a hearing

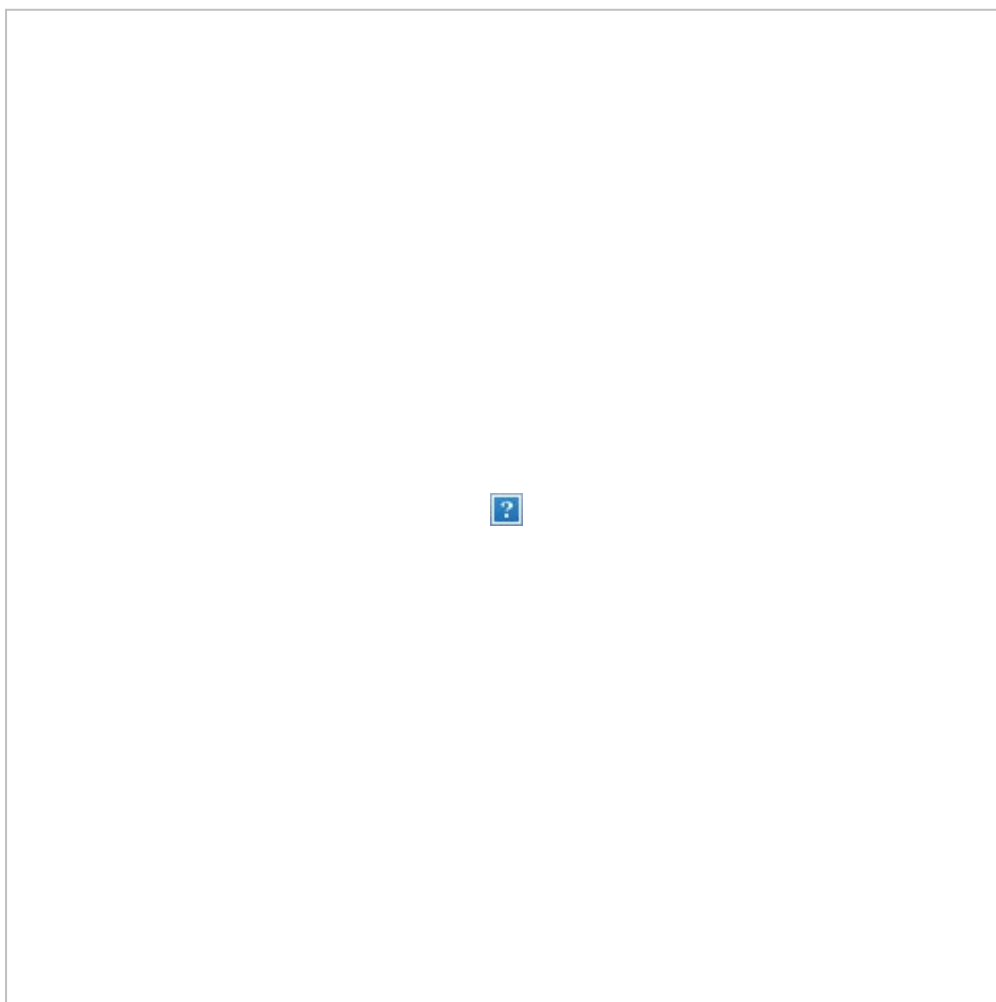
Do you wish to be heard in support of your submission? Yes

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

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1037] Notice of Requirement online submission - Karen Windust
Date: Tuesday, 5 December 2023 10:31:03 am

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

Contact details

Full name of submitter: Karen Windust

Organisation name:

Full name of your agent:

Email address: windys@xtra.co.nz

Contact phone number:

Postal address:
225 Pine Valley Road
Silverdale
Auckland 0992

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 7 Upgrade to Pine Valley Road

The specific provisions that my submission relates to are:
Upgrade of Pine Valley Road

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
Pine Valley Road is already becoming a major link to Milldale now that the roundabout in Pine Valley has been established. Traffic congestion from the roundabout to the top of Pine valley occurs most mornings now and the area as a whole desperately needs new roading sooner rather than later.

I or we seek the following recommendation or decision from Auckland Council:
To upgrade Pine Valley Road within the next 5 years.

Submission date: 5 December 2023

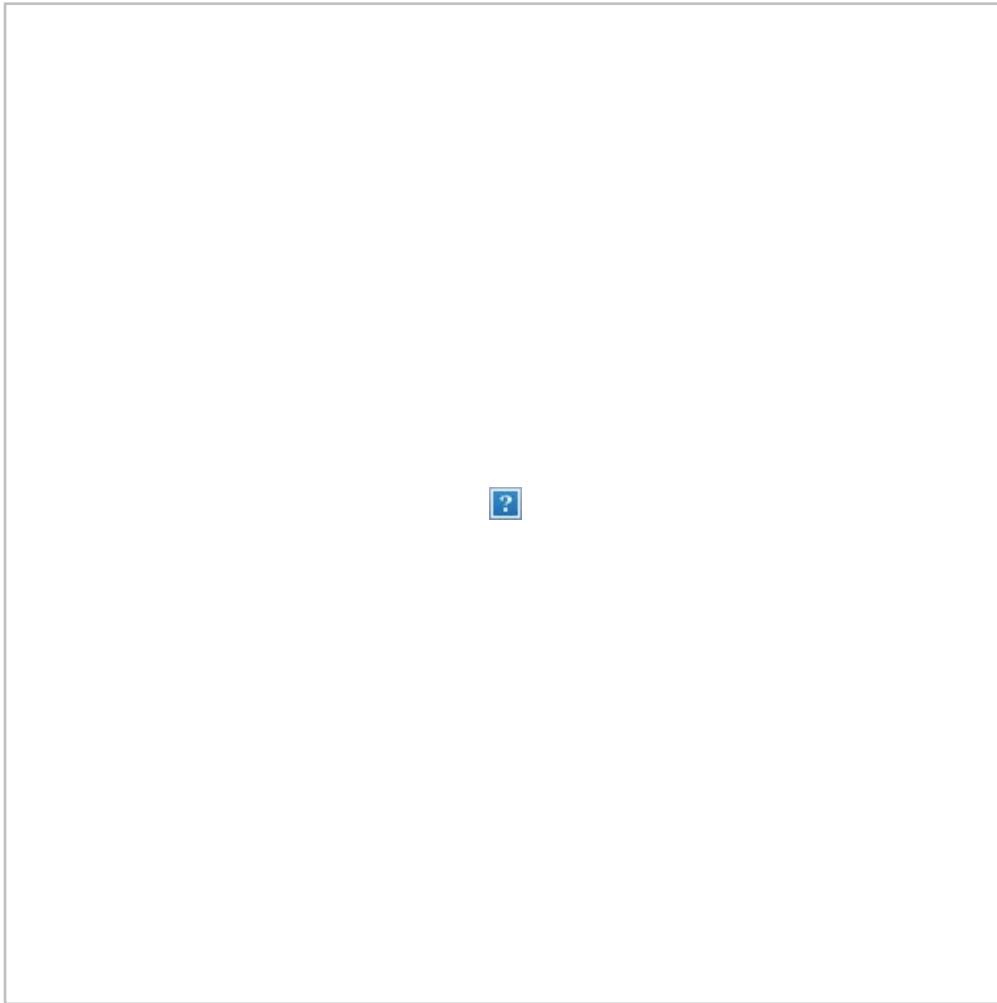
Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1039] Notice of Requirement online submission - Carlton Windust
Date: Tuesday, 5 December 2023 10:31:09 am

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

Contact details

Full name of submitter: Carlton Windust

Organisation name:

Full name of your agent:

Email address: windys@xtra.co.nz

Contact phone number:

Postal address:
225 Pine Valley Road
Silverdale
Auckland 0992

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 7 Upgrade to Pine Valley Road

The specific provisions that my submission relates to are:
Upgrade of Pine Valley Road. 225 Pine Valley Road Silverdale being my residence.

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
Congested traffic already now with entrance of Milldale onto Pine Valley Road and this will only become worse. Needs upgrading sooner rather than later.

I or we seek the following recommendation or decision from Auckland Council:
Agree to Pine Valley Road upgrade as a first priority for this area to due to huge growth in such a short period which will only escalate traffic issues.

Submission date: 5 December 2023

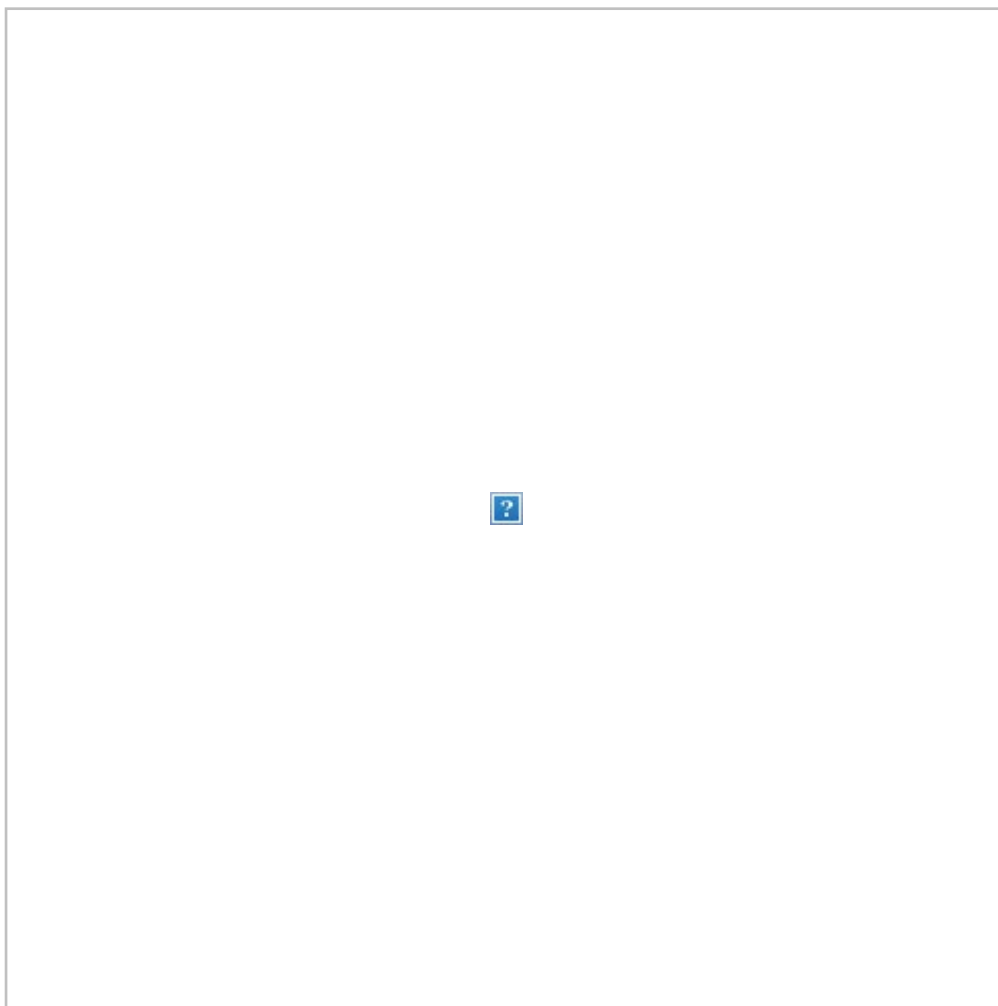
Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



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

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

FORM 21



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Mr. Clifford Ronald Tyler, (Managing Director)

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

STARGLOW LIMITED

Address for service of Submitter

346 Pine Valley Road, Dairy Flat, Auckland, 0992

Telephone:

272767870

Email:

cliff@mscs.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 7) Upgrade to Pine Valley Road

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

346 Pine Valley Rd

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

Right behind our only 16m road boundary is valuable fixed artwork, gating infrastructure and a very large willow tree. This is part of an already well advanced consented tourist/visitor business development. The extent of proposed road widening into our property is unnecessary and will damage our driveway, drainage systems, landscaping

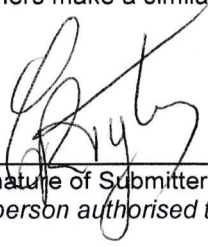
and other improvements we have made. Our property is outside the Future Urban zone and the proposed road widening along our frontage is merely a short transition between the existing rural road and the future suburban road. We consider that this transition can be constructed within the 9m wide berm between the existing road tarmac and our boundary and thus not need to extend into our property.

