
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 7 – COPIES OF
SUBMISSIONS: NOR 10 & NOR 11**

**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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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1122] Notice of Requirement online submission - Manuhiri Kaitiaki Charitable Trust
Date: Tuesday, 12 December 2023 2:15:16 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 10 Upgrade to Wainui 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

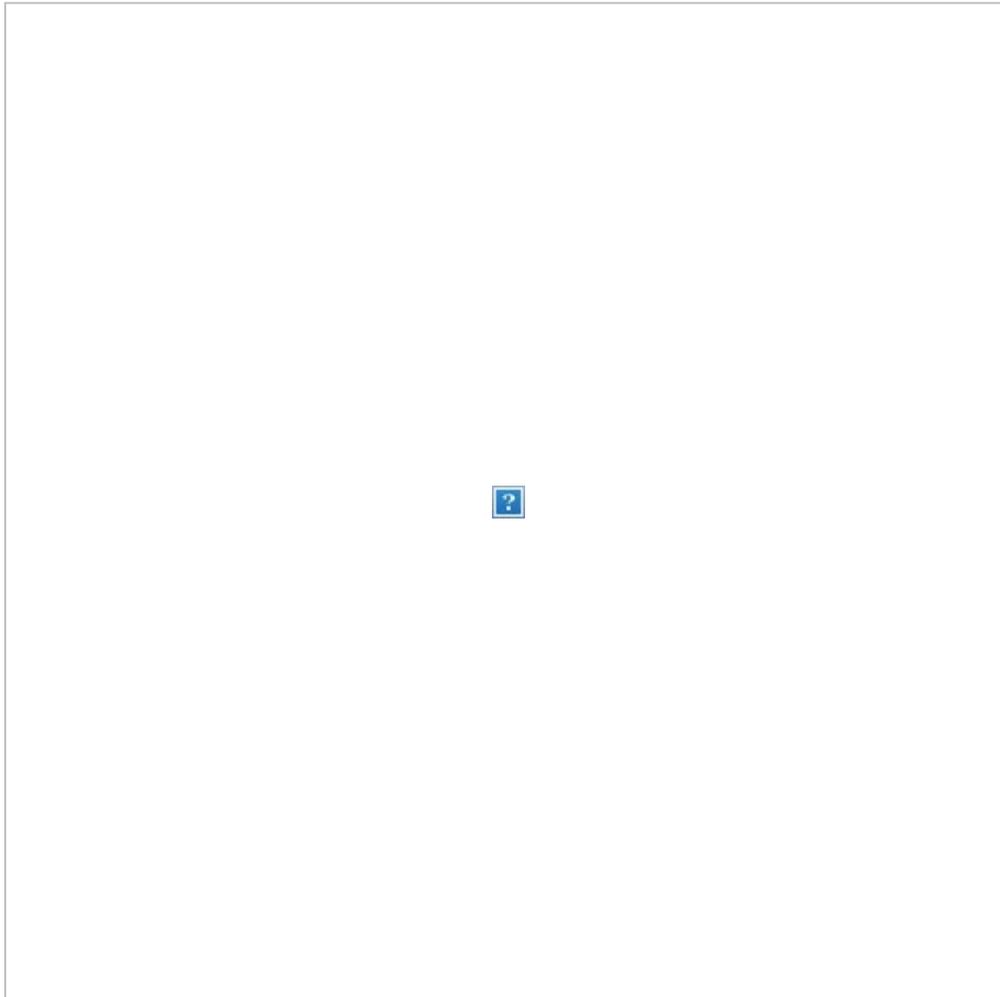
Attend a hearing

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.



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1152] Notice of Requirement online submission - Simon Wu
Date: Wednesday, 13 December 2023 11:31:24 am
Attachments: [NOR10 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 10 Upgrade to Wainui Road
The specific provisions that my submission relates to are:
Please refer to the submission 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 submission for specific details
I or we seek the following recommendation or decision from Auckland Council:
Please refer to the submission for specific details
Submission date: 13 December 2023
Supporting documents
[NOR10 Submission - 379 Wainui Road - 13122023.pdf](#)

Attend a hearing

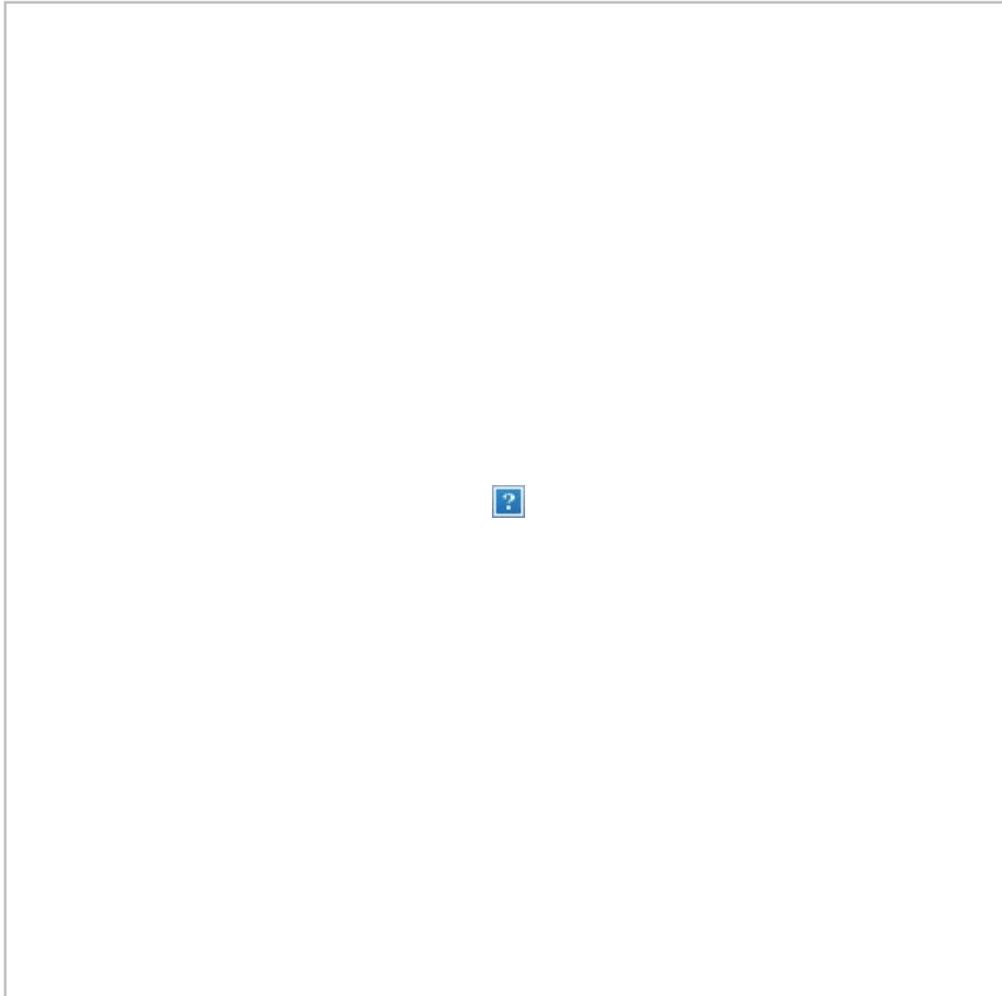
Do you wish to be heard in support of your submission? Yes
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

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, Auckland

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 10) Upgrade to Wainui Road

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:

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 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;

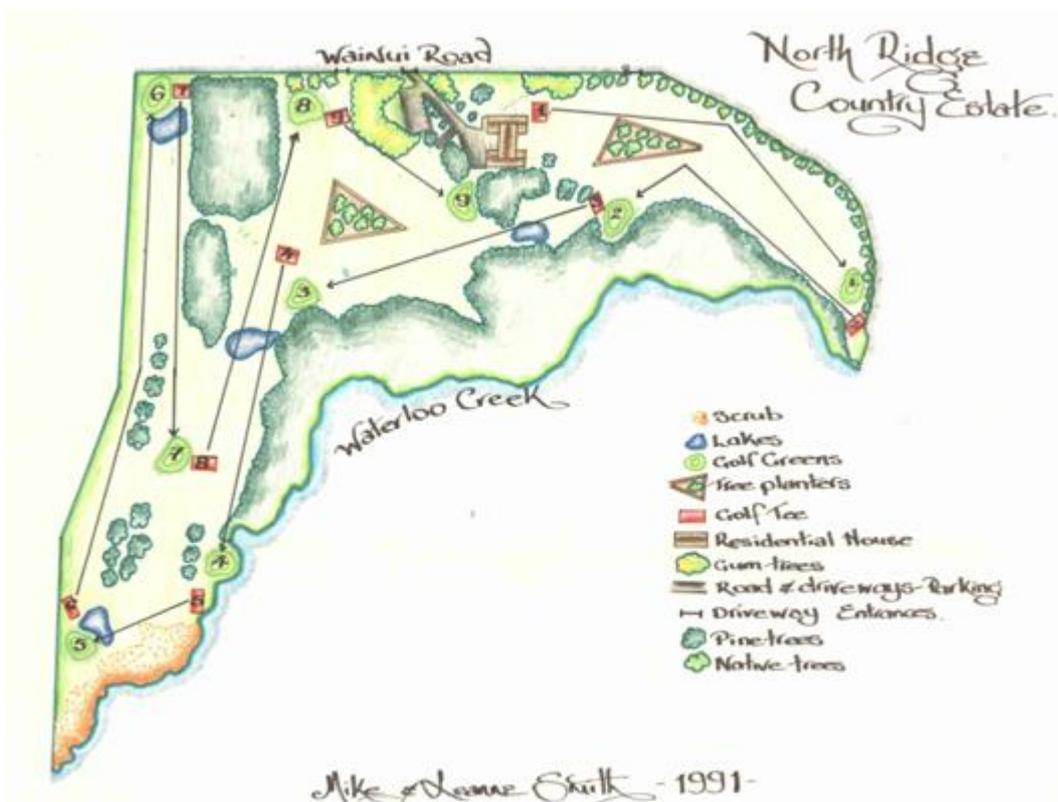


Figure 2: Initial Site Layout 1991

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.

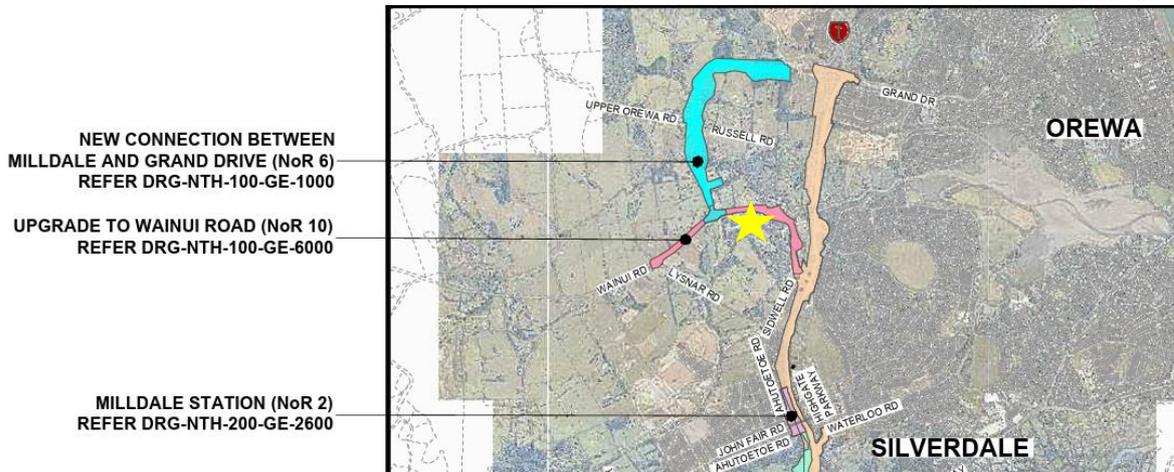


Figure 3: General Arrangement Plan

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

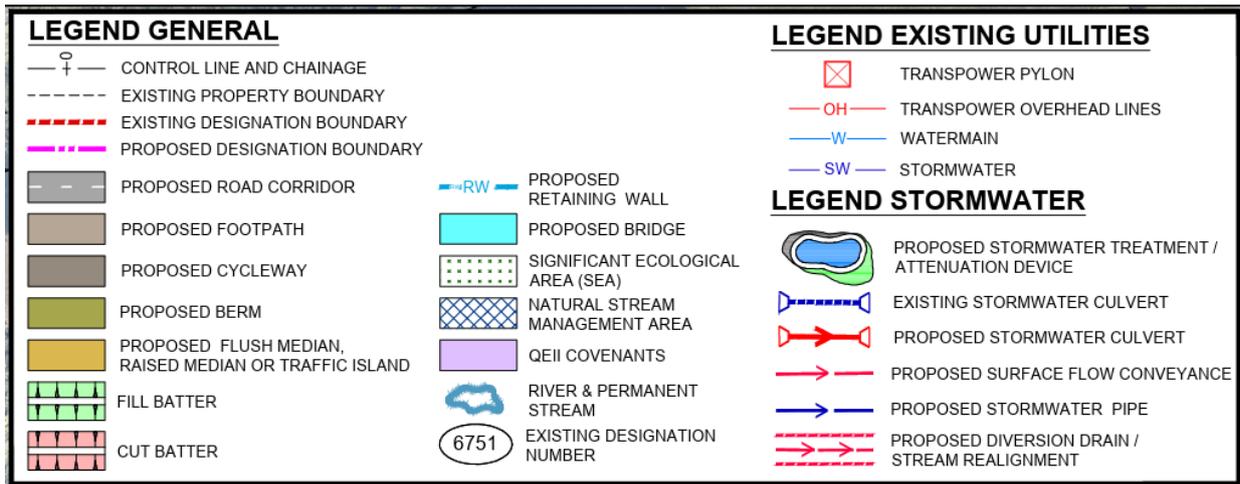


Figure 4: Legend for NOR Plans

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.

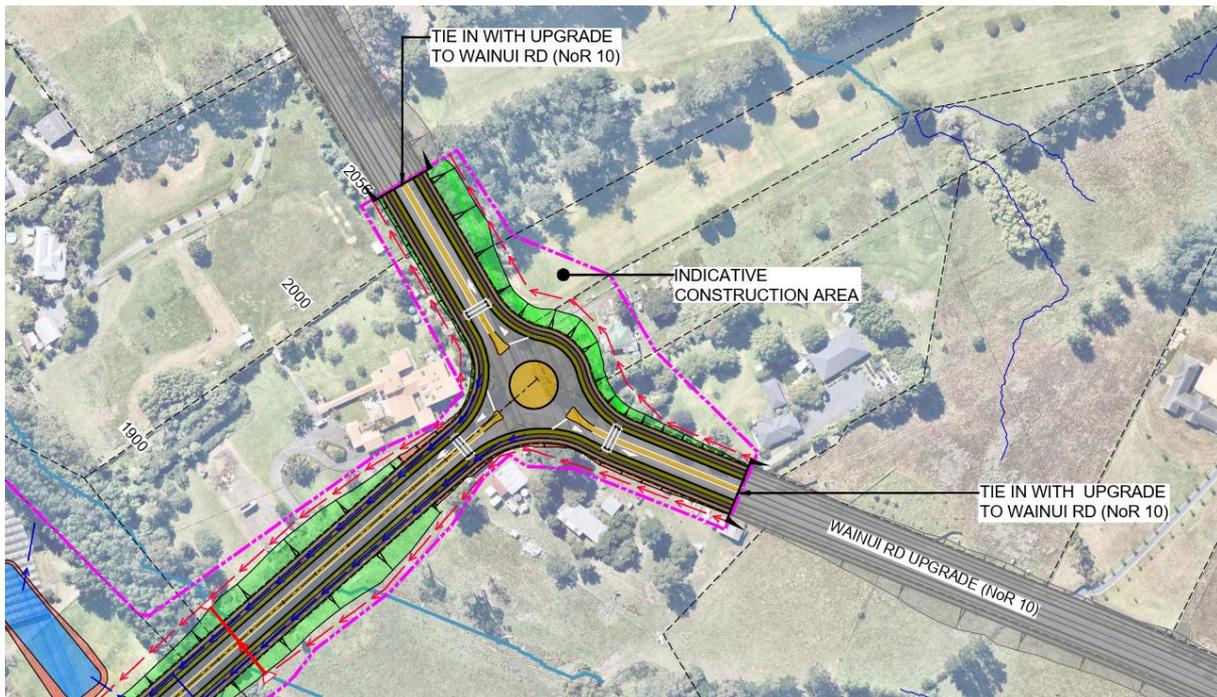


Figure 5: Relevant Plan of NOR6 in the Vicinity of the Submitter's Property



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

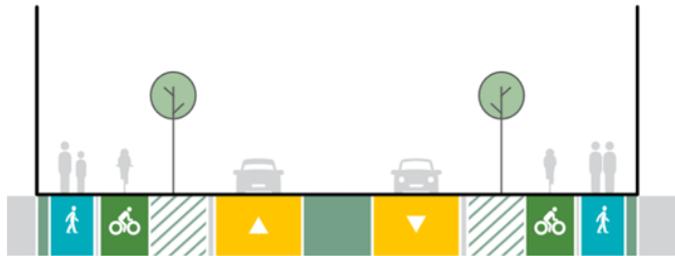


Figure 167: CFAF Outcome - Upgrade to Wainui Road indicative 24 m cross section

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.

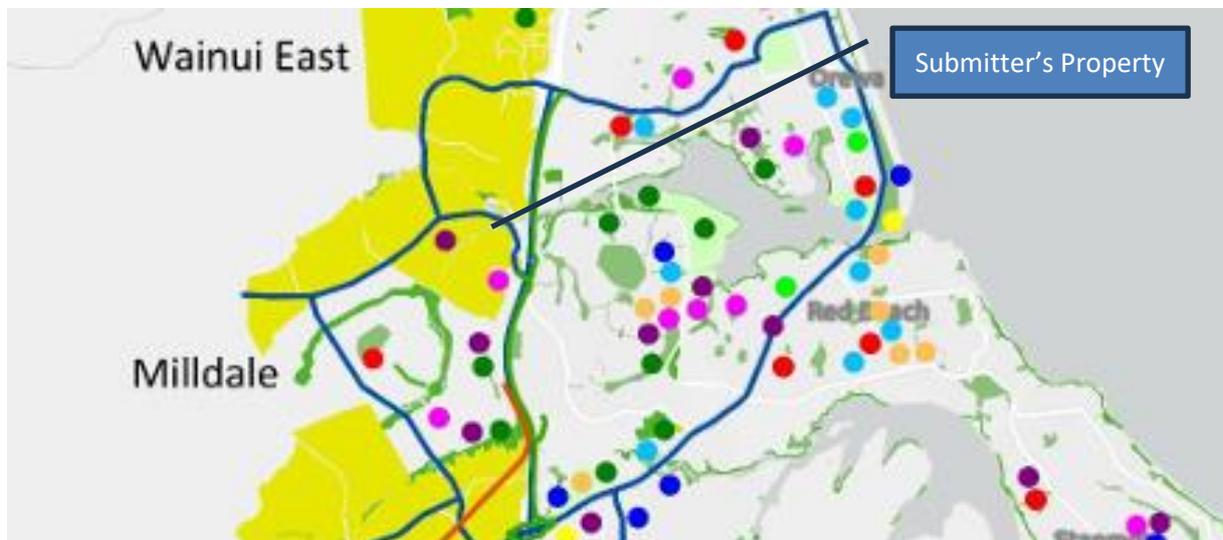


Figure 10: The Community Services and Facilities Map

- (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 ULDMP shall clearly state which effects identified in this assessment are still valid and how they will be addressed in the proposed ULDMP
 - (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.



- Scrub
- Lakes
- Golf Greens
- Tree planters
- Golf Tee
- Residential House
- Gum trees
- Road & driveways-Parking
- Driveway Entrances
- Pine-trees
- Native trees

Mike & Deanne Smith - 1991-

A7



**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

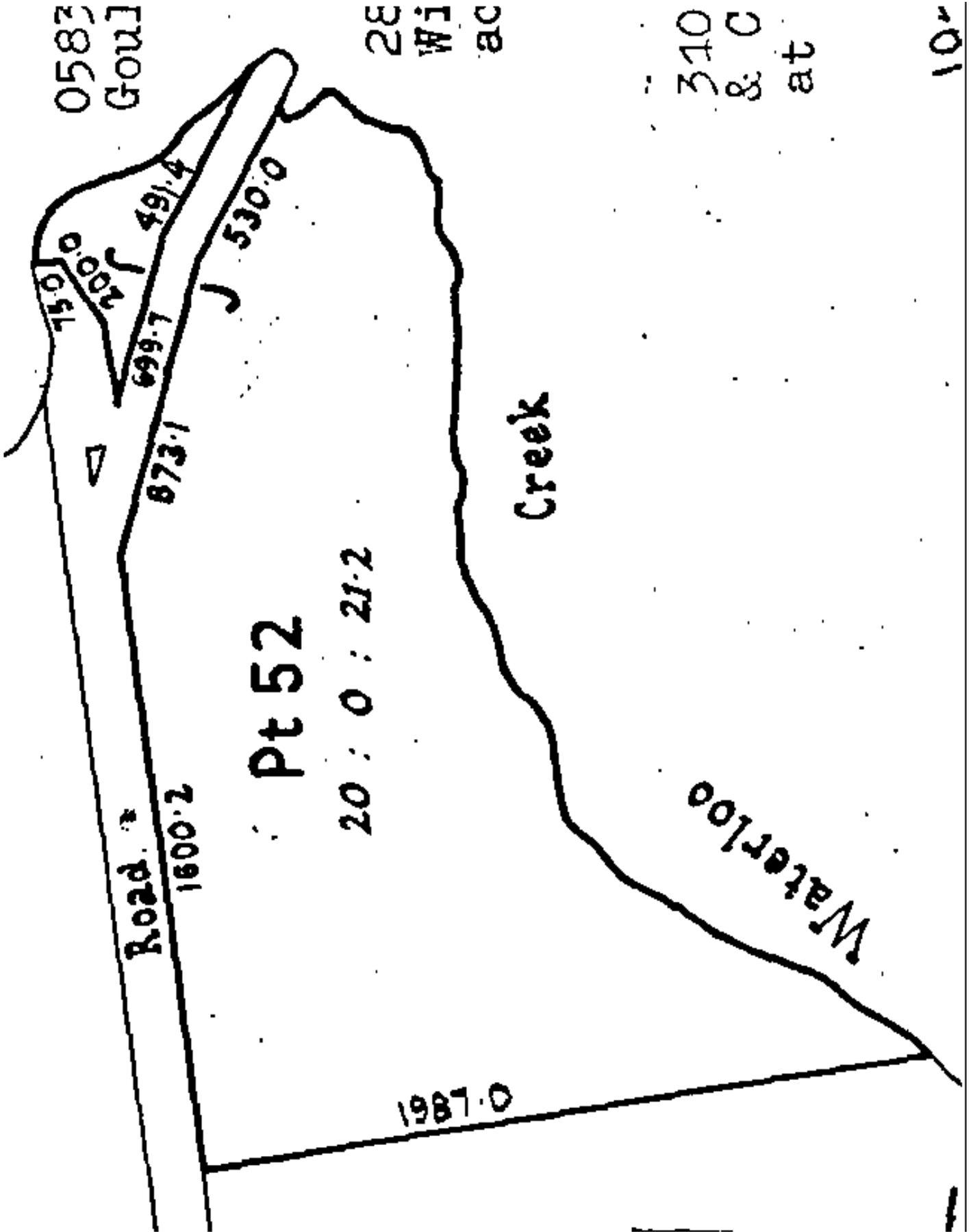
Prior References

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

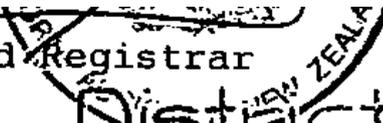
Prior References
NA2D/250

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

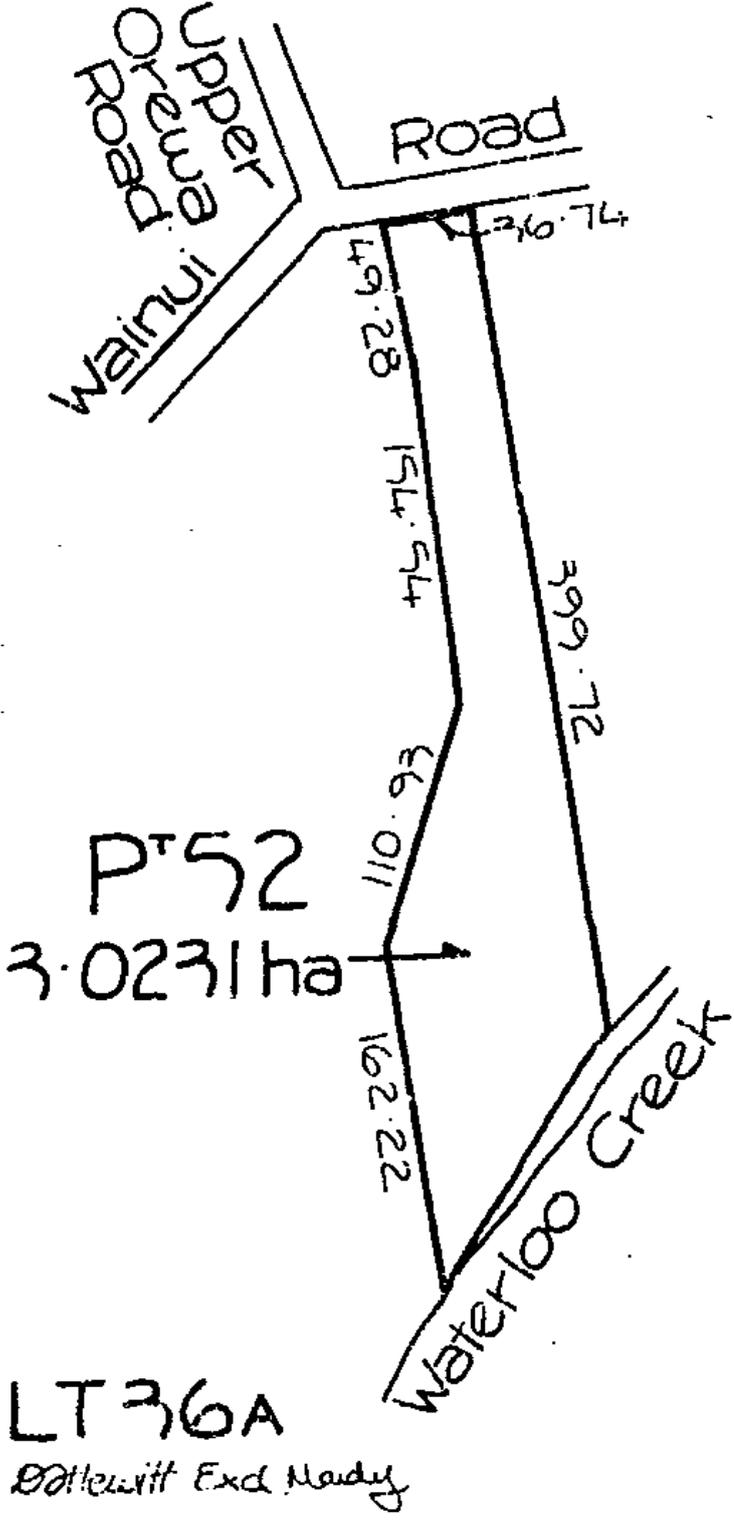
Registered Owners
Northridge2018 Limited

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

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 - Rural

Overlays

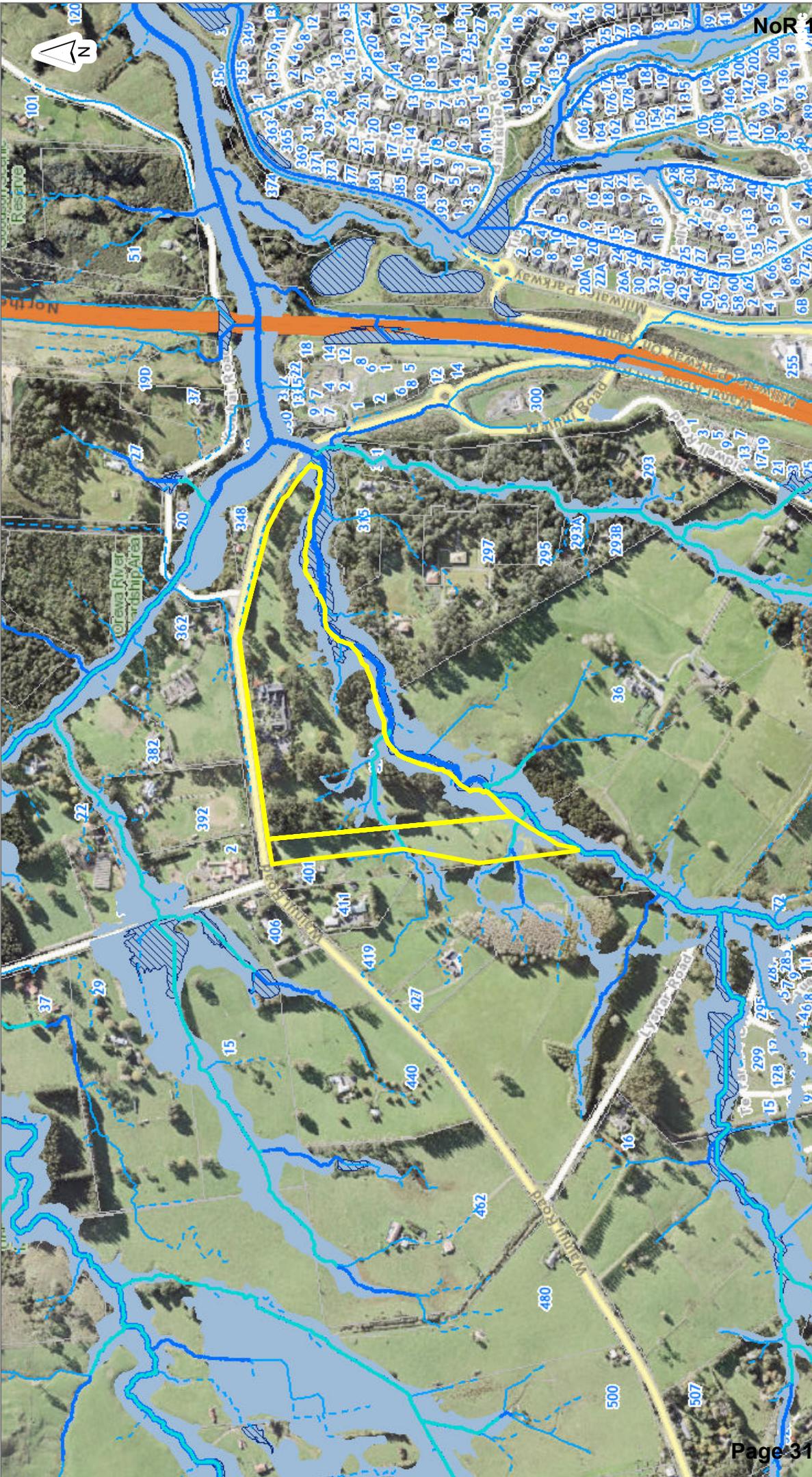
Designations





Northridge
Country Lodge



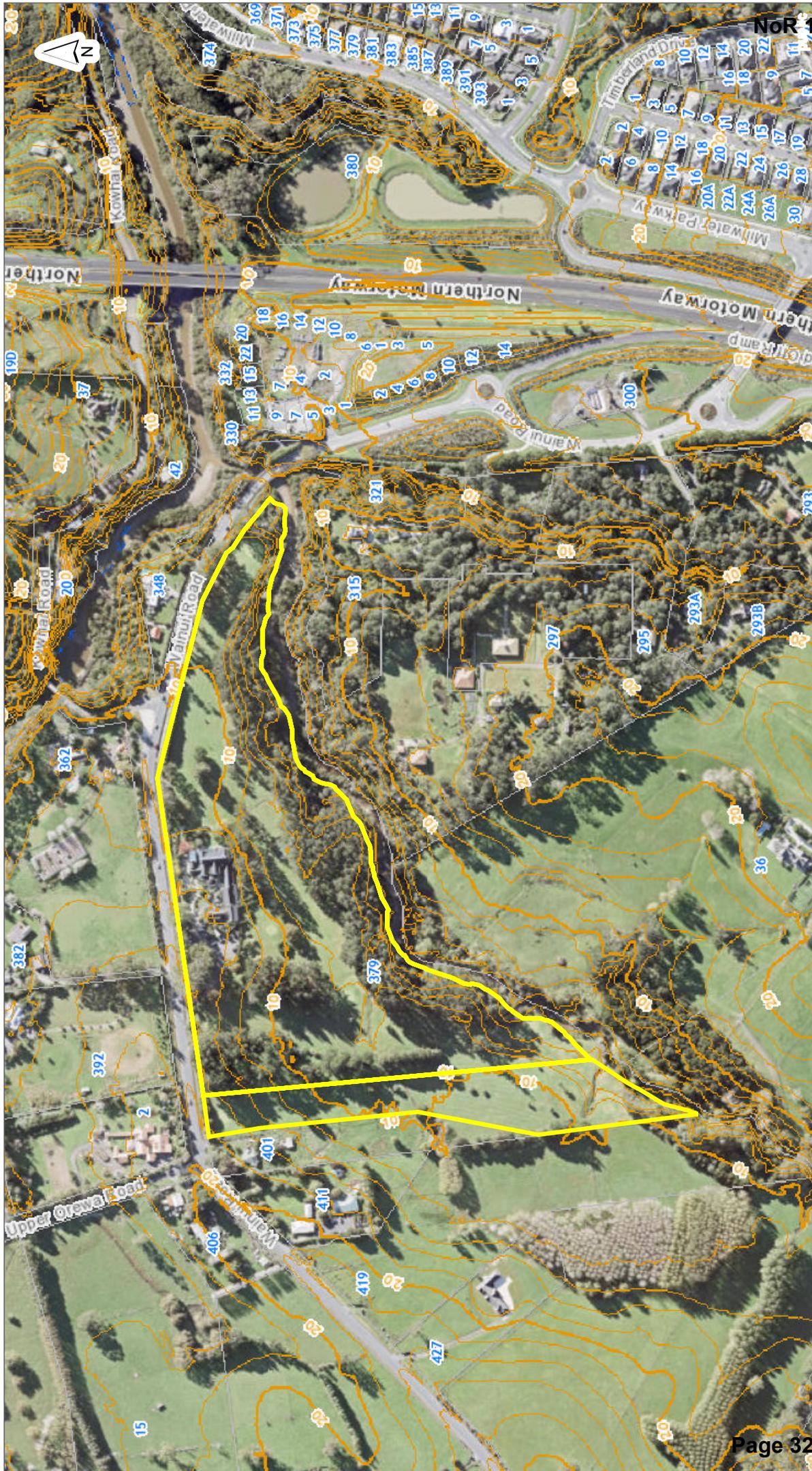


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NoR 10 #02



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Meters

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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
- } Ridgeline Protection 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

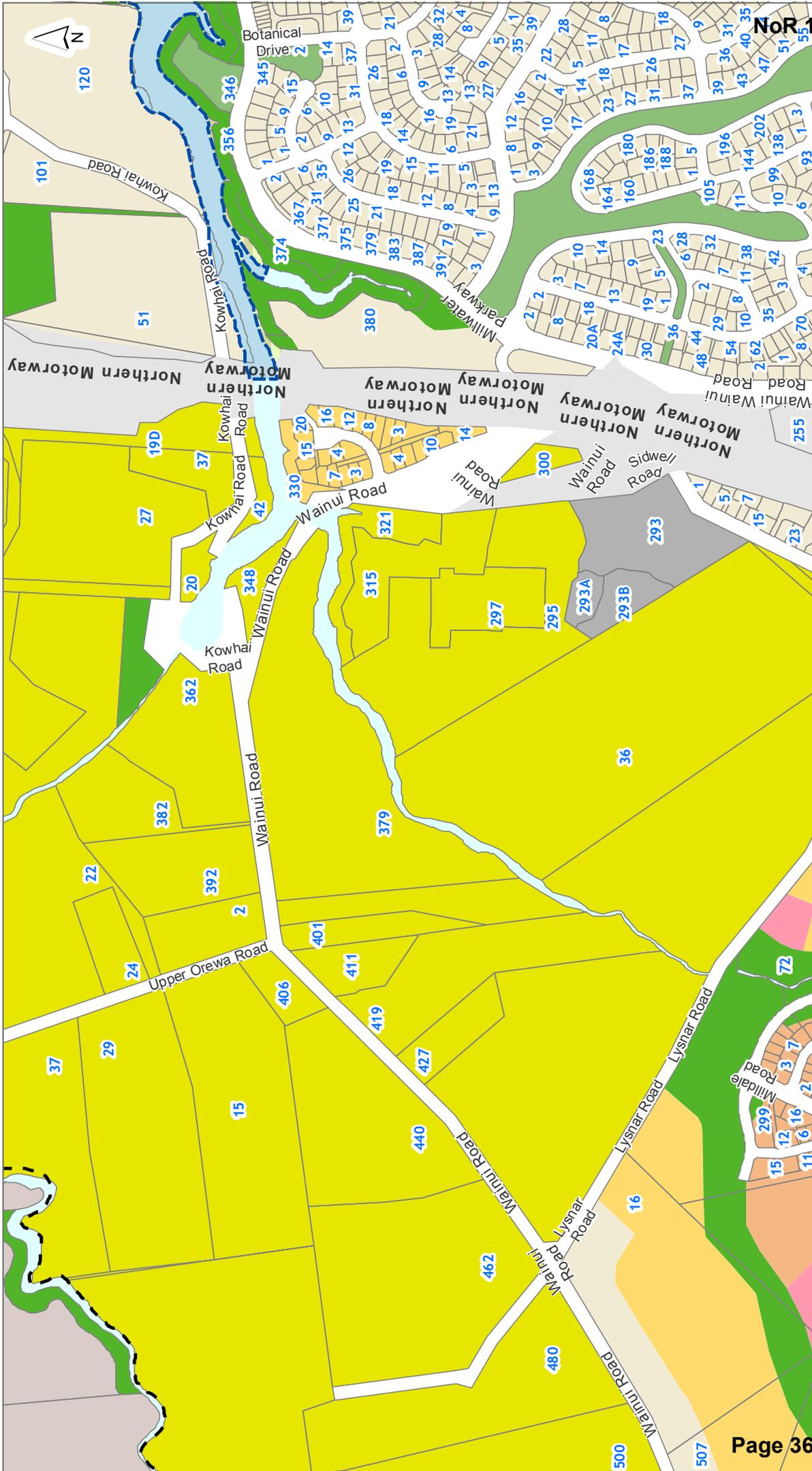
Controls

- 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



NoR 10 #02



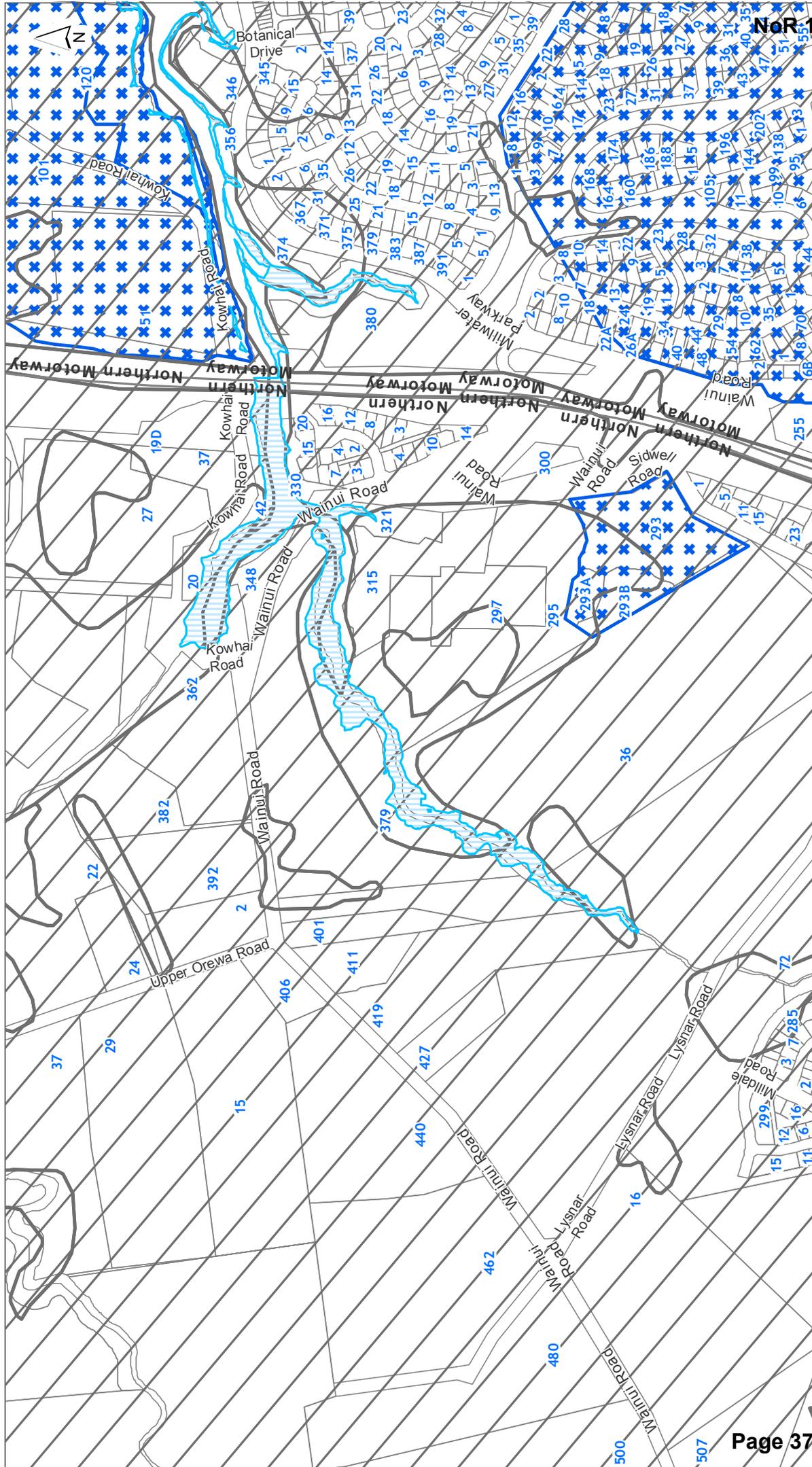
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Zones and Rural Urban Boundary