(continue on a separate sheet if necessary)

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

Remove the designation on our property by amending the NoR

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


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

11/12/2023
Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) _____

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

Address for service of Submitter

Telephone: Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 7) Upgrade to Pine Valley Road

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

My submission is:

- I or we support of the Notice of Requirement I or we oppose to the Notice of Requirement
- I or we are neutral to the Notice of Requirement

The reasons for my views are:

(continue on a separate sheet if necessary)

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

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

BCatchpole

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

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1119] Notice of Requirement online submission - Manuhiri Kaitiaki Charitable Trust
Date: Tuesday, 12 December 2023 2:00:42 pm

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

Contact details

Full name of submitter: Manuhiri Kaitiaki Charitable Trust

Organisation name:

Full name of your agent:

Email address: kaitiaki@ngatimanuhiri.iwi.nz

Contact phone number:

Postal address:

PO BOX 117

Warkworth

Auckland 0941

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 7 Upgrade to Pine Valley Road

The specific provisions that my submission relates to are:

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

Do you support or oppose the Notice of Requirement? I or we are neutral to the Notice of Requirement.

The reason for my or our views are:

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

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

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

Submission date: 12 December 2023

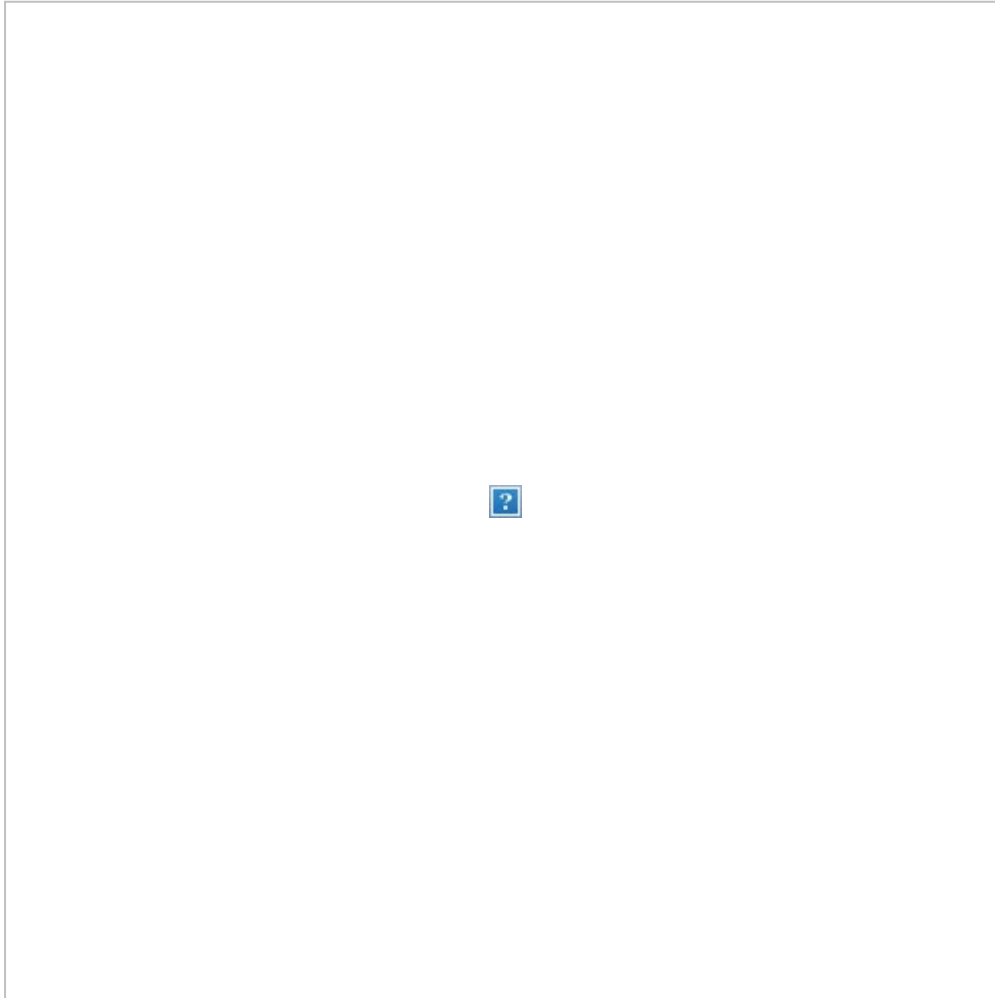
Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1146] Notice of Requirement online submission - Mark De La Roche
Date: Wednesday, 13 December 2023 9:16:26 am

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

Contact details

Full name of submitter: Mark De La Roche

Organisation name:

Full name of your agent:

Email address: markdelaroche@gmail.com

Contact phone number: 0274741860

Postal address:

PO Box 57

Kaiwaka

Kaipara 0542

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 7 Upgrade to Pine Valley Road

The specific provisions that my submission relates to are:

257 Pinevalley Road Pinevalley

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

It compromises and devalues my land by taking the useable flat space currently support my business. Due to the Typography of the land flat areas are limited. The property has a significant zone of ecological influence with a stream of ecological value.

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

Removal of all acquisitions. Or the acquisition to encumber the entire property to protect the ecological value of the waterway. Or Complete purchase of property by AT Immediately rectify the collapsed culvert under the existing road, as until remedied will continue to extensively flood the property effecting land usage, and further destruction of personal property. Video photo footage available on request.

Submission date: 13 December 2023

Attend a hearing

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

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

Yes

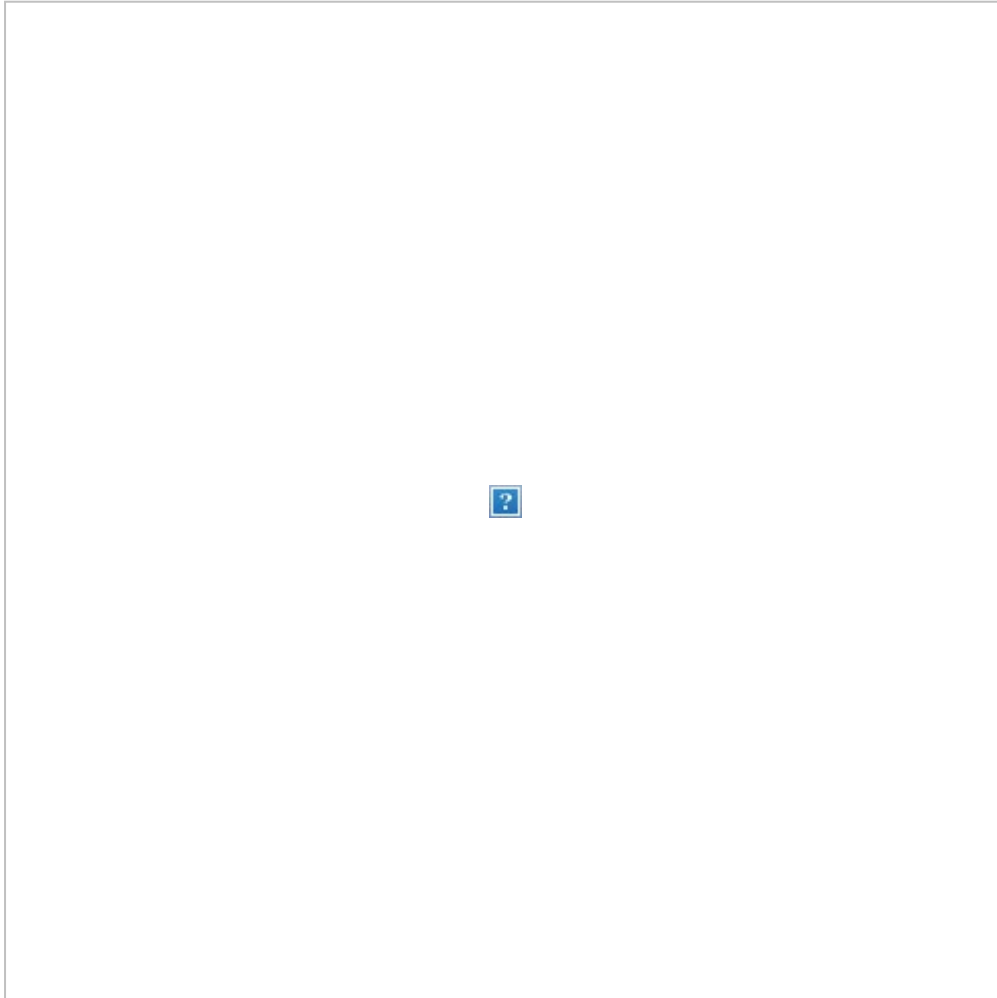
Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal

details, names and addresses) will be made public,

- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Form 21

Submission on requirements for designations

To: Auckland Council
Private Bag 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

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

Chorus New Zealand Limited (Chorus)
PO Box 632
Wellington

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

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

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

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

The Proposal:

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

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

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

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

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

The Telecommunications Submitters' submission is that:

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

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

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

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

Existing Infrastructure

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

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

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

Future Infrastructure Requirements

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

Spark achieved a more satisfactory outcome through participation as a submitter in the Auckland East West Link and Warkworth to Wellsford (W2W) project designation conditions where there was a specific obligation for the Requiring Authority to consult with network utility operators as part of the detailed design phase of the project to identify opportunities to enable the development of new network utility including telecommunications infrastructure where practicable to do so¹. While the Telecommunication

¹ East West Link Condition NU2, W2W Condition 24A

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

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

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

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

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

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

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

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

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

Consultation with Telecommunications Network Utility Operators

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

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

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

Land Use Integration Process (LIP)

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

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

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

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

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

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

Network Utility Management Plan (NUMP)

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

(b) The objective of the NUMP is to set out a framework for protecting, relocating and working in proximity to existing network utilities. The NUMP shall include methods to:

(i) provide access for maintenance at all reasonable times, or emergency works at all times during construction activities;

- (ii) protect and where necessary, relocate existing network utilities;*
 - (iii) manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear to overhead transmission lines in the Project area; and*
 - (iv) demonstrate compliance with relevant standards and Codes of Practice including, where relevant, the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances 2001; AS/NZS 4853:2012 Electrical Hazards on Metallic Pipelines; and AS/NZS 2885 Pipelines – Gas and Liquid Petroleum.*
- (c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project.*
- (d) The development of the NUMP shall consider opportunities to coordinate future work programmes with other Network Utility Operator(s) during the further project stages including detailed design where practicable.*
- (e) The NUMP shall describe how any comments from the Network Utility Operator in relation to its assets have been addressed.*
- (f) Any comments received from the Network Utility Operator shall be considered when finalising the NUMP.*
- (g) Any amendments to the NUMP related to the assets of a Network Utility Operator shall be prepared in consultation with that asset owner*

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

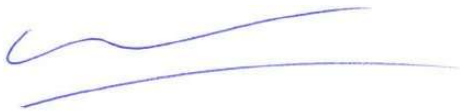
Advice Note:

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

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

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

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



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

Date: 12 December 2023

Address for service of submitter:

Chris Horne

Incite

PO Box 3082

Auckland

Telephone: 0274 794 980

E-mail: chris@incite.co.nz

Appendix A

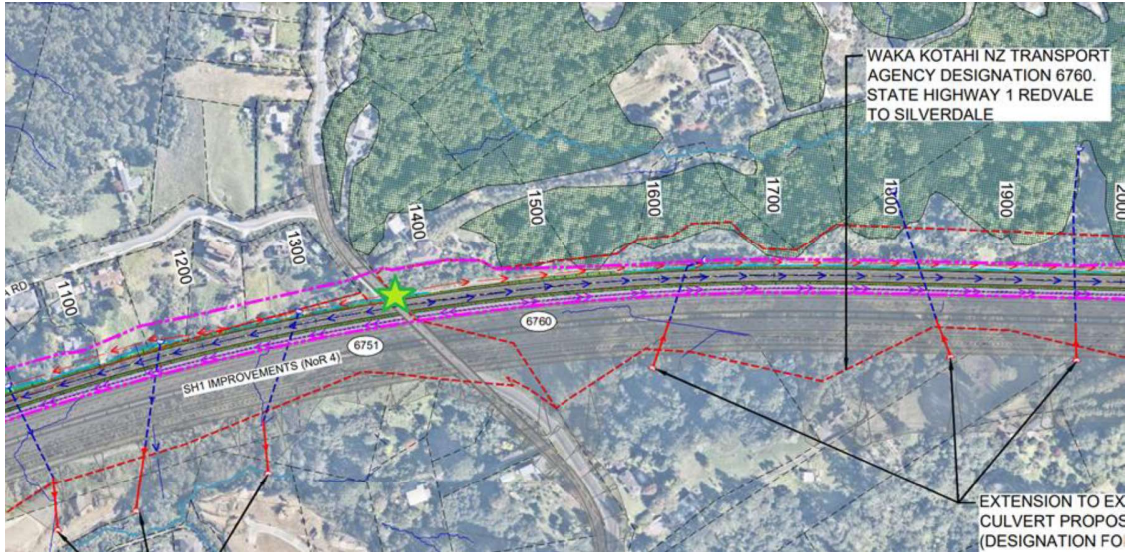
Impacted Telecommunication Facilities

Telecommunication Sites Impacted

FortySouth

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

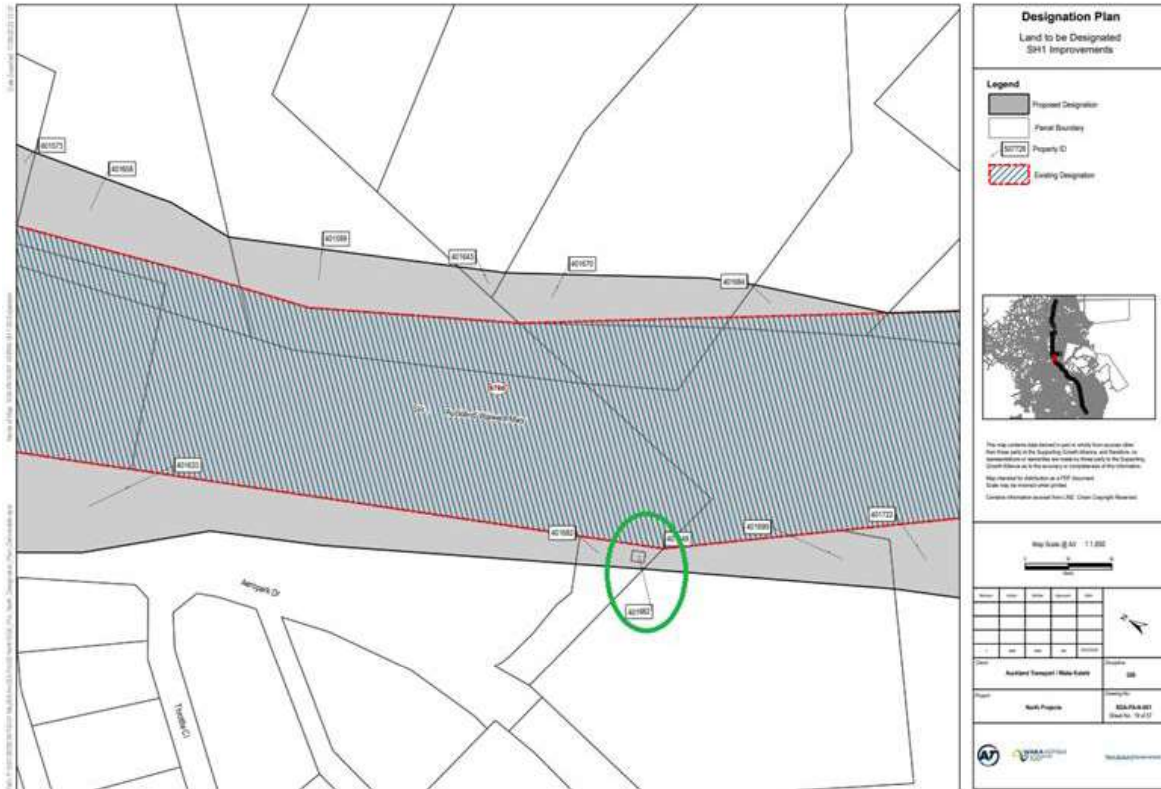
- Pole located on Lonely Track Road Bridge crossing above State Highway 1 (supporting One NZ)



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

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





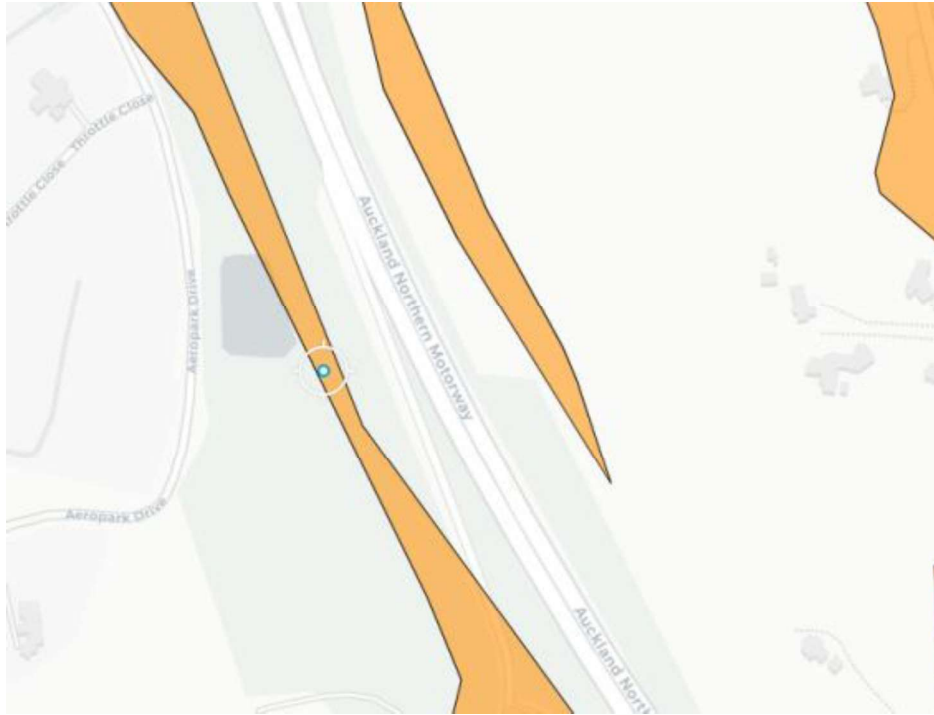
Connexa

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

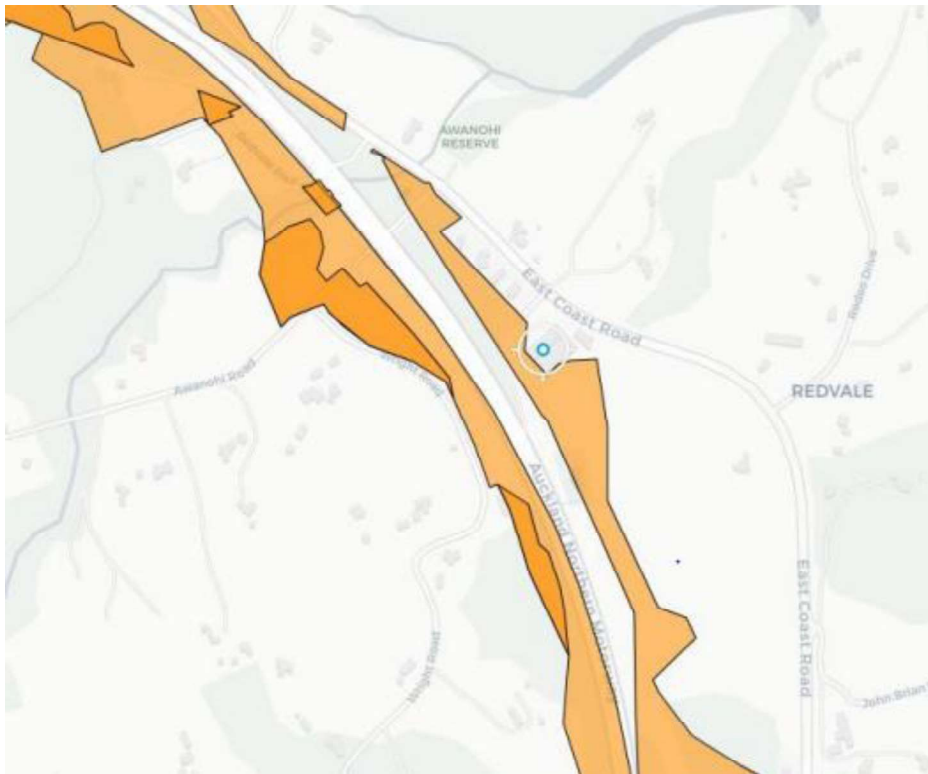
- Telecommunication pole on Silverdale Offramp (supporting 2degrees Network)



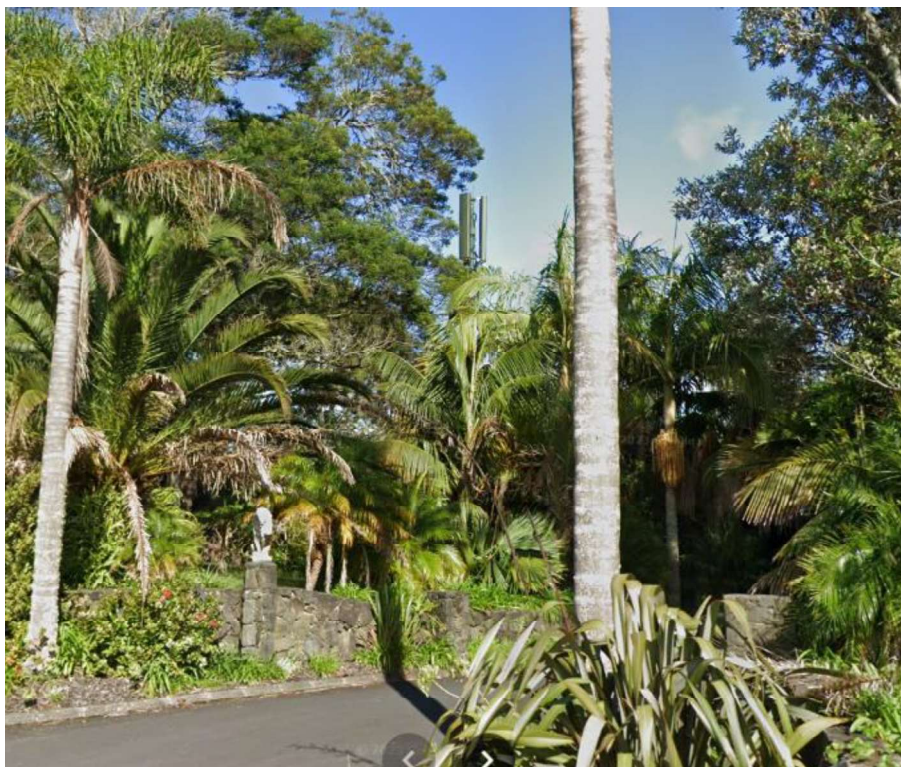
- Telecommunication pole off Wilks Road and Aeropark Drive (supporting 2degrees Network)