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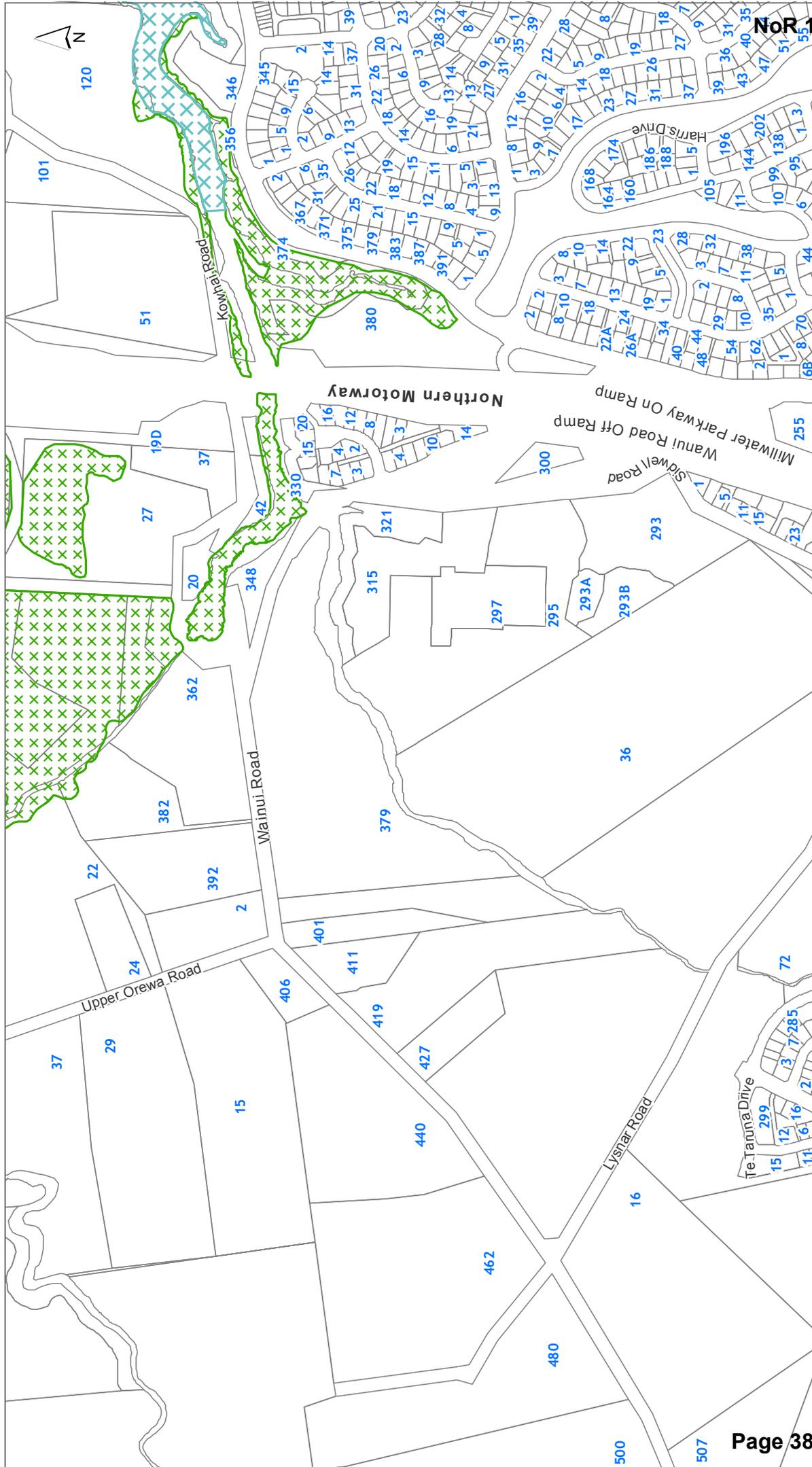
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Controls

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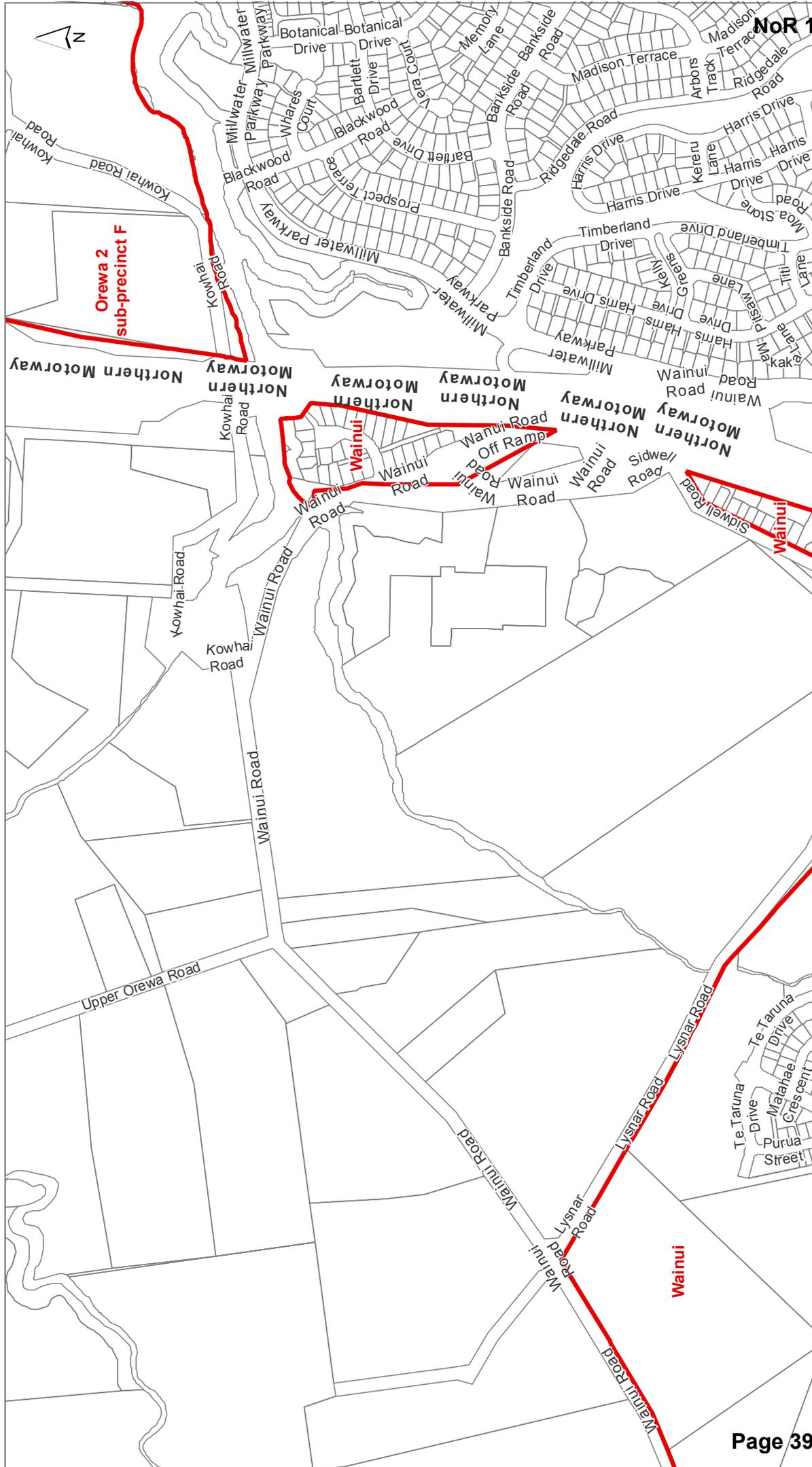
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Natural Resources

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Not 10 #02



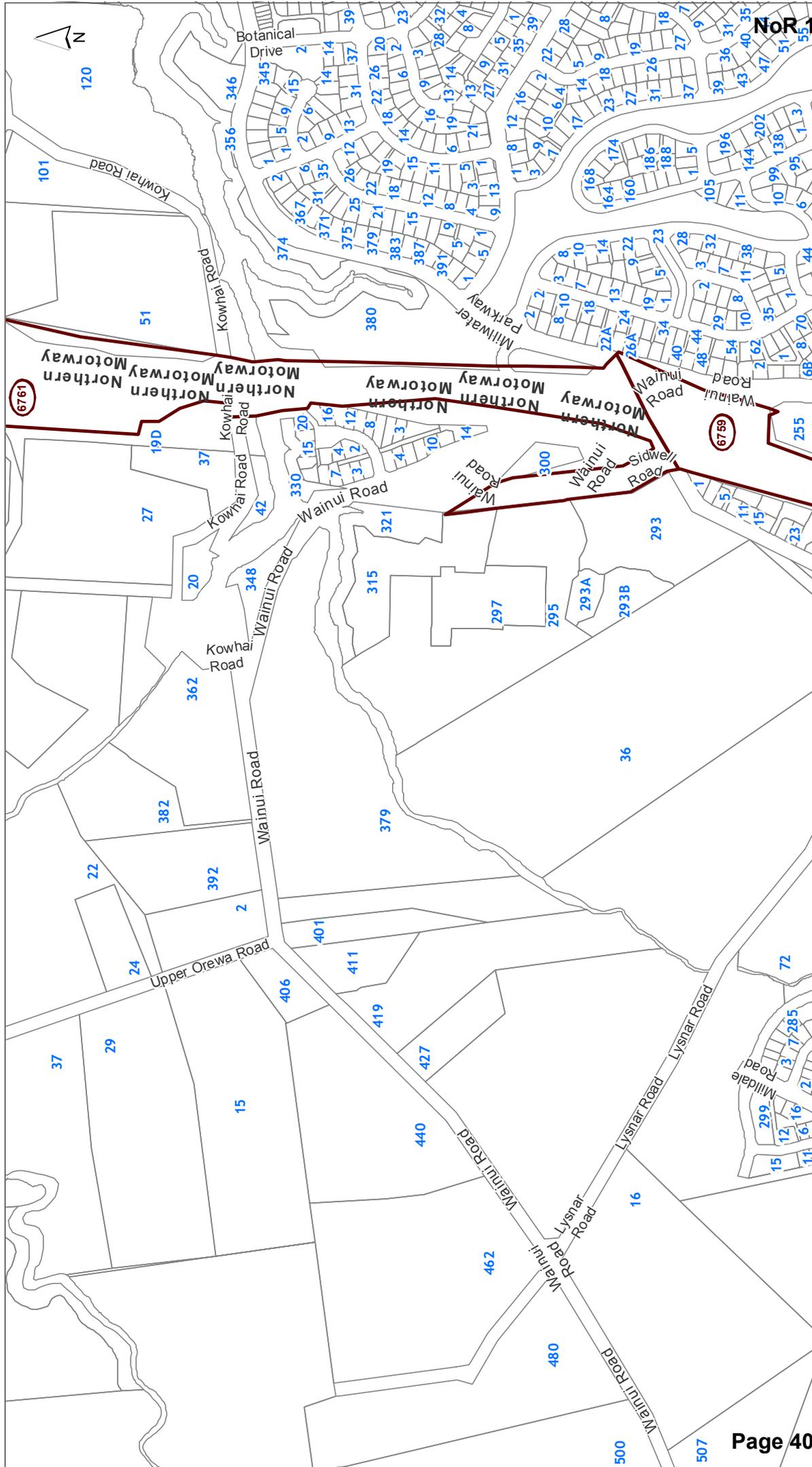
Auckland Council
 Te Kaunihera o Tāmaki Makaurau



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Precincts

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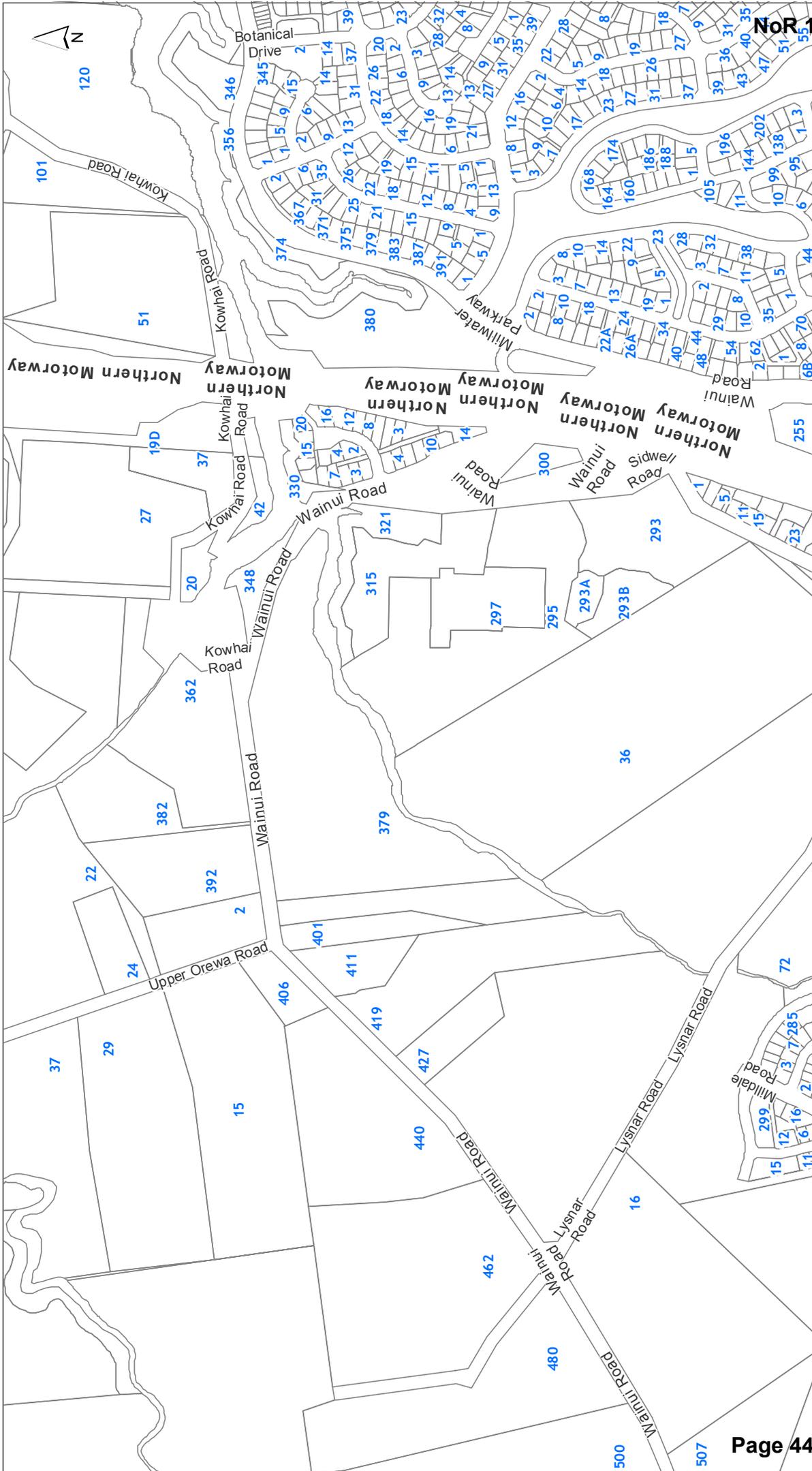
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Designations

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NoR 10 #02



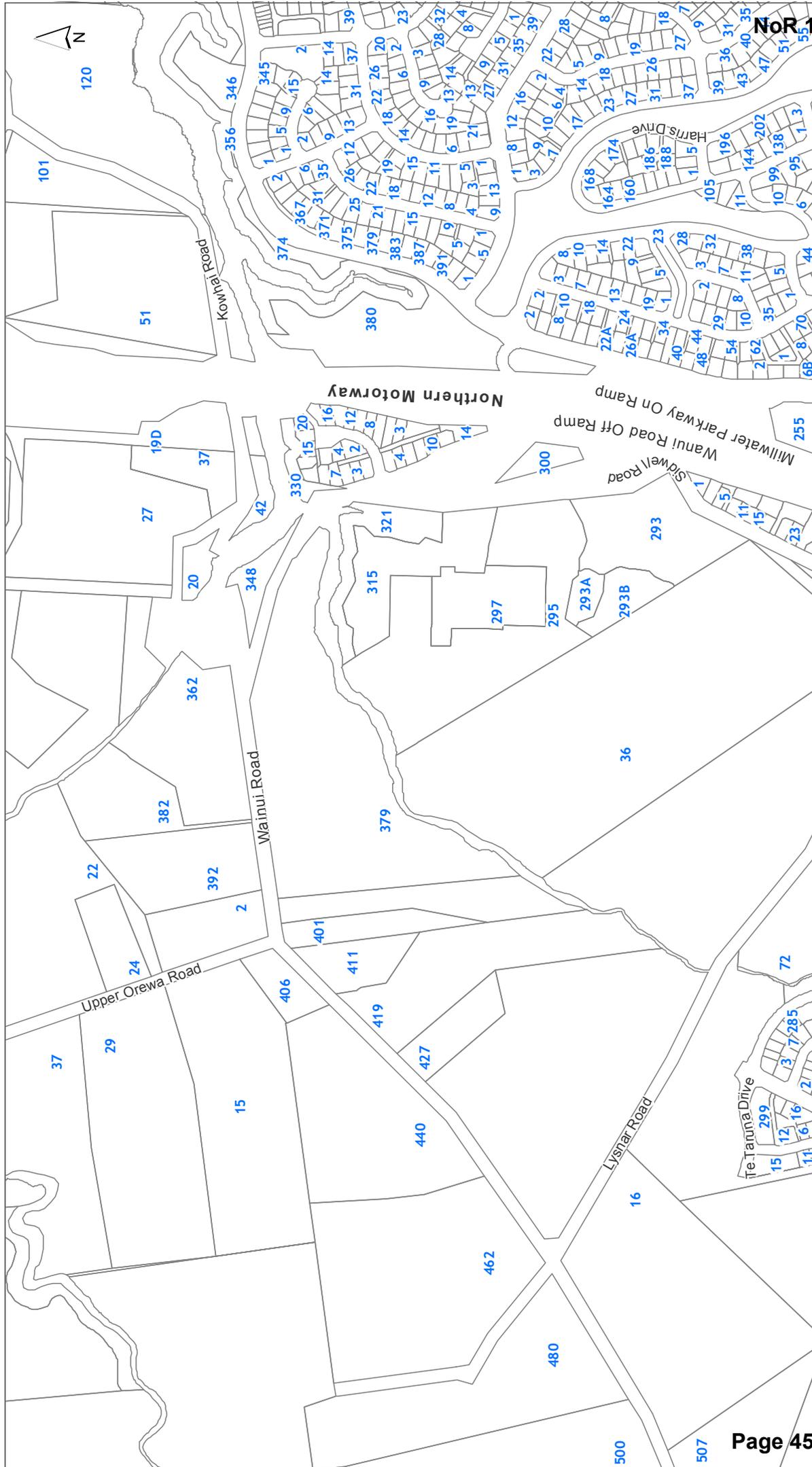
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Natural Heritage

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Meters

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Built Environment

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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1162] Notice of Requirement online submission - Jason Dickinson
Date: Wednesday, 13 December 2023 2:31:05 pm

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

Contact details

Full name of submitter: Jason Dickinson

Organisation name:

Full name of your agent:

Email address: dickinson_jason@hotmail.com

Contact phone number:

Postal address:
427 Wainui Road
RD2
Silverdale
Auckland 0992

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 10 Upgrade to Wainui Road

The specific provisions that my submission relates to are:

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:

We understand that progress needs to happen but at the same time it comes at a cost to us as landowners.

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

Firstly, thank you for the opportunity to make a submission. We are seeking clarity as to whether the portion of our land affected by the NoR will be bought, leased or a combination of the two. This will help us to plan accordingly. We are also seeking clarity on the impact (positive or negative) that the NoR will have on the valuation of our property. From discussions we've had with "Supporting Growth" team members, both online and at Albany, we have been informed that the NoR will be put in place very soon but the road changes may be several years away.

Submission date: 13 December 2023

Attend a hearing

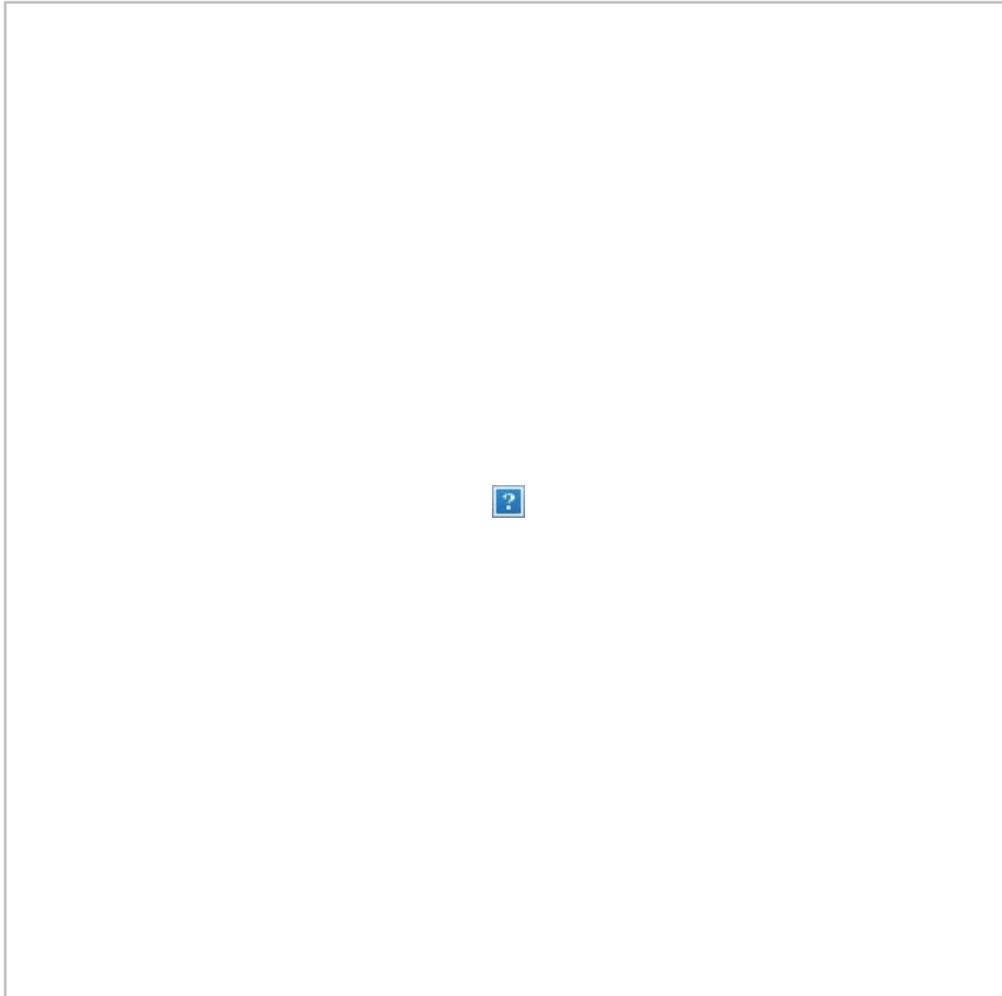
Do you wish to be heard in support of your submission? No

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:

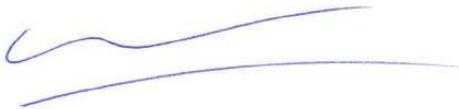
Advice Note:

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

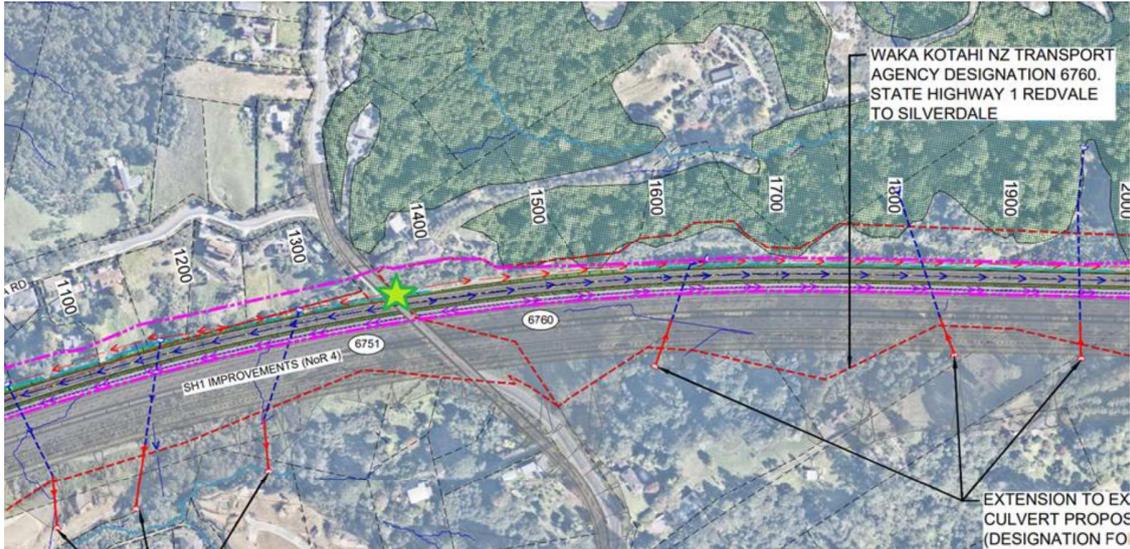
Impacted Telecommunication Facilities

Telecommunication Sites Impacted

FortySouth

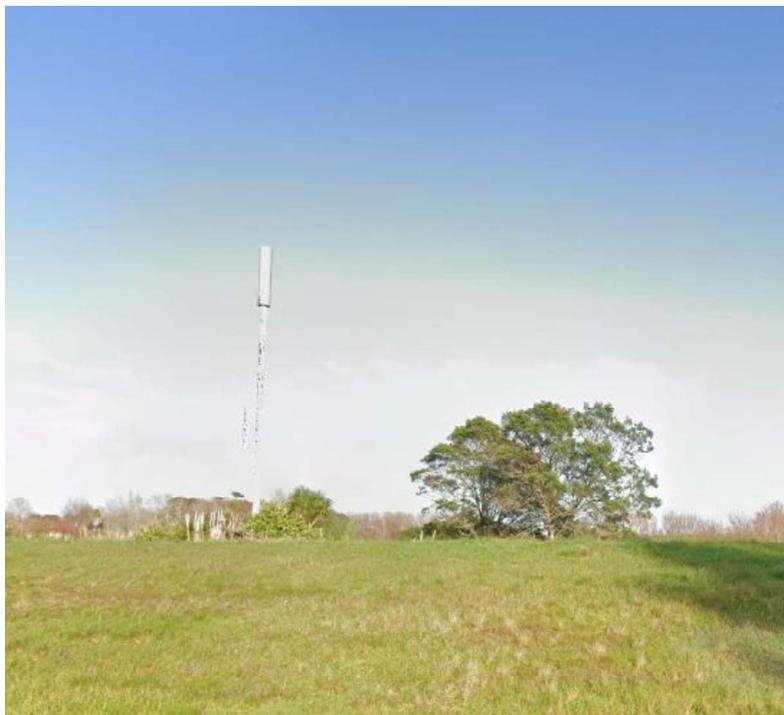
NoR 1 – North: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)

- 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)





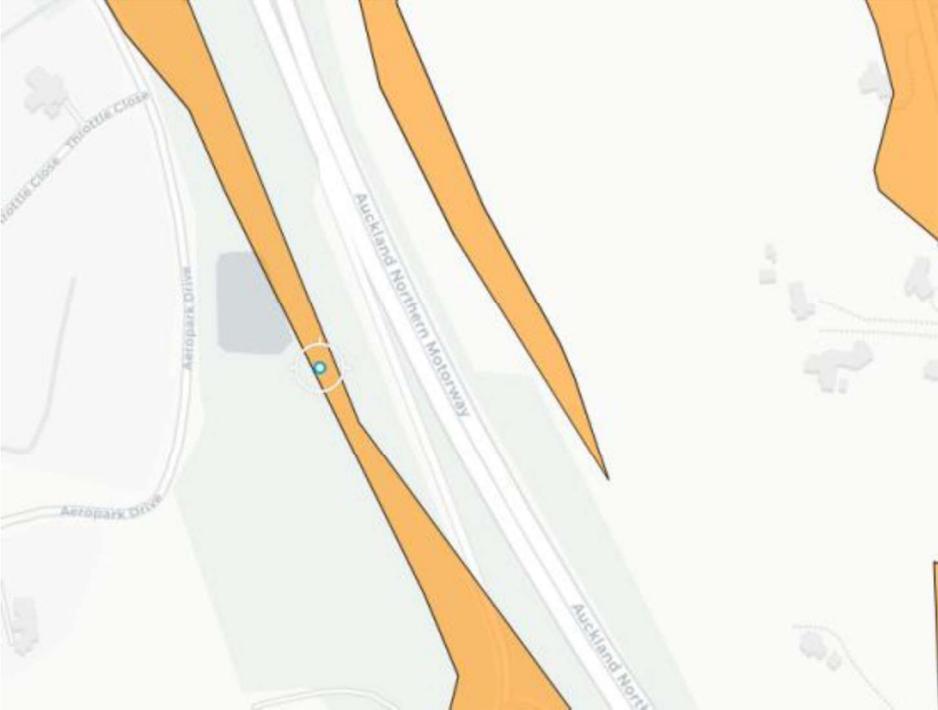
Connexa

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

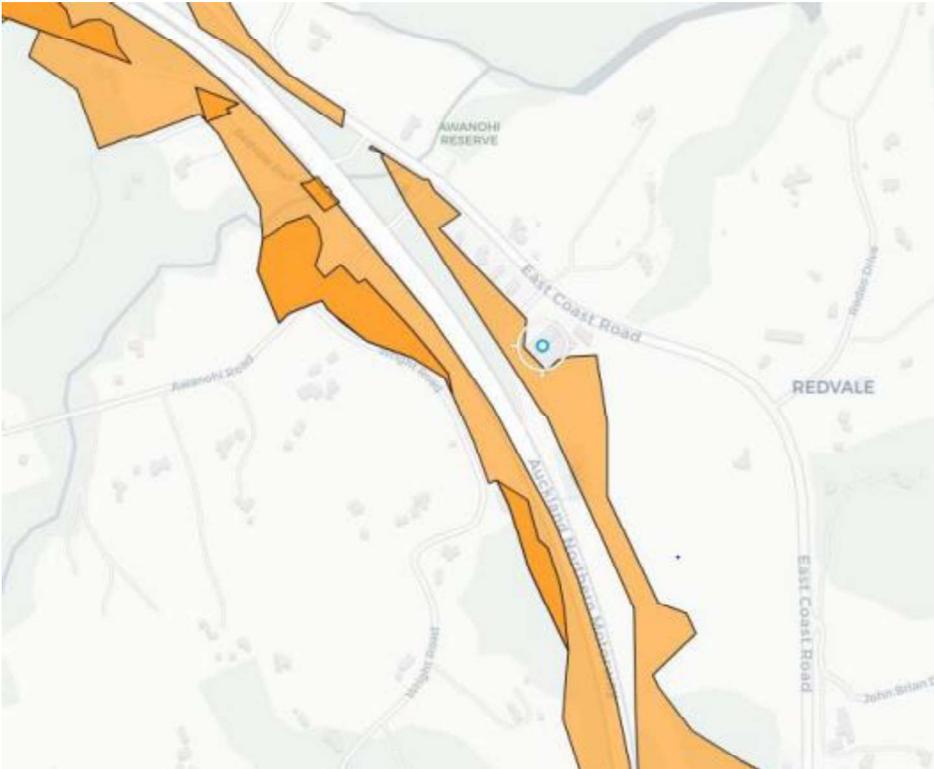
- Telecommunication pole on Silverdale Offramp (supporting 2degrees Network)



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



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

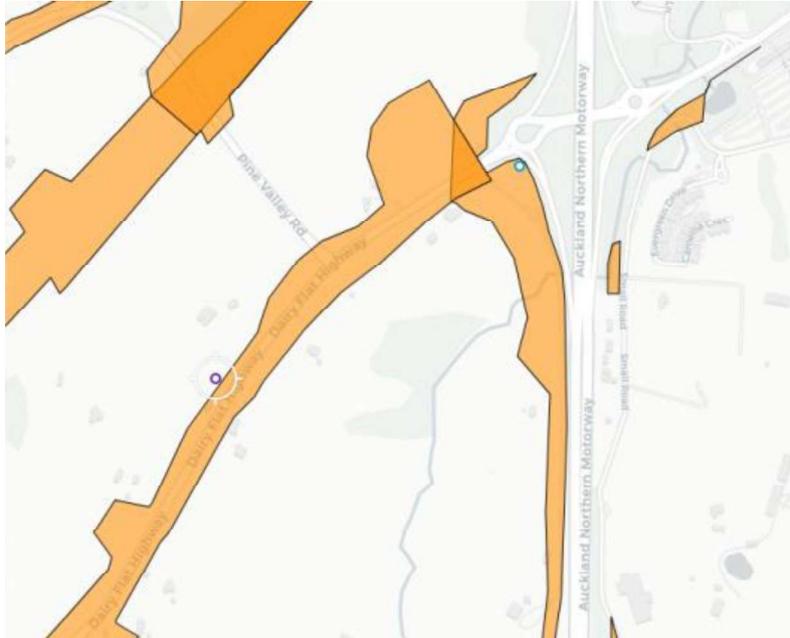


- Telecommunication pole on Lonely Track Road (supporting Spark Network)



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)



SUBMISSION TO REQUIREMENT FOR DESIGNATION

REQUIRING AUTHORITY: Auckland Transport (Auckland Council)

PLAN AFFECTED: Auckland Unitary Plan

NOTIFICATION DATE: 16 November 2023

SPECIFICS OF REQUIREMENT TO WHICH SUBMISSION RELATES: Upgrade of Wainui Road (NoR 10)

SUBMITTER: Genevieve A Rush-Munro, Grant A Clendon, Genrus Family Trust

PROPERTY AFFECTED: Land shown as Section 2 on SO 541008 Approved 1/11/2022

PHYSICAL ADDRESS: 406 Wainui Road

CONTACT PERSON: Genevieve A Rush-Munro, 406 Wainui Road.

EMAIL CONTACT: cifor@xtra.co.nz

The Submitter hereby lodges this submission opposing in part the requirement for the designation of Wainui Road and Upper Orewa Road as shown in the documentation accompanying Notice of Requirement 10.

The reasons for this submission are outlined herein.

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



Signed _____

Genevieve A Rush-Munro
On behalf of the Submitter

Date 13 December 2023

Submission sent to: Auckland Council unitaryplan@aucklandcouncil.govt.nz
Auckland Transport submissions@supportinggrowth.nz
Auckland Transport, Level 5, 203 Queen Street, Auckland, 1010



Figure 1 Identification of property 406 Wainui Road from GeoMaps

DETAILS OF SUBMISSION

Description of Land Affected

1.0 The original property at 406 Wainui Road was purchased by the Submitter more than 20 years ago, following the need for Ms Rush-Munro and her mother to relocate from another property in Albany, where they had lived for many years. They had intended to maintain a rural lifestyle on the Wainui Road property, but several years back, the Ministry of Education initiated actions to acquire the land, which culminated in the Ministry acquiring the major part of the property, being Section 1 on SO 541008, with the residual part Section 2, fronting Wainui Road and on which buildings are located, retained by the Submitter.

2.0 The land to which this submission relates is therefore Section 2 on SO 541008, shown on the following plan.

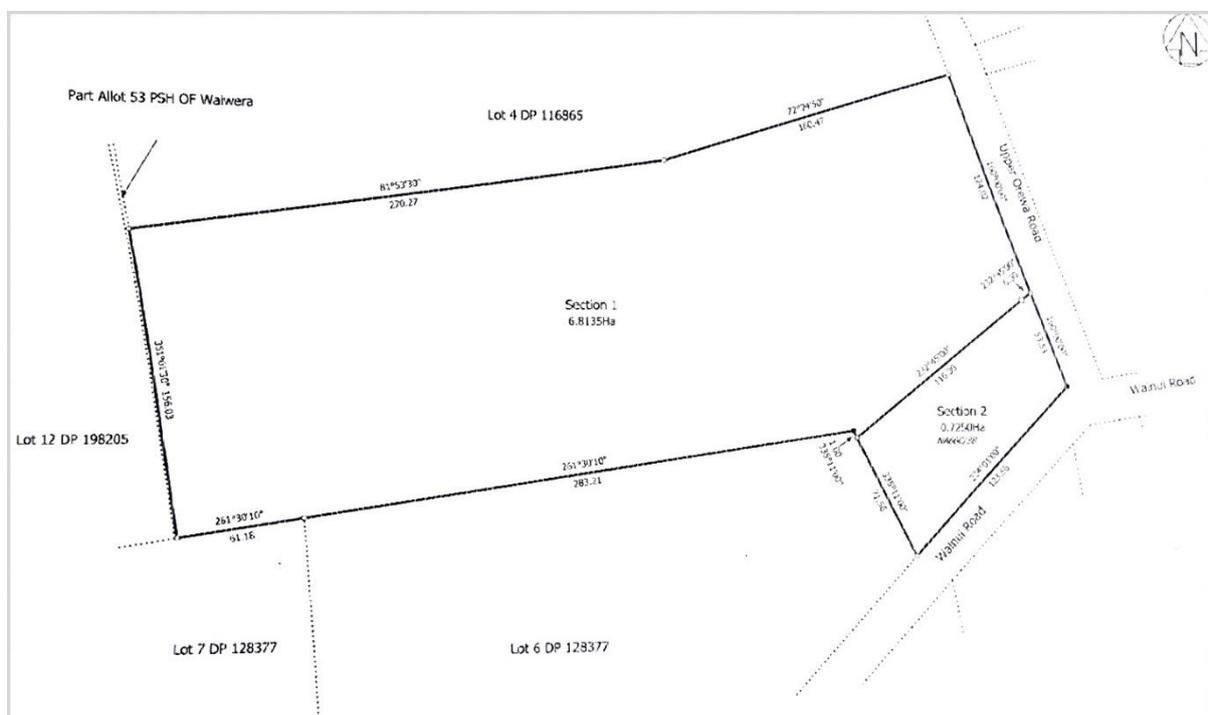


Figure 2 Plan of SO 541008 survey approved 1/11/2022

Future Urbanisation

3.0 The Submitter acknowledges that in the foreseeable future, their land and the surrounding area will be developed for urban purposes, as provided for in the Unitary Plan.

4.0 This year, they were approached by representatives of Fulton Hogan to participate in their proposals to prepare a structure plan for what is now described as Milldale North, the land contained within areas identified in the Unitary Plan for future urban development.

5.0 Concepts include the development of the Submitter's land for a new neighbourhood centre to service Milldale North, shown in Figure 3.

Structuring Elements

This plan identifies the key elements that would inform likely plan change provisions and future urbanisation of the Site. This includes the collector road network, green links, key open spaces and indicative zonings.

Potential zoning is predominantly for medium density residential uses (ca. 156Ha). A neighbourhood centre (0.8Ha) and higher density residential uses (ca. 7.5Ha) have been positioned around the intersection of Wainui and Upper Orewa roads. Some provision for low density residential uses (ca. 21Ha) is also proposed in locations with constraints associated with topography, the stream network and existing bush covenants.

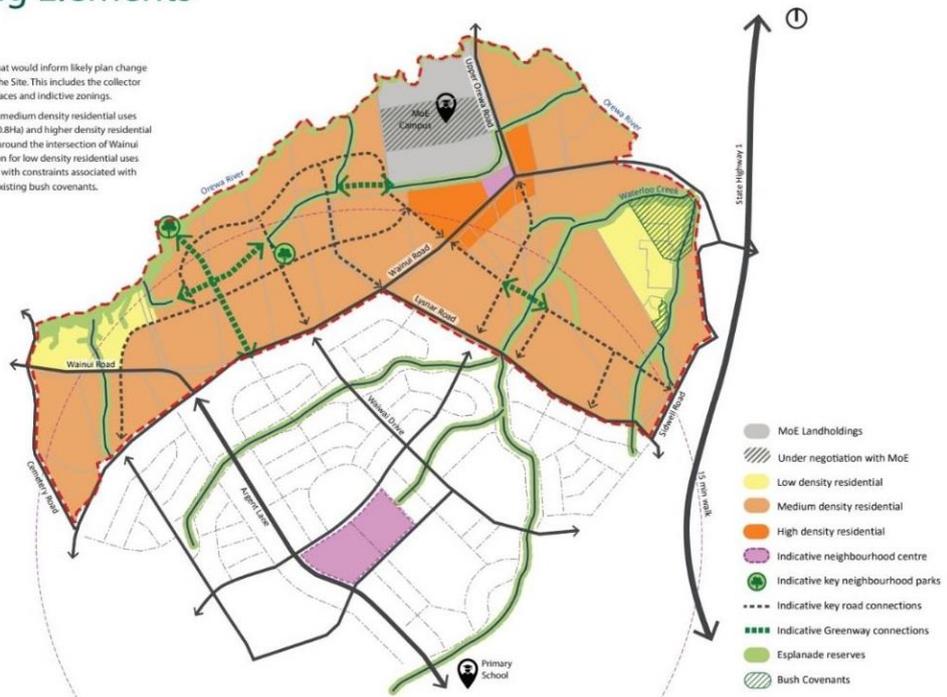


Figure 3 Structuring Elements – Fulton Hogan Land Development Structure Plan Concepts (Milldale North Structure Plan prepared by B&A Urban & Environmental, June 2023)

6.0 The structural elements provide for the greater part of the land to be devoted to residential housing, with an area focused on the Wainui Road/Upper Orewa Road for more intensive development, involving high-density residential and a commercially based neighbourhood centre.

7.0 The suggested neighbourhood centre is the property of the Submitter.

Neighbourhood Centre

8.0 The Submitter acknowledges that the future zoning and development of their land and that of surrounding properties is far from resolved and will be the subject of future procedures under the RMA.

9.0 It notes that neighbourhood centres sit at the lower end of the commercial urban hierarchy, provided for in the National Policy Statements on Urban Development and used extensively as a planning tool, especially when green-field development is being planned.

10.0 It further notes that the Unitary Plan Provisions state and provide as follows:

H12.1. Zone description The Business – Neighbourhood Centre Zone applies to single corner stores or small shopping strips located in residential neighbourhoods. They provide residents and passers-by with frequent retail and commercial service needs.

Provisions typically enable buildings of up to three storeys high and residential use at upper floors is permitted. Development is expected to be in keeping with the surrounding residential environment.

New development within the zone requires assessment in order to ensure that it is designed to a high standard which enhances the quality of streets within the area and public open spaces

H12.2. Objectives General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

(1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.

(2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.

(3) Development positively contributes towards planned future form and quality, creating a sense of place.

(4) Business activity is distributed in locations, and is of a scale and form, that:

(a) provides for the community's social and economic needs;

(b) improves community access to goods, services, community facilities and opportunities for social interaction; and

(c) manages adverse effects on the environment, including effects on infrastructure and residential amenity. [new text to be inserted]

(5) A network of centres that provides:

(a) a framework and context to the functioning of the urban area and its transport network, recognising:

(i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and
PC 78 (see Modifications) PC 78 (see Modifications) PC 78 (see Modifications) H12 Business – Neighbourhood Centre Zone Auckland Unitary Plan Operative in part 2

(ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.

(b) a clear framework within which public and private investment can be prioritised and made; and

(c) a basis for regeneration and intensification initiatives.

Business – Neighbourhood Centre Zone objectives

(6) Commercial activities within residential areas, limited to a range and scale that meets the local convenience needs of residents as well as passers-by, are provided in neighbourhood centres.

(7) Neighbourhood centres are developed to a scale and intensity in keeping with the planning outcomes identified in this Plan for the surrounding environment.

Business – Neighbourhood Centre Zone policies

(15) Provide for small scale commercial activities to meet either local or passers-by convenience needs, including local retail, business services, food and beverage activities.

(16) Discourage large-scale commercial activity that:

(a) would adversely affect the retention and establishment of a mix of activities within the neighbourhood centre;

(b) would significantly adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors; and

(c) does not appropriately manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.

(17) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

(18) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.

11.0 It notes the activities provided for in the Neighbourhood Centre Zone include:

Residential

Dwellings

Integrated residential development

Supported residential care

Visitor accommodation and boarding houses

Commerce

Commercial services

Commercial facilities

Drive through restaurants

Cinemas

Food and beverage

Funeral directors premises

Office up to 500m² GFA per site

Retail up to 450m² GFA per tenancy

Service stations

Supermarkets up to 4000m² per tenancy

Community

Care centres

Community facilities

Education facilities

Emergency services

Healthcare facilities

Recreation facilities

Tertiary education facilities

Industry

Repair and maintenance services

12.0 Neighbourhood centres are a key functional component of urban development, which is shown, for example, with four neighbourhood centres in the primary stage of the Milldale development. In Milldale, the land area allocated is about 5,000 square metres to 10,000 square metres for the respective centres.

13.0 While four neighbourhood centres are allocated for the Milldale development, only one neighbourhood centre is proposed in the Fulton Hogan Structure Plan for Milldale North. An indicative proposal has this centre located on the Submitter's property on the corner of Wainui Road and Upper Orewa Road.

Effect of Proposed Designation on Submitter's Land

14.0 The land area of the Submitter's property is 7,200 square metres, and it has a rectangular-like form.

15.0 As shown in Figure 4, the proposed designation takes 2093 square metres, reducing the land area to 5157 square metres, with consequential effects on land dimensions.

16.0 This reduction in land area and modification of land dimensions are significant and adversely affect the property's future urban development potential, whether that be residential and/or commercial.

17.0 This includes resource allocation, wise and efficient use of resources, integrated planning, the functionality of the property, the provision for the future requirements of the immediate neighbourhood and locality, flexibility in relation to future development options, the ability to integrate development with that of the adjoining MoE site, and the ability to provide appropriate streetscape and traffic engineering options for land development and use.

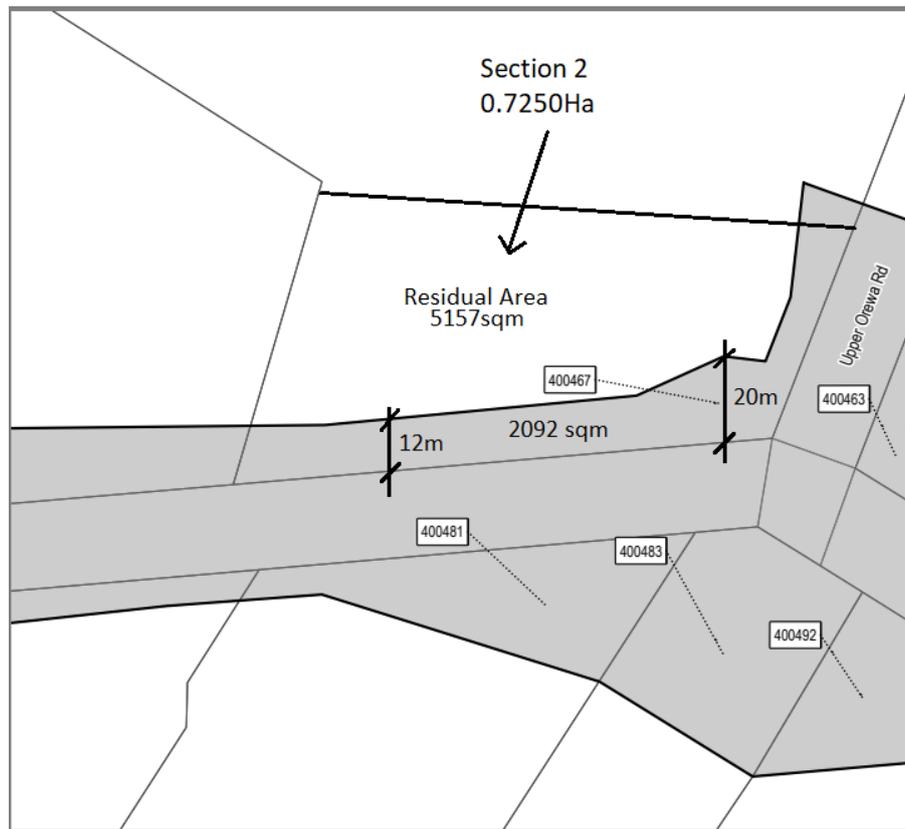


Figure 4 Plan showing proposed designation and land areas affecting Submitter's Property
Source: Auckland Transport Documentation

Proposed Designation and Works

18.0 The proposed designation affecting the Submitter's property is shown in Figure 4 above.

19.0 The general proposal for works is shown in Figures 5 and 6. This involves (1) the roadway and associated works, and (2) what are referred to as "interface" works.

20.0 The roadway and associated works are those necessary for transport purposes. The "interface" works are stated as being required to "establish land use integration/interface that enables buildings and spaces to positively address and integrate with the corridor."

21.0 The roadway works are further defined in Figure 6, which provides for a dual carriageway, a treed or landscape divide and provision for a cycleway and pedestrian footpath. Overall, the width of these works is about 24 metres, which equates to a need for very minor additional road taking by way of this requirement.

22.0 The "interface" works are ill-defined, but extend from the physical works just described to some position within the limits of the proposed designation. The width of this part of the proposed designation appears to be about 10 to 15 metres over the Submitter's property on Wainui Road and Upper Orewa Road.

23.0 Thus, for the most part, the extent of the designation on the Submitter’s property appears to principally involve the “interface” works, and not the physical roadway. In a future urban setting, “interface” works or the development/roading inter-relationship is the responsibility of the land owner through well-planned and designed development. Other than carrying out well-designed and functional transportation works, they are not the responsibility of the roading authority.



Figure 5 Taken from Urban Design Evaluation
7.10 NoR 10 Upgrade to Wainui Road – Urban Design Matters



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

Figure 6 Taken from Assessment of Alternatives

General Assessment

24.0 The Requirement Documentation includes the following information.

NOR 10 - UPGRADE TO WAINUI ROAD

OUTCOMES AND OPPORTUNITIES PLAN - SHEET 1 OF 2

- Outcomes ● Opportunities
- 1 **Identity drivers** - Key local community, landscape character and identity drivers should be identified, developed and integrated with the adjacent land use functions and future design response, including future land use and adjacent Ōrewa River and Waterloo Creek.
 - 2 **Active mode permeability** - Corridor permeability for active modes that addresses cross corridor connectivity (midblock crossings), modal priority and permeable access to destinations such as future schools, open spaces and community facilities.
 - 3 **Active mode legibility and priority** - Legibility, connectivity demands, safety and modal priority for active modes should be addressed at intersections.
 - 4 **Earthworks** - Minimise Earthworks & Level changes at corridor boundaries & Interfaces with future development areas to enable integration with adjoining future landuse. Use retaining structures in areas where space is insufficient to deploy earthworks batters or where earthworks negatively impact the efficiency of adjacent landuses.
 - 1 **Interface and connect with a future school** - Future land use in the area may include a school. The corridor should interface and consider the provision of a direct, safe, grade crossing directly to the school, supporting access for the surrounding community.

25.0 The Identity drivers says: “Key local community, landscape character and identity drivers should be identified, developed and integrated with the adjacent land use functions and future design response, including future land use and adjacent Ōrewa River and Waterloo Creek.”

26.0 The Submitter believes key local community opportunities have not been identified and addressed, and in particular future land use options for its property.

Options Assessment

27.0 The options assessment for the designation of land on Wainui Road and Upper Ōrewa Road includes a discussion within the documentation and a summary statement of key features or factors used to evaluate the different possibilities.

28.0 This is presented in the following Figure 7.

29.0 As far as NoR 10 is concerned, in addition to the existing alignment of roadways, the primary factor identified and used to determine the alignment and position of the proposed designation on Wainui Road as it affects the Submitter, appears to have been the location of buildings on the Early Childhood Education Facility at 411 Wainui Road, which is directly opposite to the Submitter’s property.

30.0 There are several buildings on the childhood site, the one in particular used to determine the extent of the proposed designation is positioned about 8 metres from the road frontage. As will be seen in Figures 5 and 8, the designation alignment veers through a point corresponding to the front of the building closest to the roadway – through the corner of the building about 8 metres from the road frontage.

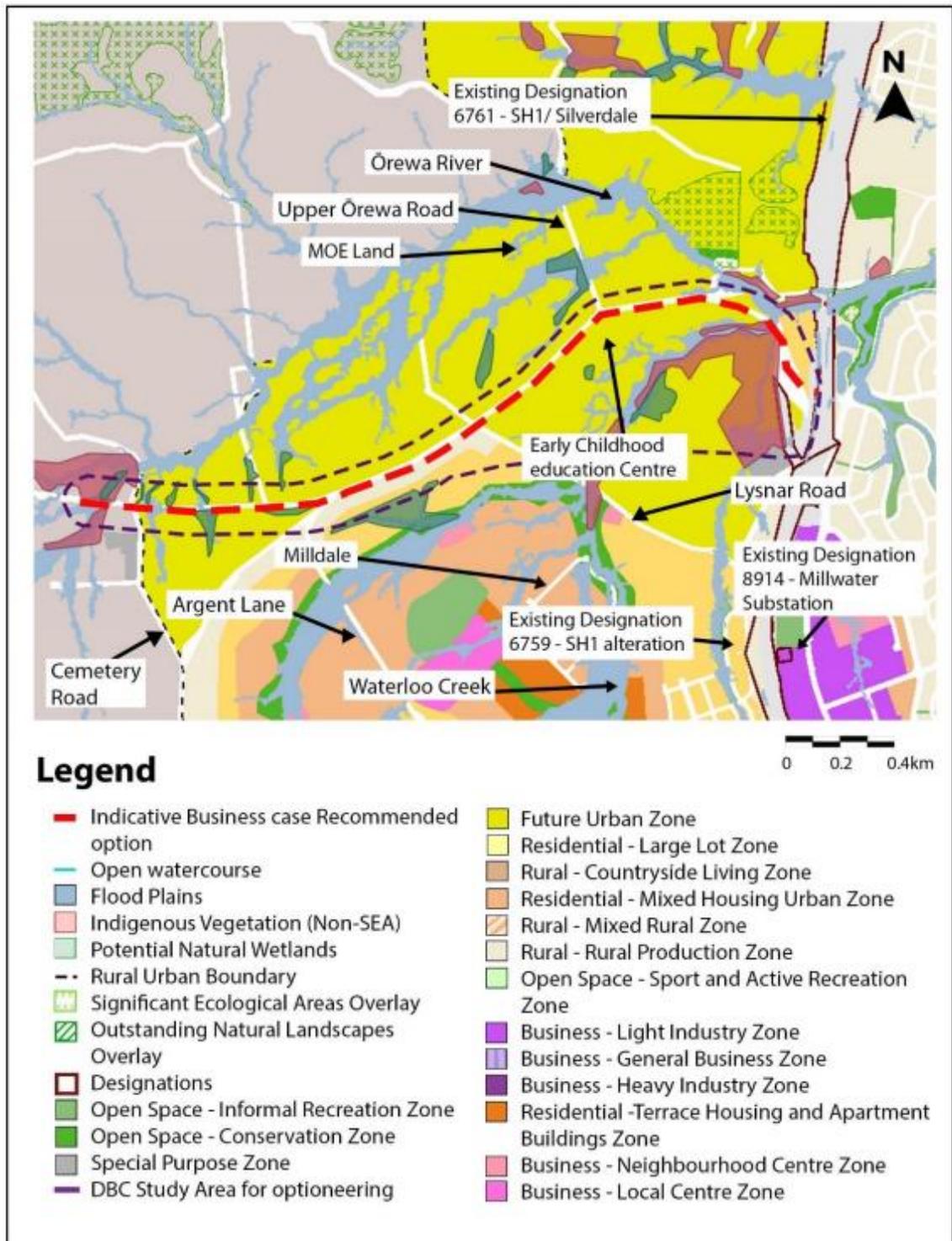


Figure 168: Map of key features and study area – on Wainui Road

Figure 7 Map showing key factors used in assessment of options



Figure 8 Aerial photograph showing 411 Wainui Road

31.0 While the Submitter believes this is one consideration, it does not believe that it is an overriding consideration, and it also believes factors relating to its property are of greater significance for the reasons it has already outlined.

32.0 Further, the Submitter notes this building is located well clear of any further physical works that might involve a future roadway, and believes that while the childcare facility is a valuable community asset, it would be both practical and feasible to either demolish part of the building affected or relocate it on the site for short-term purposes, should the need arise. In the longer term, it is most likely that the land will be developed for other purposes consistent with the future planning of the Milldale North area.

SUBMITTER'S REQUEST

33.0 The Submitter opposes the proposed designations as shown on the NoR 10, more so as they affect the property at 406 Wainui Road, being Section 2 on SO 5641008.

34.0 It believes it is reasonable and practical to move the alignment of proposed roading from its property, and in this respect move the proposed designation to the opposite and southern side of Wainui Road.

35.0 It opposes the imposition of a designation for works that are defined as "interface" on its property. It requests this part of the designation be removed.

36.0 It therefore requests the proposed designation be removed from its property on the Wainui Road frontage and be significantly reduced on the Upper Orewa Road frontage, and such other necessary changes be made to give effect to this request.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1194] Notice of Requirement online submission - Suju Wang
Date: Thursday, 14 December 2023 10:45:48 am

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

Contact details

Full name of submitter: Suju Wang

Organisation name:

Full name of your agent:

Email address: zzwanz@hotmail.com

Contact phone number: 0274205858

Postal address:
PoBox301316 alban 0752 northshore Auckland

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 10 Upgrade to Wainui Road

The specific provisions that my submission relates to are:

The property is at 462 wainui road silverdale 0992. I am owner of the property and write to advise that I oppose the requirement proposals as they will have a detrimental effect on my land and also on my wellbeing. I request that changes be made to alleviate these effects in all respects please be advised that I wish to be heard

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:
the proposals will cause a detrimental effect on my land

I or we seek the following recommendation or decision from Auckland Council:
the proposals of roundabout will cause serious problem of the land

Submission date: 14 December 2023

Attend a hearing

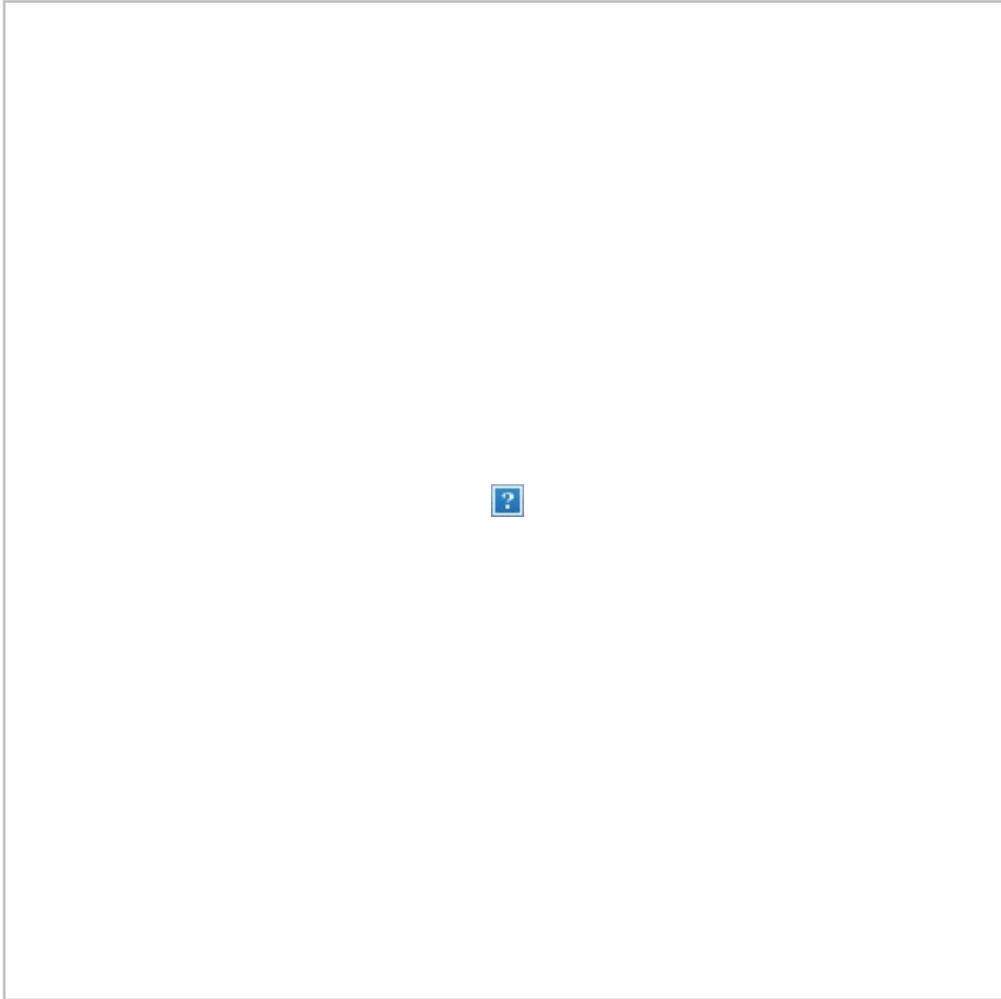
Do you wish to be heard in support of your submission? Yes

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 requirement for designation North : NOR10 Upgrade to Wainui Road that is subject to notification

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

To: Auckland Council

SUBMITTER DETAILS

Name of Submitter: Geert and Susan Geertshuis

1. Geert and Susan Geertshuis makes this submission on North: NOR10 Upgrade to Wainui Road ("NOR10") lodged by Auckland Transport ("AT") to the Auckland Unitary Plan - Operative in Part ("AUP:OP") in accordance with Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991 ("RMA") as follows.
2. Geert and Susan Geertshuis could not gain advantage in trade competition through this submission.
3. Geert and Susan Geertshuis **wish to be heard** in support of their submission.
4. If any other submitters make a similar submission, Geert and Susan Geertshuis will consider presenting a joint case with them at the hearing.

OVERVIEW

5. Geert and Susan Geertshuis own land at 348 Wainui Road, Upper Orewa legally described as Lot 1 DP 75493. The site has an area of 5000m² and contains a dwelling and a minor dwelling which have been the subject of recent renovations.
6. **Figure 1** below shows an aerial image of 348 Wainui Road, Upper Orewa.





Figure 1. Aerial image of site

- The property is zoned as Future Urban under the Auckland Unitary Plan – Operative in Part. Refer to **Figure 2** below:



Figure 2. AUP-OP zoning of site

NOR10

- NOR10 proposes an upgrade to Wainui Road between Lysnar Road and the roundabout just south of the Gull Service station adjacent to SH1. The submitted AEE states that *Wainui Road will be upgraded to a two-lane urban arterial route with separated walking and cycling facilities on both sides of the carriageway. The upgrade to Wainui Road is required to support current and future urban development in the Milldale and Wainui areas and improve safety and connectivity for all modes. The project scope includes the roundabout linking to NoR 6 – New Connection between Milldale and Grand Drive, given the likelihood that NoR 10 – Wainui Road construction will occur prior to NoR 6.*



9. The proposed designation boundary for NOR10 extends completely over the property at 348 Wainui Road and it identifies an 'indicative construction area' on the site – refer to **Figure 3** below:

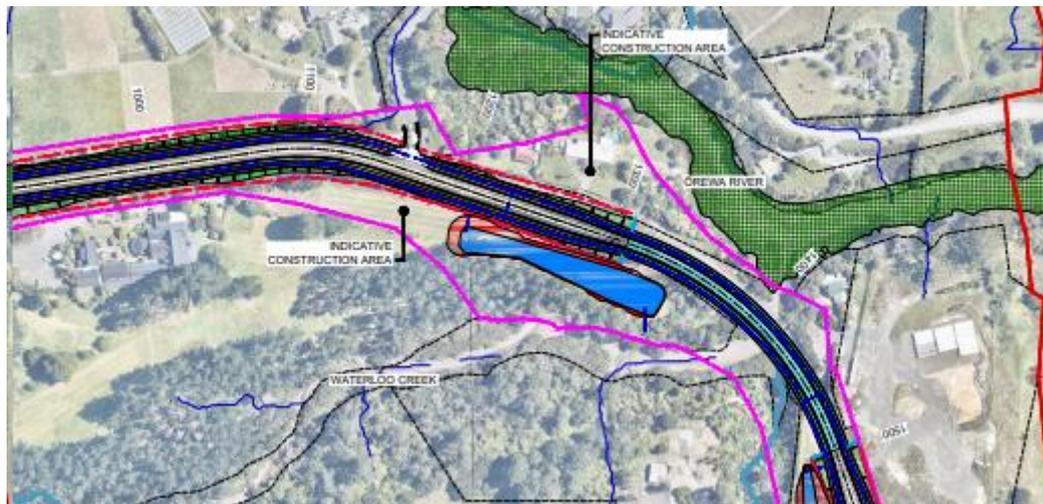


Figure 3. NOR10 proposed designation boundary.

SCOPE OF SUBMISSION

10. This submission relates to NOR10 as a whole, but specifically the extent of the designation boundary which extends over the property at 348 Wainui Road as well as the identification of an 'indicative construction area' on the property.
11. Geert and Susan Geertshuis have an interest in NOR10 that is greater than the interest of the general public because the proposed designation boundary for NOR10 extends completely over their property at 348 Wainui Road.
12. Geert and Susan Geertshuis support the intent of NOR10, however opposes the extent of the designation boundary and the identification of an indicative construction area on their property.
13. Auckland Transport have not provided adequate consideration to alternative sites, or methods with respect to the 'indicative construction area' identified on 348 Wainui Road. There are other alternative locations for a construction site. A large area of land, approximately 1 hectare, directly on the opposite side of Wainui Road is identified as an indicative construction area noting that this land will also provide a stormwater pond. The Construction Area Requirements report submitted with NOR10 states that construction areas for larger scale projects is up to 10,000m².
14. The Project is in close proximity to Silverdale and there are multiple options for construction areas within this location. There are also significant areas of road reserve within the nearby area that could be used for construction areas.

15. Auckland Transport is seeking a 20-year lapse period; if Auckland Transport do not remove the designation from 348 Wainui Road then early acquisition will be required.
16. The extent of the proposed designation over the entire land area of 348 Wainui Road is not reasonably necessary for achieving the objectives of the project; the upgrade of Wainui Road itself does not extend over 348 Wainui Road. It is noted that a bridge is to be constructed to the east of 348 Wainui Road; there will be multiple methods of construction for the bridge. In fact, the construction area is identified 'indicative' rather than being necessary. There is no information provided as to why 348 Wainui Road has specifically been selected as an indicative construction area nor why such a large construction area is required for the project particularly in light of the site location in close proximity to Silverdale which has a large area of industrial land which could provide for construction yards etc.
17. In addition to the above, given the topography of 348 Wainui Road and its location directly adjacent to a watercourse it is questionable as to whether this is a suitable place for a construction yard.

RELIEF SOUGHT

18. Geert and Susan Geertshuis seek the following recommendation or decision from Auckland Council on NOR10:
 - a. Refuse NOR10 in its current form.
 - b. Remove the proposed designation, and indicative construction area, from 348 Wainui Road
 - c. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Diana Bell
Manager | Planner
The Planning Collective Limited

Address for Service:

The Planning Collective Limited
Attn: Diana Bell
PO Box 591, Warkworth, 0941
Ph: 021382000
Email: diana@thepec.co.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

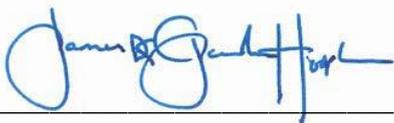
Relief sought

- 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



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

Date: 14 December 2023

To: Te Tupu Ngātahi – Supporting Growth Alliance | Auckland Transport

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

Address for Service: Woods
8 Nugent Street
Grafton, Auckland

Attention: Emma Howie, General Manager – Planning & Urban Design

Phone: 027 572 2220

Email: Emma.howie@woods.co.nz

Submission on Notice of Requirement by Te Tupu Ngātahi Supporting Growth on behalf of Auckland Transport for NoR 10 - North: Upgrade to Wainui Road

SUMMARY

- 1) Te Tupu Ngātahi Supporting Growth Alliance (“**Te Tupu Ngātahi**”) has lodged 13 Notices of Requirement (“**NoR**”) for the North Projects. This submission by Fulton Hogan Land Development Limited (“**FHLD**”) relates to:
 - NoR 10 – North: Upgrade to Wainui Road – Auckland Transport.
- 2) NoR 10 is proposed to designate land for future strategic transport corridors as part of Te Tupu Ngātahi Supporting Growth Alliance in the North area of Auckland. These projects form the North Projects, under the Te Tupu Ngātahi Supporting Growth Programme. The North Projects are intended to support future urban growth in the North area of Auckland and protect land for future development of these transport corridors/stations over the next 30 years or more.
- 3) FHLD is one of New Zealand’s largest land development companies and contributes to residential and commercial development across the country. The Milldale project is one of FHLD’s greenfield developments at Wainui, North of Auckland.
- 4) The Milldale project will be directly affected by NoR 10 as it relates to the upgrade to the Wainui Road and Lysnar Road intersection. The extent of land to be designated under NoR 10 will unnecessarily blight land within the Milldale development area for up to 20 years, restricting the ability for FHLD to progress development of residential zoned land on the corner of Wainui and Lysnar Road.
- 5) FHLD generally supports the provision of providing transport choices and encouraging a mode shift to sustainable transport modes as the population of North Auckland continues to grow.
- 6) As currently lodged, FHLD **opposes** NoR 10 – North: Upgrade to Wainui Road due to the adverse effects and significant implications that the designation will have on its future development plans for its landholding.
- 7) FHLD wishes to be heard in support of its submission.

OVERVIEW OF FULTON HOGAN LAND DEVELOPMENT

- 8) Milldale is a master-planned community designed to provide 4,500 dwellings, commercial land for a local centre, public parks, riparian reserves, cycleways and walkways, and education facilities. Earthworks and subdivision consents have been approved by Auckland Council for the first six stages of Milldale, with approximately 2,300 residential lots consented to date. New dwellings have been constructed in Stages 1 to 5 with more under construction. Milldale incorporates all land owned and controlled by FHL located within the Wainui Precinct.
- 9) The Wainui Precinct Plan was a result of submissions and evidence at the Auckland Unitary Plan Independent Hearing Panel ("IHP") hearings, where approximately 305HA of land in the Wainui Precinct was rezoned to a range of urban zones including Single House Mixed Housing Suburban, Mixed Housing Urban, Terrace Housing and Apartment Buildings zone, as well as Local Centre and Neighbourhood Centre. The structure plan and master plan presented to the IHP became embedded in the AUP by way of the site's zoning and in the form of the Wainui Precinct Plan.
- 10) The Wainui Precinct Plan identifies the indicative road layout, key pedestrian links, streams and reserve edge roads. The Precinct provisions ensure development occurs in a staged manner according to the provision of infrastructure with water, wastewater, and transport infrastructure providers.
- 11) FHL is therefore a considerable stakeholder in terms of activities that may impact existing and future areas within the Milldale area.

OVERVIEW OF FULTON HOGAN LAND DEVELOPMENT LAND INTERESTS IN RELATION TO NOR 10

- 12) Earthworks and subdivision consents have been approved by Auckland Council for the first six stages of Milldale. FHL is looking to consent and develop the final stages within the next three years. Milldale Stage 10 is located in the northern part of the precinct and is bordered by Wainui Road and Lysnar Road with an underlying zoning of Residential – Mixed Housing Suburban and Single House zone.
- 13) FHL have an Infrastructure Funding Agreement ("IFA") with Council requiring the upgrade of the Wainui/Lysnar Road intersection and have an approved resource consent to upgrade this intersection to a T formation. A consent variation will be lodged with Council shortly to reflect a modified design recently agreed with Auckland Transport.
- 14) NoR 10 seeks to designate a large area of the Milldale Stage 10 as illustrated in **Figure 1** below.

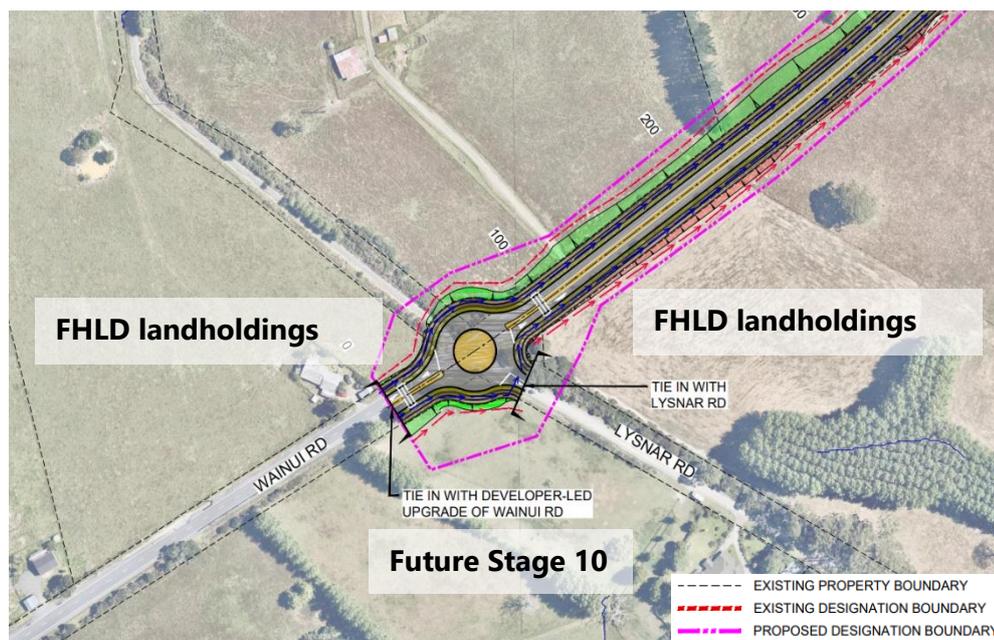


Figure 1: Location of NoR 10 (identified in pink outline) in relation to the future Milldale Stage 10 site to the south of Wainui and Lysnar Road

FULTON HOGAN LAND DEVELOPMENT LIMITED SUBMISSION

- 15) The extent of NoR 10 is directly over FHLD landholdings. FHLD has planned to complete works for Milldale Stage 10 over the next three years and proposes to construct the pedestrian/cycling path network at the intersection of Wainui and Lysnar road to account for the ultimate roundabout design (**Figure 2**). The area of land to be designated through NoR 10 is over and above what should reasonably be required to complete construction of the Wainui and Lysnar intersection upgrades.
- 16) Once works have been completed by FHLD there is no longer the need for the designation to cover the area of land identified on the plan at **Figure 2**. The extent of NoR 10 well exceeds the road corridor on the southern side of Wainui at the intersection with Lysnar.
- 17) The implications of over-designating this area of land for a period of up to 20 years are significant and will result in this land being sterilised and unable to be developed for its envisioned purpose under the Wainui Precinct Plan until such time works are completed by Auckland Transport. Consequently, FHLD will be unable to create and sell residential lots within this area of Milldale limiting the anticipated delivery of new homes.
- 18) As part of the Milldale development, the Wainui/Lysnar intersection will be constructed with the roundabout futureproofed so that the paths on the Milldale side of the intersection will be constructed by FHLD in their final location and all future works will occur within the road reserve and Future Urban Zone land (including some owned by FHLD) to the north of Milldale (**Figure 2**). This ensures the intersection is future-proofed for Auckland Transport in that it will require minimum rework when Auckland Transport is looking to carry out its roading upgrades. Discussions have been held between Auckland Transport and FHLD, however these discussions are not reflected in the extent of NoR 10. FHLD are planning to construct the southern side of this intersection in 2025 and the current extent is significantly larger than the agreed footprint with AT. FHLD have also provided AT the proposed boundaries on the northern side to align with the expected footprint of the intersection upgrade.

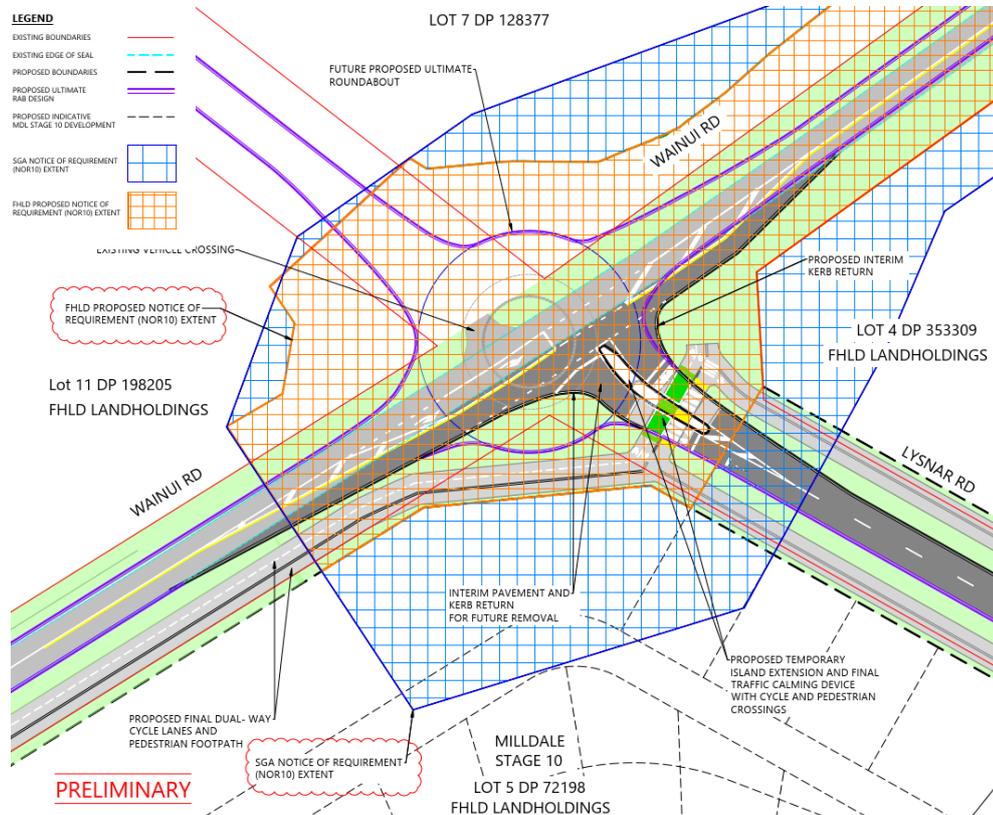


Figure 2: Project Overview – Location of NoR 10 (identified in blue hatch) in relation to the future Milldale Stage 10 site to the south of Wainui and Lysnar Road, other FHLD landholdings, and proposed future roundabout. The orange hatch represents FHLD's preferred extent of NoR.

- 19) In addition to seeking the designation extent being pulled back to the road boundary as identified on **Figure 2** above, FHLD has a number of concerns with conditions included in NoR 10 including:
- Designation Review (condition 3) – this condition does not compel the Requiring Authority to reduce the extent of its designation in response to works carried out by other parties. This could result in works being completed by others, and no reduction to the designation being made. Amendments to this condition should be made or a provision inserted into the Land Use Integration Process condition.
 - Lapse Date (condition 4) – 20 years is considered unnecessary to hinder development from occurring on residentially zoned land in favour of a transport project. A reduced lapse date of 5 – 10 years should be imposed.
 - Land Use Integration Process (condition 10) – the timeframes to implement this condition following confirmation of the designation will not enable FHLD to progress its development in this area which is likely to be in advance of this condition being given effect to. Specifically, a 12-month process to appoint a nominated contact is considered unduly long.
 - Land Use Integration Process (condition 10) – this condition does not require the requiring authority to reduce the extent of the designation as a result of information received or works carried out by developers within the designation extent.
 - Urban and Landscape Design Management Plan (condition 11) – this condition does not include the requirement to take into account any feedback or input from stakeholders, in particular those where the designation overlaps their landholding.