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

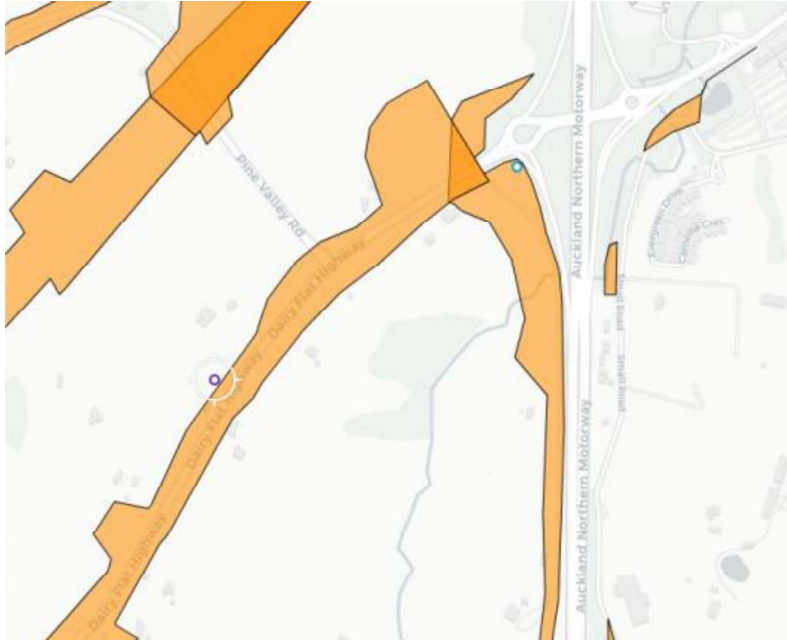


- Telecommunication pole on Lonely Track Road (supporting Spark Network)



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

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



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



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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Nick Roberts - Barker & Associates

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

Fulton Hogan Land Development

Address for service of Submitter

Fulton Hogan Land Development

c/- Barker & Associates (Attn: Nick Roberts), PO Box 1986, Shortland Street, Auckland, 1140

Telephone:

296668330

Email:

nickr@barker.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 7) Upgrade to Pine Valley Road

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

As set out in the attached submission.

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:


As set out in the attached submission.

(continue on a separate sheet if necessary)

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

As set out in the attached submission.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

12/12/2023

 Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Submission on a Requirement for a Designation or an Alteration to a Designation

To: Auckland Council
Attn: Planning Technician
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

SUBMITTER DETAILS

Name of Submitter: Fulton Hogan Land Development Limited (“FHLD”)

1. FHLD makes this submission on a designation to upgrade Pine Valley Road, Dairy Flat to an urban arterial corridor with active mode facilities between Argent Lane and the rural-urban boundary (“NoR 7”) lodged by Auckland Transport to the Auckland Unitary Plan – Operative in Part (“AUP”) in accordance with Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act (“RMA”) 1991 as follows.
2. FHLD could not gain advantage in trade competition through this submission.
3. FHLD is directly affected by the effects of the subject matters of the submission that –
 - a. Adversely affects the environment; and
 - b. Do not relate to trade competition or the effects of trade competition.
4. FHLD wishes to be heard in support of their submission.
5. If any other submitters make a similar submission, FHLD will consider presenting a joint case with them at a hearing.

OVERVIEW OF FULTON HOGAN LAND DEVELOPMENT LIMITED

6. FHLD is one of New Zealand’s largest residential land development companies and has made a significant contribution to housing supply in the Auckland region over the past 20 years through developments such as Dannemora, Millwater, and more recently Milldale. FHLD has also commenced earthworks at Drury in it’s latest Auckland development.
7. FHLD has an interest in NoR 7 that is greater than the interest of the general public. The proposed designation directly impacts property owned by FHLD on Pine Valley Road.
8. By way of background, FHLD is responsible for the existing development at Milldale, and in conjunction with Fletchers has recently lodged a private plan change request to the AUP to rezone 107.35ha of land within the Silverdale West Structure Plan Area from Future Urban zone to predominantly Business - Light Industry zone. FHLD is also undertaking structure planning to be

followed by a private plan change request to rezone approximately 185 of land to the north and west of Wainui Precinct from Future Urban zone to a mix of predominantly residential zones.

9. FHLD notes that it is critical that any future planned land use and transport infrastructure is integrated, to avoid significant and unnecessary disruption to the area in the future, and to ensure cohesive urbanisation of the area, over the long-term.
10. Overall, the Northern Network and NoR 7 in particular has the potential to give rise to adverse effects to the environment that would directly affect FHLD.

SCOPE OF SUBMISSION

11. The submission relates to NoR 7 as a whole.
12. FHLD **opposes** NoR 7 for the following reasons:
 13. FHLD opposes the spatial extent of the designation boundary of NoR 7. The area of land proposed to be designated is much greater than what is required for the proposed road design, which is 24 metres wide. Insufficient consideration and reasoning have been given to the overall area of land being proposed to be designated, as the designation boundary is significantly greater than the area of land that is required for the proposed new connection, which has the consequential effect of limiting or preventing future development opportunities for land subject to the designation. This does not represent the sustainable management of a natural and physical resource, and therefore would not meet the sustainable management purpose of the RMA 1991.
 14. FHLD opposes the lapse date proposed at Condition 4, of 30 years. The extension of 25 years to the lapse period proposed is excessive and will prevent future development opportunities progressing in a cohesive and integrated manner. Sterilising the land until funding is allocated does not represent the sustainable management of a natural and physical resource, and therefore would not meet the sustainable management purpose of the RMA 1991.
 15. FHLD opposes NoR 7 including a 30-year timeframe for implementation. While FHLD has already identified some existing land use and transport integration issues existing at this time, it is inevitable that there will be more in the future as North Project elements are implemented over time. FHLD broadly supports the inclusion of Condition 10 (Land Use Integration Process) (**LIP**) and its focus on providing a direct avenue for discussions between the Requiring Authority and the development community. FHLD requests that condition 10 be amended to clarify:
 - (i) that this is an avenue for open and honest two-way collaboration for the purposes of integration of transport infrastructure and land use
 - (ii) that it is not simply a mechanism for land use to coordinate with transport infrastructure, but that where appropriate, transport infrastructure may be amended to align with or accommodate proposed land use

While the above can ensure future transport and land use integration, the lack of engagement now can only be addressed by engagement now and changes to the NoR.

16. FHLD notes that NoR 7 includes a raft of conditions whereby management plans are to be provided “prior to construction”. These triggers would be more useful and of more relevance to landowners and developers if they were amended to “at the time of the Outline Plan is applied for”. Examples of where this trigger may be more appropriate include the Urban and Landscape Design Management Plan (Condition 11), Stakeholder and Communication and Engagement Management Plan (Condition 15), and Construction Environmental Management Plan (Condition 14).

DECISION SOUGHT

17. FHLD seeks the following relief on NoR 7:
- (a) That the extent of the designation boundary of NoR 7 be reviewed and reduced to minimise the required land take, and reflect the actual and reasonable area of land that is needed to accommodate the appropriate future design for the upgrade to Pine Valley Road;
 - (b) That the expanded stormwater basin and associated designation at 37 Old Pine Valley be removed;
 - (c) That the designation boundary be amended to show the operational extent around what will be the legal road reserve, and the construction extent (two separate designation boundaries);
 - (d) That Schedule 1 of the proposed conditions of NoR 7 be amended following review of the extent of the designation boundary;
 - (e) That the lapse date is reviewed and reduced to be consistent with section 184(1) of the RMA. The lapse date should be 5 years after the date on which the NoR is included in the district plan unless it is given effect to, substantial progress or effort has been made to give effect to, or a different period is specified when incorporated into the plan. Pursuant to section 184(1)(c) of the RMA, AT proposes an extended lapse period of 30 years for implementation of the proposed designation, however this lapse period is excessive and needs to be reduced; and
 - (f) Any such further relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

Address for Service:

Barker & Associates Limited
Attn: Nick Roberts

PO Box 1986

Shortland Street

Auckland 1140

Contact Number: 029 666 8330

Barker & Associates

+64 375 0900 | admin@barker.co.nz | barker.co.nz

Kerikeri | Whangārei | Warkworth | Auckland | Hamilton | Cambridge | Tauranga | Napier | Wellington | Christchurch | Queenstown | Wānaka

Email: nickr@barker.co.nz

Copied to:

Fulton Hogan Land Development Limited

c/- Gregory Dewe, Operations Manger

Email: Gregory.Dewe@fultonhogan.com

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1180] Notice of Requirement online submission - Sharon Wales
Date: Wednesday, 13 December 2023 8:15:56 pm

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

Contact details

Full name of submitter: Sharon Wales

Organisation name:

Full name of your agent:

Email address: sharon.wales18@gmail.com

Contact phone number: 02102218939

Postal address:

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 7 Upgrade to Pine Valley Road

The specific provisions that my submission relates to are:

Do you support or oppose the Notice of Requirement? I or we oppose the Notice of Requirement.

The reason for my or our views are:

As an affected landowner we would like to register our submission regarding the effect that (NoR7) will have on our property. Our concerns are that the Notice of Requirement is a blight on our property title, due to the uncertainty the NoR gives. It is unfair to taint or restrict our estates "Record of Title" for an uncertain outcome. Should we choose to sell our land in the near future, this uncertainty will affect our market. A project that may or may not happen in 30 years time will have an affect with potential lenders decisions for future owners. We have no desire to remain located here with this infrastructure project on our doorstep reducing the use and amenity of our home.

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

We would like to have our views heard by Auckland Council and the requiring authority. It is reasonable to expect that the requiring authority must pay us compensation up-front today, if they are to expect to acquire our land or if the designation causes loss in value, which is most likely!!! We are not in a position to wait and would like a decision on the purchase of the affected land today. NZTA should purchase the property outright, in its entirety, at the highest of market levels associated with industrial land zoning. We look forward to meeting a delegate to discuss this proposal.

Submission date: 13 December 2023

Attend a hearing

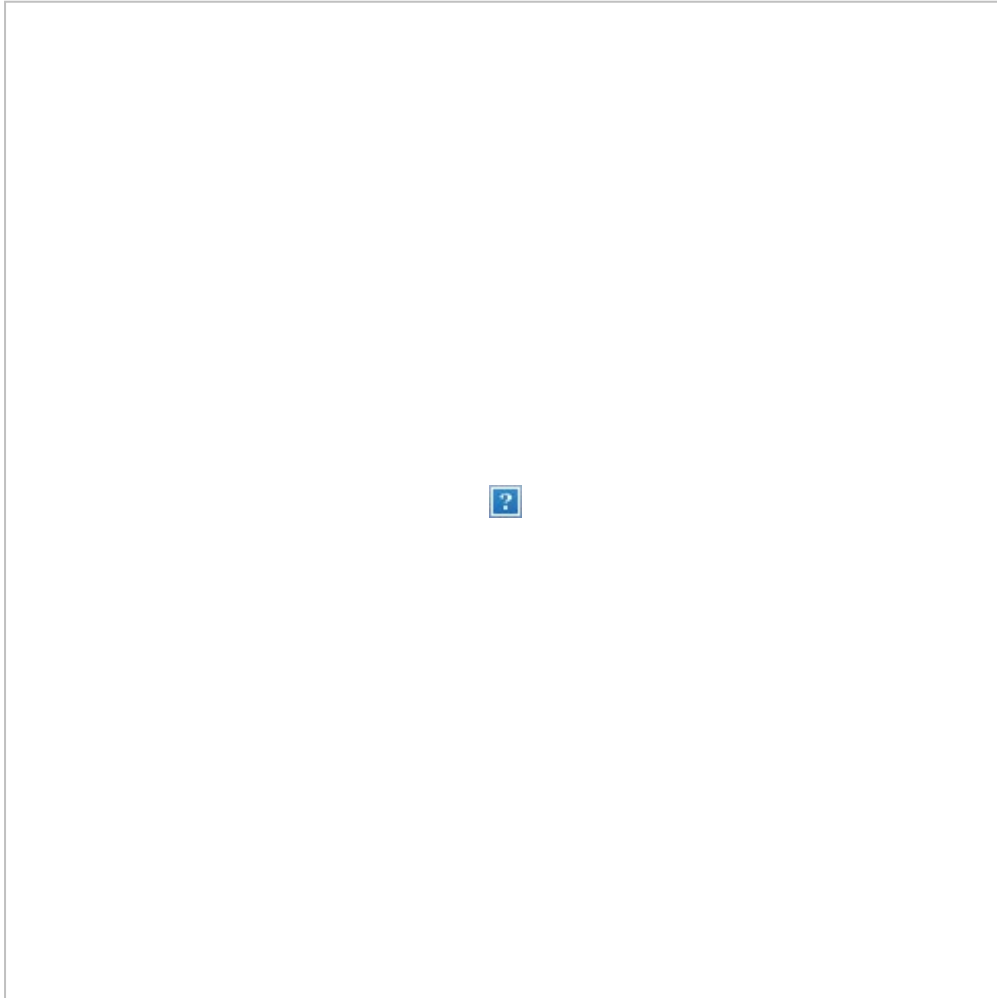
Do you wish to be heard in support of your submission? Yes