RELIEF SOUGHT

- 20) As currently lodged, FHLD **opposes** NoR 10 – North: Upgrade to Wainui Road due to the adverse effects and significant implications that the designation will have on its future development plans for its landholding.
- 21) To ensure effects associated with the NoR 10 on the Milldale Development are appropriately managed, it is requested that amendments the designation are adopted by Te Tupu Ngātahi. The amendments sought include:
- a) Reduce the extent of NoR 10 from FHLD landholdings to align with the proposed FHLD designation shown on Figure 2;
 - b) Amend the designation review condition;
 - c) Reduce the lapse period from 20-years;
 - d) Amend the Land Use Integration process condition;
 - e) Amend the Urban and Landscape Design Management Plan condition; and
 - f) Such further or other consequential amendments to NoR 10 may be necessary to address the concerns set out in this submission.
- 22) FHLD wishes to be heard in support of its submission.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1214] Notice of Requirement online submission - Cole McCallion
Date: Thursday, 14 December 2023 3:00:45 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 10 Upgrade to Wainui Road
The specific provisions that my submission relates to are:
2 Upper Orewa Road, 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 timefame? 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:
I want more details

Submission date: 14 December 2023

Attend a hearing

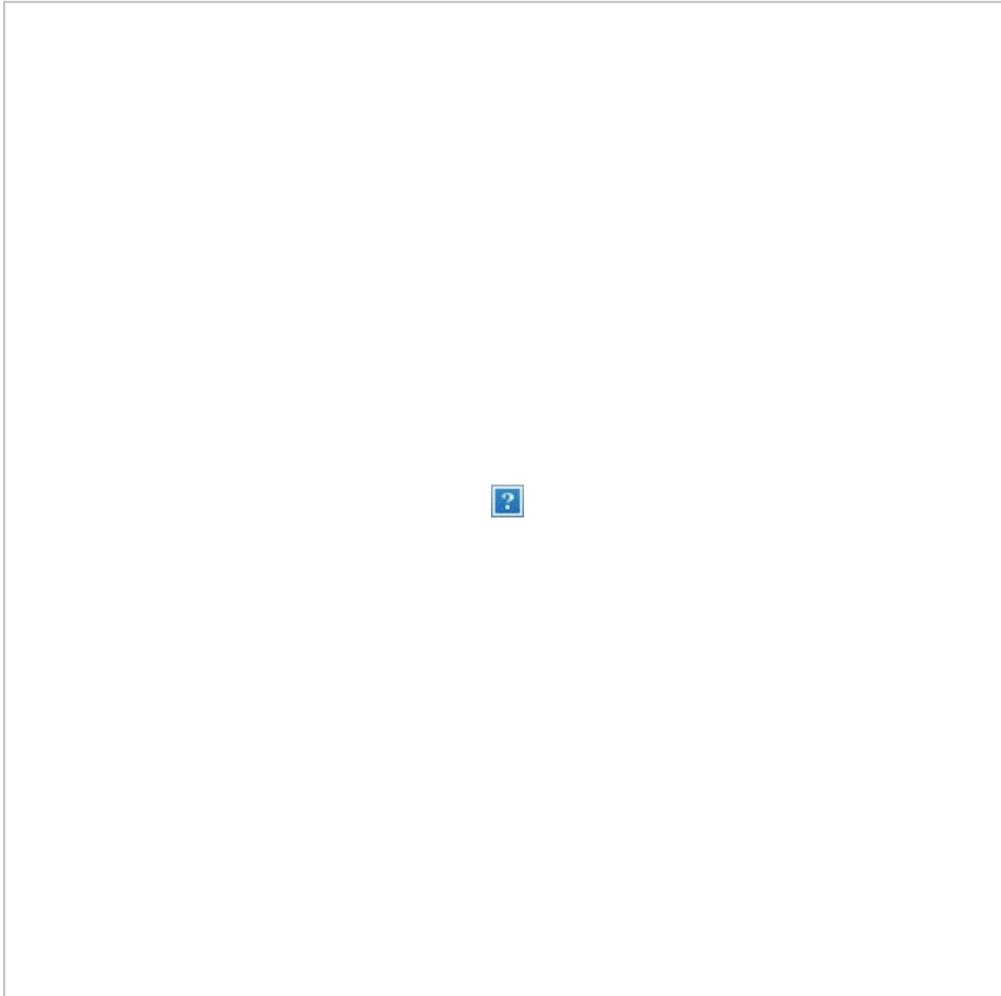
Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
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:1242] Notice of Requirement online submission - RICHARD TIMOTHY HOSKING
Date: Thursday, 14 December 2023 5:45:39 pm

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

Contact details

Full name of submitter: RICHARD TIMOTHY HOSKING

Organisation name:

Full name of your agent:

Email address: futuresteelbuildingltd@gmail.com

Contact phone number: 021 980 840

Postal address:
Box 400 Silverdale
SILVERDALE
Auckland 0944

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 10 Upgrade to Wainui Road

The specific provisions that my submission relates to are:

Purchasing of my property at 401 WAINUI RD UPPER OREWA

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:

I am 76 years of age and wish to have the whole property purchased and wish to stay on as it will take me plenty of time(years)to prepare my departure(I am an aging old bloke

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

I have lived here for 38 years !

Submission date: 14 December 2023

Attend a hearing

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

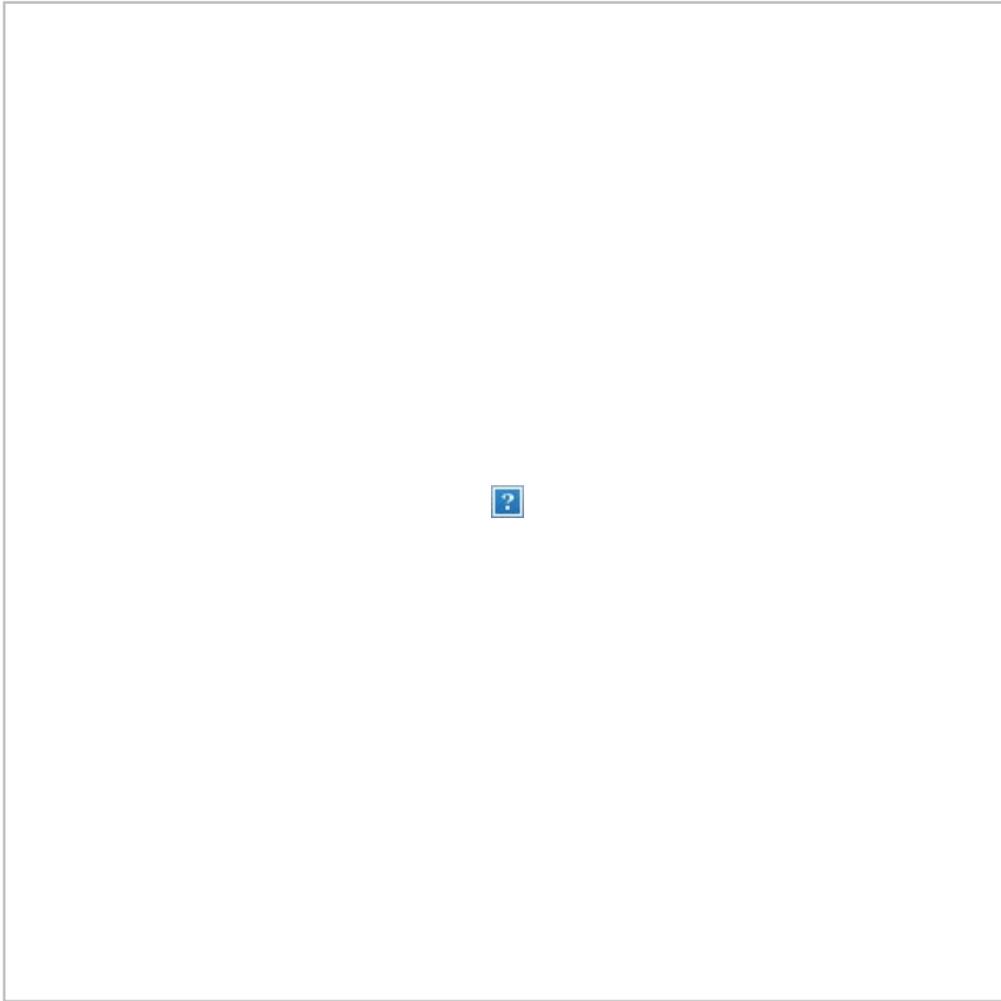
Would you consider presenting a joint case at a hearing if others have made a similar submission?

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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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**,

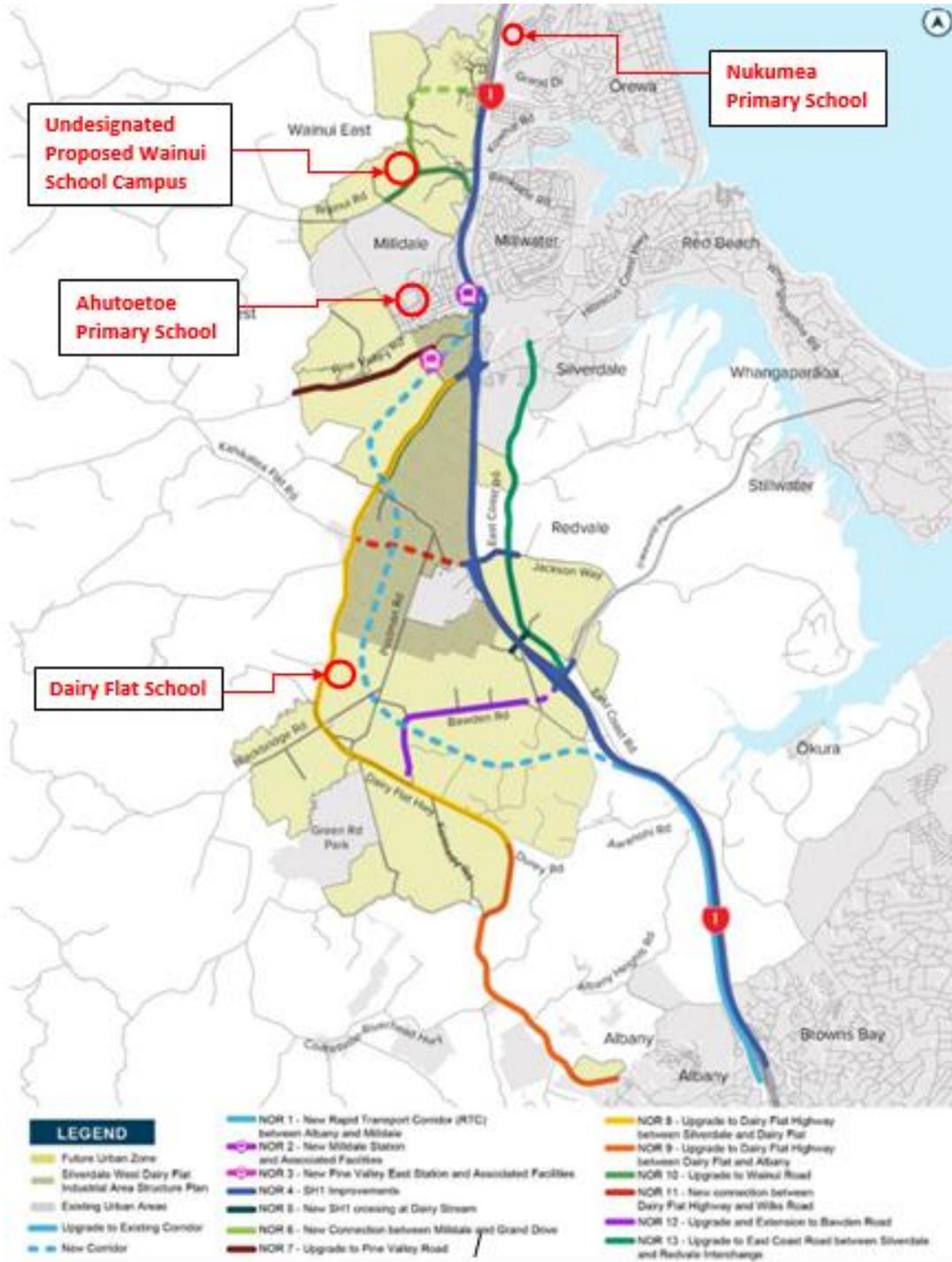


Figure 1: Project Overview - Location of NoRs in relation to the Ministry of Education's School Network.

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.

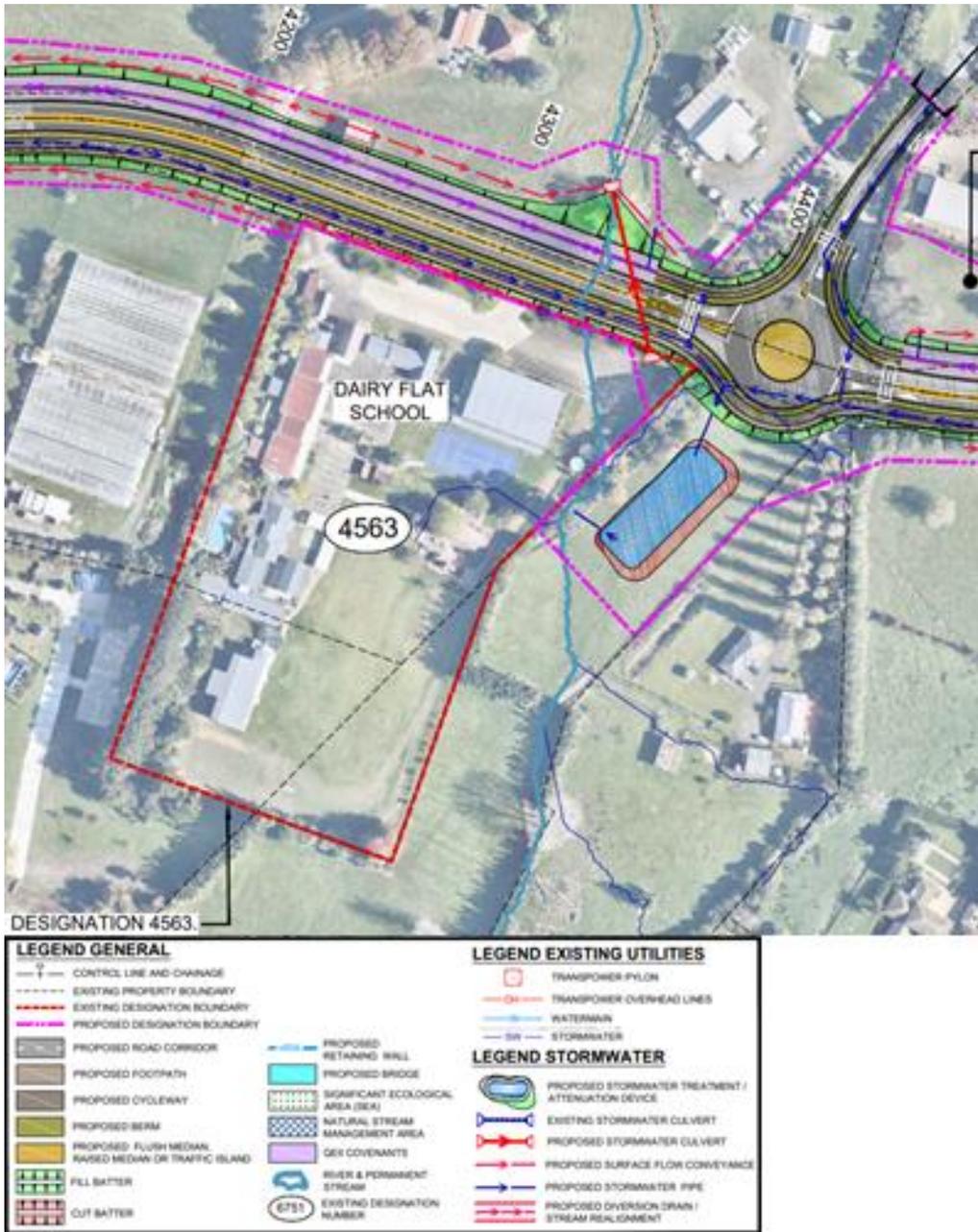


Figure 2: Proposed works in proximity to the Dairy Flat School

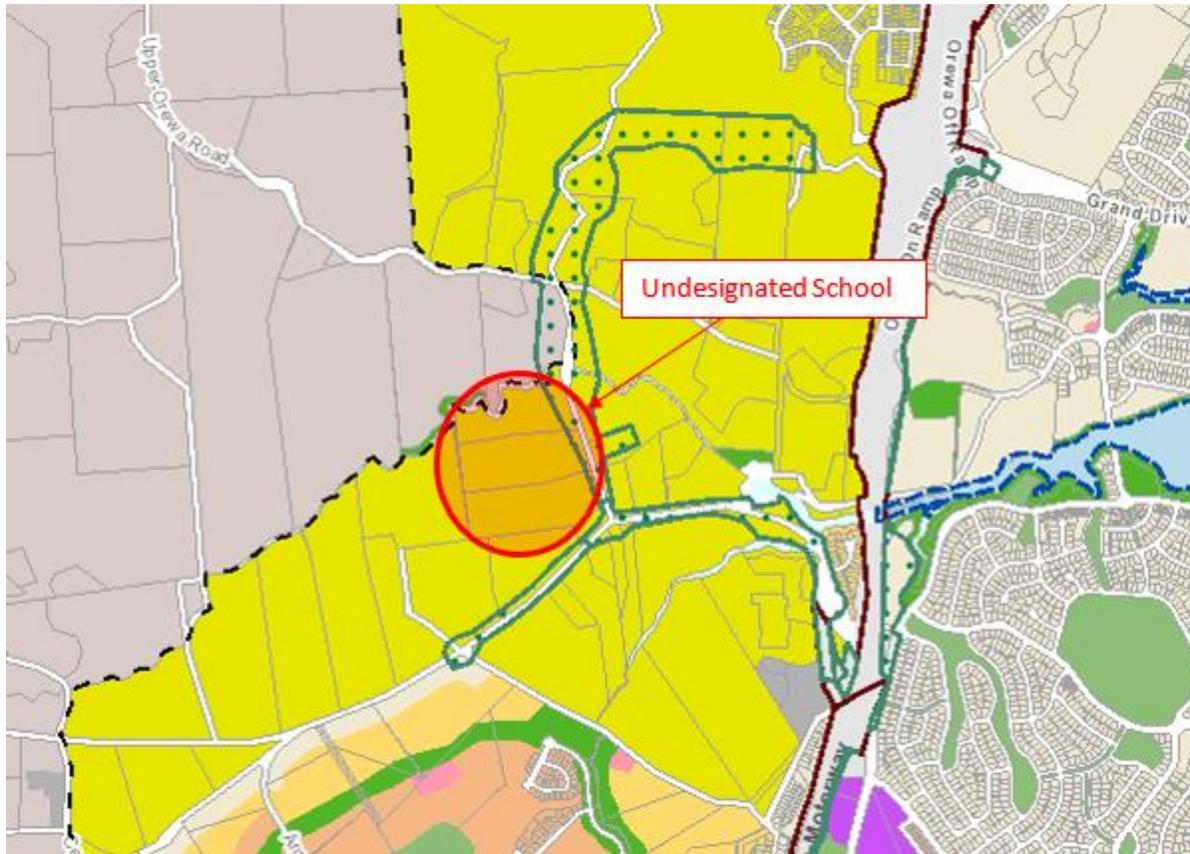


Figure 3: NoR 6 and 10 Footprints in relation to proposed Wainui School campus on Upper Orewa Road

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 that tapers to the right.

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.

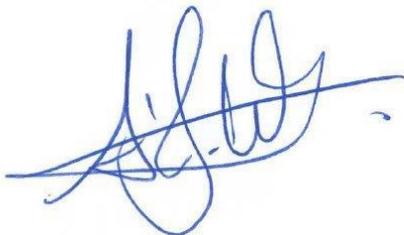
5. RECOMMENDATION SOUGHT

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 10) Upgrade to Wainui 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.

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1009] Notice of Requirement online submission - Chu- Ping Wu
Date: Saturday, 25 November 2023 9:00:08 pm

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

Contact details

Full name of submitter: Chu- Ping Wu

Organisation name:

Full name of your agent:

Email address: ttajok@gmail.com

Contact phone number: 0211408059

Postal address:

1 Nigel Road
Browns Bay
Auckland 0630

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

The specific provisions that my submission relates to are:

Property Address: 759 Dairy Flat Highway The exact area of the land is considered to be involved in the urban plan. From the drawing, the area is cut out from where the property is located and looks almost 1/4 of the land size. We are concerned that it will affect our underground work and the structure of the house. We have very little knowledge of this project and a lot of the information on the website is extremely difficult for us to understand. Too many technical languages require further explanation.

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:

There is not enough communication around this development. We only received a letter from Auckland Transport and attended a meeting with an interpreter. The interpreter told us that more information would be given to us but we haven't received anything. The lack of communication is one of the concerns and most importantly, we love our farm and we are worried about how it will take away our farm and its value.

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

I would like to keep my property the way it is. If the council needs very little of the land, we need to know more about the process, how much exactly the land it is taking away and the effect on our property.

Submission date: 25 November 2023

Attend a hearing

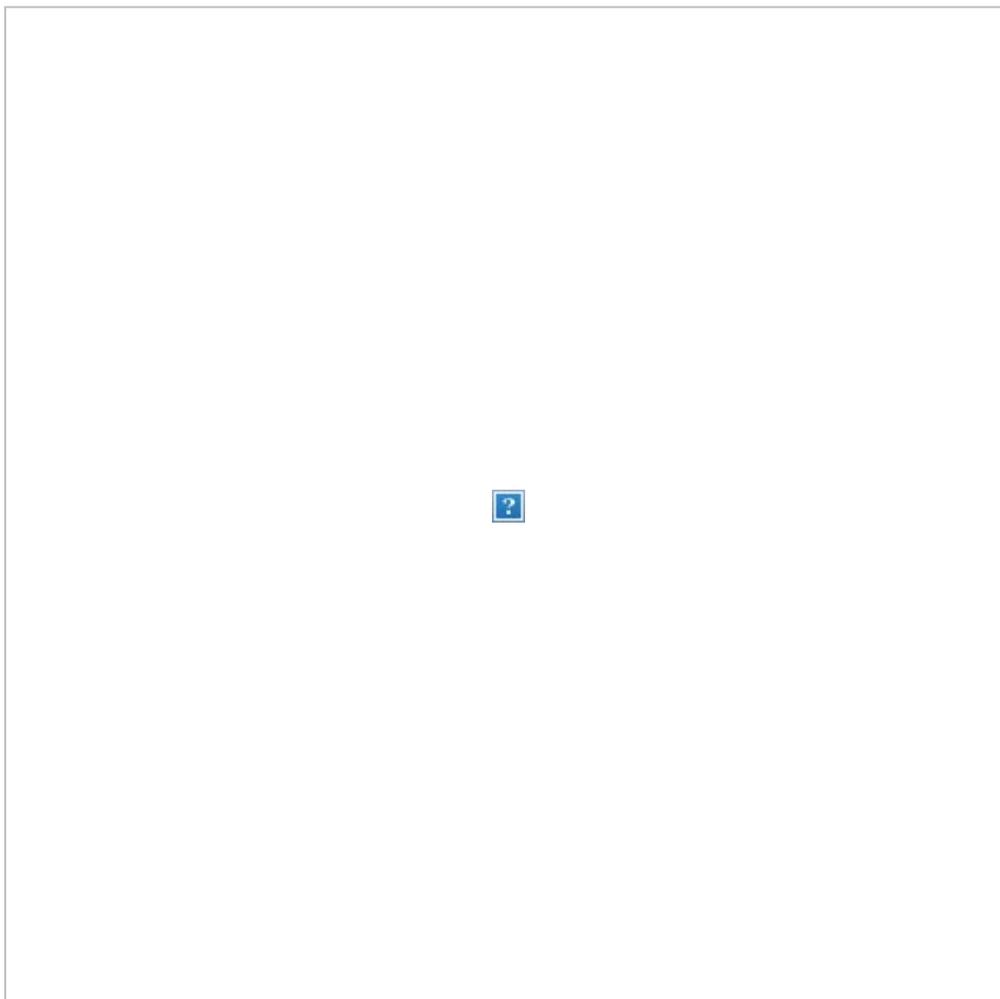
Do you wish to be heard in support of your submission? Yes

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:1024] Notice of Requirement online submission - Geoff Upson
Date: Sunday, 3 December 2023 12:45:12 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 11 New Connection between Dairy Flat Highway and Wilks Road

The specific provisions that my submission relates to are:
the concerns i have with this is the lack of priority given to through traffic

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:
i think its great to have a new connection from kahikatea flat road to a new motorway on ramp however i have massive concerns that priority will not be given to existing through traffic. i think consideration should be given to an interchange with onramp and off ramps similar to the motor way interchanges where traffic goes over or under instead of all being forced into an intersection where safety conflicts occur and often delays and frustration occurs

I or we seek the following recommendation or decision from Auckland Council:
i would like to see a fly over (or underpass) to allow for traffic coming from areas such as wellsford/ kaukapakapa / helensville etc via kahikatea flat road to safely and efficiently get between state highway 16 and state highway 1 this is vital that we keep through traffic seperated from local traffic due to the safety concerns which occur when long distance commuters are subjected to unnecessary conflicts with local traffic. we also need to protect safe speed limits of 100km/h for long distance travel. and having the intersections the way they have been designed doesn't allow for the safer travel speed of 100km/h

Submission date: 3 December 2023

Attend a hearing

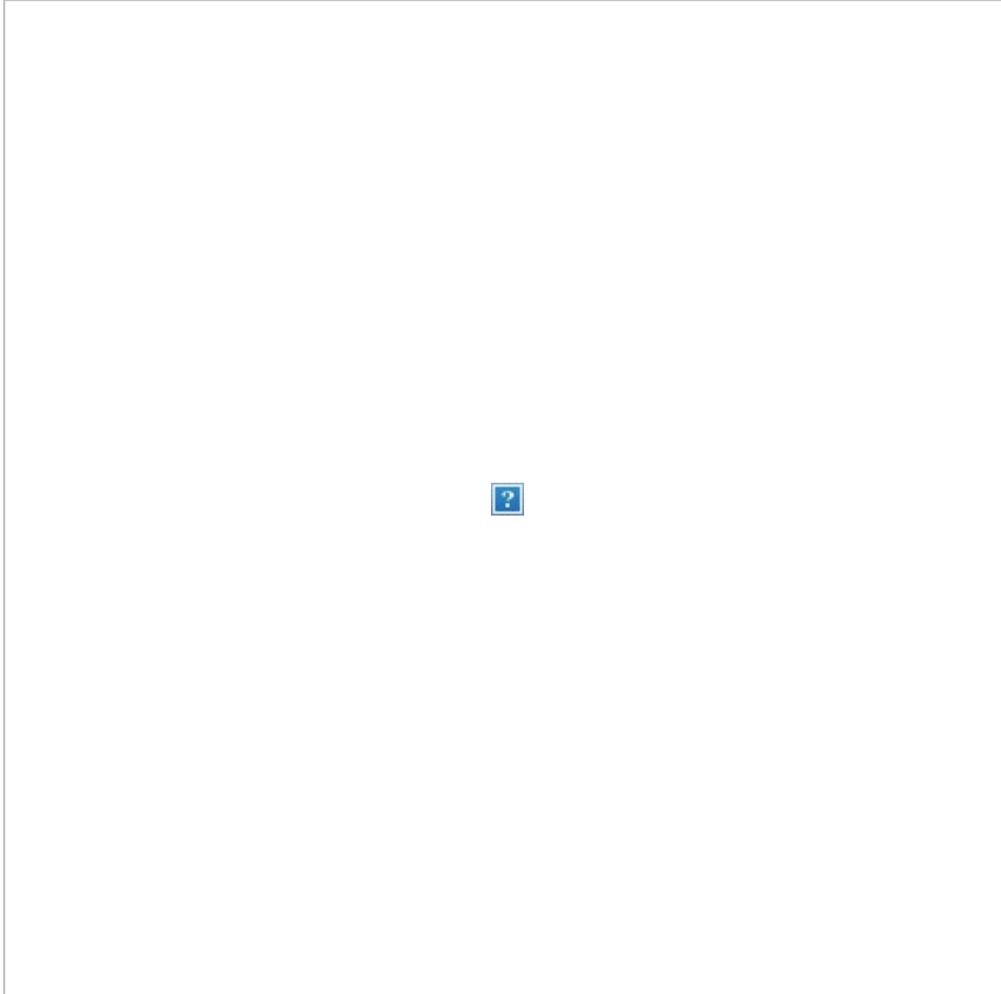
Do you wish to be heard in support of your submission? Yes

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:1034] Notice of Requirement online submission - Rui Wang
Date: Monday, 4 December 2023 10:15:35 pm

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

Contact details

Full name of submitter: Rui Wang

Organisation name:

Full name of your agent:

Email address: jessicawang816@gmail.com

Contact phone number:

Postal address:

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

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:

it is easier to communicate, less traffic on SH1 if more exits along it.

I or we seek the following recommendation or decision from Auckland Council:
we support the notice of requirement

Submission date: 4 December 2023

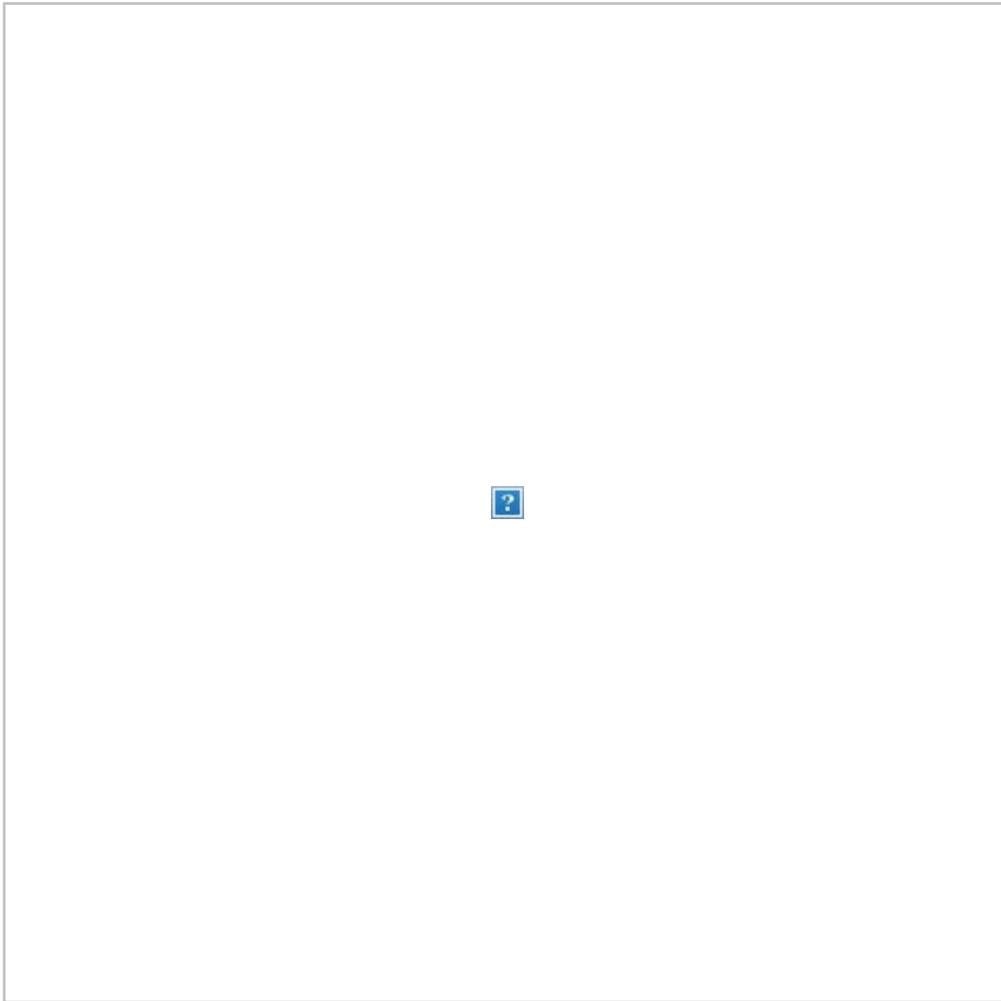
Attend a hearing

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:1079] Notice of Requirement online submission - Lloyd Morris
Date: Sunday, 10 December 2023 9:00:13 pm

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

Contact details

Full name of submitter: Lloyd Morris

Organisation name:

Full name of your agent:

Email address: Ldmorris@actrix.co.nz

Contact phone number: 021 493 360

Postal address:
47A Donaldson Drive,
RD3 Albany
Auckland 0793

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

The specific provisions that my submission relates to are:
336 Postmans Road - Private residence North Shore Airport Postmans 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:
336 Postmans Road - The alignment of the proposed road passes through the middle of the home.
- The NOR designation is unfunded, has an uncertain if ever implementation date. - This method of NOR designation is an abuse of the intent of the RMA Act. - Designation via the Auckland Council District Plan instrument is a "planning blight" that sterilises the property, making it impossible for the owner to reasonably deal with the property as they see fit (who wants to buy a property with a road designation through the middle of the house) North Shore Airport - The installation of streetlights on Wilks Road will create light spill around and under the NS Airport boundary at night, that has a strong unmitigated potential to interfere with night aircraft operations and the potential to create confusion with the aircraft runway lights and runway location during the most critical landing phase of flight. - Height of the streetlight poles could intrude into the bottom of the runway 21 and 03 approach fans.

I or we seek the following recommendation or decision from Auckland Council:
336 Postmans Road - We seek that the alignment be moved clear of the main home, not through the middle as it currently is. - If the home needs to be sold there needs to be a mechanism to force the requiring authority to buy the property quickly through the PWA due process in a reasonable timeframe. Note : Requiring authorities have the ability to draw out the process for years which is an abuse of privilege. North Shore Airport - Make sure that the height of the street light poles does not impact the safety of the Airport. - Ensure that light is correctly designed so as not to endanger existing safety of operations of the Airport. - If either of those two imperatives are unable to be accomplished then mover the Wilk Road alignment to a position that does not impact Airport operations.

Submission date: 10 December 2023

Attend a hearing

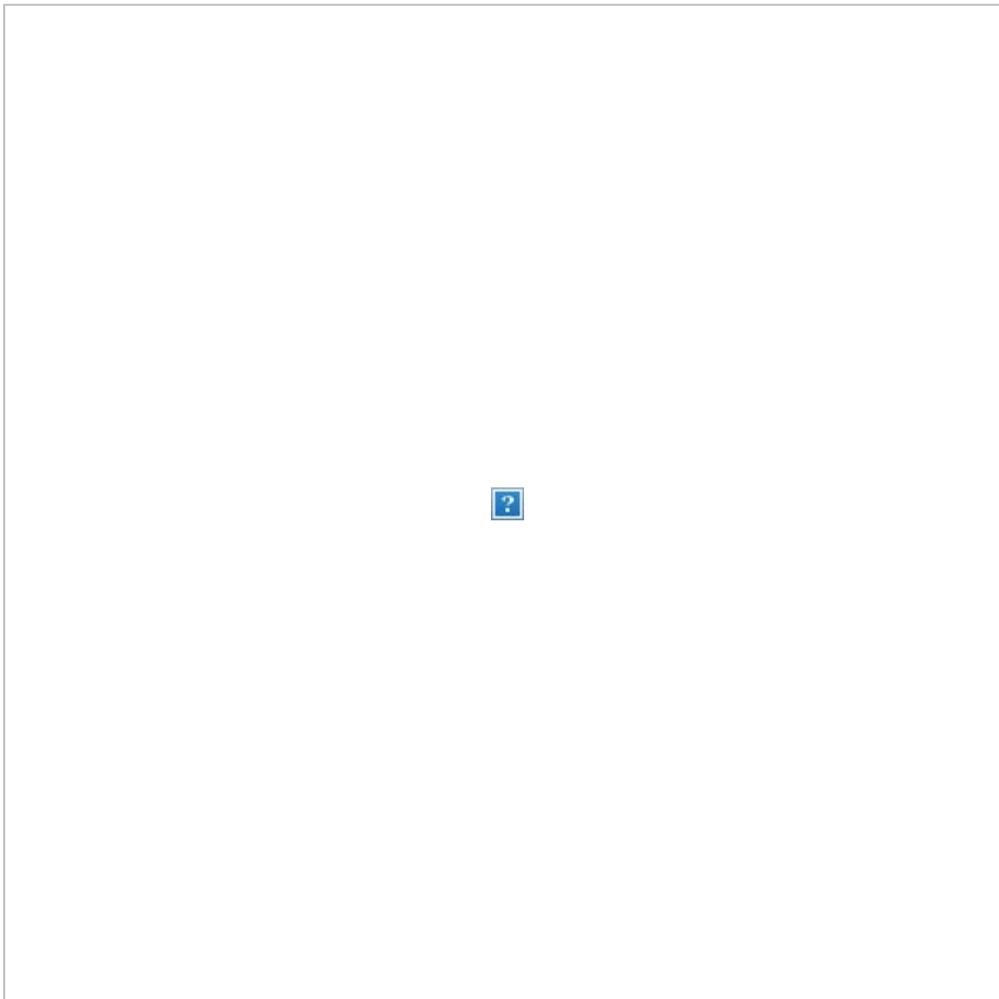
Do you wish to be heard in support of your submission? Yes

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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Auckland Council
 Private Bag 92300
 Auckland 1142
 unitaryplan@aucklandcouncil.govt.nz
 Attn Mr J Duguid – Manager Plans & Places

Auckland Transport
 submissions@supportinggrowth.nz

RE: Joint Notification of Notices of Requirement by Auckland Transport(AT) and Waka Kotahi NZ Transport Agency(WK/NZTA) to protect routes in Dairy Flat , Redvale, Stillwater, Silverdale and Wainui East, dated 13 November 2023.

- **NoR 11 Proposed New Connection between Dairy Flat Highway and Wilks Road.**

My name is **Brian Sutton** and I am submitting my **objection** to the joint application by AT & WK/NZTA for the proposed route protection NoR #11 for a future proposed road connection between Dairy Flat Highway and Wilks Rd, as Resident at **89 Lascelles Drive, Dairy Flat 0794.**

As a directly affected party to this proposal, we have NOT had any communication , advice and dialogue as to affects and how they are proposed to be remedied. **The proposal bisects our only access to the property and our immediate neighbours, leaving us all land locked. Furthermore, the roading concept included within the Notice indicated that , on the assumption that our existing at grade drive access provides both right and left connectivity to Wilks Rd , is potentially severely compromised by the indicative design of the New Wilks Rd , which includes a median strip.**

The relief we request is for the Withdrawal of Notice of Requirement 11 for reasons described below and wish to be heard at the Hearing.

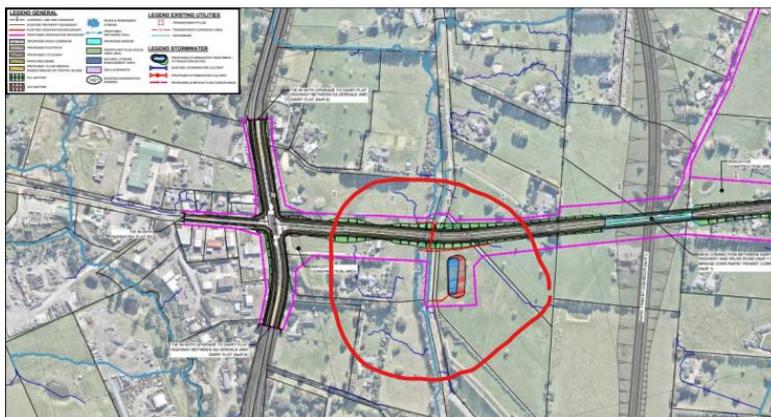


Figure 16-1: NOR11 Connection from Wilks to Dairy Flay Highway

1 Apparent Affect

The existing layout of our properties in Lascelles Drive provides a joint access strip for 5 properties from a shared accessway, commencing at the turning head of Lascelles Drive and running south for 350 m in length, which then continues for another 450m to the last two properties , one being #89.

The proposed new connector road from Kahikatea Flat Junction eastwards to Wilks Rd “bend”, prior to a new motorway interchange bisects our driveway, thereby landlocking 3 of the 5 properties contained within our enclave. These properties are also subject to registered covenants regarding a range of matters including the shared access.

Based upon the plans provided with the Notice, as there has been no direct communication with any of the Owners directly, it appears that the new road is :

- a) Grade separated from our existing accessway;
- b) Landlocks all of the properties;
- c) Has no provision for alternative access;
- d) The new connector road appears to have a median strip, which precludes any right turn from a replacement access point ;

We are therefore suffering loss and seek physical, legal and financial relief, should such a proposal be carried forward. In the first instance, we would have expected some form of formal engagement prior to us receiving the Notice of Requirement, in respect to our existing legal rights and how the clear adverse affects would be mitigated, including access reformation, temporary issues during construction etc. rather than just being left to rely upon our rights under the Public Works Act.

Furthermore, the 25 year time period is excessive. Any such proposal for a new road should be coordinated with what the Long Term Plan for the City and immediate area is i.e within the “near” horizon, and not providing clear certainty as to outcomes. We suffer loss from the confusion created as soon as such a Notice is released, i.e right now, and already other owners in the area attempting to sell, are experiencing buyer resistance due to uncertainty, for such an extended period.

The Assessment of Effects makes reference to “good communication being required to help mitigate the effects” of the proposed projects. We can see by the promoters lack of any direct communication , as just “lip service” in this respect and showing that they “talk the talk” but that’s as far as it goes. The evidence presented by AT refers to a summary of consultation, by the applicant , as below:

“At the commencement of the NoR/AEE preparation phase, the draft designation boundaries for the projects had been determined, enabling more detailed conversations with landowners (see Error! Reference source not found.)”pg 23 AEE.

The error reference within the AEE may confirm that in fact there has been no direct consultation with any of the affected parties in this instance, or even perhaps wider afield.

Accordingly, we request the first step to be withdrawal of the application.

Regards



Resident
89 Lascelles Drive
Dairy Flat 0794

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1099] Notice of Requirement online submission - David Julian Richard Lyndon
Date: Monday, 11 December 2023 6:16:05 pm

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

Contact details

Full name of submitter: David Julian Richard Lyndon

Organisation name:

Full name of your agent:

Email address: djlyndon@icloud.com

Contact phone number:

Postal address:
327 Postman Road
Dairy Flat
Auckland 0794

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

The specific provisions that my submission relates to are:
327 Postman Road, Dairy Flat. Our driveway will be affected, meaning questions over where access to property will be

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:

This property was purchased as a family lifestyle block which was our family dream. This is quickly slipping away with this proposal. The proposed acquirement of our driveway and a new road up the boundary of our property leaves doubt in our mind and prospective buyers as to what we are able to do with our property. This affects access and a certainty in regards to layout of the property. This is also affecting use of the land with no certainty as to what use of land is possible with consents currently not being issued. With a possible NOR being placed on our property with such an indefinite length of time this is essentially landbanking with no benefit to us and free to the prospective acquirer. As an individual landowner we should not be expected to carry the burden of cost or loss of rights in the interim. The current project is unfunded , unsupported and under designed, making it very high risk for all parties. It needs to be reconsidered to better match the current and near term environment for Auckland The current program is a severe prejudice on a well established Countryside Living environment and an imposition that currently has inadequate funding to meet its commitments without further Local and Central government support, on an annual basis. Until it has a long term funding program in place to support early acquisition, there should be no NoR's issued accordingly.