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

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of requirement as soon as reasonably practicable after submitting to Auckland Council.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1189] Notice of Requirement online submission - Heritage New Zealand Pouhere Taonga
Date: Thursday, 14 December 2023 9:00:40 am
Attachments: [North NoR 7 - HNZPT Submission - 14 Dec 2023.pdf](#)

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

Contact details

Full name of submitter: Heritage New Zealand Pouhere Taonga

Organisation name:

Full name of your agent: Alice Morris

Email address: amorris@heritage.org.nz

Contact phone number: 0276840833

Postal address:
PO Box 105-291
Auckland
Auckland 1143 1143

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 7 Upgrade to Pine Valley Road

The specific provisions that my submission relates to are:
Please refer to the attached

Do you support or oppose the Notice of Requirement? I or we support the Notice of Requirement.

The reason for my or our views are:
Please refer to the attached

I or we seek the following recommendation or decision from Auckland Council:
Please refer to the attached

Submission date: 14 December 2023

Supporting documents
[North NoR 7 - HNZPT Submission - 14 Dec 2023.pdf](#)

Attend a hearing

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

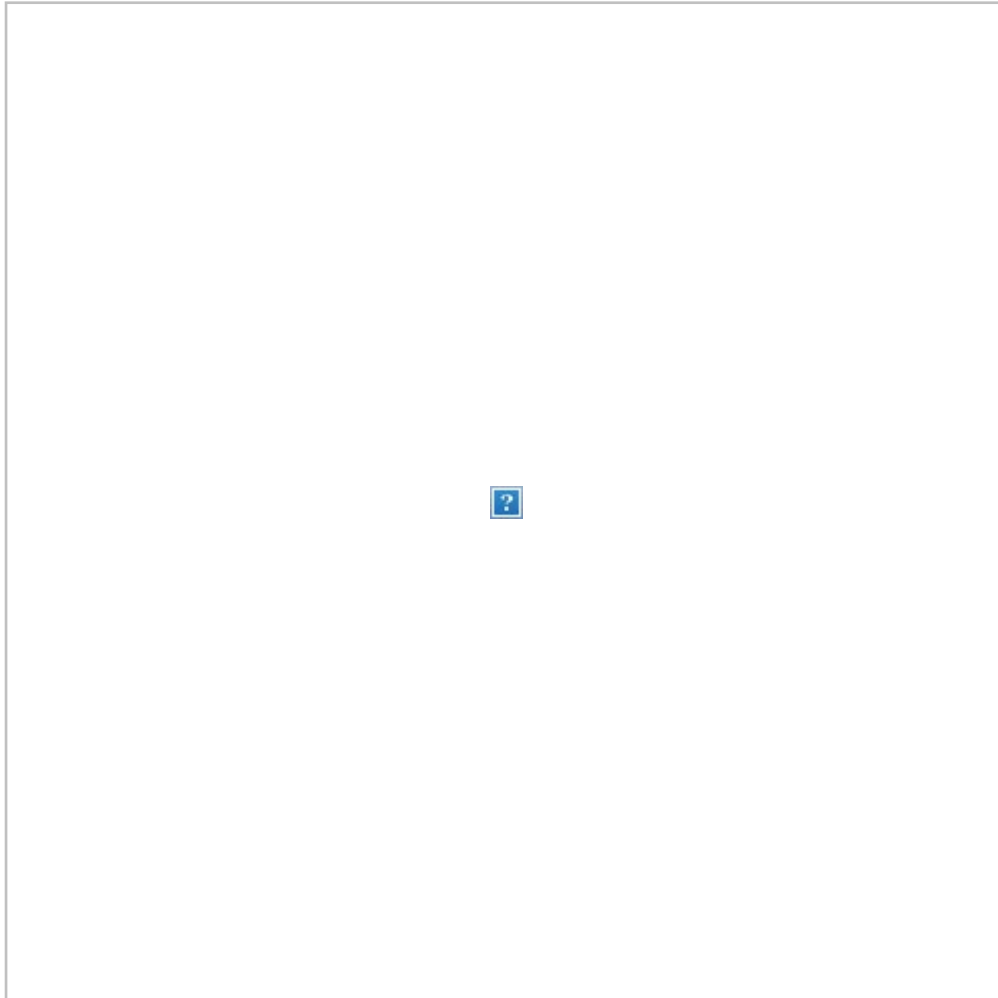
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

I accept and agree that:

- by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public,
- I or we must serve a copy of the submission on the person who gave the notice of

requirement as soon as reasonably practicable after submitting to Auckland Council.



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14 December 2023

File ref: North NoR 7

Planning Technician, Auckland Council
unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam

SUBMISSION ON THE NOTICE OF REQUIREMENT FOR THE NORTH PROJECTS – NOR 7 - UPGRADE TO PINE VALLEY ROAD, BY THE REQUIRING AUTHORITY: AUCKLAND TRANSPORT

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. The focus for HNZPT is for the identification, protection, preservation, and conservation of historic heritage (Section 3, HNZPTA) and advocate that historic heritage is fully considered in accordance with section 6(f) of the Resource Management Act 1991 (RMA).
4. The requirement for an Archaeological Authority to be obtained in accordance with the HNZPTA does not mitigate the effects of the NoR identified under the RMA. It is a separate statutory obligation before any physical works can be undertaken that may affect an archaeological site as defined under the HNZPTA. While obtaining an Archaeological Authority does not mitigate the effects on wider historic heritage values by the NoRs, it does ensure pre-1900 archaeological values associated with area of project works including unrecorded sites are fully assessed and formally documented through appropriate archaeological monitoring, investigation, and reporting. The Act does not however apply to buildings or structures that are post 1900 (unless they are declared under the HNZPTA) or to certain activities that may affect a pre-1900 building unless the building (or a pre-1900 component of) is to be demolished.
5. NoR 7 – Upgrade to Pine Valley Road, designates land for the is for the construction, operation and maintenance of an upgrade to Pine Valley Road to an urban arterial corridor with active mode facilities between Argent Lane and the Rural-Urban Boundary (RUB). HNZPT supports the purpose of planning for a well-functioning urban environment through the protection of integrated transport networks to support the expected future growth needs.



The specific parts of the Notice of Requirement that Heritage New Zealand’s submission relates to are:

6. HNZPT’s focus is to ensure the protection of historic heritage, and mitigation to manage any adverse effects resulting from the physical construction of the Network through the Outline Plan of Works process in the future.
7. HNZPT has reviewed the August 2023 North Assessment of Archaeological and Heritage Effects report (‘Archaeological and Heritage Assessment’) prepared for the NoRs 1-13 that make up the North Project.
8. HNZPT notes that the identified historic heritage features/places (archaeological, CHI or potential)¹ within the extent of NoR 7:
 - R10/737 - Kelly Homestead
 - CHI 22186 – Wēiti Portage
 - Potential – 158 Pine Valley Road
9. These three places are identified as being within the footprint of the designation and will potentially be affected. It is recommended through the archaeological and heritage assessment to manage these potential impacts, and to mitigate effects resulting from the future construction through the preparation of a Historic Heritage Management Plan (‘HHMP’) before construction of NoR 7 commences.
10. HNZPT has reviewed Te Tupa Ngatahi’s recommended wording of draft Condition 23 - HHMP, in particular the reference that the HHMP will be prepared in consultation with HNZPT, the obtaining of Archaeological Authority under the HNZPTA, the recording and documentation of post-1900 heritage sites (b)(vii), and the use of the term ‘unexpected’ in point (b)(ix)c.

Heritage New Zealand Pouhere Taonga supports Notice of Requirement 7 for the North Project.

The reasons for Heritage New Zealand’s position are as follows:

11. The consideration, management, and mitigation of effects from the purpose of the designation on the historic heritage values of the place are required to ensure effects are appropriately mitigated.
12. The recommendations set out in the Archaeological and Heritage Assessment and the suite of conditions set out in the ‘Auckland Transport North Conditions (NoRs 5-13)’ dated 13 September 2023, are appropriate.
13. HNZPT is supportive of the intended mechanisms through a HHMP condition to ensure the protection of historic heritage, and mitigation to manage any adverse effects resulting from the physical construction of the Network through the Outline Plan of Works process in the future.

¹ North Assessment of Archaeological and Heritage Effects, Table 6, page 49



Heritage New Zealand seeks the following decision from Council:

14. The recommendation for the approval of NoR 7 as notified.

Heritage New Zealand wishes to be heard in support of their submission.

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

Yours sincerely

BHParslow

Director Northern Region

Address for service: Alice Morris
amorris@heritage.org.nz
PO Box 105 291
Auckland City 1143

Cc: Auckland Transport submissions@supportinggrowth.nz

SUBMISSION ON NOTICES OF REQUIREMENT FOR A DESIGNATION

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

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

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

ADDRESS FOR SERVICE: C/- JGH Advisory
james@jgh.nz

COPY TO: Auckland Transport, C/- Sophia Coulter
unitaryplan@aucklandcouncil.govt.nz

Introduction

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

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

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

Affected property/ies: 10 Old Pine Valley Road

2. While Ms Coulter has said:

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

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

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

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

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

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

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

The submission is

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

Submission / Reasons for submission

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

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

Relief sought

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

Wish to be heard

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

DATED 14 December 2023



Project Manager for the Submitter

From: [Keith Dickson](#)
To: [Unitary Plan](#)
Cc: [Supporting Growth Team](#)
Subject: Submission - Auckland Transport - North: (NoR 7) Upgrade to Pine Valley Road
Date: Thursday, 14 December 2023 10:56:47 pm
Attachments: [north_nor7_form_21.Keith Dickson.pdf](#)
[Keith James Dickson pages 2 to 4 - AT - NoR 7 - Upgrade to Pine Valley Road.pdf](#)

I note that the form requires that we copy this to the person who gave the Notice of Requirement – yet none of the correspondence nor the submission appears to provide an email address for Kathleen Bunting. (the person who signed the cover letter for the NoR)

This email copied to Supporting Growth Team info@supportinggrowth.nz (being the only email address I have had on this matter) serves as copying to the entity that gave the Notice of requirement.

Please forward this email to Kathleen Bunting

Thanks

Keith Dickson

(Land owner and private individual – the email address I have used is simply the most convenient one for me – Tonkin + Taylor have had no involvement in my submission)

NOTICE: This email together with any attachments is confidential, may be subject to legal privilege and may contain proprietary information, including information protected by copyright. If you are not the intended recipient, please do not copy, use or disclose the information in it, and confidentiality and privilege are not waived. If you have received this in error, please notify us immediately by return email and delete this email.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr(Full Name) Keith James Dickson

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

Private Person / land owner 227 Pine Valley Rd

Address for service of Submitter

21 Forrest Hill Rd, Milford, Auckland 0620

Telephone:

93556044

Email:

kdickson@tonkintaylor.co.nz

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 7) Upgrade to Pine Valley Road

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

The proposed roundabout at the Intersection of Young Access Rd and Pine Valley Rd at the entrance to 227 Pine Valley Rd

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

The proposed roundabout at Young Access Road appear to have been designed for the current zoning rather than future zoning and the proposed designation boundary is therefore unlikely to be wide enough in this location for sensible future use considering what the current zoning clearly becomes later.

At this location there are currently 6 /dwellings served by 5 individual driveways that all arrive on Pine Valley Rd over a 30m length

The proposed designation relocates one of those driveways leaving 5 dwellings served by 4 individual driveways that all arrive on Pine Valley Rd over a 20m length of Rd

This 20m length of Rd is immediately before the proposed roundabout but not ON the roundabout - ie all vehicles entering and exiting these properties will have to merge on/off a major transport route within 0m to 20m of a roundabout (within the roundabout queuing zone).
The current zoning of these 6 properties is "Future Urban": effectively allowing no further dwellings on each lot without specific consent.
Clearly the intent is that the zoning will change at a future point in time to a residential zoning. If we assume "Residential - Mixed Housing Urban Zone" (consistent with the existing zoning south of this Future Urban Zone) we now have potentially a lot more dwellings. CONTINUED ON SEPARATE SHEETS

NoR 7 #13

(continue on a separate sheet if necessary)

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

I seek redesign of the roundabout by the addition of a 4th leg (to the South) while considering roaduser safety to serve the existing 6 properties in their future developed state as envisaged by Council when they zoned these properties "Future Urban" rather than "Rural". This may or may not require a slight relocation of the roundabout and will almost certainly impact the designation boundaries. More detailed design, than has occurred to date, of this roundabout may be warranted to determine what a 4 leg solution would look like while taking into consideration road user and resident safety the topography and the real location of the existing overland flow paths.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

K. J. Dickson

12/14/2023

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

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

Submitter Keith James Dickson
 Address for Notice 21 Forrest Hill Rd, Milford, Auckland 0620
 Telephone 09 355 6044
 Email kdickson@tonkintaylor.co.nz

Continuation of submission on a notice of Requirement by **Auckland Transport**
For North: (NoR 7) Upgrade to Pine Valley Road

The properties with existing driveways in this 30m stretch of Pine Valley Rd are:

223 Pine Valley Rd 2,764 sq.m
 225 Pine Valley Rd 27,106 sq.m
 227 Pine Valley Rd 99,133 sq.m
 229 Pine Valley Rd 45,243 sq.m
 231 Pine Valley Rd 22,708 sq.m
 19.7 hectares

Address	Area (Hectares)	Current driveway distance from the roundabout give way lines
223 Pine Valley Rd	0.2764	Midway round the roundabout
225 Pine Valley Rd	2.7106	3m to 11.5m
227 Pine Valley Rd	9.9133	3m to 11.5m
229 Pine Valley Rd	4.5243	13m to 22m
231 Pine Valley Rd	2.2708	25m to 30m
TOTAL	19.7	

With respect to Future Urban zoned areas, the Auckland Plan 2050 states “Around 15,000 hectares of rural land and coastal areas that could accommodate approximately 137,000 homes and 67,000 jobs over the next 30 years have been identified as suitable for urban development.” Auckland Council clearly envisages a future development density within the next 30 years of an average of 9.13 homes per hectare which equates to an average of 180 homes on the above properties compared with 6 at present (or 160 future compared with 5 now if 231 Pine Valley Road is not included) i.e. a thirty fold increase in vehicles using the current driveways.

Putting any driveway as close to a roundabout as these are proposed to be left (refer to Figures 1 and 2 below) is a safety hazard being designed in, add the future development potential and the current solution cannot be adequate for Council’s projections.

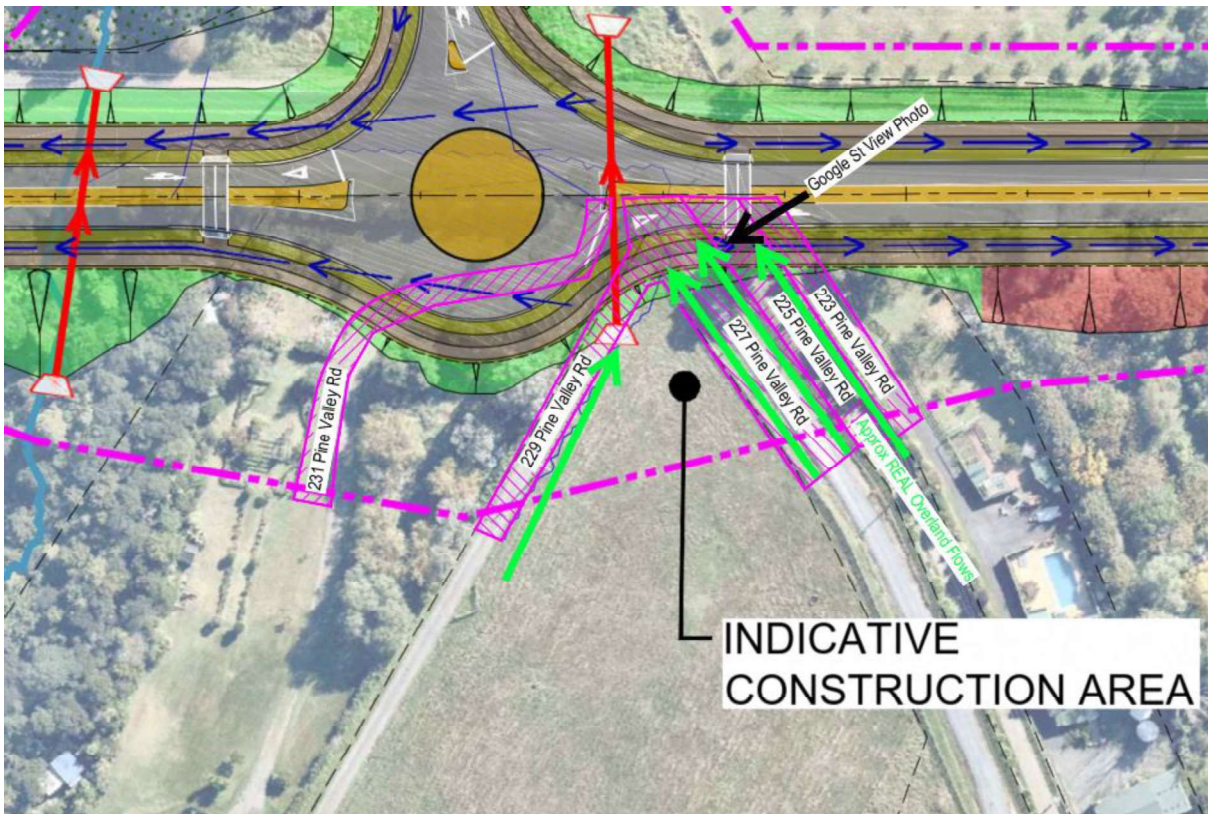


Figure 1 – Excerpt from Lodgement Drawing SGA-DRG-NTH-100-GE-7000 Rev C with the impacted property driveways shown in purple and the real (existing) overland flow paths shown in green

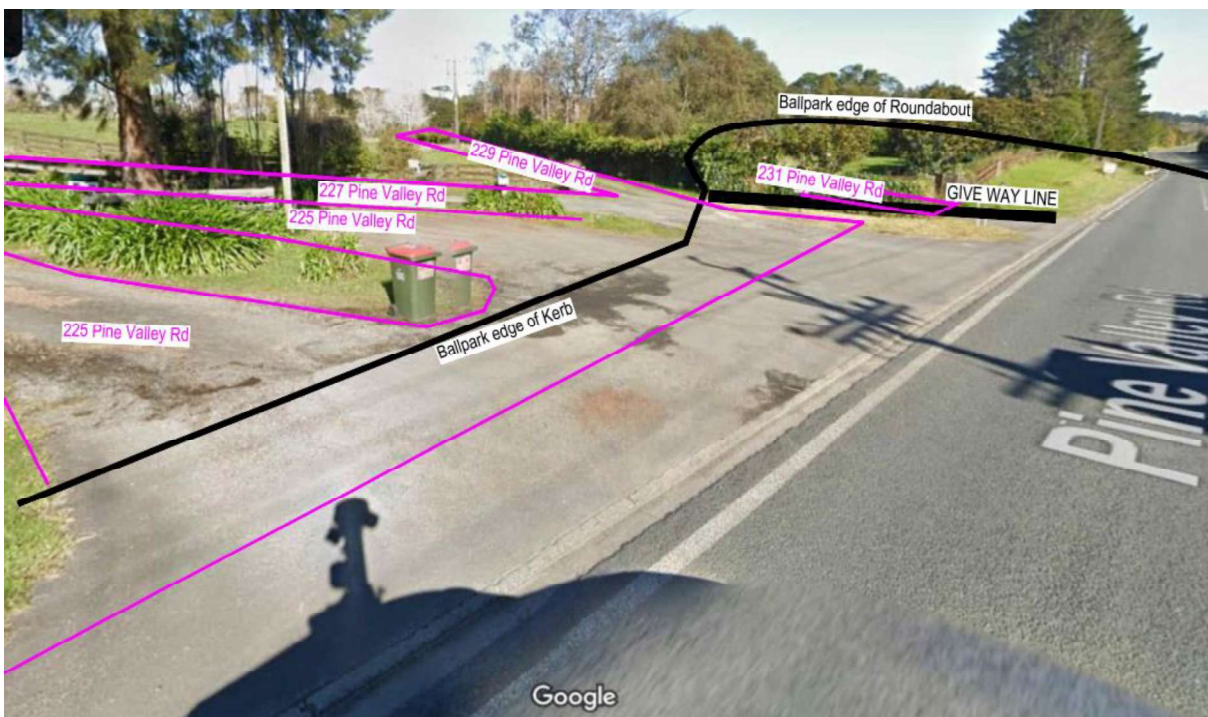


Figure 2 – GoogleMaps Streetview extract with existing driveways shown in purple and the approximate roundabout design from Lodgement Drawing SGA-DRG-NTH-100-GE-7000 Rev C overlain in black (with the Giveway line corrected to its true alignment)

Further, Lodgement Drawing SGA-DRG-NTH-100-GE-7000 Rev C appears to show a pedestrian crossing in the middle of the residual driveway exit from 225 Pine Valley Road. Again creating a potentially unsafe environment.

My impression is that the Notice of Requirement (NoR) is based on a concept rather than a considered and analysed preliminary design (example – the Giveway line at the roundabout entering from the East is drawn at an oblique angle – whereas the code requires it to be perpendicular to the traffic flow - which is how the Giveway lines are in fact drawn on the other two legs of the roundabout). If this Giveway line is drawn in correctly, it is closer to the driveways than Lodgement Drawing SGA-DRG-NTH-100-GE-7000 Rev C shows and pretty much touches the residual driveway at 229 Pine Valley Road).

The end result of relying on a concept with shortcomings is that the proposed designation as shown on the Notice of Requirement effectively makes any future development of 223 to 229 Pine Valley Road very difficult (and perhaps impossible) thus substantially reducing the value of these properties and denying their “Future Urban” zoning as currently assigned. With some forethought and planning for the future – there is clearly a solution that looks after the individual property owners while, at the same time, meeting Council’s long term development plan than the current proposal.

I also note that the stormwater connection shown on Lodgement Drawing SGA-DRG-NTH-100-GE-7000 Rev C completely ignores 3 existing overland flow paths and their existing culvert connection to Weiti Stream (refer to Figure 1 above).