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

We request immediate withdrawal of NOR11

Submission date: 11 December 2023

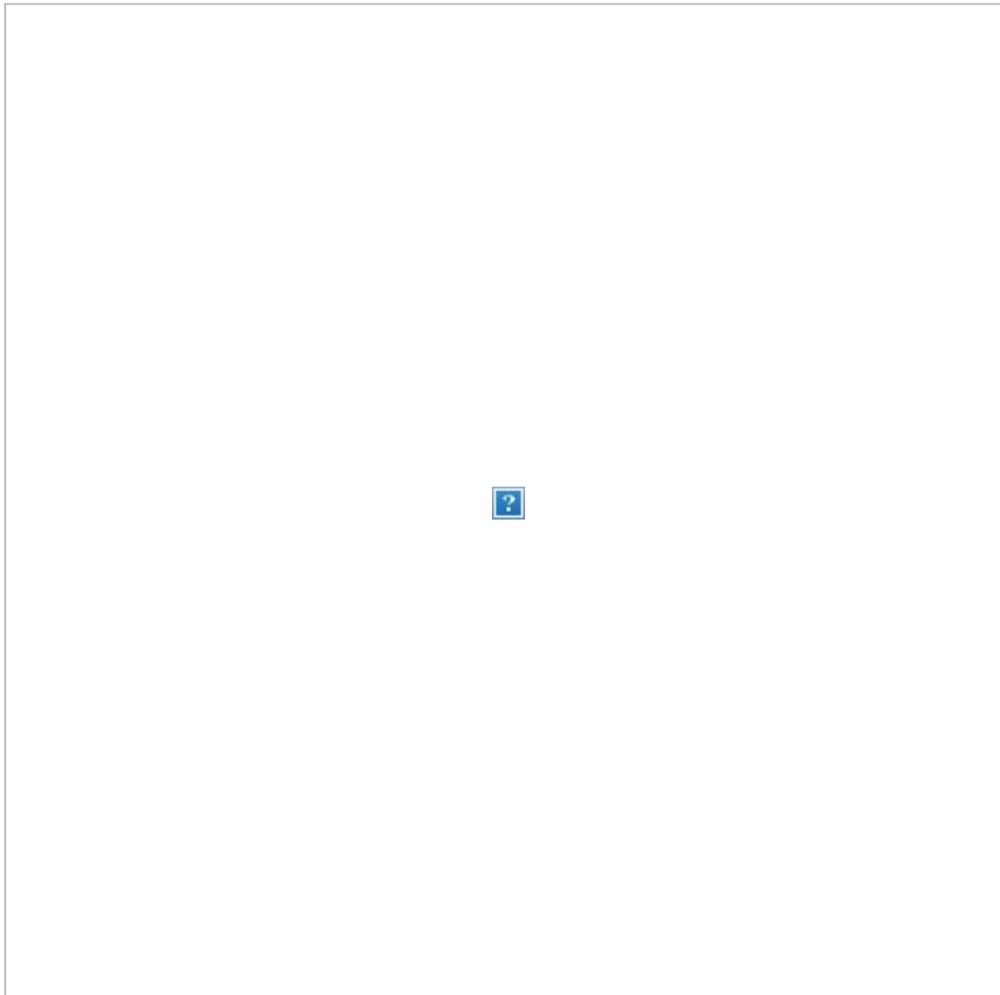
Attend a hearing

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:1100] Notice of Requirement online submission - Jianmin Jiao
Date: Monday, 11 December 2023 7:01:03 pm

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

Contact details

Full name of submitter: Jianmin Jiao

Organisation name:

Full name of your agent:

Email address: jjm197406@163.com

Contact phone number:

Postal address:
65 lascelles Dr
Dairy Flat
Auckland 0974

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

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:

This plan Has waited for Many years, we agreed thus plan, we just want it to be made quickly

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

We agreed with this plan

Submission date: 11 December 2023

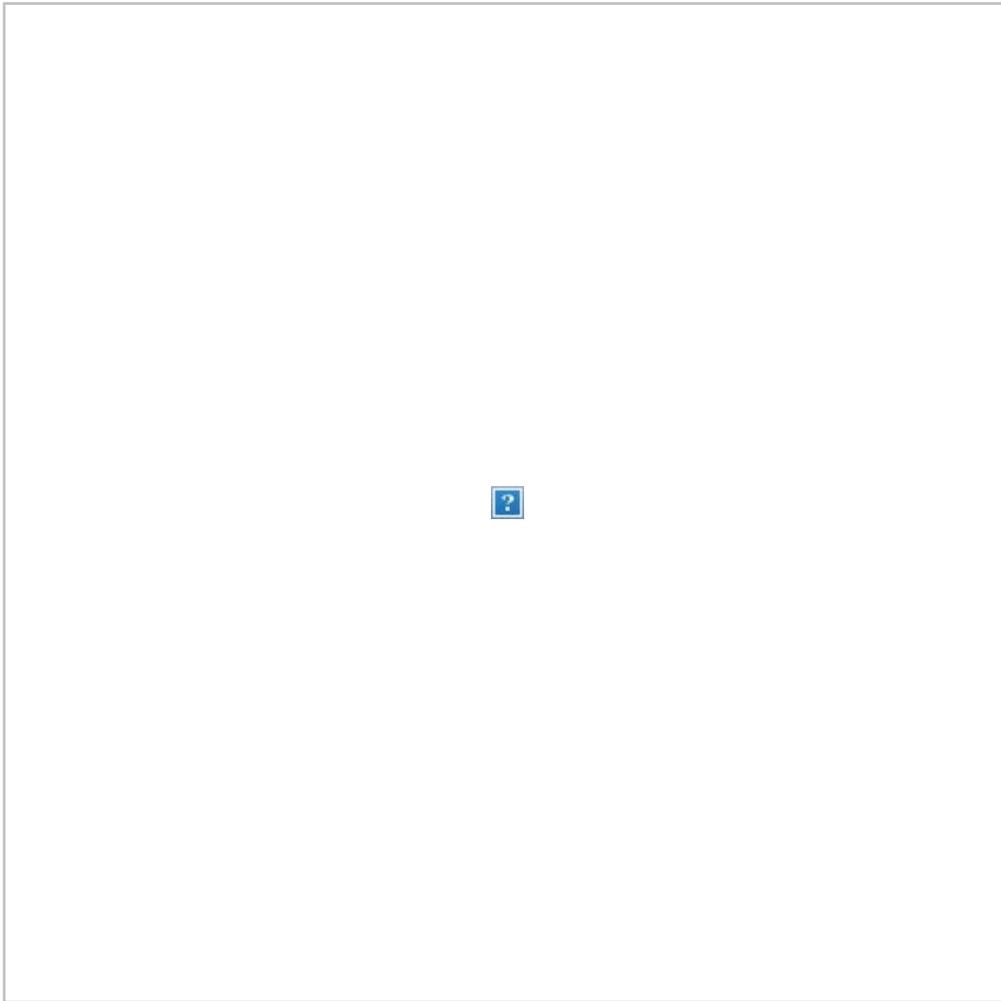
Attend a hearing

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:1123] Notice of Requirement online submission - Manuhiri Kaitiaki Charitable Trust
Date: Tuesday, 12 December 2023 2:15:23 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 11 New Connection between Dairy Flat Highway and Wilks 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 interfacing projects, ensuring a culturally respectful and sustainable approach to development. Thank you for your attention.

Submission date: 12 December 2023

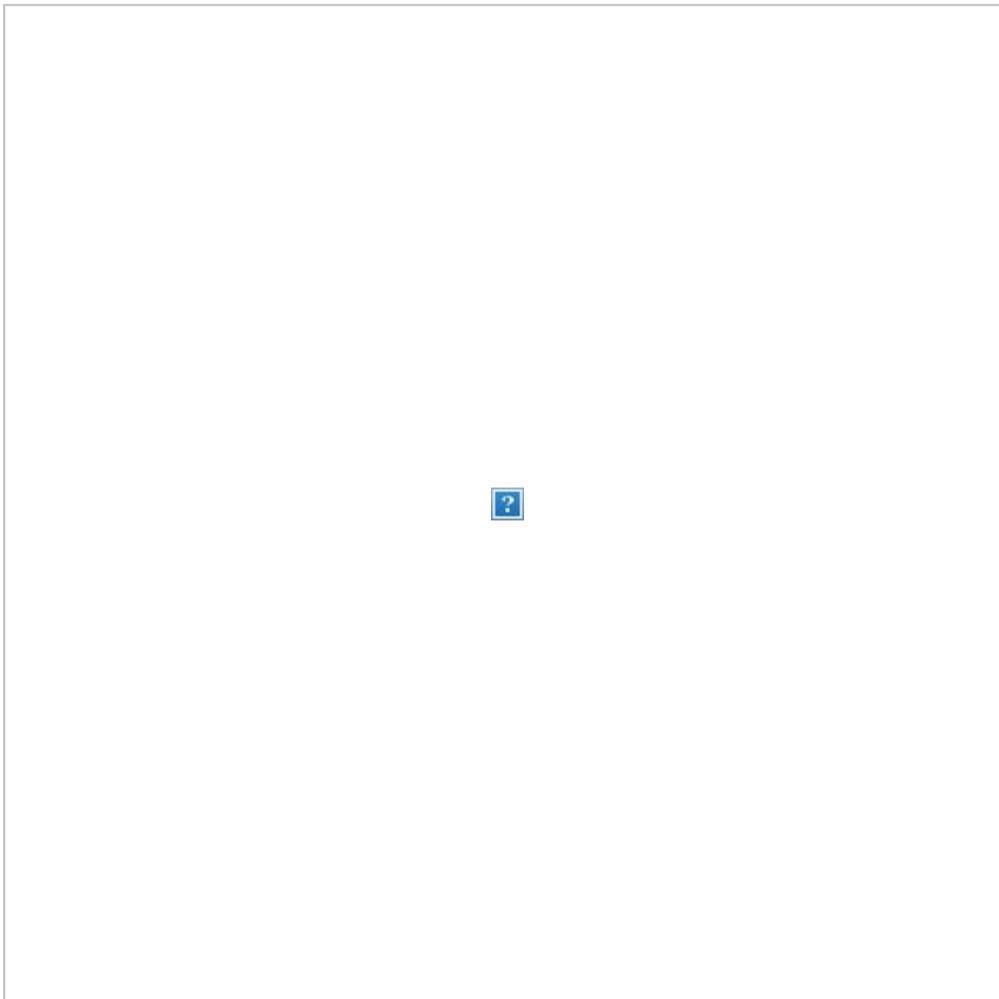
Attend a hearing

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.



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From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1131] Notice of Requirement online submission - North Shore Aero Club Incorporated
Date: Tuesday, 12 December 2023 4:30:23 pm
Attachments: [North Shore Airport Submission on North NoR's 12-12-2023_20231212162232.486.pdf](#)

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

Contact details

Full name of submitter: North Shore Aero Club Incorporated

Organisation name: North Shore Aero Club Incorporated

Full name of your agent: Haines Planning (CivilPlan Consultants Limited) c/- David Haines

Email address: Davidhaines@civilplan.co.nz

Contact phone number: 021677432

Postal address:
Suite 12A
Level 12
17 Albert Street
Auckland City
Auckland 1010

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

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

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:

We provide conditional support. Please refer to the attached submission letter. In summary: a. That conditions be included for each of the designations to ensure that NSAC are consulted prior to, and during, the detailed design phase so that road construction and associated infrastructure does not: i. Affect airport approach paths; ii. Create light distractions; iii. Cause (or create potential to cause) bird strike. b. That the designations take into account future airport expansion plans. c. That a full interchange be established for the SH1 interchange with Wilks Road. d. Any alternative relief of like effect, to the satisfaction of the Submitter. e. Any consequential or incidental amendments necessary to achieve the relief sought, to the satisfaction of the Submitter.

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

Submission date: 12 December 2023

Supporting documents
[North Shore Airport Submission on North NoR's 12-12-2023_20231212162232.486.pdf](#)

Attend a hearing

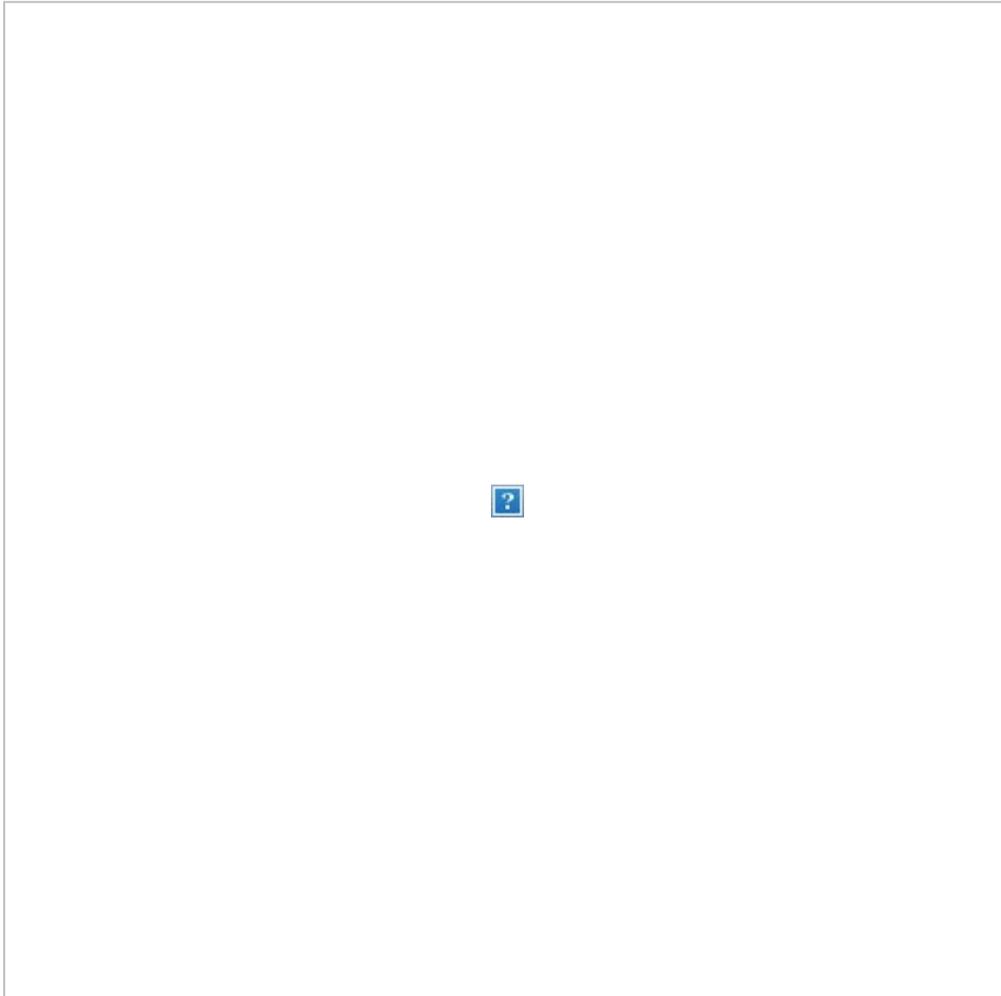
Do you wish to be heard in support of your submission? Yes

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
THE NORTH PROJECTS NOTICES OF REQUIREMENT BY
AUCKLAND TRANSPORT AND WAKA KOTAHI NZ TRANSPORT
AGENCY
(DATED 12 DECEMBER 2023)**

INTRODUCTION

1. North Shore Aero Club Incorporated (“NSAC”) makes this submission on the proposed North Projects Notices of Requirement (“NoRs”) by Auckland Transport (“AT”) and NZ Transport Agency Waka Kotahi (“NZTA”) as requiring authorities under the RMA 1991.
2. The North Projects comprise 13 NoRs, with this submission specifically relating to:
 - a. NoR 1 - New Rapid Transit Corridor (“RTC”) between Albany and Milldale, including new walking and cycling path (NZTA).
 - b. NoR 4 – State Highway 1 (“SH1”) Improvements (NZTA).
 - c. NoR 11 - New connection between Dairy Flat Highway and Wilks Road (AT).
 - d. NoR 13 – Upgrade to East Coast Road between Silverdale and Ō Mahurangi Penlink (Redvale) Interchange (AT).
3. These four NoRs are highlighted in **Figure 1** below.

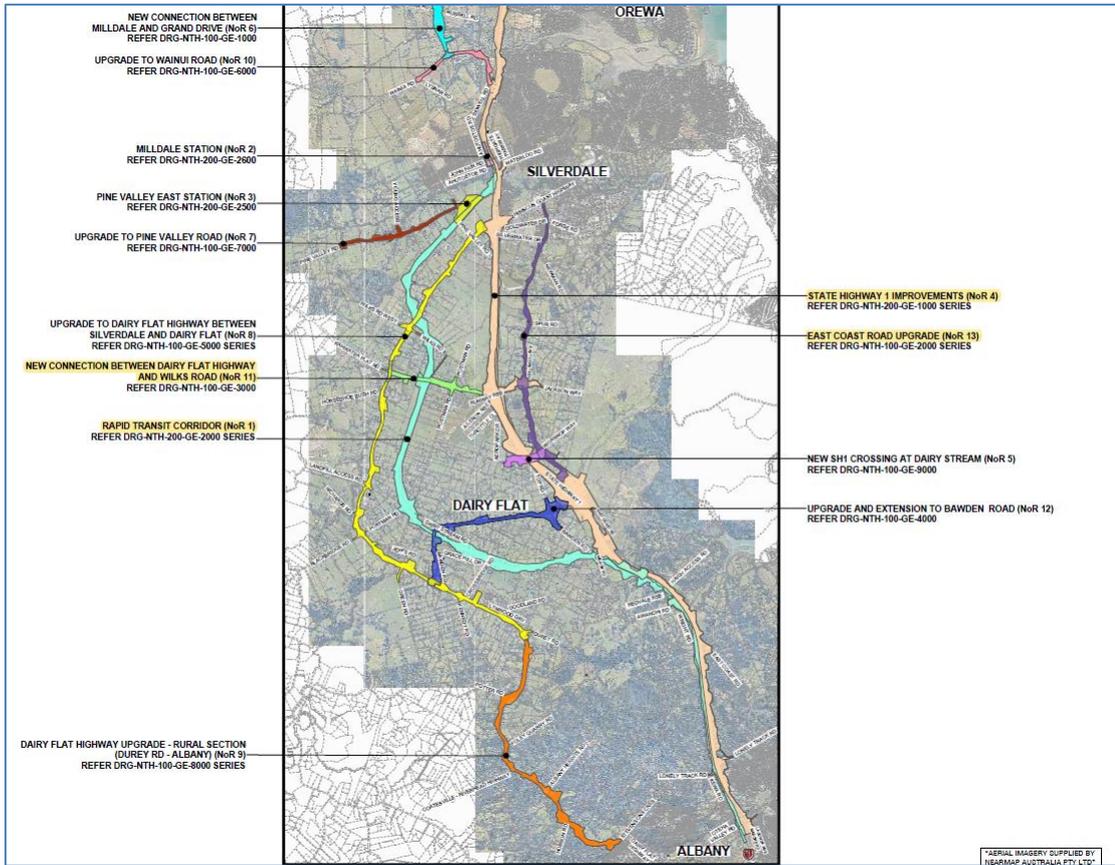


Figure 1: Identification of NoRs 1, 4, 11, and 13.



Figure 2: Aerial photograph showing extent of North Shore Airport landholding.

ABOUT NSAC

4. NSAC is the owner and operator of the North Shore Airport (“NSA”) located at 270-300 Postman Road, Dairy Flat (see **Figure 2** above).
5. The Airport caters to a wide range of flight and non-flight aviation activities including:
 - a. Scheduled commercial flights.
 - b. Charter flights.
 - c. Training flights.
 - d. Tertiary Education (Flight Training Schools).
 - e. Emergency rescue flights and services.
 - f. Private general aviation, including from private sites at the adjacent Aeropark.
 - g. Engineering facilities.
 - h. Freight distribution.
 - i. Manufacturing.
 - j. Support and administration.
6. NSA was originally established as a facility for NSAC to operate aircraft on a recreational basis. After more than 60 years of operation, the Airport has grown significantly with 200 airport-based aircraft and over 100 different tenants in the commercial and private airport occupancies.
7. The Airport is a regionally significant infrastructure asset which provides links to provincial New Zealand from its strategic location close to State Highway 1.
8. NSAC acknowledges that, in the public interest, NSA has organically transitioned into Auckland’s second regional airport, offering commercial air services to other New Zealand regional centres. To this end, and in support of extending this public service, NSAC has developed a Master Plan which identifies a four-stage development of NSA to increase the length and width of the runway and provide associated buildings and infrastructure.
9. The Airport’s current operational ability and modest growth expectations to serve the catchment of 500,000 residents north of the Harbour Bridge

cannot be overlooked at this important stage in planning for Auckland's transport infrastructure (refer plans at **Attachment 1**).

10. Notable strategic considerations are as follows:
 - a. Support of NSA as Auckland's second regional airport is needed for Auckland to improve its transportation resilience as an international city.
 - b. NSA at Dairy Flat has been identified as a suitable location to continue development as a second regional airport, as one third of Auckland's population currently lives closer to NSA than Auckland International Airport. This percentage is expected to increase as residential intensification occurs within the identified and planned northern growth areas. Furthermore, options for development or establishment of alternative airports are severely limited in terms of geographic location, resource management challenges, social and environmental factors.
 - c. The future expansion of NSA to provide services for smaller commercial aircraft to provincial centres is expected to have positive traffic effects on Auckland's wider land transport network.
 - d. NSA is also a critical infrastructure asset during emergencies. During the Auckland flood events of 2023, for example, NSA remained operational while other key transport links were closed. During the flooding in Hawkes Bay, airports were also essential in rescue and recovery efforts.

THE NSA SITE

11. NSA is built on a large, relatively flat area east of Dairy Flat village. The Airport sits at 60m above sea level, however the land at the northern corner of the site rises to 70m above sea level. The Airport has a 690m road frontage to Postman Road.
12. The land holding comprises an area of 27.1084 hectares.
13. NSA currently has two operational runways:
 - a. 03/21 – concrete (791m long, by 9m wide), grass (791m long, by 60m wide). The grass is used in the drier months for take-off and landing by light aircraft.
 - b. 09/27 – gravel (560m long, by 9m wide), grass (570m long, by 60m wide)

14. Various hangars and aeronautical businesses occupy a number of buildings in the north-west and south-east corners of the airport.
15. The Site is zoned Special Purpose – Airports and Airfields Zone in the Auckland Unitary Plan (“the Unitary Plan”) and is subject to its own North Shore Airport Precinct (refer to **Attachment 2**).
16. There are two types of overlay rules that apply to the Airport land and surrounds, these being:
 - a. The Airport Approach Surface Overlay which controls protrusions or obstructions into airport approach surfaces; and
 - b. The Aircraft Noise Overlay, which manages the subdivision of land and the location of activities in areas of high cumulative noise around the Airport. The location of these overlays is shown in **Figure 3**.

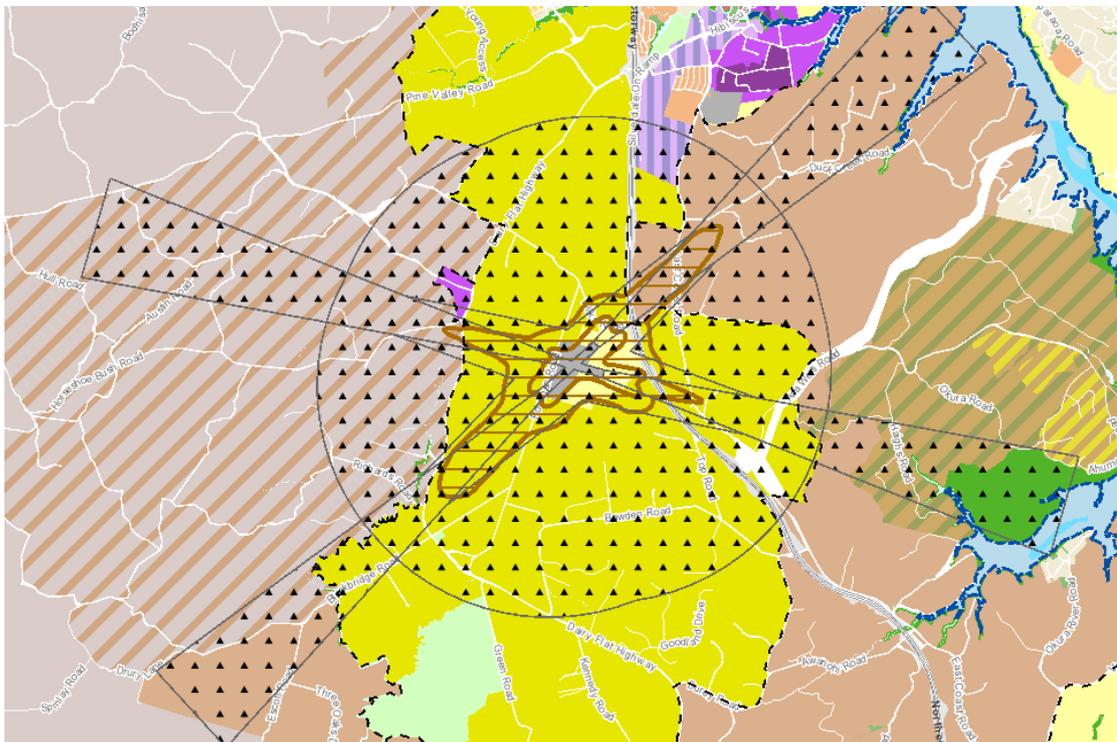


Figure 3: Unitary Plan Overlays (triangles denote the Airport Approach Surface Overlay and brown horizontal lines denotes the Aircraft Noise Overlay)

GENERAL FEEDBACK

17. NSAC generally supports the proposed NoRs and considers that their implementation will have positive transport outcomes for the North of Auckland.
18. The projects will also make NSA more accessible and will align with NSA's formal recognition as Auckland's second commercial airport.
19. Although NSAC supports the NoRs, the key matters of potential concern relate to the detailed design of the new roads and associated infrastructure, which have the potential to impact on operational requirements of the Airport. NSAC must therefore be consulted as part of the detailed design phase, with conditions attached to the designation requiring this consultation to occur.
20. These detailed design considerations include:
 - a. Obstruction limitations to ensure structures do not encroach into the runway approach and departure paths;
 - b. Light intrusion / splay from street lighting;
 - c. Formation heights of the Wilks Road interchange and East Coast Road improvements; and
 - d. Stormwater management arrangements that avoid bird strike.
21. NSAC seeks to ensure that the importance of NSA as a regionally significant infrastructure asset is fully recognised and provided for at the strategic planning level, both in terms of transportation and land use considerations.

NoR 1: New Rapid Transit Corridor (NZTA)

22. With regard to NoR 1, NSA submits that the proposed Rapid Transit Network ("RTN") route should identify 'North Shore Airport' as a future RTN stop with detailed route alignment to be discussed further between NZTA and NSA as respective proposals are advanced.
23. It is submitted that the rapid transit station be located west to north-west of the existing Airport terminal (refer to Attachment 2) to allow direct connectivity with the Airport and enable:
 - a. A high proportion of people to arrive at the Airport by rapid transit; and

- b. Convenient affordable access to and from the Airport for both passengers, students and workers at the Airport and the surrounding proposed industrial area.

NoR 4 and 11: State Highway 1 Improvements and New Connection between Dairy Flat Highway and Wilks Road (NZTA and AT)

24. A modest runway extension to the south-west (and to the north-east to a lesser extent) is required for the Airport to reach its full potential. This may require the eventual re-alignment or grade separation of Postman Road. It is for this reason that NSAC seeks a condition to NoRs 4 and 11 that the Requiring Authority engage with NSAC during the detailed design phase of the new connection between Dairy Flat Highway, Wilks Road and SH1.
25. NSA supports the proposal to establish a SH1 Interchange with Wilks Road. However, it also submits that a full interchange in this location would be more appropriate, in anticipation of future business and trade being attracted to the NSA environs. A full interchange should be proposed in response to anticipated growth of businesses within the already proposed Industrial land around the Airport. Future businesses will need fast regional connections for persons and freight travelling in all directions, and not solely southbound as presently shown in NZTA plans.
26. The upgrading details and final alignment of Wilks Rd near to, and including, the motorway interchange needs to be carefully planned in conjunction with NSA given its proximity to the main approach path and Runway End Safety Area (RESA) at the northern end of the Airport.

NoR 13: East Coast Road upgrade (AT)

27. Similar to the comments on Wilks Road, the design and final levels of East Coast Road in the location of the Obstacle Limitation Surface (“OLS”) overlay need to be carefully considered (refer to **Attachment 3**). This includes the roundabout proposed between East Coast Road and Wilks Road.
28. Any proposed raising of East Coast Road could result in the road itself, or associated infrastructure (such as street lighting) intruding into the OLS. This is because the current level of the road falls just below the OLS in some locations.
29. Any proposed street lighting could also create light pollution and cause distraction to aircraft.

30. The final design levels of East Coast Road and associated infrastructure needs to be therefore carefully planned in collaboration with NSA to ensure that the Airport's approach and departure paths are protected.

RELIEF SOUGHT

31. The Submitter seeks the following relief:
- a. That conditions be included for each of the designations to ensure that NSAC are consulted prior to, and during, the detailed design phase so that road construction and associated infrastructure does not:
 - i. Affect airport approach paths;
 - ii. Create light distractions;
 - iii. Cause (or create potential to cause) bird strike.
 - b. That the designations take into account future airport expansion plans.
 - c. That a rapid transit station be situated proximate to the NSA to allow convenient access between the RTN and Auckland's proposed second commercial Airport.
 - d. That a full interchange be established for the SH1 interchange with Wilks Road.
 - e. Any alternative relief of like effect, to the satisfaction of the Submitter.
 - f. Any consequential or incidental amendments necessary to achieve the relief sought, to the satisfaction of the Submitter.

PROCEDURAL MATTERS

32. NSAC wishes to be heard in support of this submission and would consider presenting a joint case with any other party seeking similar relief.
33. NSAC agrees to participate in mediation or other alternative dispute resolution and would be pleased to discuss the content of this submission with AT, NZTA and Auckland Council staff.
34. NSAC reserves the right to revise its position in response to other submissions or changes to the notified provisions.

By its duly authorised agent: Haines Planning (CivilPlan Consultants Limited)

Dated: 12 December 2023

Address for service: North Shore Aero Club Incorporated
c/- Haines Planning (CivilPlan Consultants Limited)
Suite 12A, Level 12
17 Albert Street
Auckland 1010

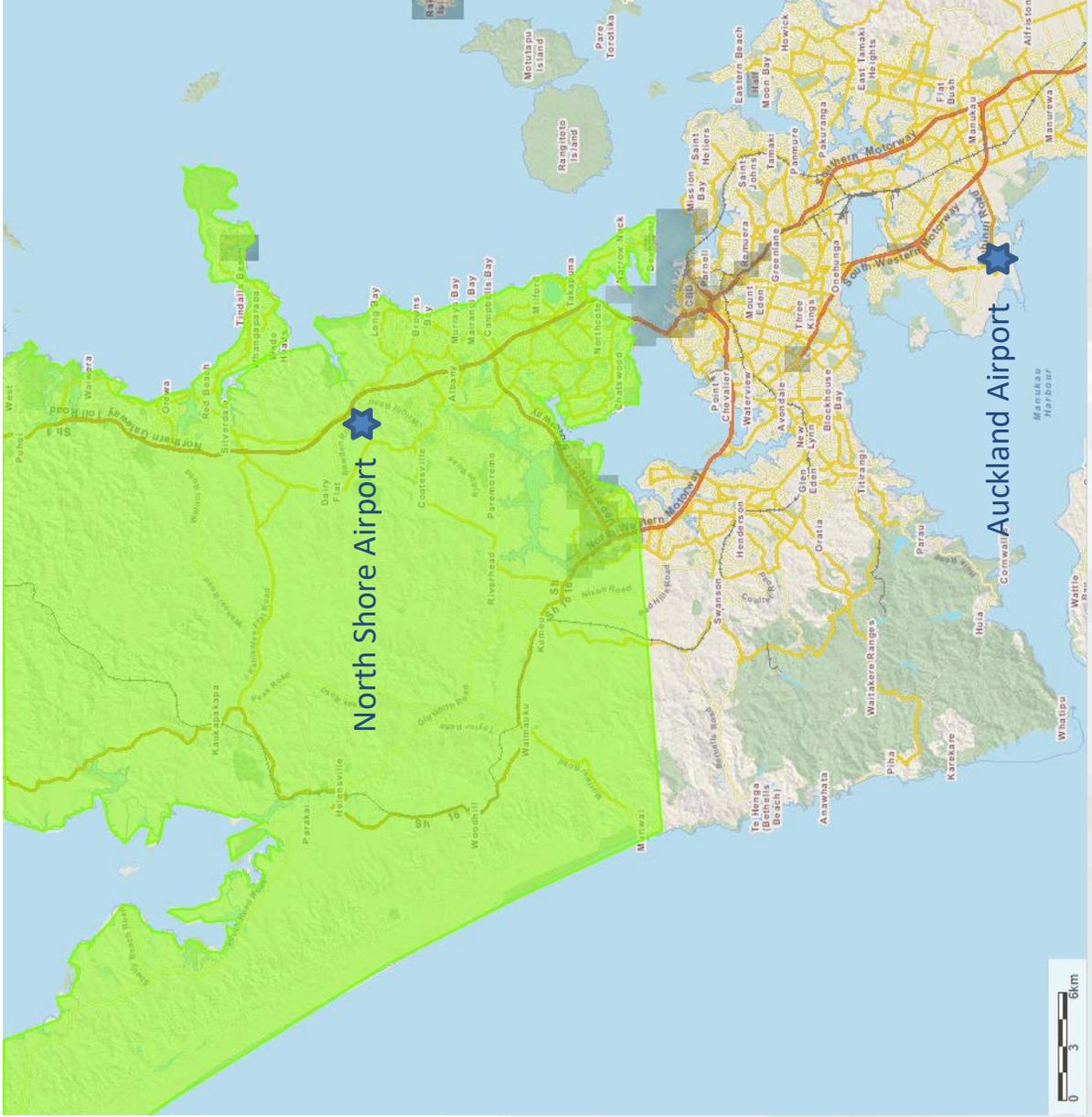
Attention: D R Haines, Director
davidhaines@civilplan.co.nz

■ **Attachment 1**

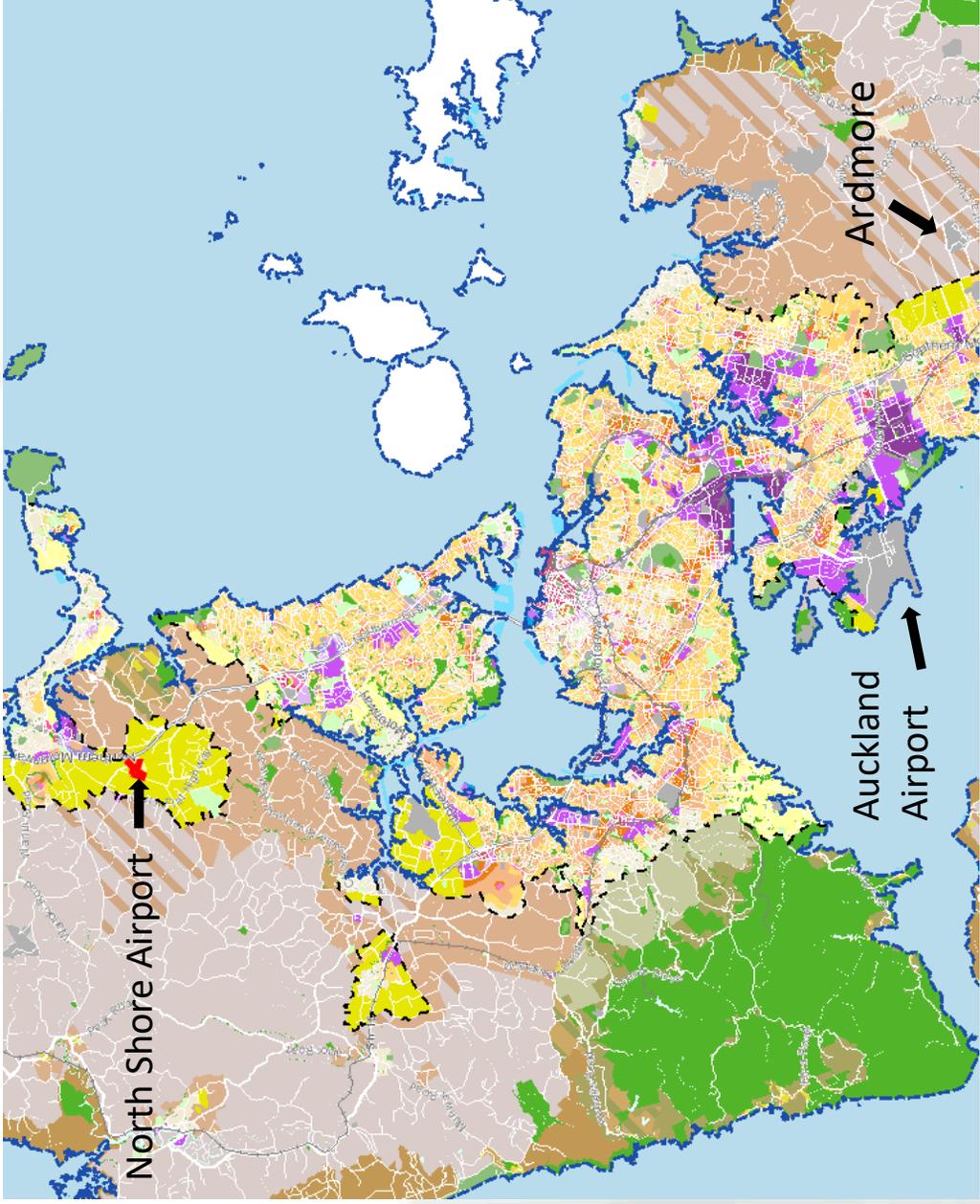
North Shore Airport Location
Maps

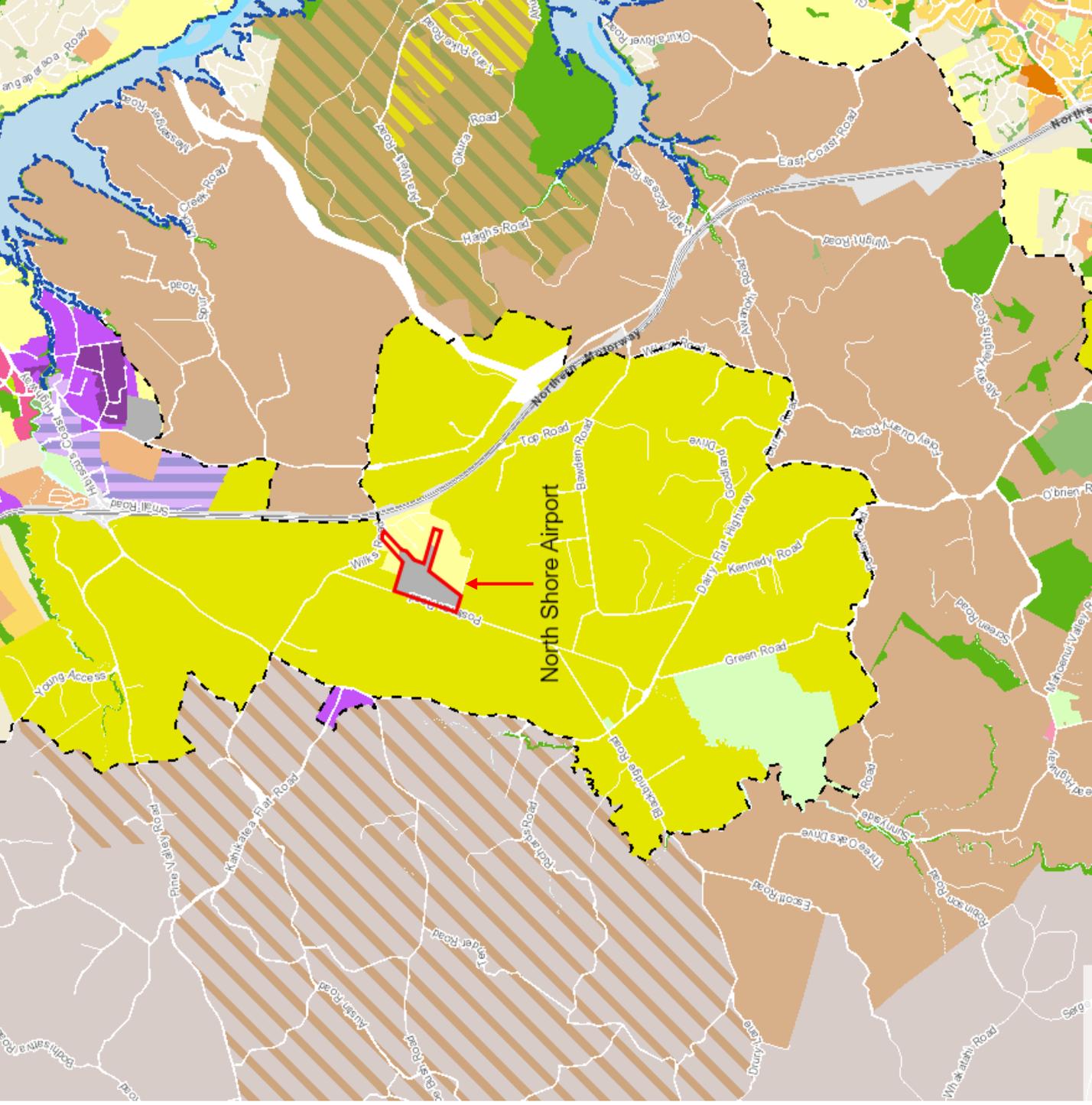
Catchment for North Shore Airport

NoR 11 #09



Location of North Shore Airport





Zoning Map for North Shore Airport

■ **Attachment 2**

Proposed Rapid Transit
Station Location

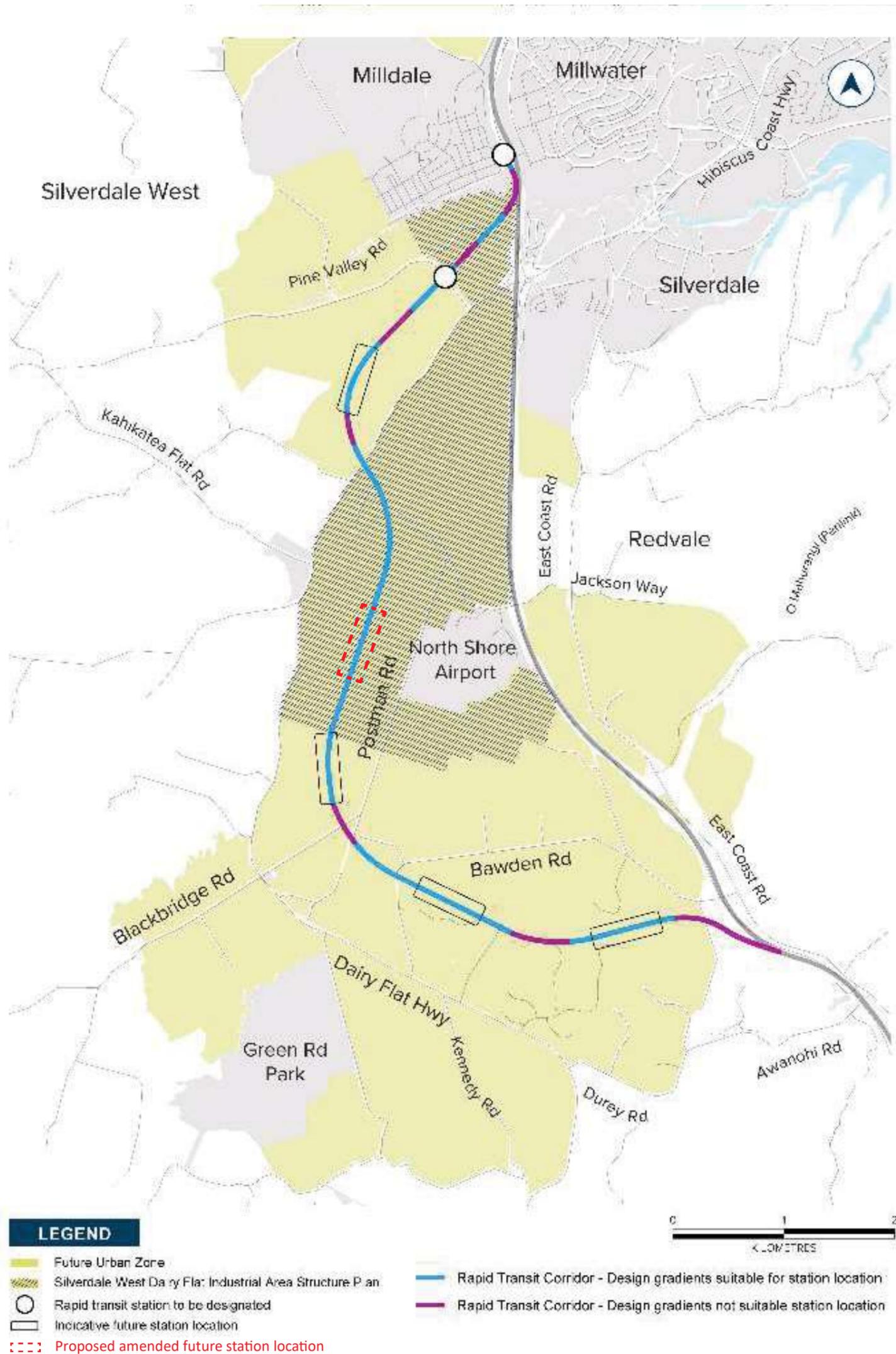
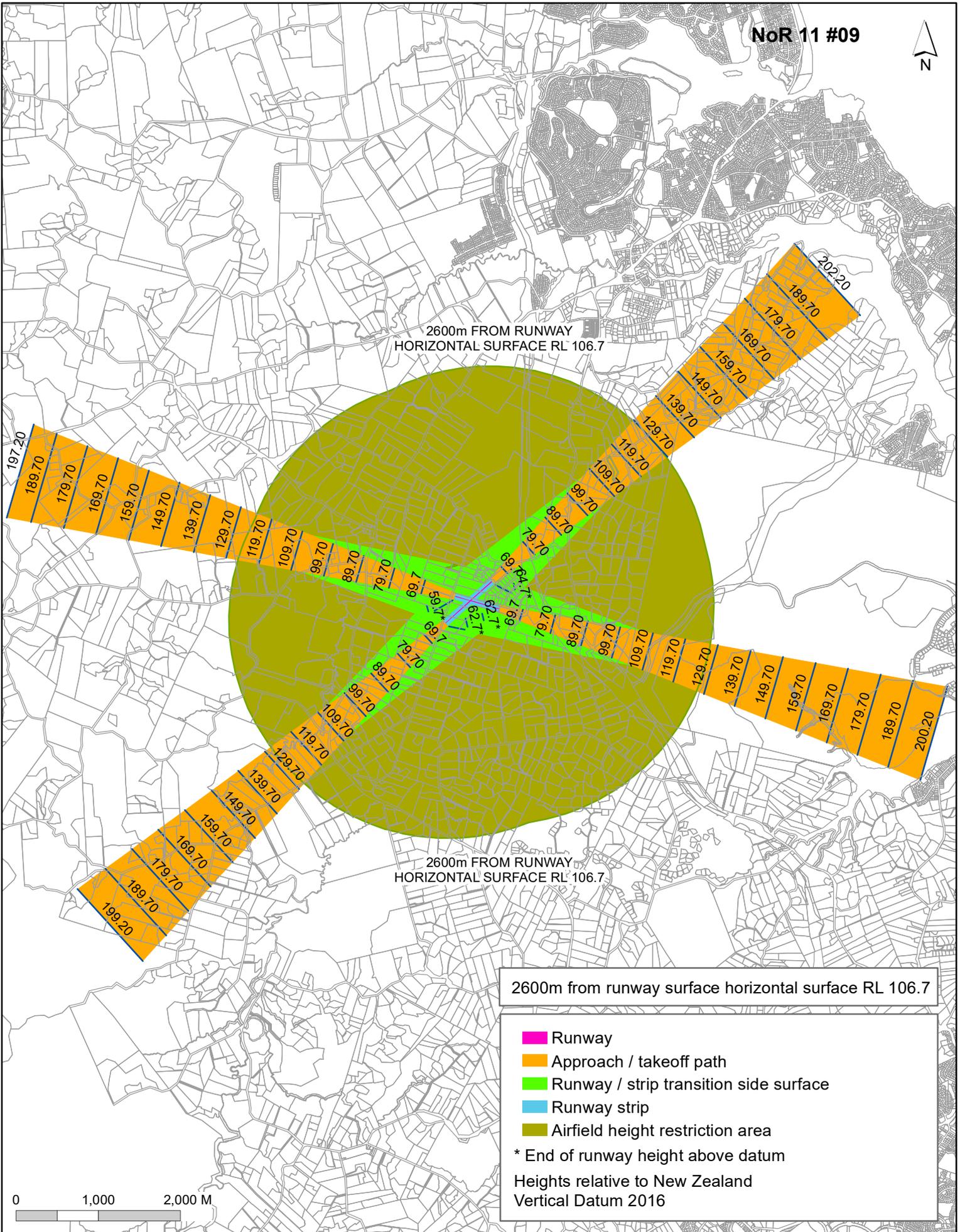


Figure 8-2: RTC proposed and potential future station locations

■ **Attachment 3**

Auckland Unitary Plan – North
Shore Airport Approach Path



2600m from runway surface horizontal surface RL 106.7

- Runway
 - Approach / takeoff path
 - Runway / strip transition side surface
 - Runway strip
 - Airfield height restriction area
- * End of runway height above datum
 Heights relative to New Zealand Vertical Datum 2016

0 1,000 2,000 M

Airport approach path : North Shore Airfield height restriction

From: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1151] Notice of Requirement online submission - McLeod Investments Trust
Date: Wednesday, 13 December 2023 11:16:32 am
Attachments: [NOR Submission - 132 Wilks Road - 13122023.pdf](#)

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

Contact details

Full name of submitter: McLeod Investments Trust

Organisation name: McLeod Investments Trust

Full name of your agent: Daniel Shaw

Email address: daniel@sfhconsultants.co.nz

Contact phone number: 092169857

Postal address:
168 Hibiscus Coast Highway
Orewa
Silverdale 0932

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

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

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

Submission date: 13 December 2023

Supporting documents
NOR Submission - 132 Wilks Road - 13122023.pdf

Attend a hearing

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

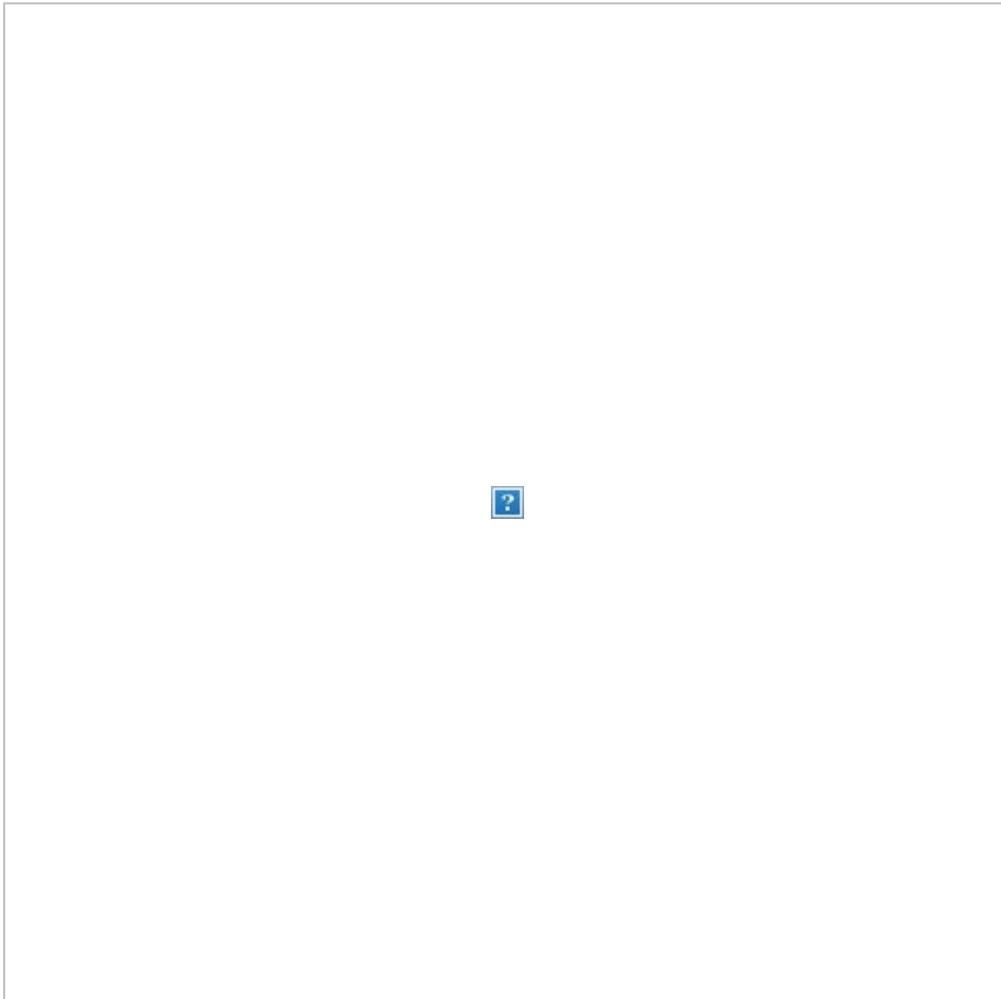
Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

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)

Organisation Name (if submission is made on behalf of Organisation)
McLeod Investments Trust

Address for service of Submitter

48a Masterton Road, Rothesay Bay, Auckland 0630

Telephone:

0276782233

Email:

KM@KerryMcLeod.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 11) New Connection between Dairy Flat Highway and Wilks Road

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

Please refer to the submission attached

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 submission attached

(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 submission attached

- 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.

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: 132 Wilks Road, Dairy Flat

- 1 The submitter is McLeod Investments Trust. C/- Kerry McLeod, KM@KerryMcLeod.co.nz
- 2 This is a submission on a notice of requirement from Auckland Transport for a designation referred to as North: New Connection between Dairy Flat Highway and Wilks Road (NoR 11).
- 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 132 Wilks Road, Dairy Flat and the surrounding area.
- 5 The submission is:
 - 5.1 **Submitter**
 - 5.1.1 McLeod Investments Trust is the registered owner of 132 Wilks Road, Dairy Flat (**Lot 2 DP 111298**). The existing improvements on the property comprise a newly renovated residential dwelling, newly installed wastewater treatment system and disposal area and areas of gravel yard space.
 - 5.1.2 However, on the 25th of July 2023 resource consent (ref. no. BUN60421220, LUC60421221, DIS60421222, DIS60421306 to establish and operate a storage yard and undertake the associated site works, servicing, parking, access, and landscaping was submitted to Auckland Council. The application is well progressed through the assessment process by the Council Planners and specialists, and it is anticipated to be approved in the coming weeks.
 - 5.2 **Site Description**
 - 5.2.1 The subject site is known as 132 Wilks Road and is located at the corner of Wilks Road and Postman Road in Dairy Flat. With a site area of 2.25 hectares the property is long and narrow in shape, including a road frontage of approximately 485m. Overall, the site gently slopes from Postman Road up towards the South of the site.



Figure 1: Aerial Image of the Submitter's Site

5.2.2 The site currently provides for a single detached dwelling towards the North of the site. A further dwelling on site located near the road front was an abandoned dwelling. This has now been demolished and removed. The remaining site area has been maintained as grassed pasture/paddocks for rural and/or recreational use by the owners/occupiers. Landscaped bunds have been partially installed.

5.2.3 A new wastewater system has been installed for the property, which was approved by building consent BCO10368099.

5.3 Current Resource Consent

5.3.1 As noted earlier, the submitter is currently advancing a resource consent application for a contractor's yard space onsite.

5.3.2 **Attachment A** provides the proposed site plan for information. The intention of this resource consent is to enable the site to provide yard space for contractors for example contractors undertaking infrastructure works in the area or those related to the construction industry, for which there is a high demand in the area relating to development of Milldale, Orewa North and Penlink. Other uses include tiny home construction, some recreational vehicle storage, and scaffolding storage.

5.4 Proposed NOR

5.4.1 This site at 132 Wilks Road is located within the Notice of Requirement 11 (**NOR 11**) area. This is an approximately 1.7 km stretch from the end of Kahikatea Flat Road to the new interchange with SH1 at Wilks Road as per figure 2 below. The NOR interfaces with NOR1, NOR4, and NOR8 as per figure 3 below. Unfortunately, the notified version of the NOR proposes to close Wilks Road connection to this new road, with allowance for a cul-de-sac provided. I understand a 25-year lapse period is sought as per condition 4 of the draft conditions.



Figure 2: Proposed indicative designation footprint

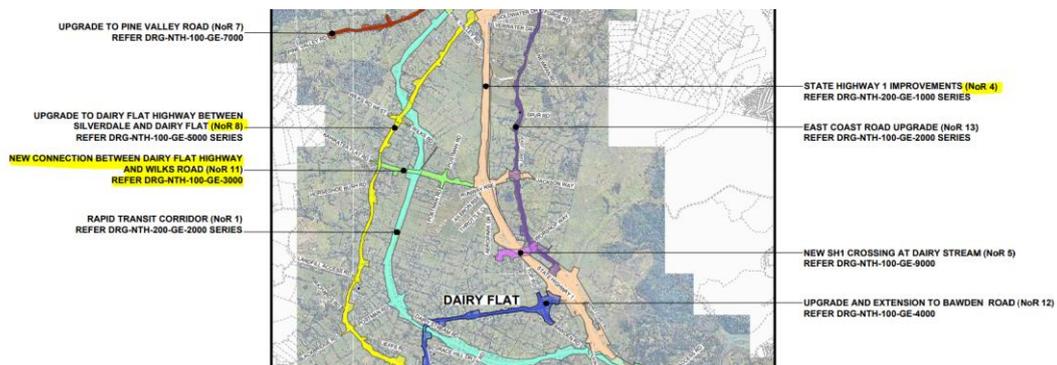


Figure 3: Proposed General Arrangement Plan

5.4.2 The envisaged transport improvements for Segment 2 (Postman Road to SH1) would include a 4-lane urban arterial (30 m wide corridor) with separated cycling and walking facilities, two lanes of general traffic and two lanes where priority may be given to freight traffic. This is depicted in the cross-section figure 4 below.



Figure 8-33: Indicative design between Postman Road and the new Wilks Road Interchange – 30m cross section

Figure 4: Proposed Cross Section of Roading Upgrades in the vicinity of the Submitter’s site

5.4.3 Based on the General Arrangement Plan provided with the notified documents associated with NOR 11 (a section of which has been provided below as figure 5 and 6 below), an approximately 3822 m² section of the submitter’s property is required to be taken. While only a small area is noted for road widening ~400m², the majority of the 3000m² area affected is to provide for an “indicative construction area”.

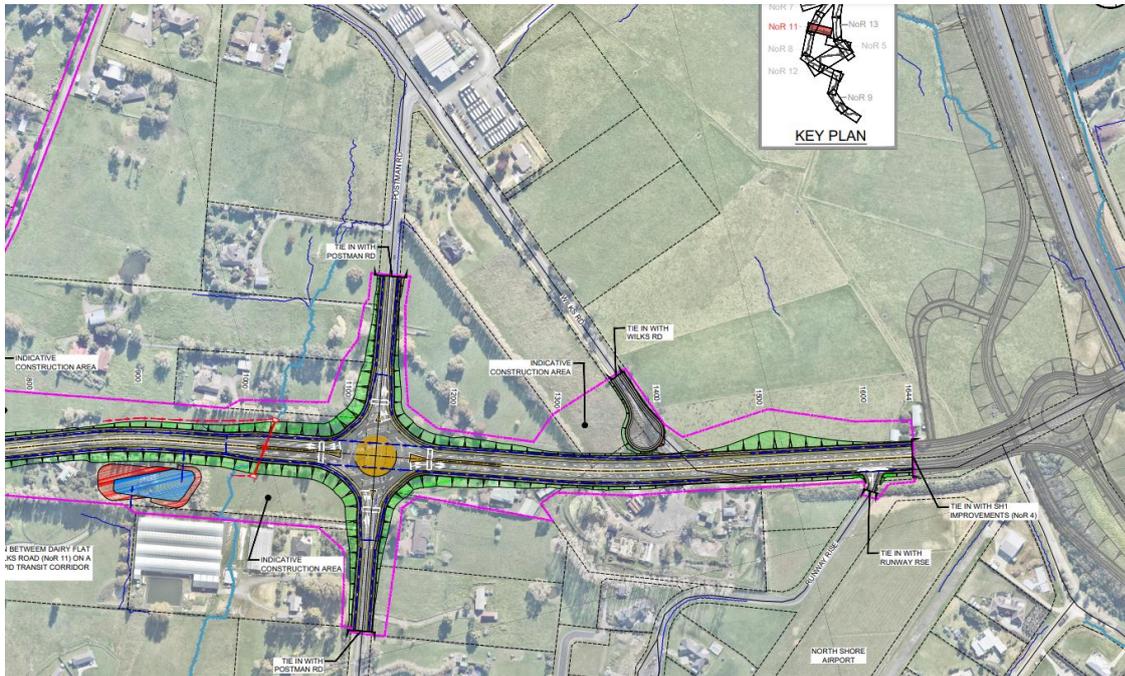


Figure 5: NOR in Relation to the Submitter’s Property

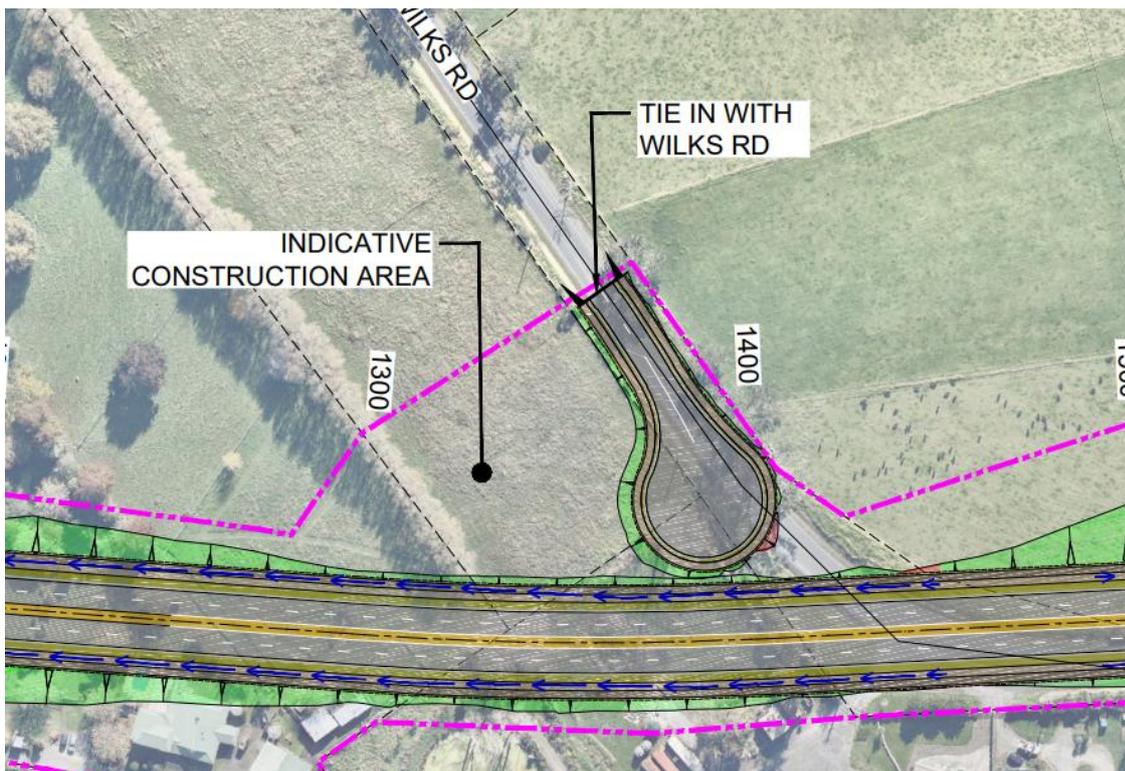


Figure 6: NOR in Relation to the Submitter’s Property

5.5 Positive Impacts

- 5.5.1 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.
 - (b) Creates improved and additional connection routes between the area. Providing more efficient movement between industrial centres throughout Auckland. This also reduces operational costs and increases business efficiency.
 - (c) Assisting with partially unlocking the Dairy Flat Industrial Area when the roading improvements are completed (although the 25-year indication would be well after the rezoning of the area as indicated in the FDS).

5.6 Concerns

- 5.6.1 While there are some general positive effects, the proposal will result in wide ranging negative effects as well. Reading the NOR documents, the assessment of these is at a high and general level, rather than anything specific. The structure of the documents with heavy use of abbreviations and with the assessments for all 13 NOR's bundled together, makes it challenging for the submitter to wade through and find anything specific to their site or area.
- 5.6.2 The submitter is seriously concerned about:
- (a) **Pre-Notification Consultation:** The consultation prior to notification has been very limited, with the submitter not notified or consulted. 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) **Site Impacts:** Impacts on both existing and proposed activities and yard area that are located within or near the NOR area. Ultimately, 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, particularly given the significant duration the designation is proposed for.
 - (c) **Vehicular Connectivity:** Impacts on transport connectivity due to the loss of road connection with the new road. If lost, all traffic generated by the site (including large trucks) will need to be diverted to the tight left turn onto Postman Road. This will have flow on effects within the receiving environment as the trucks are likely to cross the centreline of the public road when manoeuvring, resulting in road safety issues. Improving wider connectivity should not be at the expense of local connectivity.
 - (d) **Stormwater:** With the increased impervious area and differing contours, there is the potential for increased stormwater run-off leaving the road and discharging onto the submitter's property. This has the potential to result in wetlands on the site, which has significant planning implications due to the NPS:FW and NES:FW. All stormwater needs to be captured and managed without impact on the submitter's property. Failure to do so will have negative impacts on the submitter and the land through reduced future development potential and land value.

- (e) 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. 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. Failure to do so will impact the submitter's ability for insurance, , land value, ability to obtain a mortgage, and reduce future development potential.
- (f) Duration: the indicated 25-year 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 lessen the impact and burden. The FDS indicates that the area will be rezoned between 2030-2035, which aligns with a 10 - 15-year lapse date.
- (g) Land Value: Negative impacts on land value plus impact on use and saleability of the land. The designation blights a site, and this impact can be significant for sales and leasing.
- (h) Compensation: The significant financial burden for the requiring authority of purchasing a large area of land for temporary construction purposes, when there is a better more cost-effective option available. The large area required for construction yard should be leased from the owner rather than purchased. This aligns with the resource consent being finalised with Auckland Council.
- (i) 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 dwelling and the people who reside there, including the ability to rent the home.
- (j) 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) The conditions relating to the various management plans should be worded to provide affected landowners and occupiers with early opportunities to provide feedback and input throughout the process. With a requirement for the requiring authority to summarise and comment on why the feedback is accepted or not.
 - (ii) The project website is supported, the accessibility needs to be high for affected landowners, and the information should be summarised to ensure lay people can understand.
 - (iii) The complaints register process is supported and this should be available and published on the project website.
 - (iv) The submitter will provide more refined comments on the specific conditions at a later date.

5.7 Alternative Options

- 5.7.1 Minimal alternatives have been considered by the SGA. The different options for intersection between Wilks Road and the new through road have not been explored at all in the application documents. The cul-de-sac outcome is very unusual.
- 5.7.2 In order to minimise the adverse impacts mentioned above, while retaining the intended alignment and width of road upgrades, a variety of further alternative options have been considered by the submitter.
- 5.7.3 Further alternatives for Wilks Road interface with the new Road, which have not been considered by the SGA, include;
- (a) Through Road: Providing a left in left out vehicle access to Wilks Road from the new road. This would improve vehicle permeability, and convenience while having limited to no impact on the function of the new road. A cul-de-sac head in such close proximity to the new road is an extremely unusual design. The design would be as enclosed as **attachment D**. Right turn in and out is avoided for obvious reasons.
 - (b) Flipped Head: while not a preferred alternative to the through road, flipping the cul-de-sac head to the east, where the head would lay more over the large farm adjacent to the submitter's property. This would have less impact on that land and its owner due to the large site size, relative to the proposed designation area. The design would be as enclosed as **attachment E**.
- 5.7.4 In relation to the indicative construction area, it would be more optimal for the contractors to lease the land from the submitter rather than purchase. This would result in less financial burden for the project and is a simpler option.
- 5.7.5 Alternatively, the area required is far greater than the proposed area required for the works. The 'Indicative Construction Area' and area of requirement could be further reduced and refined to balance the social and economic impacts on the owners and allow for the proposed future works in the future.
- 5.8 **Conclusion**
- 5.8.1 While the intended benefits of the NOR and transport upgrades are acknowledged, it is evident that the extent of the proposed designation area is excessive, and the duration of the designation proposed is also excessive. The extent of area and duration need to be reduced, and the interface with Wilks Road better considered. Moreover, alternatives that are more optimal exist.
- 5.8.2 The notification process has been lacking.
- 5.8.3 Overall, the NOR will have significant adverse effects on a range of matters covered in this submission, including:
- (a) the useability and saleability of the site for at least 25 years.
 - (b) transportation effects and inefficiencies due to the closing of Wilks Road with the provision of a cul-de-sac, resulting in trucks making the difficult left turn from Wilks Road onto Postman Road; and
 - (c) the use and future development opportunities of 132 Wilks Road.

- 5.8.4 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.
- 5.8.5 There is an appropriate space for the submitter's proposed road layout to be provided without altering or otherwise affecting the designation.
- 6 The Trust 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 McLeod Investments Trust 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



**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 **NA62C/1041**
Land Registration District **North Auckland**
Date Issued 14 August 1987

Prior References
NA58C/847

Estate Fee Simple
Area 2.2580 hectares more or less
Legal Description Lot 2 Deposited Plan 111298

Registered Owners
Kerry Dennis McLeod, Tammy Clarke McLeod and McLeod Trustee Company Limited

Interests
Fencing Agreement in Transfer A156703
12649164.2 Mortgage to TSB Bank Limited - 3.2.2023 at 11:48 am

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

Address

132 Wilks Road Dairy Flat 0794

Legal Description

Lot 2 DP 111298

Appeals

Modifications

Zones

Future Urban Zone

Precinct

Controls

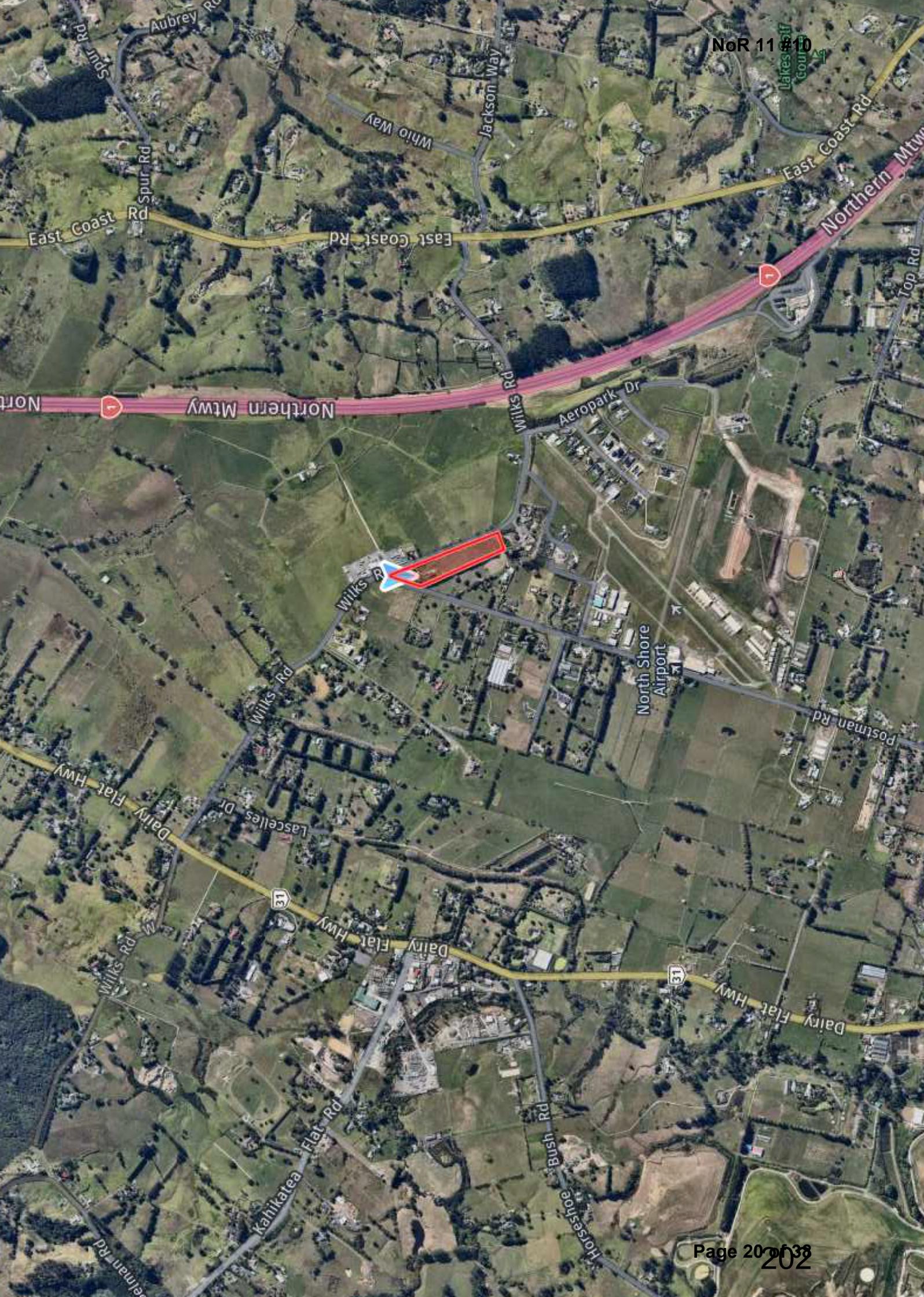
Controls: Macroinvertebrate Community Index - Rural

Overlays

Infrastructure: Aircraft Noise Overlay - North Shore Airport - Outer control boundary (55dBA)

Infrastructure: Airport Approach Surface Overlay - North Shore Airport

Designations





20 m

Sat Mar 26 2022
Im © 2022 Nearmap, HERE



0 10 20 30
Meters

Scale @ A4
= 1:2,500

Date Printed:
7/02/2023

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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
- } Ridgeline Protection 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

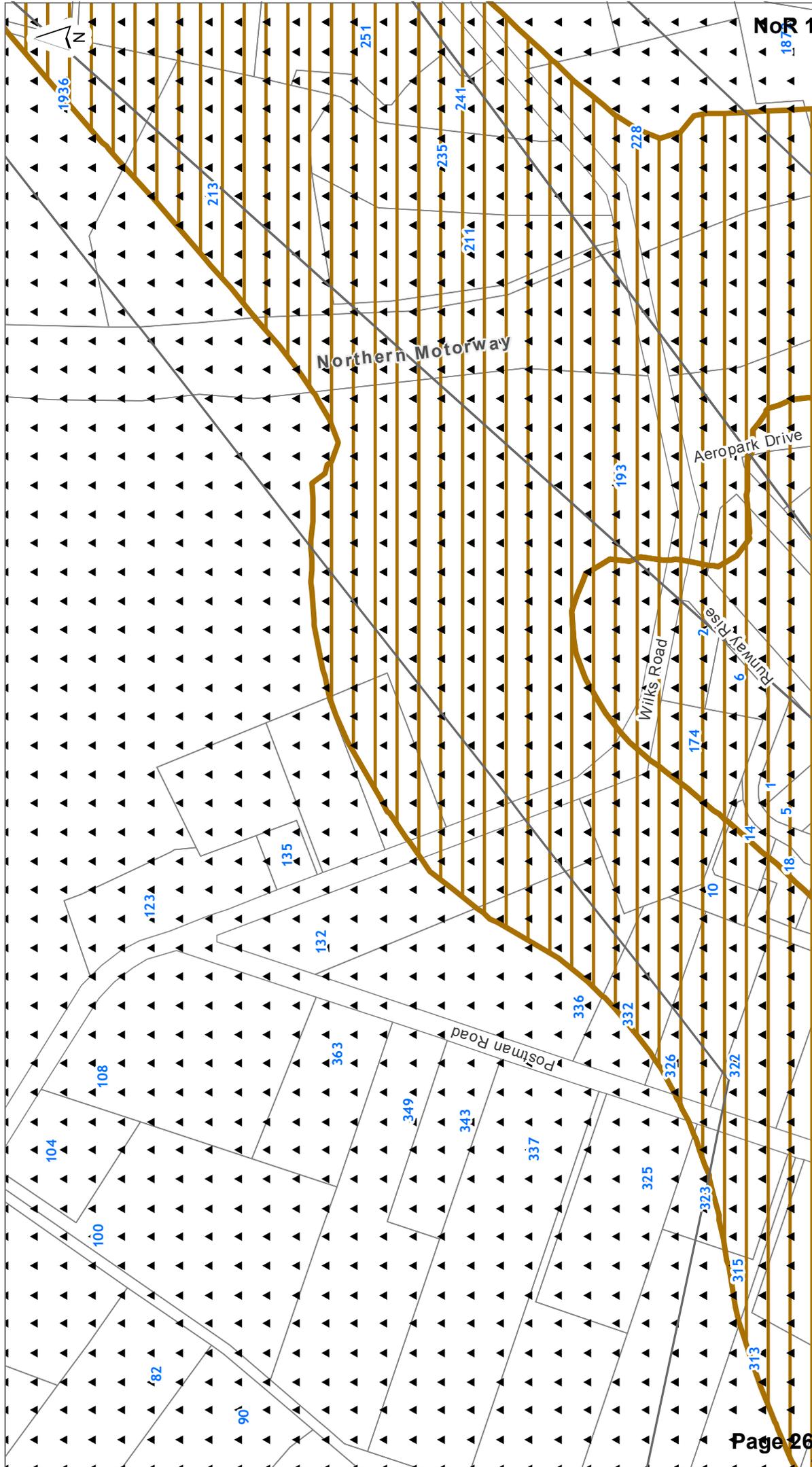
Controls

- 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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Infrastructure

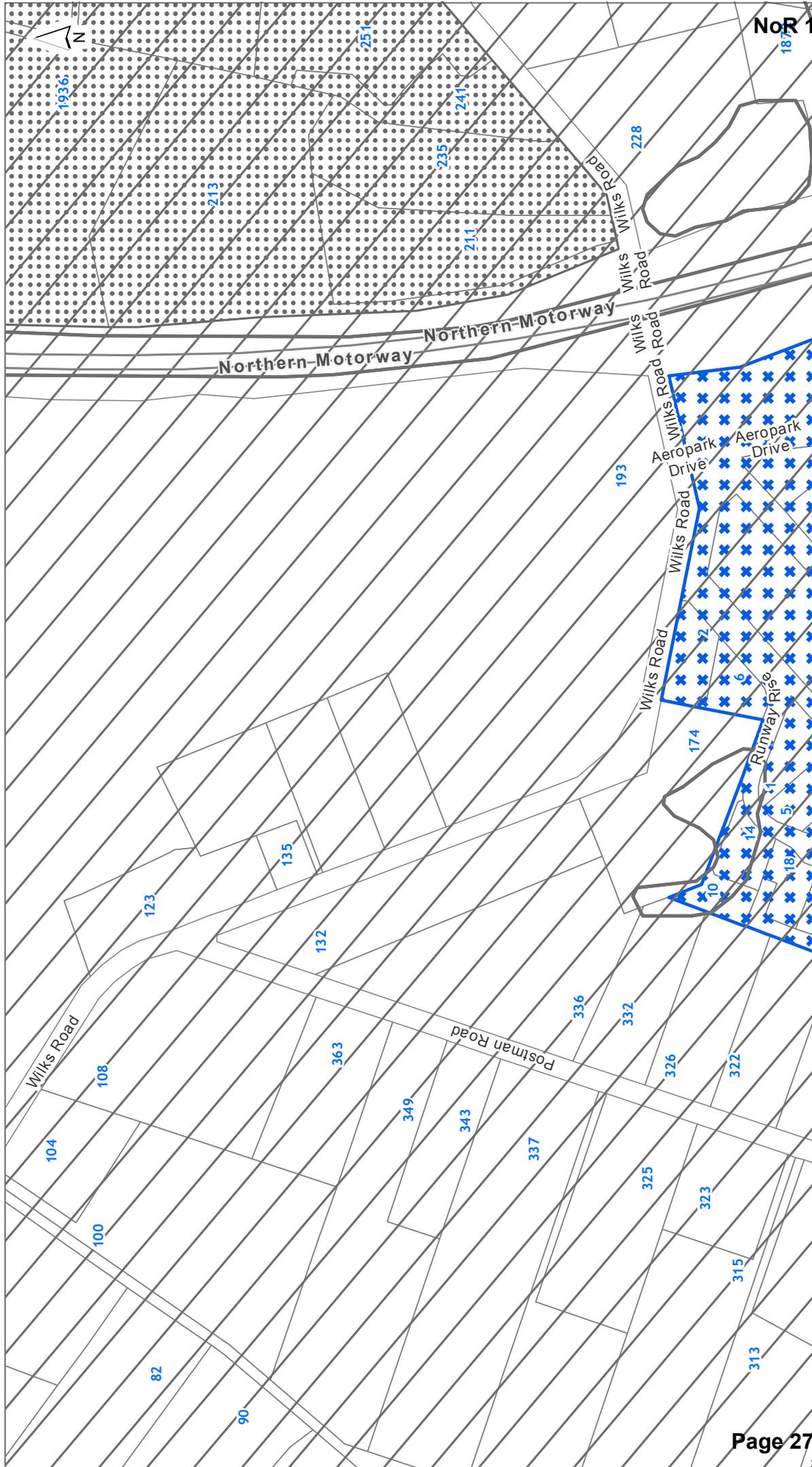
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Date Printed:
27/06/2023