Signature of Submitter

Date 14 December 2023



FORM 21

Submission on a requirement for a designation or an alteration to a designation subject to full or limited notification under Section 168A, 169, 181, 189A, 190 and 195A of the Resource Management Act 1991.

To: Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

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

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

Attention: Chris Horne

Phone: 09 369 1465

Email: chris@incite.co.nz

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

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

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

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

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

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

Background

The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting

on education provision at all levels of the education network. This is to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact existing and future educational facilities and assets in the Auckland region.

The Ministry of Education's submission is:

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

Under the Resource Management Act 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

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

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

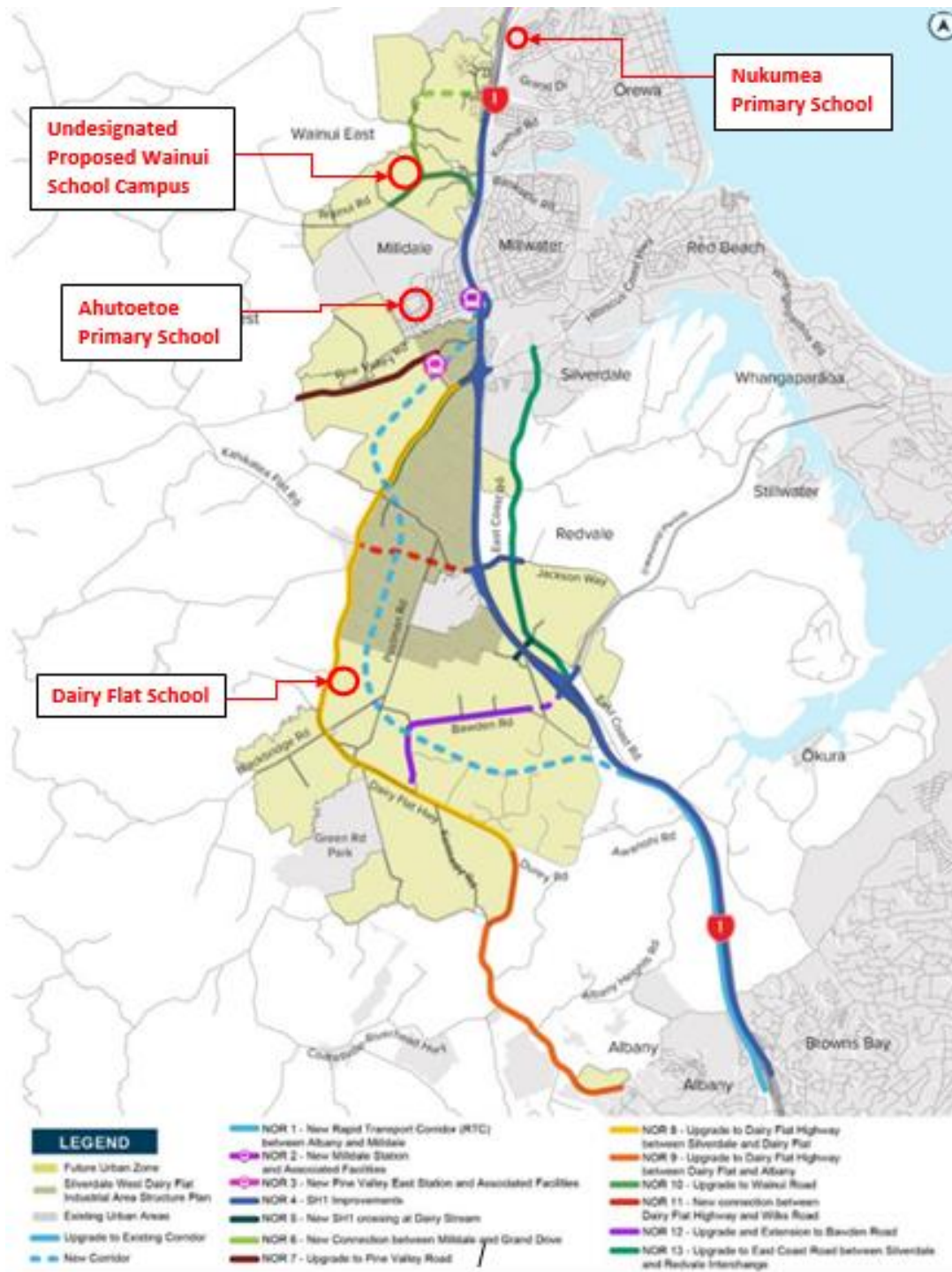


Figure 1: Project Overview - Location of NoRs in relation to the Ministry of Education's School Network.

The Ministry broadly supports the Project's aim to enable better active modes of transportation and support a resilient and integrated transport network. With regard to the Ministry's property portfolio, two school sites are directly affected by the Project. These are:

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

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

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

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

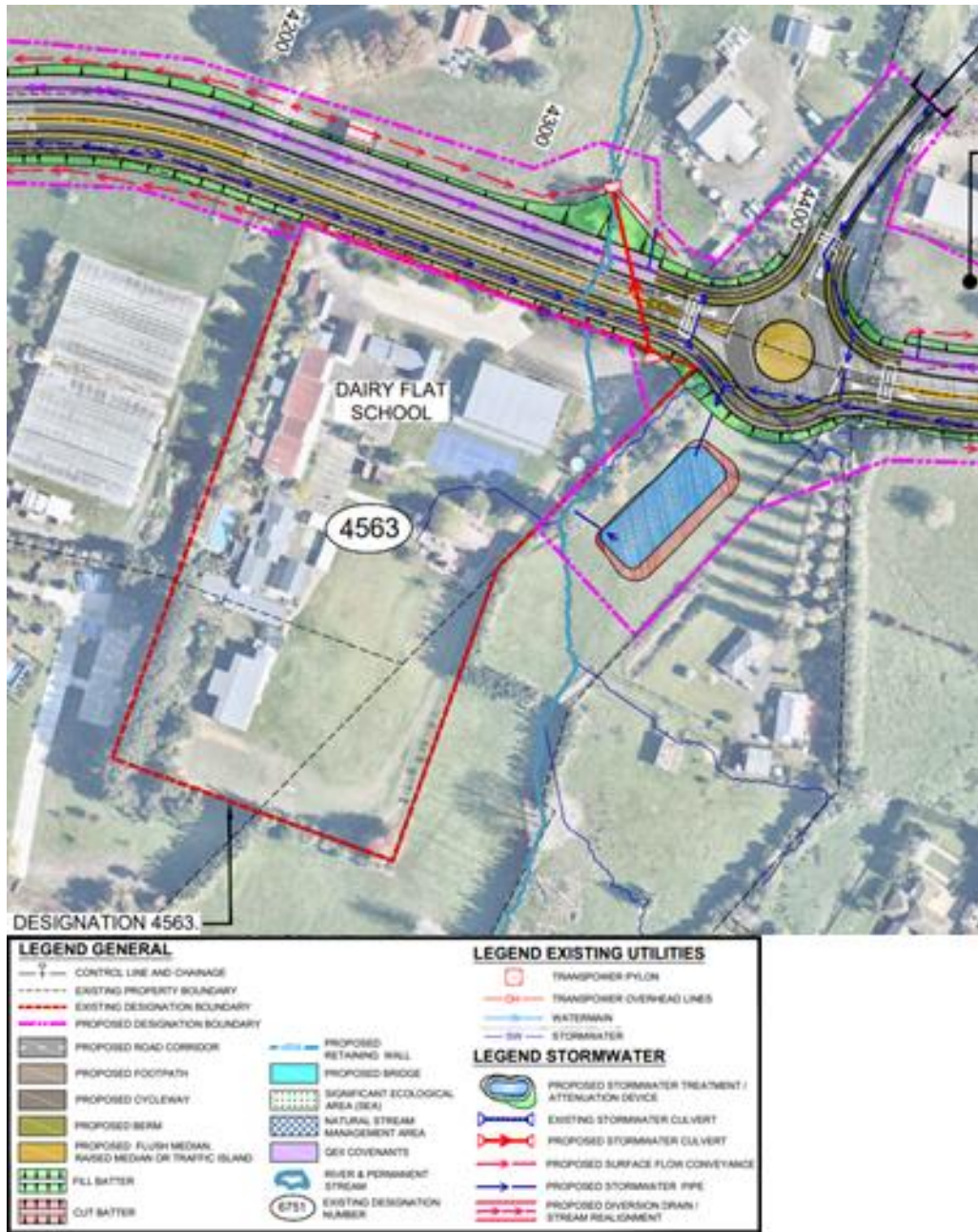


Figure 2: Proposed works in proximity to the Dairy Flat School

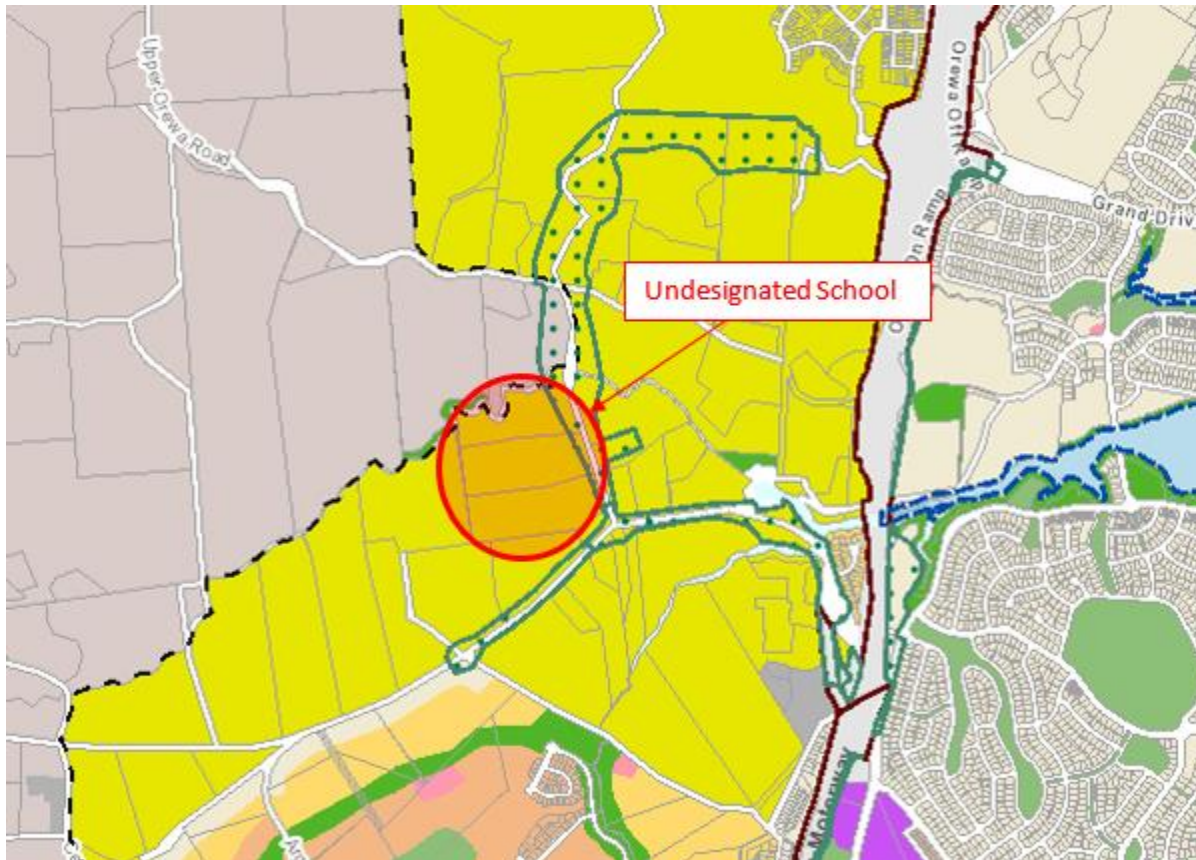


Figure 3: NoR 6 and 10 Footprints in relation to proposed Wainui School campus on Upper Orewa Road

Walking and cycling provisions

The Ministry strongly supports the provision of separated walking and cycle facilities that will provide safe access to the current and future wider school network. Encouraging mode shift will provide significant health benefits for students and staff and will reduce traffic generation at pick-up and drop-off times. Schools should be well serviced by safe and accessible pedestrian and cycling links as well as public transportation facilities, and it is considered that the proposed upgrades will generally provide adequate cycling and walking infrastructure to the schools in Orewa.