North 11 #10



NoR 11 #10



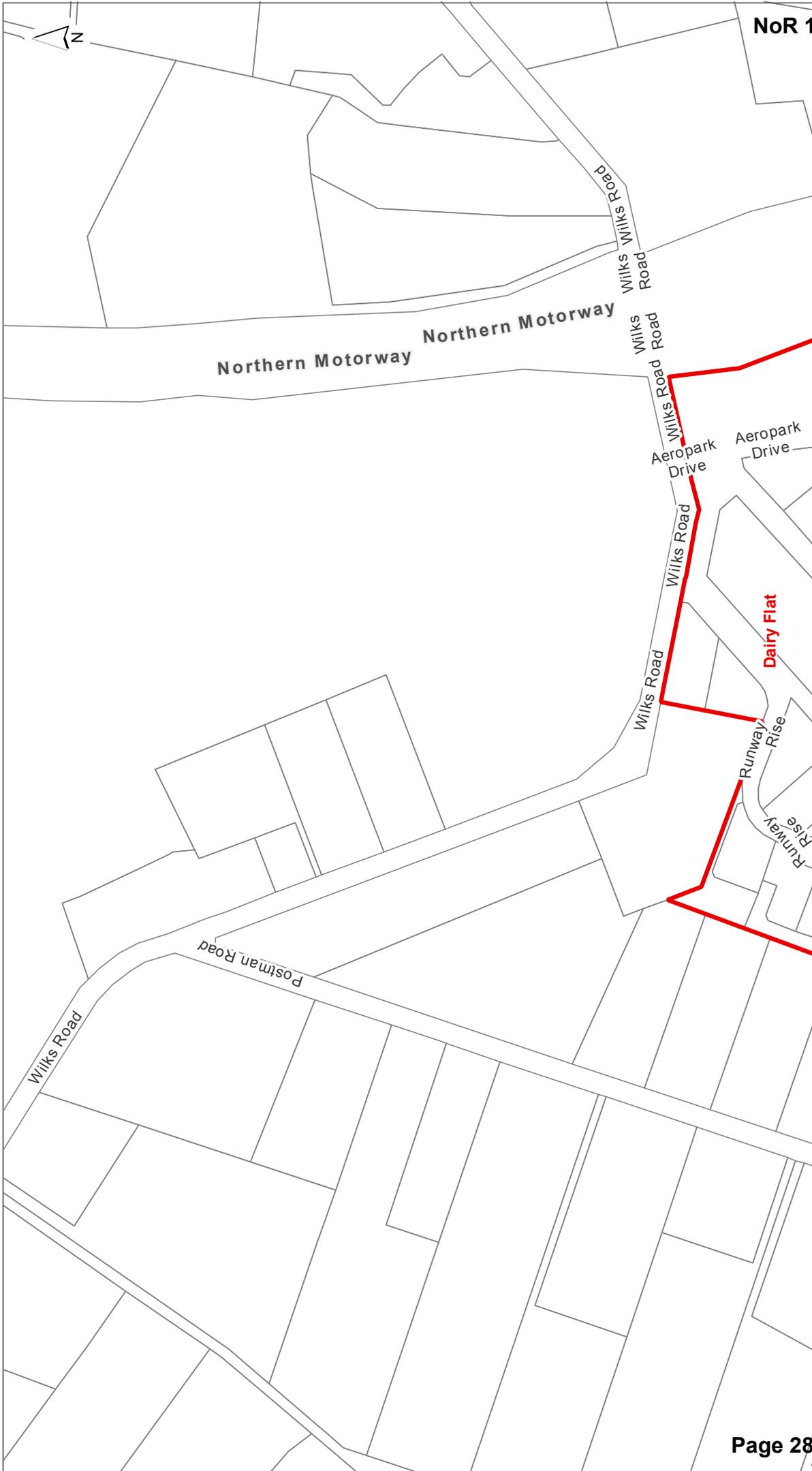
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Date Printed:
27/06/2023

Controls

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NoR 11 #10



Auckland Council
Te Kaunihira o Tāmaki Makaurau

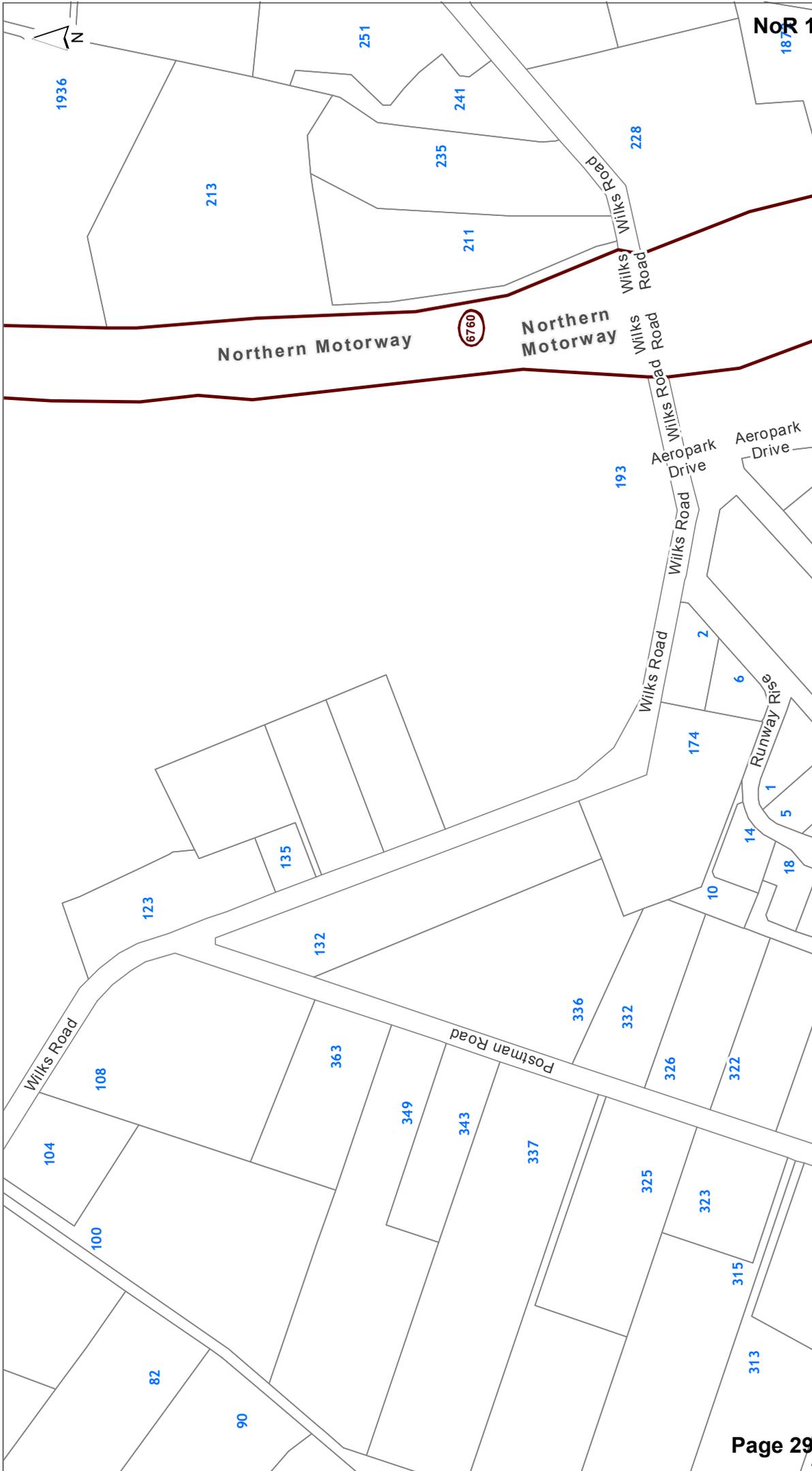


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Precincts

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NoR 11 #10



Auckland Council
 Te Kaunhara o Tāmaki Makaurau

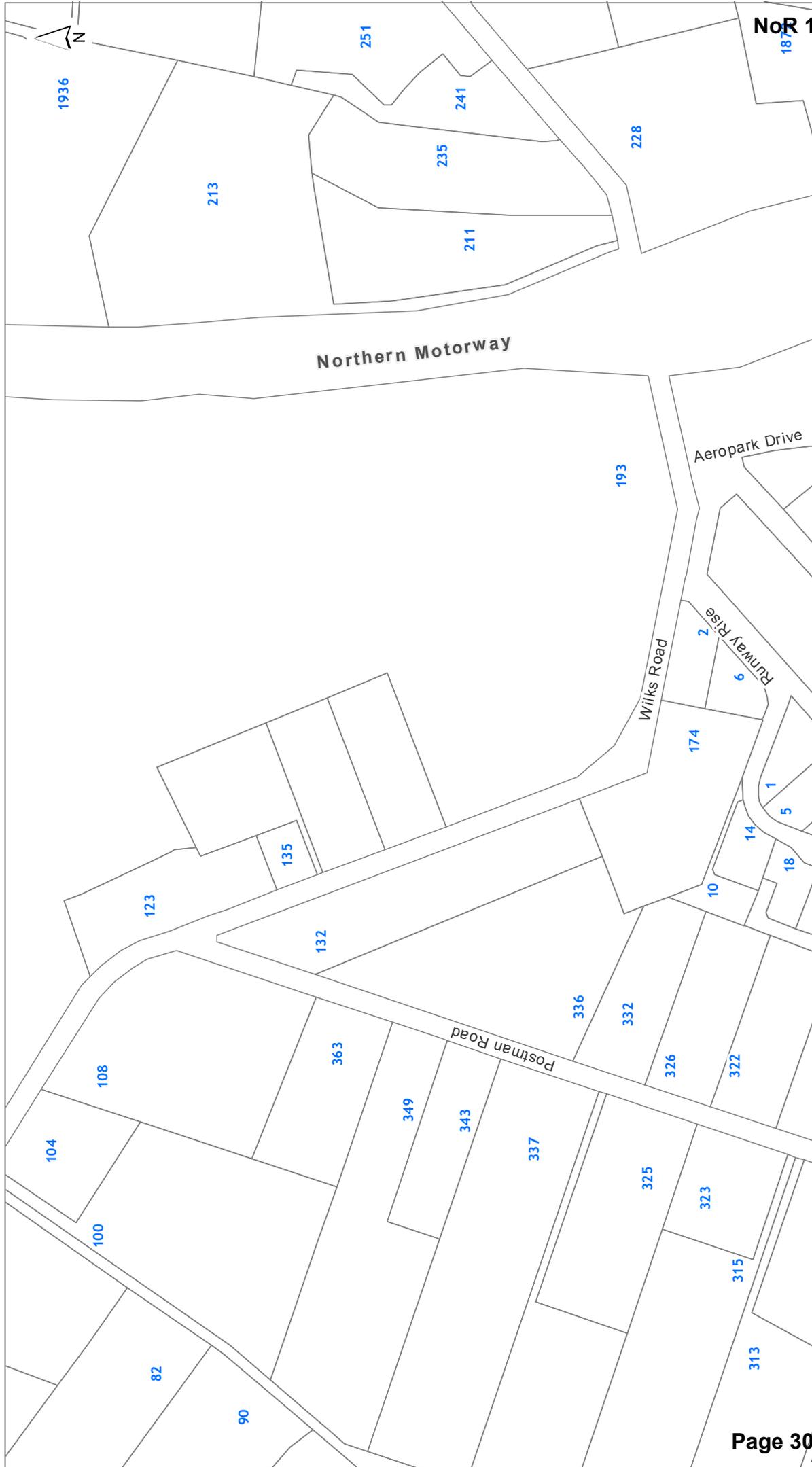


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Designations

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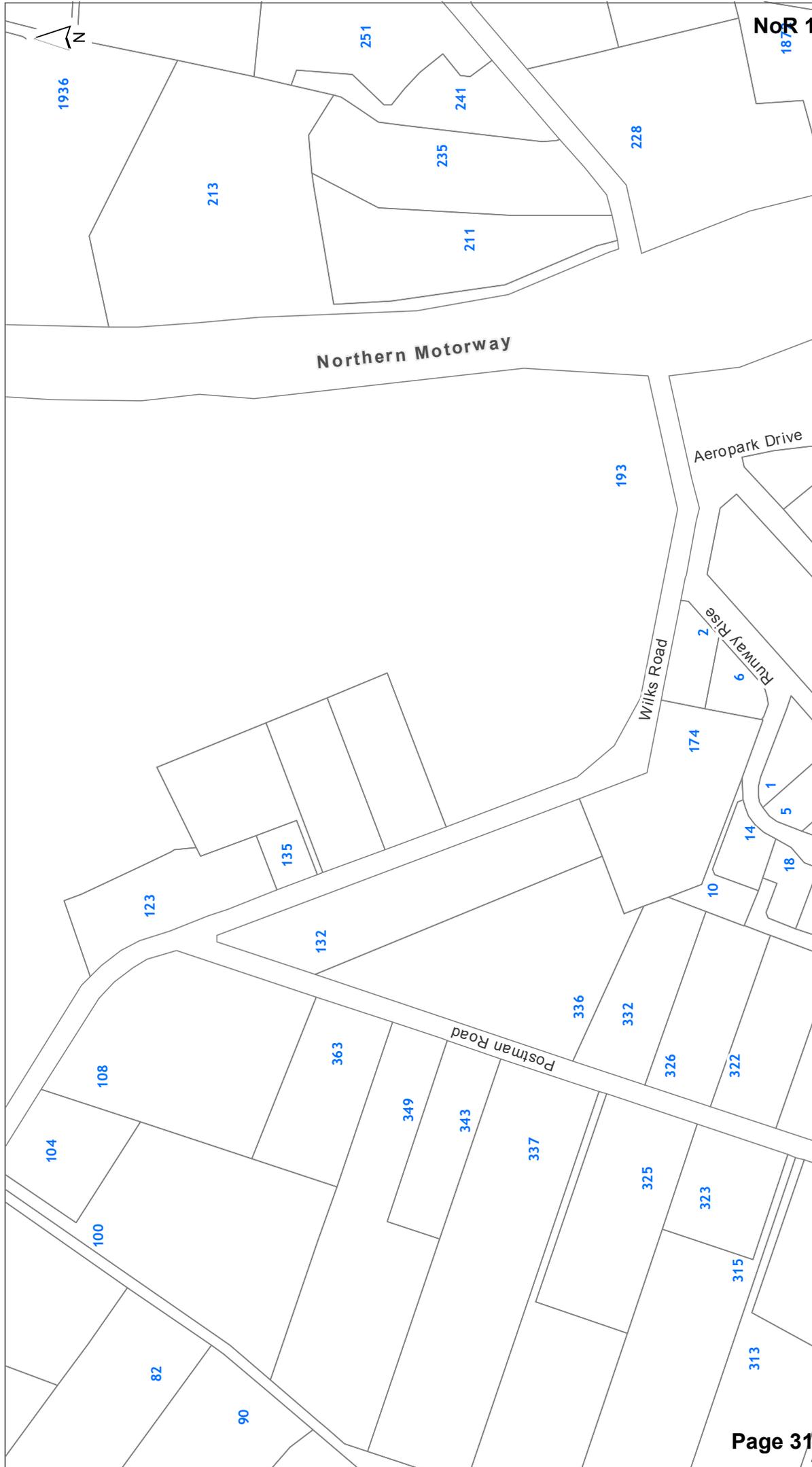
No 11 #10



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Historic Heritage and Special Character

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NoR 11 #10



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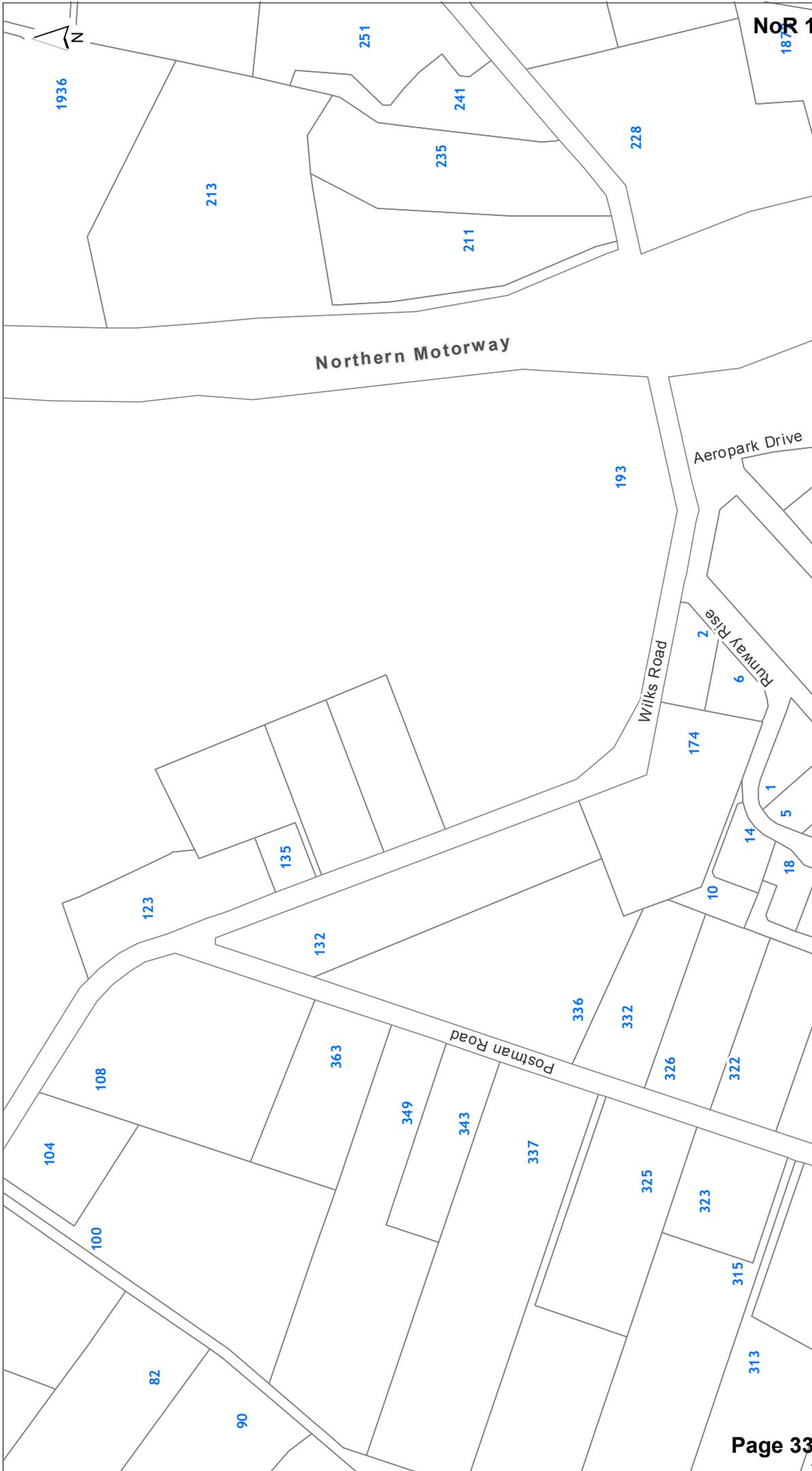


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Mana Whenua

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No 11 #10



Auckland Council
Te Kaunihara o Tāmaki Makaurau

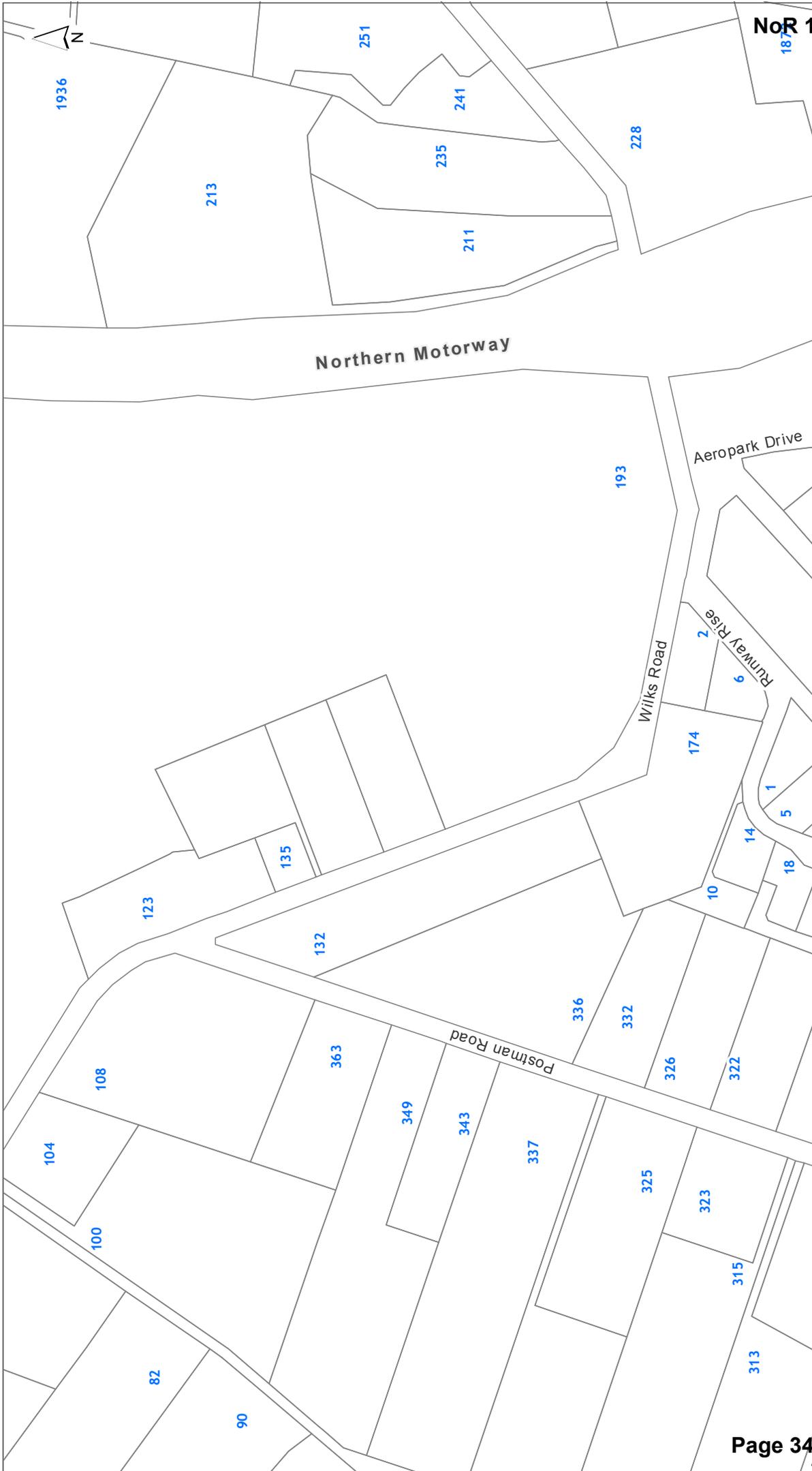
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Natural Resources

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NoR 11 #10



Auckland Council
Te Kaunhara o Tāmaki Makaurau

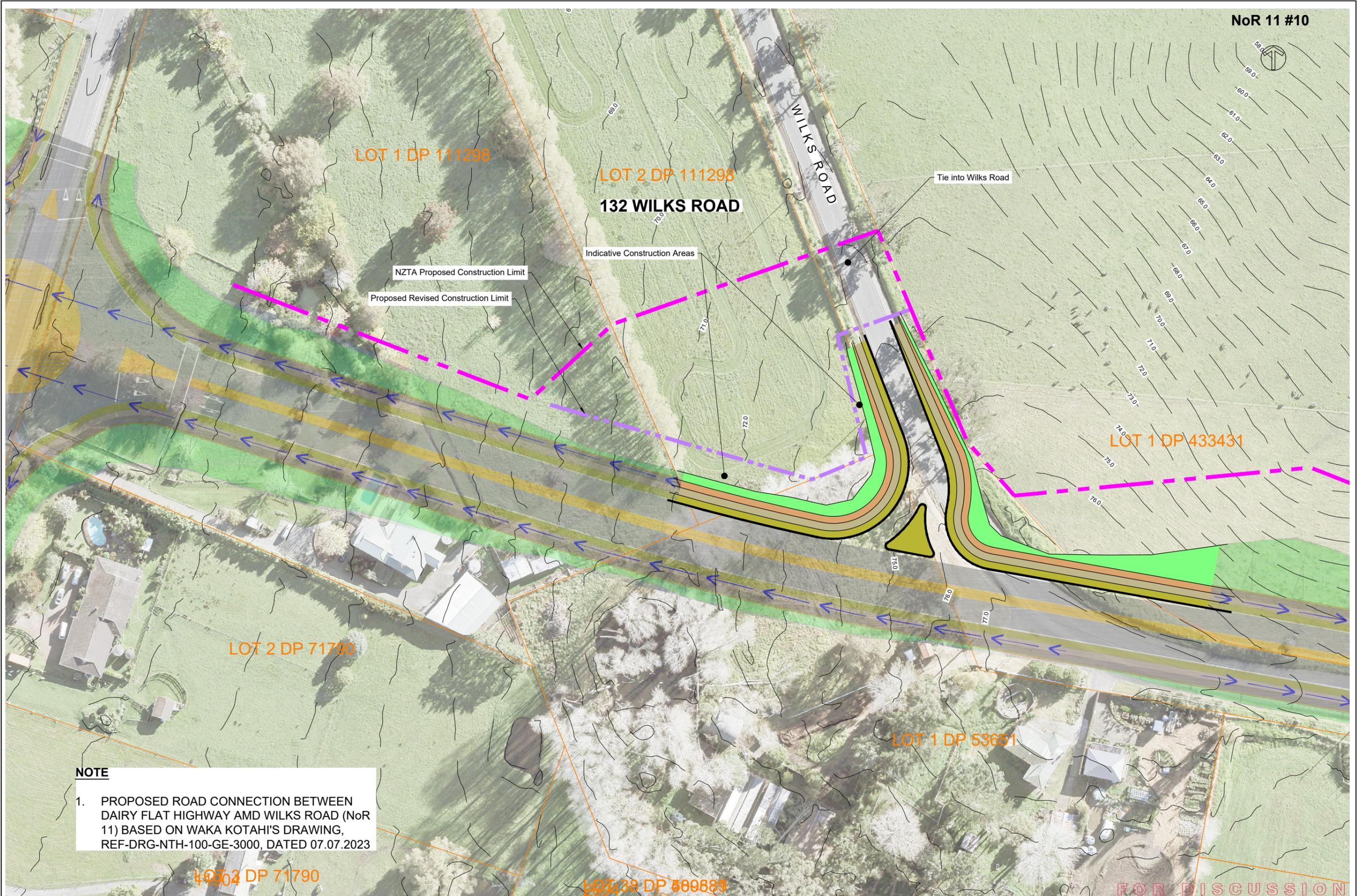


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Date Printed: 27/06/2023

Built Environment

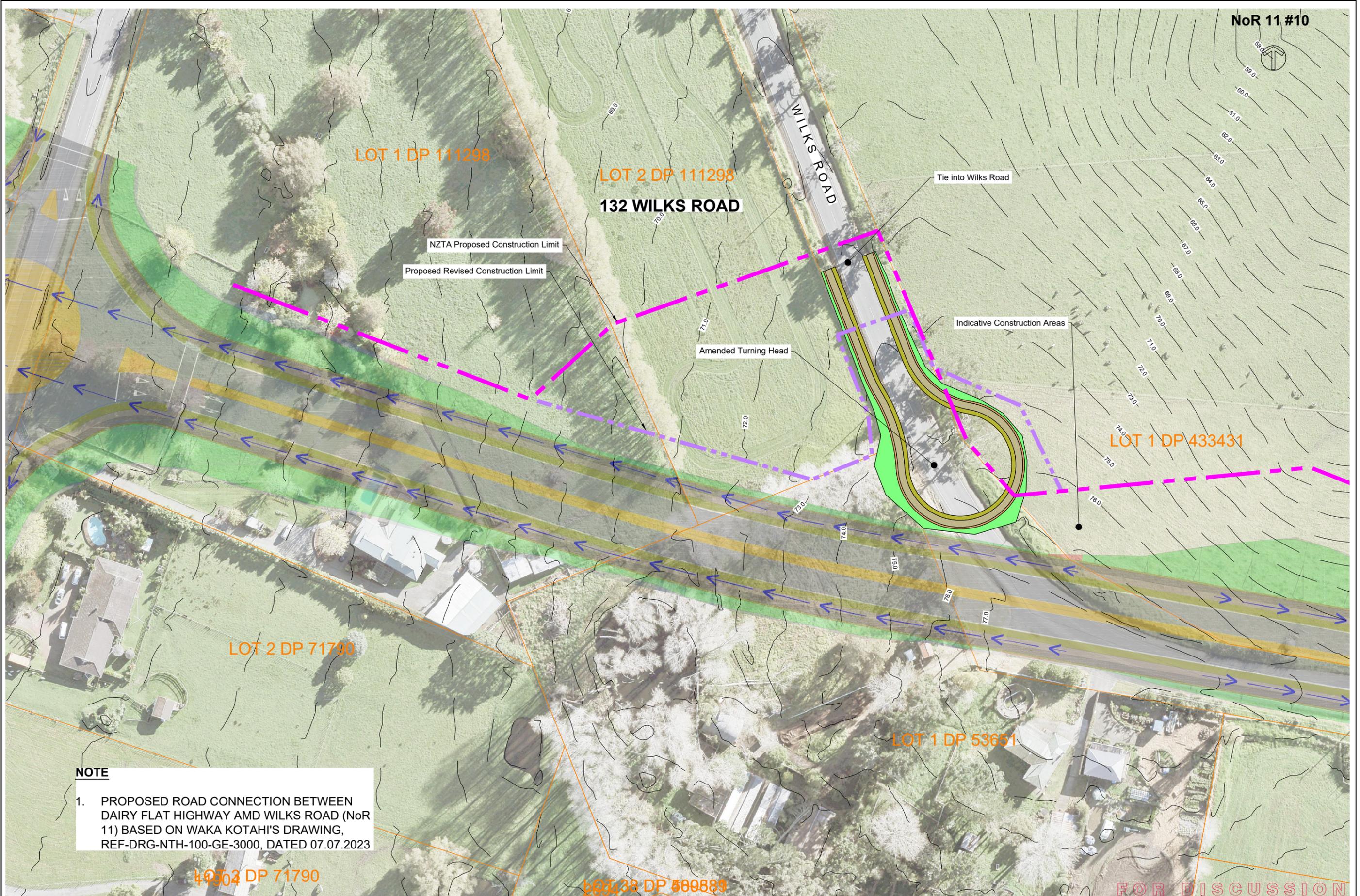
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NOTE
 1. PROPOSED ROAD CONNECTION BETWEEN DAIRY FLAT HIGHWAY AND WILKS ROAD (NoR 11) BASED ON WAKA KOTAHI'S DRAWING, REF-DRG-NTH-100-GE-3000, DATED 07.07.2023

FOR DISCUSSION

A	FOR DISCUSSION	4.12.23	<p>The copyright of this design and drawing is vested in Kepa Consulting Ltd, unless otherwise indicated.</p>	Project	132 WILKS ROAD DAIRY FLAT	Drawing Title SUBMISSION ON NoR 11 SUGGESTED LEFT TURN IN / LEFT TURN OUT AT WILKS ROAD
	Issue	Amendment		Date	Client	
			Designed by	K. WYBORN	11/23	Project No.
			Drawn by	D.G.H.	11/23	P23-114
			Checked by	K. WYBORN	11/23	Page 36 of 39
						Issue
						A



NOTE
 1. PROPOSED ROAD CONNECTION BETWEEN DAIRY FLAT HIGHWAY AND WILKS ROAD (NoR 11) BASED ON WAKA KOTAHI'S DRAWING, REF-DRG-NTH-100-GE-3000, DATED 07.07.2023

FOR DISCUSSION

A	FOR DISCUSSION	4.12.23	<p>The copyright of this design and drawing is vested in Kepa Consulting Ltd, unless otherwise indicated.</p>	Project	132 WILKS ROAD DAIRY FLAT	Drawing Title	SUBMISSION ON NoR 11 AMENDED TURNING HEAD	
	Issue	Amendment		Date	Client	KERRY McLEOD	Scale	1: 500 @A1 size
			Designed by	K. WYBORN	11/23	Project No.	P23-114	Page 38 of 38
			Drawn by	D.G.H.	11/23	Issue	2400	A
			Checked by	K. WYBORN	11/23			

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 11) New Connection between Dairy Flat Highway and Wilks 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



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.

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 (“FHL”)D

1. FHL)D makes this submission on a new 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 (“**NoR 11**”) 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. FHL)D could not gain advantage in trade competition through this submission.
3. FHL)D 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. FHL)D wishes to be heard in support of their submission.
5. If any other submitters make a similar submission, FHL)D will consider presenting a joint case with them at a hearing.

OVERVIEW OF FULTON HOGAN LAND DEVELOPMENT LIMITED

6. FHL)D 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. FHL)D has also commenced earthworks at Drury in it’s latest Auckland development.
7. FHL)D has an interest in NoR 11 that is greater than the interest of the general public. The proposed designation directly impacts property owned by FHL)D at 193 Wilks Road.
8. By way of background, FHL)D 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. FHL)D 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 there are broader land use integration issues with the NoR that appear to have arisen out of a lack of consultation with affected landowners. There are clearly areas of overlap between the private plan changes being progressed in the area, and the NoR (and the North Project NoRs more broadly), and associated opportunities for coordination and integration of outcomes.
10. 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.
11. Overall, the Northern Network and NoR 11 in particular has the potential to give rise to adverse effects to the environment that would directly affect FHLD.

SCOPE OF SUBMISSION

12. The submission relates to NoR 11 as a whole.
13. FHLD **opposes** NoR 11 for the following reasons:
 14. FHLD opposes the spatial extent of the designation boundary of NoR 11. 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 in Segment 1 (Kahikatea Flat Road to Postman Road segment) and 30 metres wide in Segment 2 (Postman Road to SH1). 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 and significantly increasing the costs of the NoR works. 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.
 15. FHLD notes that no consideration has been given to the works to be undertaken by the developers of the Silverdale West Industrial Area and there has been no attempt to coordinate facilities such as stormwater basins, walkways, access paths. This will mean that there will be unnecessary duplication of infrastructure, which in turns means the costs of the delivering the NoR works will be greater than what would otherwise be required, and in turn does not represent the sustainable management of a natural and physical resource.
 16. FHLD opposes the lapse date proposed at Condition 4, of 25 years. The extension of 20 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.
 17. FHLD opposes NoR 11 as it does not appropriately integrate transport upgrades with land use activity in the locality. Despite the assertion that the NoRs are collectively being progressed to

integrate transport upgrades with land use, there appears to have been a distinct lack of engagement with landowners to understand and integrate with land use projects actively being progressed across the wider locality. FHLD submits that there are opportunities to coordinate and integrate the following within NoR 11 and the associated Conditions of Designation as a means of providing greater clarity to impacted landowners, and the public more generally:

- (i) scope to have phased delivery of the works described in NoR 11;
- (ii) scope for mixed methods of delivery, including through public and private works;
- (iii) early delivery of upgrades to support the live zoning of land within the Silverdale West Industrial Area; and
- (iv) acknowledgement and alignment of the NoR footprint within the Plan Change Request.

18. FHLD opposes NoR 11 including a 25-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 notes that it is unclear whether a Condition requiring a Land Use Integration Process has been included for NoR 11, and therefore FHLD requests that NoR 11 be amended to include a Condition requiring a Land Use Integration Process (**LIP**) with the focus to be on providing a direct avenue for discussions between the Requiring Authority and the development community. FHLD requests that the condition be consistent with Condition 10 included in NoR 8, and 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.

19. FHLD notes that NoR 11 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 9), Stakeholder and Communication and Engagement Management Plan (Condition 12), and Construction Environmental Management Plan (Condition 13).

DECISION SOUGHT

20. FHLD seeks the following relief on NoR 11:

- (a) That the extent of the designation boundary of NoR 11 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 connection between Dairy Flat Highway and Wilks Road;
- (b) That NoR 11 is modified to accommodate the transport network needs associated with development of the Silverdale West Industrial Precinct, as programmed within Auckland Council's Future Development Strategy 2023;
- (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 11 be amended following review of the extent of the designation boundary; and
- (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 25 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

Email: nickr@barker.co.nz

Copied to:

Fulton Hogan Land Development Limited
c/- Gregory Dewe, Operations Manger
Email: Gregory.Dewe@fultonhogan.com

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) Robert Eric Fry

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

Taemaro Investments Ltd, Taemaro Trust

Address for service of Submitter

336 Postman Rd, Dairy Flat

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 11) New Connection between Dairy Flat Highway and Wilks Road

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

336 Postman Rd, Dairy Flat

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 NOR places a planning and financial blight on my property that sterilises the free and unencumbered use of my land seriously impacting my otherwise lawful and permitted uses
- This method of NOR appears to be an abuse of the intent of the RMA and PWA act being long and open ended and with extension provisions.
- This has been our family home since purchase in 2006. The NOR is impacting my mental health and well being

Now, at age 72, I had wanted to downsize from this property in the next 3 to 5 years expecting a good return on investment to finance our future final years.

4. This NOR in effect forces us to be a paying tennant (Rates etc) in our own home with no compensation for an unforeseeable future

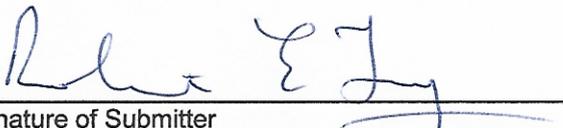
(continue on a separate sheet if necessary)

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

1. Withdraw NOR 11 and postpone all planning of a preferred route for a future arterial road until the more usual time frame of no more than 5 years and the funding is in place.

2. Alternatively, that the requiring authority be forced to buy my property quickly through due process and AT A TIME OF MY CHOOSING,

- 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.