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

Dairy Flat School – NoR 8

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

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

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

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

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

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



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

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

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

Designation boundary overlap

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

When the Ministry develops its Wainui site or any other site that may be affected by these designations in the future given the long lapse periods, it will undertake earthworks to prepare the site for development. The development of the school site may result in earthworks by Auckland Transport not being required. The earthworks undertaken by the Ministry may change the gradient and interface on the school campus site with the road, and the existing levels that inform the extent of the NoR and the estimated earthworks may no longer apply. The Ministry requests recognition in the condition that earthworks on the school campus site can be designed to be appropriate for both the school development and the road and that if the Ministry delivers these earthworks before the road project proceeds, then the NoR boundaries can be revised.

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

All NORs - General Matters Relating to Existing and Future Schools

Construction noise and vibration

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



Construction traffic effects

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

Each NoR includes a condition requiring the preparation of a Construction Traffic Management Plan (CTMP) prior to the start of construction. The Ministry supports the inclusion of this condition but requests minor alterations to the condition to provide a more explicit focus on the need to manage heavy traffic routes that pass in the vicinity of schools during pick-up and drop-off times and to maintain a safe environment for students to walk and cycle to and from school.

Stakeholder engagement

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



Decision sought

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

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

Changes to Conditions

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

Designation Review (NoRs 5-13)

Amend Condition 3 as follows:

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

Land Integration Process (NoRs 5-13)

Amend Condition 10 as follows:

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

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



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

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

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

- (a) *A SCEMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works. To achieve the objective, the SCEMP shall include:*
 - (i) *the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);*
 - (ii) *the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;*
 - (iii) *methods for engaging with Mana Whenua, to be developed in consultation with Mana Whenua;*
 - (iv) *a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with;*
 - (v) **methods for engaging with the Ministry of Education and schools in the Project area including any future schools that have or are being acquired but are not yet designated;**
 - (vi)

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

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

- (a) *A CTMP shall be prepared prior to the Start of Construction for a Stage of Work. The objective of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this objective, the CTMP shall include:*



- (i) *methods to manage the effects of temporary traffic management activities on traffic;*
- (ii) *measures to ensure the safety of all transport users;*
- (iii) *the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools, **and in particular the avoidance of heavy traffic in the vicinity of schools around peak pick-up and drop-off times,** or to manage traffic congestion;*
- (iv) *site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors;*
- (v) *identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows, including pedestrians and cyclists;*
- (vi) *methods to maintain access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be;*
- (vii) *the management approach to loads on heavy vehicles, including covering loads of fine material, the use of wheel-wash facilities at site exit points and the timely removal of any material deposited or spilled on public roads;*
- (viii) *methods that will be undertaken to communicate traffic management measures to affected road users (e.g. residents/public/stakeholders/emergency services);*
- (ix) *Auditing, monitoring and reporting requirements relating to traffic management activities shall be undertaken in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version;*
- (x) *details of minimum network performance parameters to be achieved during the construction phase, including any measures to monitor compliance with the performance parameters; and*
- (xi) *(xi) details of any measures proposed to be implemented in the event of thresholds identified in (x) being exceeded.*

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

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

NoR 8: Dairy Flat School

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

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



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

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

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

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

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

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

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

Should you wish to discuss any aspect of this feedback, please do not hesitate to contact the undersigned.

The Ministry wishes to be heard in support of its submission.

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



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

A handwritten signature in blue ink, consisting of a cursive 'C' followed by a long horizontal stroke.

Chris Horne
Consultant Planner for Ministry of Education

Date: 14 December 2023

Submission on the Thirteen Notices of Requirement for the North Projects lodged by Waka Kotahi NZ Transport Agency and Auckland Transport as requiring authorities under the Resource Management Act 1991

TO: Attn: Planning Technician Auckland Council Level 24, 135 Albert Street Private Bag 92300 Auckland 1142

SUBMISSION ON: Notices of Requirement ("**NoRs**") for the North Projects

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

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

DATE: 14 December 2023

1. INTRODUCTION

- 1.1 Watercare is pleased to have the opportunity to make a submission on the thirteen NoRs for the "North Projects" lodged by Waka Kotahi NZ Transport Agency ("**Waka Kotahi**") and Auckland Transport as requiring authorities under the Resource Management Act 1991 ("**RMA**").
- 1.2 Watercare neither supports nor opposes the NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made to confirm the NoRs responds to the issues raised in this submission and avoids, remedies or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.
- 1.3 Watercare could not gain an advantage in trade competition through this submission.

2. WATERCARE – OUR PURPOSE AND MISSION

- 2.1 Watercare is New Zealand's largest provider of water and wastewater services. We are a substantive council-controlled organisation under the Local Government Act 2002 ("LGA") and are wholly owned by Auckland Council ("Council"). Watercare has a significant role in helping Auckland Council achieve its vision for the city. Our services are vital for life, keep people safe and help communities to flourish.
- 2.2 Watercare provides integrated water and wastewater services to approximately 1.7 million people in the Auckland region. Over the next 30 years, from 2023 – 2053, this is expected to increase by another 520,000 people, potentially requiring another 200,000 dwellings along with associated drinking water, stormwater and wastewater infrastructure. The rate and speed of Auckland's population growth puts pressure on our communities, our environment, and our housing and infrastructure networks. It also means increasing demand for space, infrastructure, and services necessary to support this level of growth.
- 2.3 Under both the LGA and the Local Government (Auckland Council) Act 2009, Watercare has certain obligations. For example, Watercare must achieve its shareholder's objectives as specified in our statement of intent, be a good employer, and exhibit a sense of social and environmental responsibility.¹
- 2.4 Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the recently adopted Auckland Council Future Development Strategy.
- 2.5 Watercare is also required to manage our operations efficiently with a view to keeping overall costs of water supply and wastewater services to our customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of our assets.²

3. PLANNED AND EXISTING WATERCARE ASSETS

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

¹ LGA, s 59.

² Local Government (Auckland Council) Act 2009, s 57.

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

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

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

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

b) NoR North Projects: New Rapid Transit Station at Milldale (NoR 2)⁵ – Waka Kotahi (NZTA)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. SUBMISSION POINTS AND RELIEF SOUGHT

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

4.2 As noted previously, Watercare neither supports or opposes these NoRs (ie it is neutral as to whether the NoRs are confirmed or not). Watercare seeks to ensure that any decisions made on the NoRs responds to the issues raised in this submission and avoids, remedies, or mitigates potential adverse effects on Watercare's ability to provide water and wastewater services now and in the future.

Early engagement

4.3 Watercare seeks to ensure that there is a live and continual process planned forward to recognise that asset management and construction plans are constantly updating and changing.

4.4 Watercare acknowledges the proactive approach to engagement shown by the requiring authorities to date. Watercare has been in discussions with the Supporting Growth Alliance, and the preceding 'future urban land use strategy' project work, as well as independent engagement with Waka Kotahi and AT during the development of these NoR's.

4.5 Watercare supports in depth collaboration and consultation (including information, data sharing and identification of opportunistic works) across infrastructure providers on the development (or redevelopment) of urban environments and wishes to ensure that there is ongoing and timely engagement and collaboration as these projects develop.

4.6 As noted, Watercare seeks early engagement from the requiring authorities for future planning and construction works including prior to detailed design and during implementation of construction works. Early and fulsome engagement with Watercare, along with other infrastructure providers, can enable opportunities to plan and future proof the delivery of assets to provide for well-functioning urban environments. For Watercare, this includes applying for, in a timely manner, "Works Over" Approvals, in compliance with Watercare's "Water Supply and Wastewater Network Bylaw 2015" (updated 2021).

4.7 Watercare seeks to ensure the NoRs do not impact its wastewater and water services in the NoR areas now and into the future (these planned projects are detailed in paragraph [3.4] above). Watercare wishes to ensure it maintains access to its assets 24 hours a day, 7 days a week for maintenance, safety and efficient operation of its services and that it is consulted on any works undertaken by the requiring authorities that may impact Watercare's services.

Specific amendments to conditions

4.8 Watercare has filed evidence, and attended, recent NoR hearings for other Supporting Growth Alliance projects (the North West Strategic Network, and the Airport to Botany Bus Rapid Transit Project). The conditions proposed for the NoRs by the requiring authorities for these NoRs are similar to those which have been proposed at the recent North West Strategic Network hearing (in rebuttal evidence).

4.9 Watercare supports the intention of conditions proposed by the requiring authority which seek to ensure that there is engagement with relevant stakeholders during the development of all thirteen NoRs (ie the conditions which require a Network Utility Management Plan

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

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

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

Network Utility Strategic Outcomes Plan (NUSOP)

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

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

- (a) A NUMP shall be prepared after consultation with Network Utility Operator(s) including during the feasibility and detailed design phases, and prior to the lodgement of an Outline Plan of Works for a stage of construction Start of Construction for a Stage of Work.
- ...
- (c) The NUMP shall be prepared in consultation with the relevant Network Utility Operator(s) who have existing assets that are directly affected by the Project and shall include any s177 consents required for works affecting prior Designations and Watercare 'Works Over Approvals'.
- ...

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

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

5. RECOMMENDATION SOUGHT

5.1 Watercare seeks that the Council recommend:

- (a) amendments to the conditions of the NoRs, as set out above in its submissions (and any other conditions), to ensure any adverse effects on Watercare's assets and operations are avoided, remedied or mitigated and to address the concerns set out above; and / or
- (b) such further other relief or other consequential amendments as considered appropriate and necessary to address the concerns set out above.

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

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



Steve Webster
Chief Infrastructure Officer
Watercare Services Limited

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Andrew Nigel Philipps Kay

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

Address for service of Submitter

95 Postman Rd, Dairy Flat 0794

Telephone:

21622016

Email:

anpkay@gmail.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

Auckland Transport

For: A new designation or alteration to an existing designation

North: (NoR 7) Upgrade to Pine Valley Road

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

The entire corridor designated by this NoR

My submission is:

I or we support of the Notice of Requirement

I or we oppose to the Notice of Requirement

I or we are neutral to the Notice of Requirement

The reasons for my views are:

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

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

(continue on a separate sheet if necessary)

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

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

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

12/14/2023
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

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

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



FORM 21

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Karen Graham Edwina Graham

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

Address for service of Submitter

2/1 & 1/1 Richmond Ave
Northcote Point Auckland 0627

Telephone: 021 922606 Email: karengrahamj@gmail.com

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By: Name of Requiring Authority	Auckland Transport
For: A new designation or alteration to an existing designation	North: Upgrade to Pine Valley Road (NoR 7)

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

212 Pine Valley Rd Domy Flat
I would like to speak on this issue
and how it affects my life & family

My submission is:

- I or we support of the Notice of Requirement I or we oppose to the Notice of Requirement
I or we are neutral to the Notice of Requirement

The reasons for my views are:

All my money is tied up in this property and I
cant sell it as people aint interested in a property
that has this over it. I have had the property
for sale for the last 3 years plus.

My home where I live needs a new roof. Every time it rains I have to put buckets out to stop house flooding and at 80 years of age I struggle.

(continue on a separate sheet if necessary)

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

I need to know exactly what is going on.

I have tried for weeks for someone from Council to phone me back.

I need someone that knows what they are talking about to phone me.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

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

Karen Graham

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

Date 15.1.24

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
(b) Does not relate to trade competition or the effects of trade competition.