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:

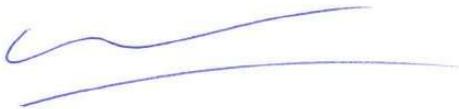
Advice Note:

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

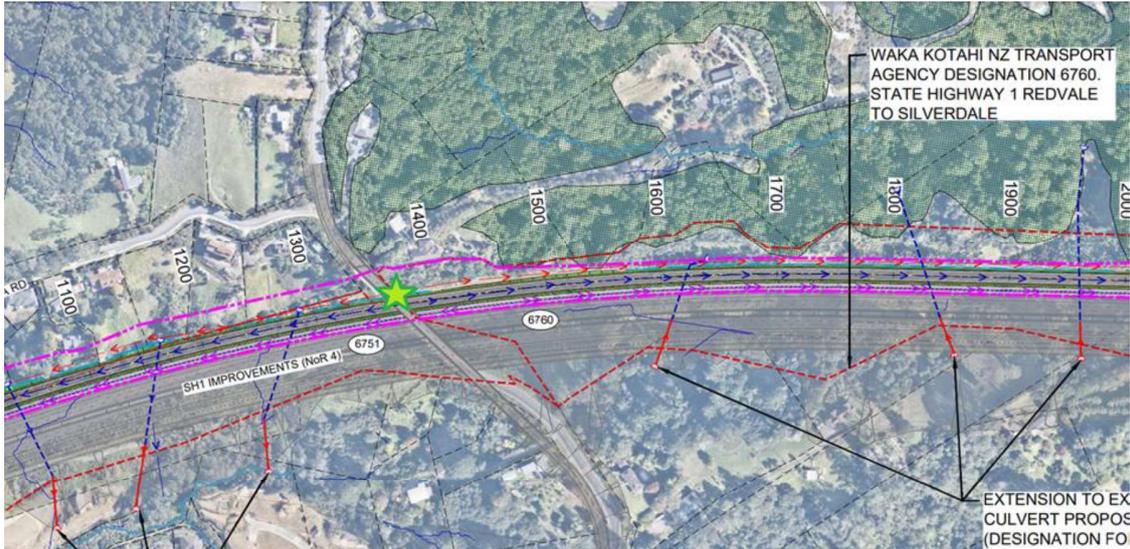
Impacted Telecommunication Facilities

Telecommunication Sites Impacted

FortySouth

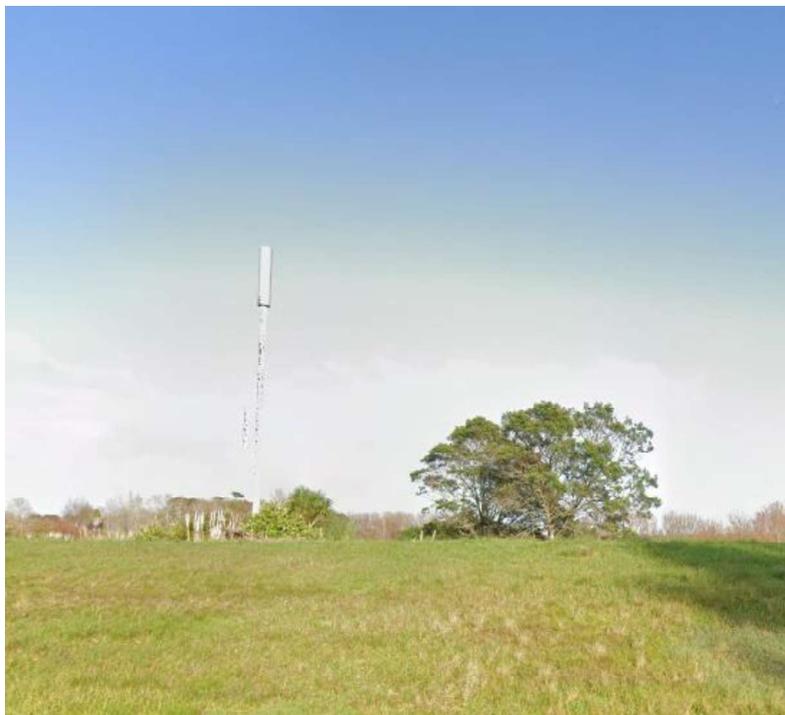
NoR 1 – North: New Rapid Transit Corridor, including a walking and cycling path (Waka Kotahi NZ Transport)

- 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)





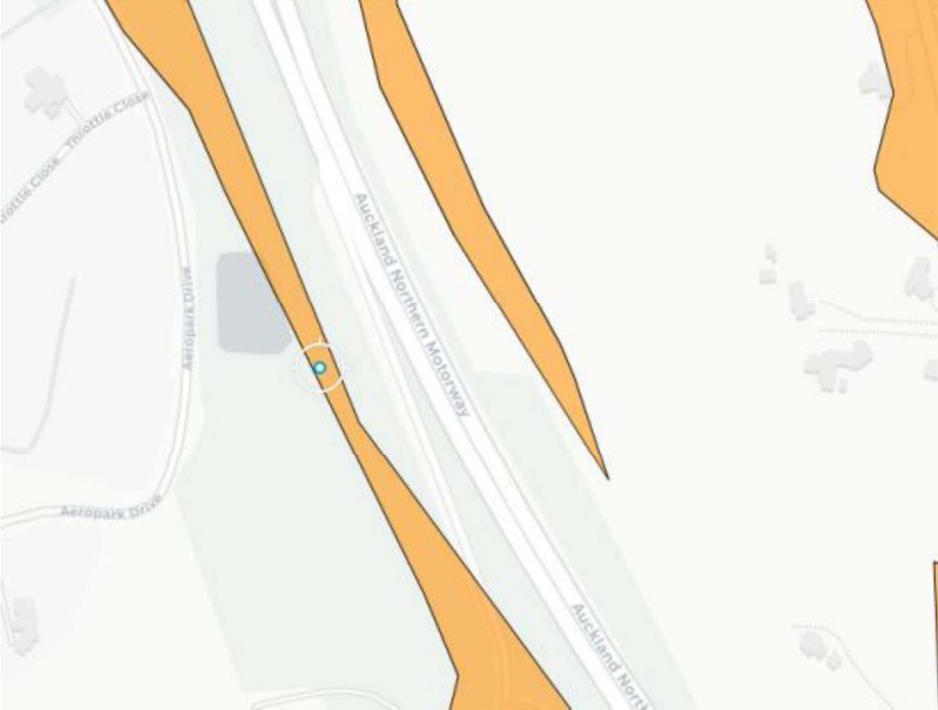
Connexa

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

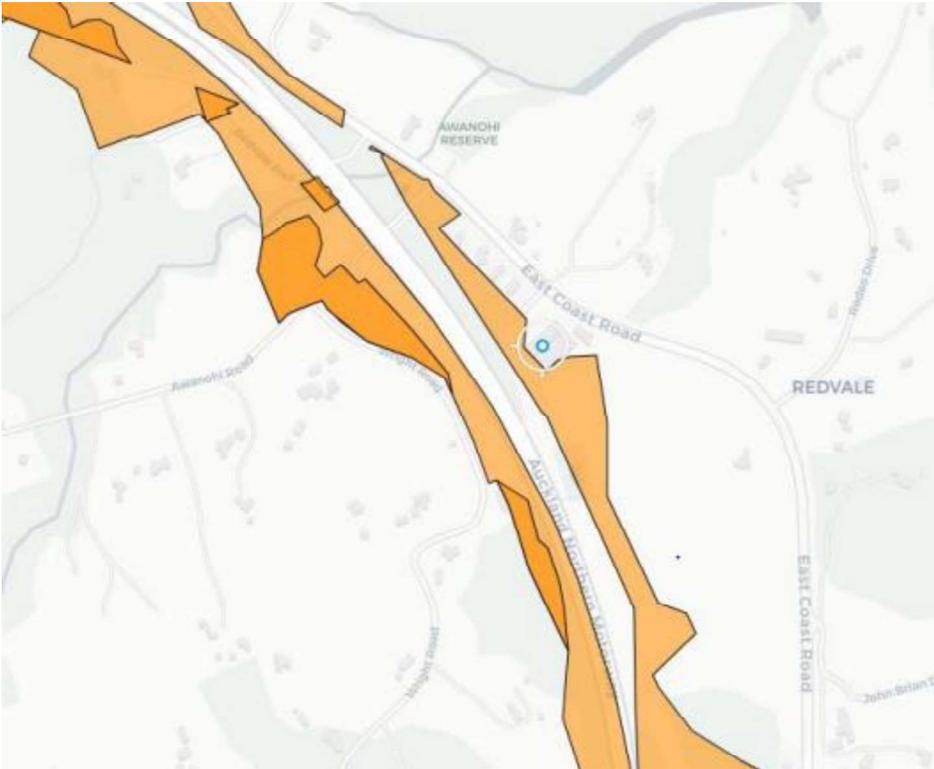
- Telecommunication pole on Silverdale Offramp (supporting 2degrees Network)



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



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

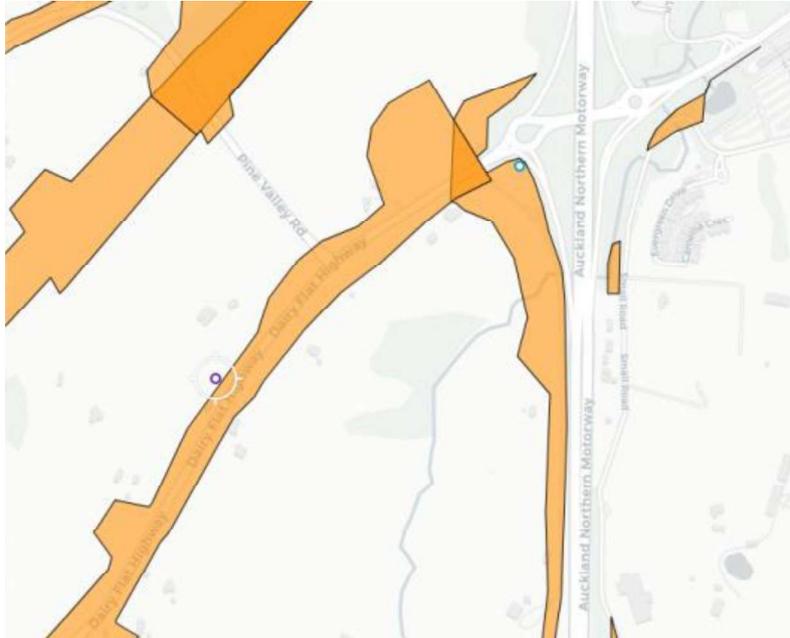


- Telecommunication pole on Lonely Track Road (supporting Spark Network)



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:1184] Notice of Requirement online submission - Jennifer Forlong
Date: Wednesday, 13 December 2023 10:15:57 pm

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

Contact details

Full name of submitter: Jennifer Forlong

Organisation name: n/a

Full name of your agent: n/a

Email address: jforlong02@gmail.com

Contact phone number:

Postal address:
1599 Dairy Flat Highway
RD4
Albany
Albany
Auckland 0794

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

The specific provisions that my submission relates to are:

My submission relates to the property 1599 Dairy Flat Highway. The proposed transport link to run alongside the motorway or the highway.

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:

The motorway and Highway are already there. It would be cheaper to use the current infrastructure and add to it. If the transit link is to go ahead across my land then I would like it to be further down the property, away from the main house. This is my family home. I live in it and have an income from the secondary building on the property. It was built to last, I am also seeking to appeal against the submission by waka kotahi to extend the clause that dictates when they have to start doing the earthworks for this project.

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

Auckland council should uphold the clause for starting work on this project within the current guidelines (not extend this). the transit link and surrounding earthworks not prevent me from living in my house. The proposed transit link should run alongside the current motorway or highway.

Submission date: 13 December 2023

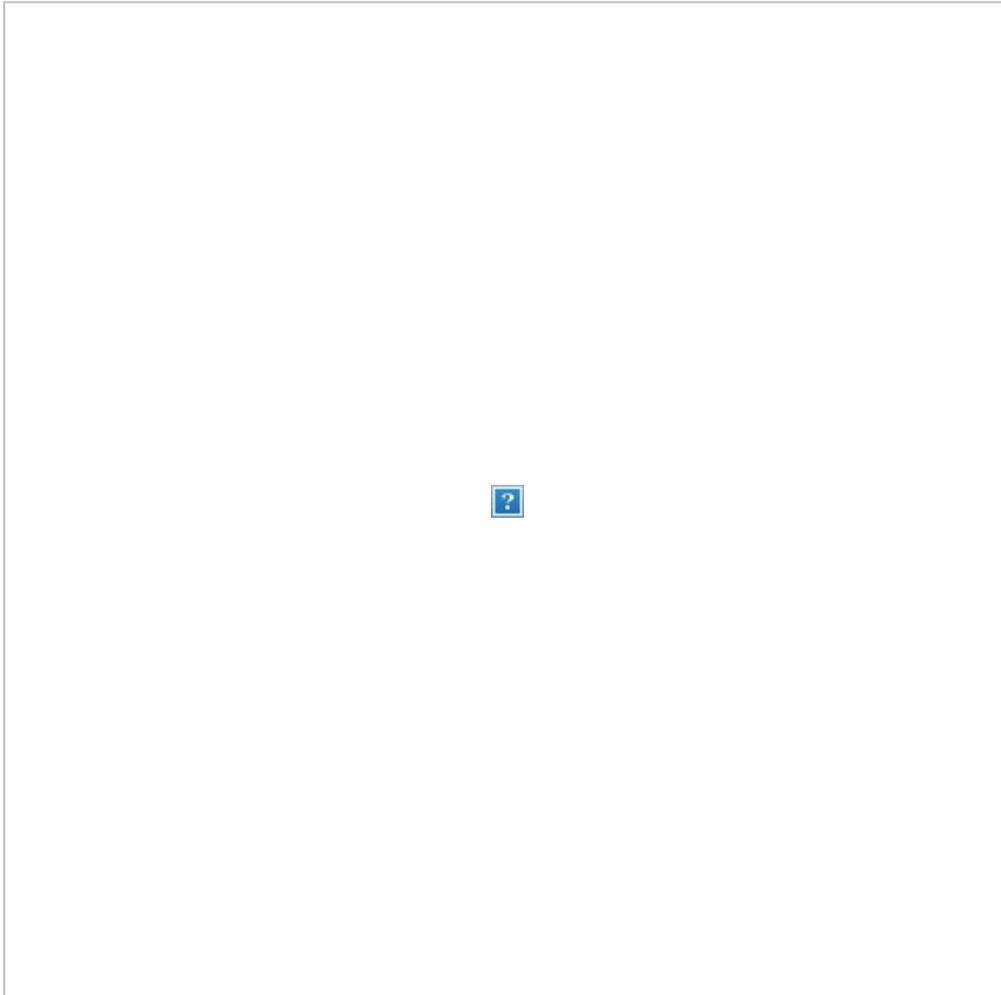
Attend a hearing

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.

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: NoticeOfRequirementOnlineSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: [ID:1262] Notice of Requirement online submission - KWANG SOO HAN
Date: Thursday, 14 December 2023 9:30:42 pm

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

Contact details

Full name of submitter: KWANG SOO HAN

Organisation name:

Full name of your agent:

Email address: guidefree88@hotmail.com

Contact phone number: 021815815

Postal address:

Submission details

Name of requiring authority: Auckland Transport

The designation or alteration: North: NOR 11 New Connection between Dairy Flat Highway and Wilks Road

The specific provisions that my submission relates to are:
1436 Dairy Flat H/W

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:
I am afraid that my house will be sold for a low price.

I or we seek the following recommendation or decision from Auckland Council:
I hope the government accepts it at the normal market price.

Submission date: 14 December 2023

Attend a hearing

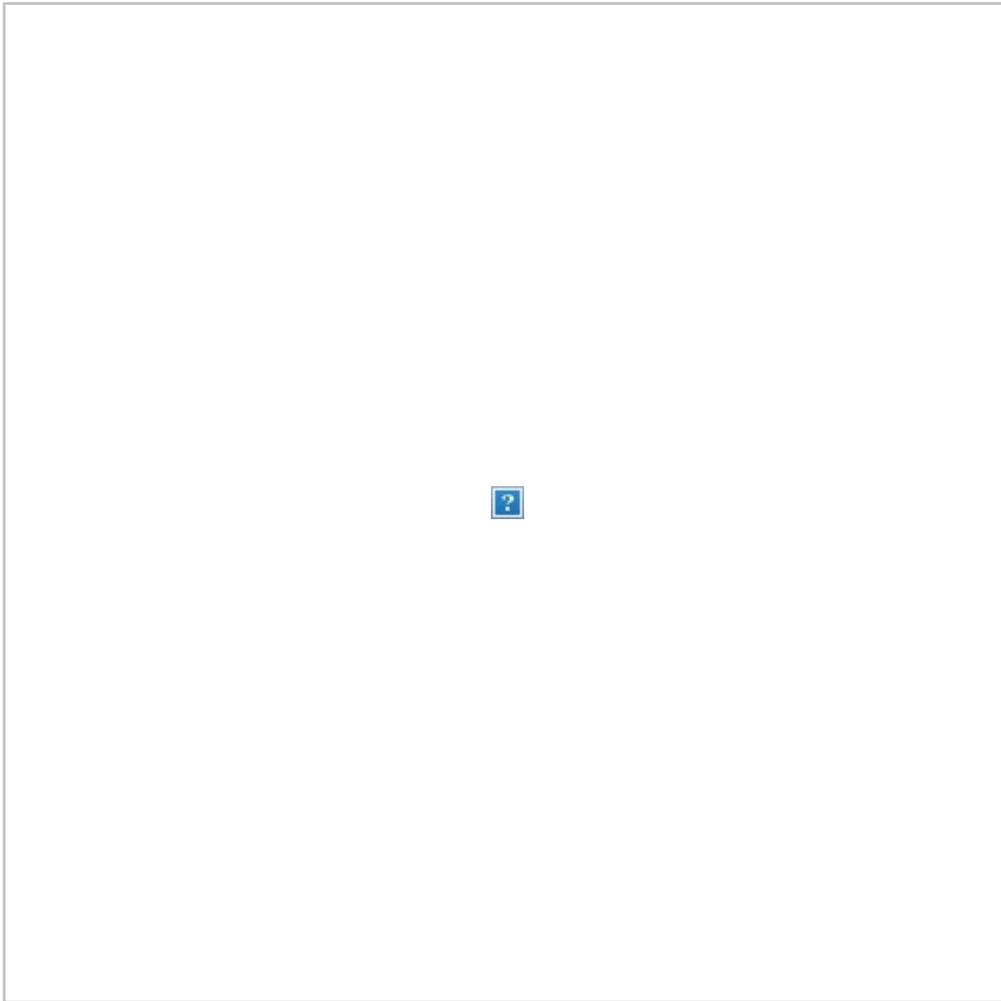
Do you wish to be heard in support of your submission? Yes

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.



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 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**,

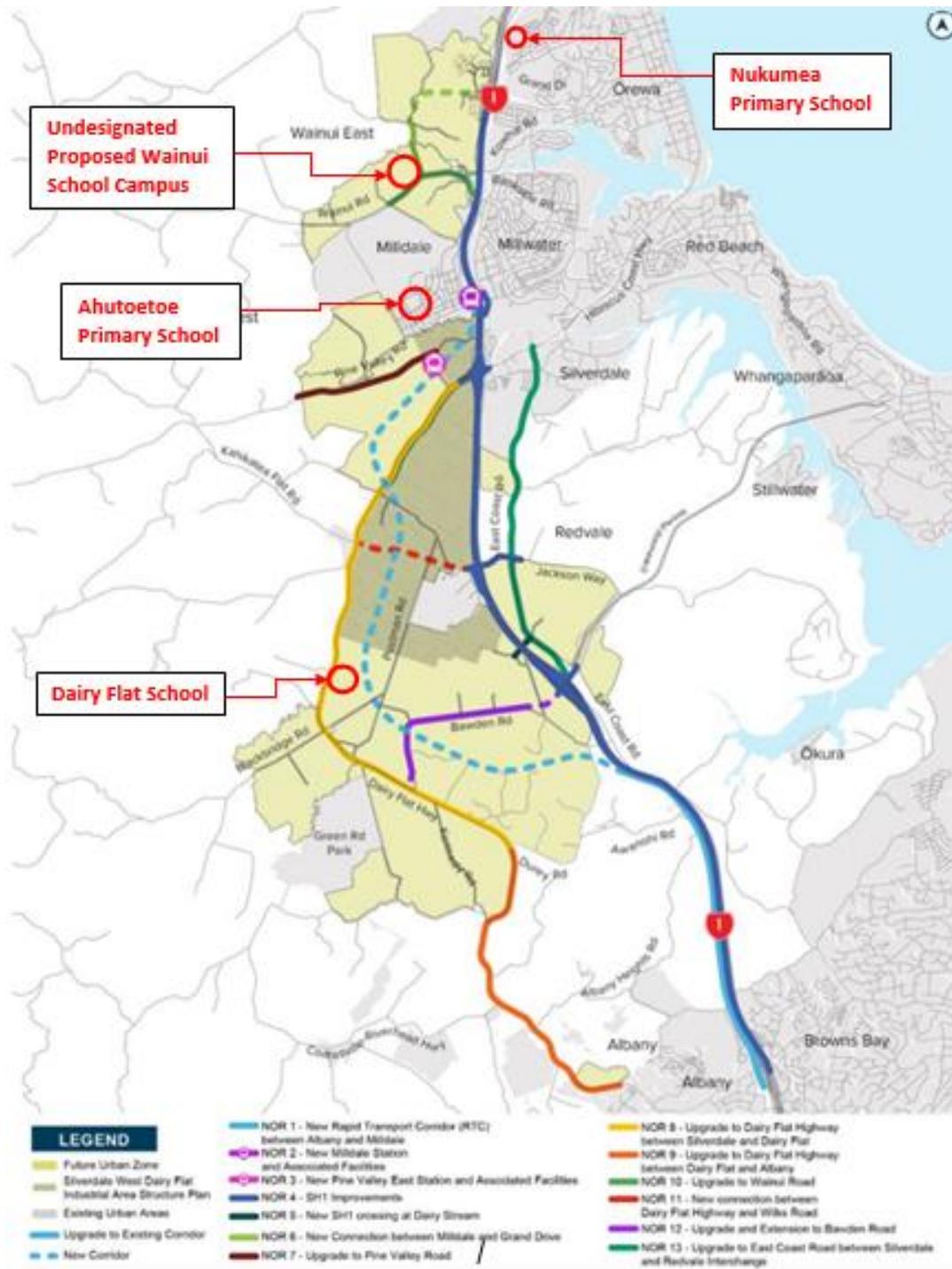


Figure 1: Project Overview - Location of NoRs in relation to the Ministry of Education's School Network.

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.

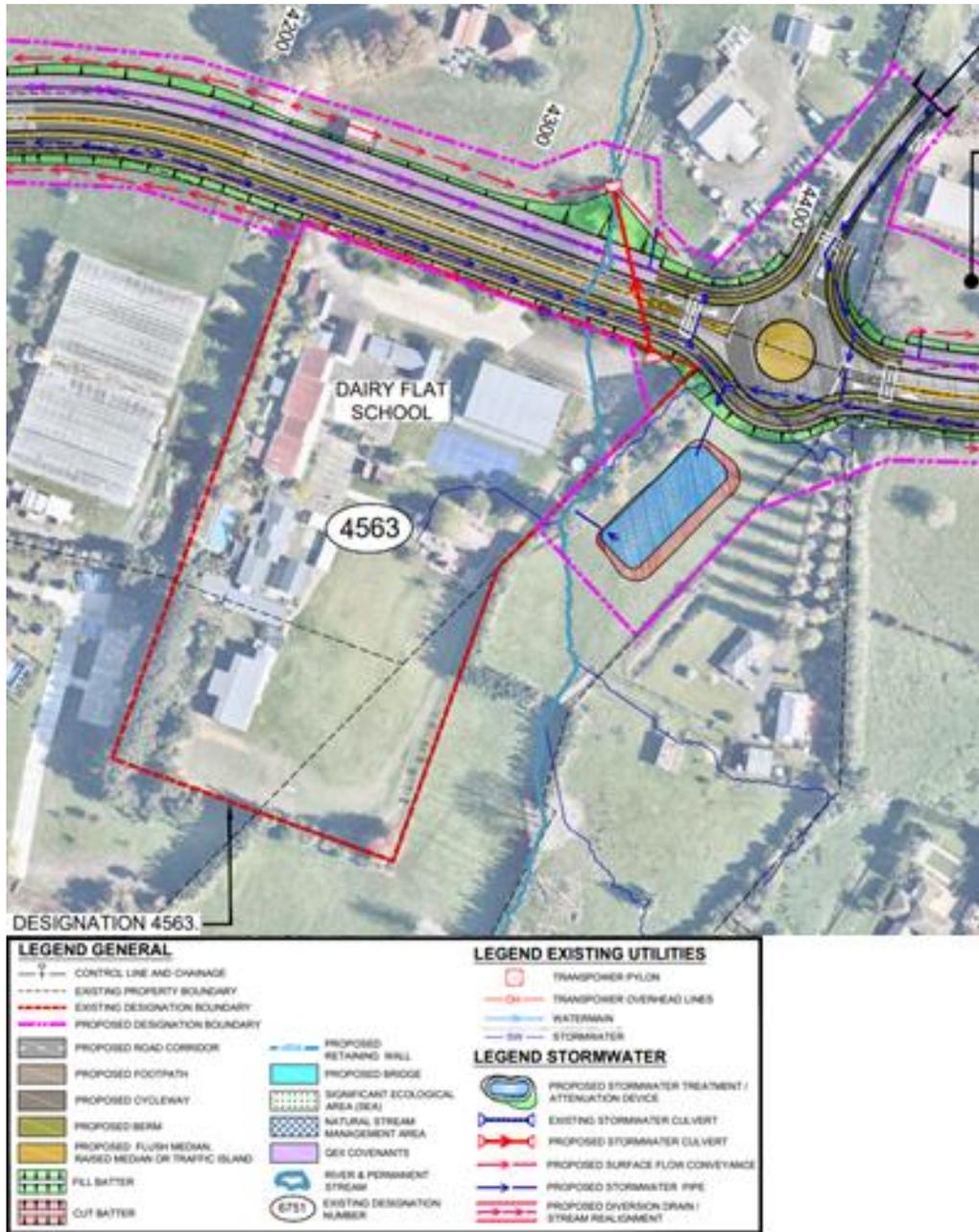


Figure 2: Proposed works in proximity to the Dairy Flat School

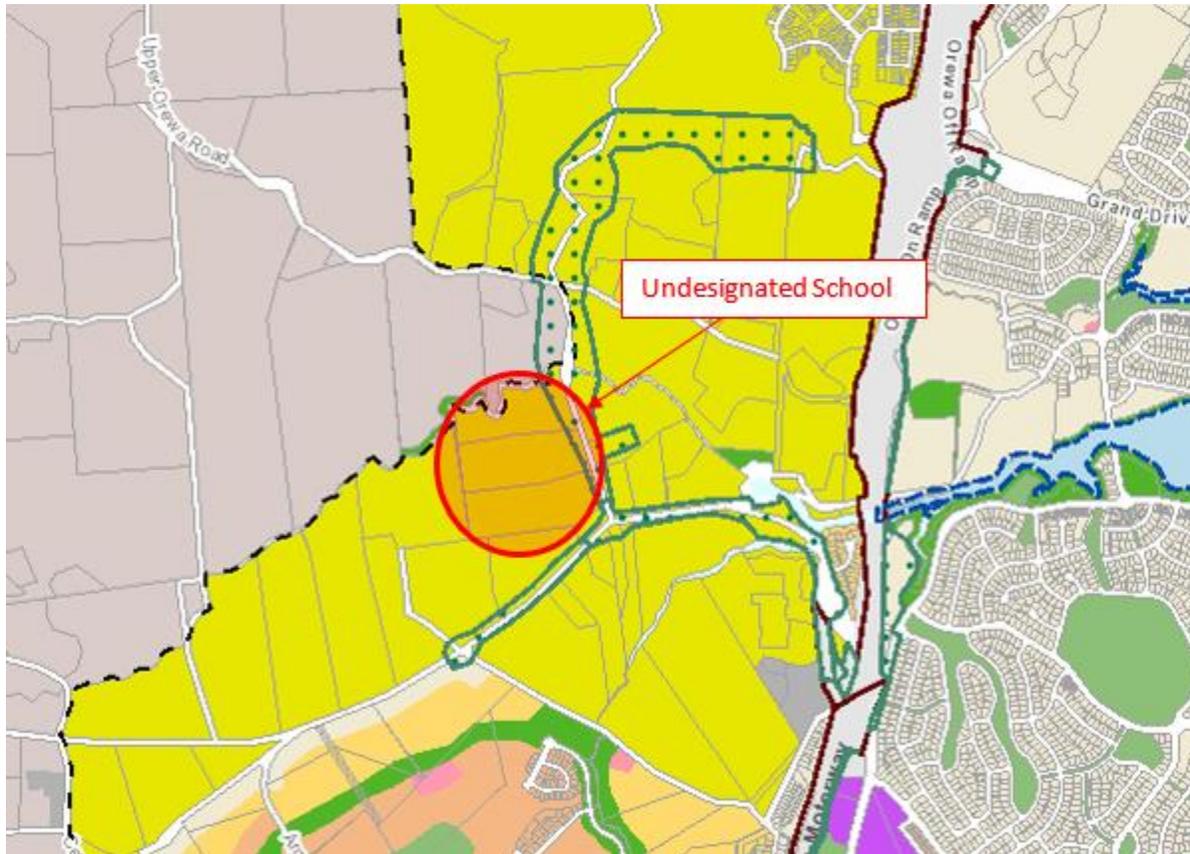


Figure 3: NoR 6 and 10 Footprints in relation to proposed Wainui School campus on Upper Orewa Road

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, appearing to read 'Chris Horne'.

Chris Horne
Consultant Planner for Ministry of Education

Date: 14 December 2023



Form 21

Submission on notice of requirement for designation North: NOR11 New Connection between Dairy Flat Highway and Wilks Road that is subject to notification

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

To: Auckland Council

SUBMITTER DETAILS

Name of Submitter: GR & CC McCullough Trustee Limited

1. GR & CC McCullough Trustee Limited (“**MTL**”) makes this submission on North: NOR11 New Connection between Dairy Flat Highway and Wilks Road (“**NOR11**”) lodged by Auckland Transport (“**AT**”) to the Auckland Unitary Plan - Operative in Part (“**AUP:OP**”) in accordance with Sections 168A, 169, 181, 189A, 190, and 195A of the Resource Management Act 1991 (“**RMA**”) as follows.
2. MTL could not gain advantage in trade competition through this submission.
3. MTL **wishes to be heard** in support of their submission.
4. If any other submitters make a similar submission, MTL will consider presenting a joint case with them at the hearing.

OVERVIEW of MTL LAND

5. MTL own land at 9 Kahikatea Flat Road, Dairy Flat, Auckland which is directly adjacent to proposed designation NOR11.
6. MTL own and operate the Dairy Flat Veterinary Clinic (**The Vets**) which runs out of the premises at 9 Kahikatea Flat Road. The Vets has a large established, and growing, local client base. There are very few other vets in the area and as such the vet is an important local service.
7. Parking for the vet is required for both staff and clients. It is not feasible for clients to use public transport to bring animals to the clinic. Staff also need to be able to park onsite as they often need to transport either animals or equipment to other clinics around Auckland. Safe and efficient access with appropriate parking and manoeuvring is also required for lab test pick-ups, couriers and other deliveries pertaining to a vet hospital. These factors directly affect commercial viability.



8. Figure 1 below shows an aerial image of 9 Kahikatea Flat Road.



Figure 1. Aerial Image of site (Source: GeoMaps, dated 11/12/2023)

NOR11

9. NOR11 proposes a new connection between Dairy Flat Highway and Wilks Road which will connect Dairy Flat Highway (from the Kahikatea Flat Road intersection) to Wilks Road. The submitted AEE states that *it will provide an improved east-west connection through the centre of Silverdale West – Dairy Flat Industrial Area to SH1 and connect the future industrial area to SH1 at the new Wilks Road SH1 interchange. This will enable future industrial traffic to connect to SH1 at the new Wilks Road interchange (part of NoR 4), forming a strategic freight route and facilitating access to social and employment opportunities within the industrial land use adjacent to the corridor.*

10. Segment 1 (Kahikatea Flat Road to Postman Road Segments) runs alongside the front boundary of the property at 9 Kahikatea Flat Road. This submitted AEE states in section 8.11.1 states that *Segment 1 provides for a 2-lane urban arterial (24m wide corridor) with separated walking and cycling facilities on both sites.* The indicative cross section is shown in Figure 2 below:



Figure 8-32: Indicative design between Kahikatea Flat Road and Postman Road – 24m cross section

Figure 2. Indicative cross section design between Kahikatea Flat Road and Postman Road

SCOPE OF SUBMISSION

11. This submission relates to NOR11 as a whole but specifically the western portion of the NOR11 which extends adjacent to the front boundary of 9 Kahikatea Flat Road and notably not over the property.
12. MTL has an interest in the NOR11 that is greater than the interest of the general public because they own the subject land which is adjacent to NOR11 and could be affected by construction and operation of NOR11 or any changes made to the Notice of Requirement.
13. MTL supports the intent of NOR11 and the fact that it does not extend over the land at 9 Kahikatea Flat Road. However, opposes NOR11 on the basis that insufficient information has been provided to address the effects of NOR11, specifically:
 - a. As can be seen from the General Arrangement Plan below in Figure 3 the proposed walking and cycling facilities to be provided do not extend down Kahikatea Flat Road, despite the plans and description above stating otherwise. Instead, the walking and cycling facilities appear to stop just past the intersection with Dairy Flat Highway and then appear to join into the existing footpath which extends along some parts of Kahikatea Flat Road. This matter is not assessed in the Assessment of Transport Effects report submitted with the application.



Figure 3. General arrangement plan

- b. The existing footpath through the Industrial zoned land in Kahikatea Flat Road is of poor quality and will not be suitable when NOR11 is implemented. There are no cycling facilities along this section of Kahikatea Flat Road. The walking and cycling facilities proposed as part of NOR11 should be extended along Kahikatea Flat Road for the extent of the existing Industrial zoning. The road corridor along this section of Kahikatea Flat Road appears to be approximately 25m wide so there should be sufficient space within the road corridor to provide for such facilities.



Figure 4. Existing footpath in front of site (Source: Google Street View, dated 13/12/2023)

- c. No detail is provided to confirm whether or not vehicles will be able to continue to turn right of out of the property, in fact the median strip shown on the general arrangement plan appear to potentially prevent such a movement. Unrestricted vehicle access to 9 Kahikatea Flat Road is essential given its use and zoning; particularly considering the matters section out in paragraph 7 above.
- d. Confirmation is required as to the treatment of the intersection with Dairy Flat Highway and Kahikatea Flat Road. The general arrangement plan indicates this will be signalised however the plans within the Landscape and Urban design assessment do not show this detail. There is no assessment of how this intersection is anticipated to perform within the Assessment of Transport Effects report; this assessment needs to be undertaken and the information provided.
- e. The Urban Design Evaluation Report submitted with the NoR application provides Outcome and Opportunities Plans for each NOR. The Outcome and Opportunity Plan for NOR11, refer Figure 5 below, shows an interface extending over the property at 9 Kahikatea Flat Road:



Figure 5. Outcome and opportunity plan for NOR11

- f. Detail of how this is to be provided, and / or what this means is required. This mitigation sits outside of the designation boundary along Kahikatea Flat Road rather than inside the designation as is the case for the rest of the project corridor – how is this anticipated to work?



RELIEF SOUGHT

14. MTL seek the following recommendation or decision from Auckland Council on NOR11:

- a. Further information is provided to address the matters raised in the submission and NOR11 is amended to include the matters raised in the submission.
- b. MTL opposes the proposed conditions to the extent that they require amendment and review to address matters raised in the submission. It is likely that other changes will also be required to the conditions and the submission scope seeks to enable a full review and input to the Designation conditions to ensure that optimal outcomes are achieved.
- c. Any other relief required to achieve the outcomes sought in this submission.

Yours sincerely



Diana Bell
Manager | Planner
The Planning Collective Limited

Address for Service:

The Planning Collective Limited
Attn: Diana Bell
PO Box 591, Warkworth, 0941
Ph: 021382000
Email: diana@thepc.co.nz



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.

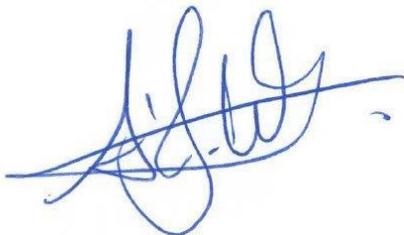
5. RECOMMENDATION SOUGHT

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

Submission for NoR 11 New Connection between Dairy Flat Highway and Wilks Road

Bryn Lockie
105 Lascelles Drive, Dairy Flat, RD4 Albany 0794
bryn@lockie.co.nz
021681900

Auckland Council
 Private Bag 92300
 Auckland 1142
 unitaryplan@aucklandcouncil.govt.nz
 Attn Mr J Duguid – Manager Plans & Places

Auckland Transport
 submissions@supportinggrowth.nz

RE: Joint Notification of Notices of Requirement by Auckland Transport(AT) and Waka Kotahi NZ Transport Agency(WK/NZTA) to protect routes in Dairy Flat , Redvale, Stillwater, Silverdale and Wainui East, dated 13 November 2023.

- **NoR 11 Proposed New Connection between Dairy Flat Highway and Wilks Road.**

My name is **Bryn Lockie** and I am submitting my **objection** to the joint application by AT & WK/NZTA for the proposed route protection NoR #11 for a future proposed road connection between Dairy Flat Highway and Wilks Rd, as Resident at **105 Lascelles Drive, Dairy Flat 0794.**

As a directly affected party to this proposal, we have NOT had any communication, advice and dialogue as to affects and how they are proposed to be remedied. **The proposal bisects our only access to the property and our immediate neighbours, leaving us all land locked. Furthermore, the roading concept included within the Notice indicated that, on the assumption that our existing at grade drive access provides both right and left connectivity to Wilks Rd, is potentially severely compromised by the indicative design of the New Wilks Rd, which includes a median strip.**

The relief we request is for the Withdrawal of Notice of Requirement 11 for reasons described below and wish to be heard at the Hearing.

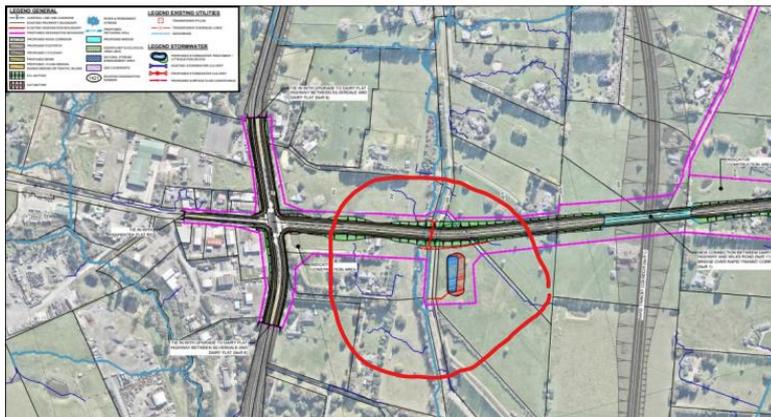


Figure 16-1: NOR11 Connection from Wilks to Dairy Flay Highway

1 Apparent Affect

The existing layout of our properties in Lascelles Drive provides a joint access strip for 5 properties from a shared accessway, commencing at the turning head of Lascelles Drive and running south for 350 m in length, which then continues for another 450m to the last two properties individually, one being #105.

The proposed new connector road from Kahikatea Flat Junction eastwards to Wilks Rd “bend”, prior to a new motorway interchange bisects our driveway, thereby landlocking 3 of the 5 properties contained within our enclave. These properties are also subject to registered covenants regarding a range of matters including the shared access.

Based upon the plans provided with the Notice, it appears that the new road is :

- a) Grade separated from our existing accessway;
- b) Landlocks all of the properties;
- c) Has no provision for alternative access;
- d) The new connector road appears to have a median strip, which precludes any right turn from a replacement access point;
- e) Restricts the future development of our land for our purposes as it does not make financial sense to continue to develop for lifestyle residential – impacts our use and enjoyment now
- f) Stops the valuable recreational, exercise and equestrian use of our substantial length and width driveway we have enjoyed for 20 years as a safe low traffic all season area

We are therefore suffering loss and seek physical, legal and financial relief, should such a proposal be carried forward.

Furthermore, the 25 year time period is excessive. Any such proposal for a new road should be coordinated with what the Long Term Plan for the City and immediate area is i.e within the “near” horizon, and not providing clear certainty as to outcomes. We suffer loss from the confusion created as soon as such a Notice is released, i.e right now, and already other owners in the area attempting to sell, are experiencing buyer resistance due to uncertainty, for such an extended period.

Accordingly, we request the first step to be withdrawal of the application.

Regards

Bryn Lockie
Resident
105 Lascelles Drive
Dairy Flat 0794

Attn: Planning Technician
Submission on Notice of Requirements Lodged by Auckland
Transport: North Projects (NoR 8 and NoR 11)

SLR Ref No.: North Projects NoRs_Z Energy
Submission_v1.0

14 December 2023

SLR Ref No.: North Projects NoRs_Z Energy Submission_v1.0

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

By email: unitaryplan@aucklandcouncil.govt.nz

**RE: Submission on Notice of Requirements Lodged by Auckland Transport:
North Projects (NoR 8 and NoR 11)**

Submitter:

Z Energy Limited
PO Box 2091
Wellington 6140

Address for Service

SLR Consulting New Zealand
PO Box 911310
Victoria St West
Auckland 1142

Attention: Phil Brown

Phone: 027 467 1566

Email: philip.brown@slrconsulting.com

A. Introduction

- 1 This is a submission on two notice of requirement (*NoRs*) applications which were lodged in association with the North Project. The Supporting Growth Alliance (*SGA*), which includes Auckland Transport and Waka Kotahi, as a requiring authority under Section 167 of the Resource Management Act 1991 (*RMA*), is seeking NoR approval to enable this work.
- 2 The North Project involves the construction of future strategic transport corridors and stations to support the future growth of North Auckland.
- 3 Z Energy (*Z* or *Z Energy* or *the Submitter*) has an interest in the Caltex Dairy Flat truck stop located at 1433 State Highway 17 (*the site*), which is impacted by NoR 8 and NoR 11. For the avoidance of doubt, Z's interests primarily relate to the truck stop and not the Caltex service station it shares the site with. That said, Z has an interest in ensuring that the two activities can continue to operate in a safe, efficient, and compatible manner.
- 4 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.

B. Summary of Submission

- 5 The Submitter supports the principle of encouraging multi-modal transport options to support the future growth of Auckland, but has an interest in ensuring that the project will not adversely affect the operation of the Caltex Dairy Flat truck stop. The Submitter therefore opposes the NORs insofar as they affect, or may affect, the operations at the site.
- 6 The Submitter's opposition is on the basis that:
 - a) The Assessment of Environmental Effects is inadequate and does not address the potential site-specific adverse effects of the works in sufficient detail to address matters under section 171(1) of the RMA;
 - b) The potential adverse effects on the Submitter have been inadequately identified, considered, or avoided, remedied, or mitigated;
 - c) The application plan and conditions lack detail and therefore adverse effects of the project are not able to be clearly identified and therefore cannot be sufficiently mitigated, including managing the effects of the NORs on adjacent activities;
 - d) The project may generate significant adverse social and economic impacts, including on the Submitter's business; and
 - e) The proposed conditions do not adequately address the potential for adverse effects, including significant adverse effects.

C. Characteristics of truck stops

- 7 Truck stops are complex land use activities. Their design and layout requires consideration of a range of matters and adherence to industry standards to ensure that they can operate safely and efficiently. This includes in relation to:
 - a) The transfer, storage and handling of hazardous substances. Key hazardous substances components of truck stops, including aboveground fuel storage (noting that fuel storage at truck stops is usually aboveground), remote fill points, associated underground fuel lines, and above ground fuel pumps, must be

carefully designed and sited in accordance with industry legislation¹ to ensure that potential adverse environmental effects and health and safety risks are appropriately managed.

- b) Stormwater. Stormwater discharges at truck stops are managed in accordance with the 'Environmental guidelines for water discharges from petroleum industry sites in New Zealand', Ministry for the Environment, 1998 (*The Guidelines*). 'At risk' areas (i.e. locations where fuel products are being transferred, such as the refuelling forecourt and remote fill points) must be graded and directed to treatment devices such as an oil-water separator and treated separately (usually) than the 'balance' stormwater.
- c) Road frontages, including signage. Road frontages are an important component which contributes to the safe and efficient operation of truck stops. These frontages typically contain landscaping comprising low-level shrubs and grasses, which ensures clear visibility of the forecourt for trucks to safely enter / exit the site whilst also providing an amenity buffer between the site and streetscape. The frontage also contains signage, which provides for early identification of the site to promote safe access.
- d) Location. Truck stops are predominantly located on key arterial routes. This is because they need to be easily visible and promote safe access for fuel tanker trucks (tankers) carrying large volumes of hazardous substances. Accordingly, the relationship between a site and the road environment is critically important to the location and operation of a truck stop.
- e) Traffic access and safety. Tankers frequently deliver fuel to truck stops. Further, truck stops often share a site with service stations (as is the case for Caltex Dairy Flat). Having a layout that ensures safe and convenient access and manoeuvring for tankers within the site and in a manner that reduces the potential for conflict with service station customers is therefore often a critical component of truck stops.

D. Reasons for Submission

Site Impacts

- 8 The existing Caltex truck stop at 1433 Dairy Flat Highway, Dairy Flat (Lot 1 DP 45358) is located on the south-western corner of the T-intersection between Dairy Flat Highway and Kahikatea Flat Road. The truck stop shares the site with the Caltex service station. When refuelling the site, truck stop tankers enter the site via the wide vehicle crossing on the Dairy Flat Highway (service station customers also enter via this access) and exit the site via the Kahikatea Road vehicle crossing. Key site features and the tanker delivery route are depicted in **Figure 1** below.
- 9 NoR 8 and NoR 11 of the North Project propose to implement a designation boundary which runs along (or with) the eastern boundary of the site, but encroaches into the site's northern boundary. It also proposes permanent road upgrades including a new footpath, cycleway, and berm next to the site's frontage, as well as earthworks (fill). Refer to **Figure 1** below.

¹ This includes the Hazardous Substances and New Organisms Act 1996 (HSNO) and Health and Safety at Work Act 2015 (HSWA).

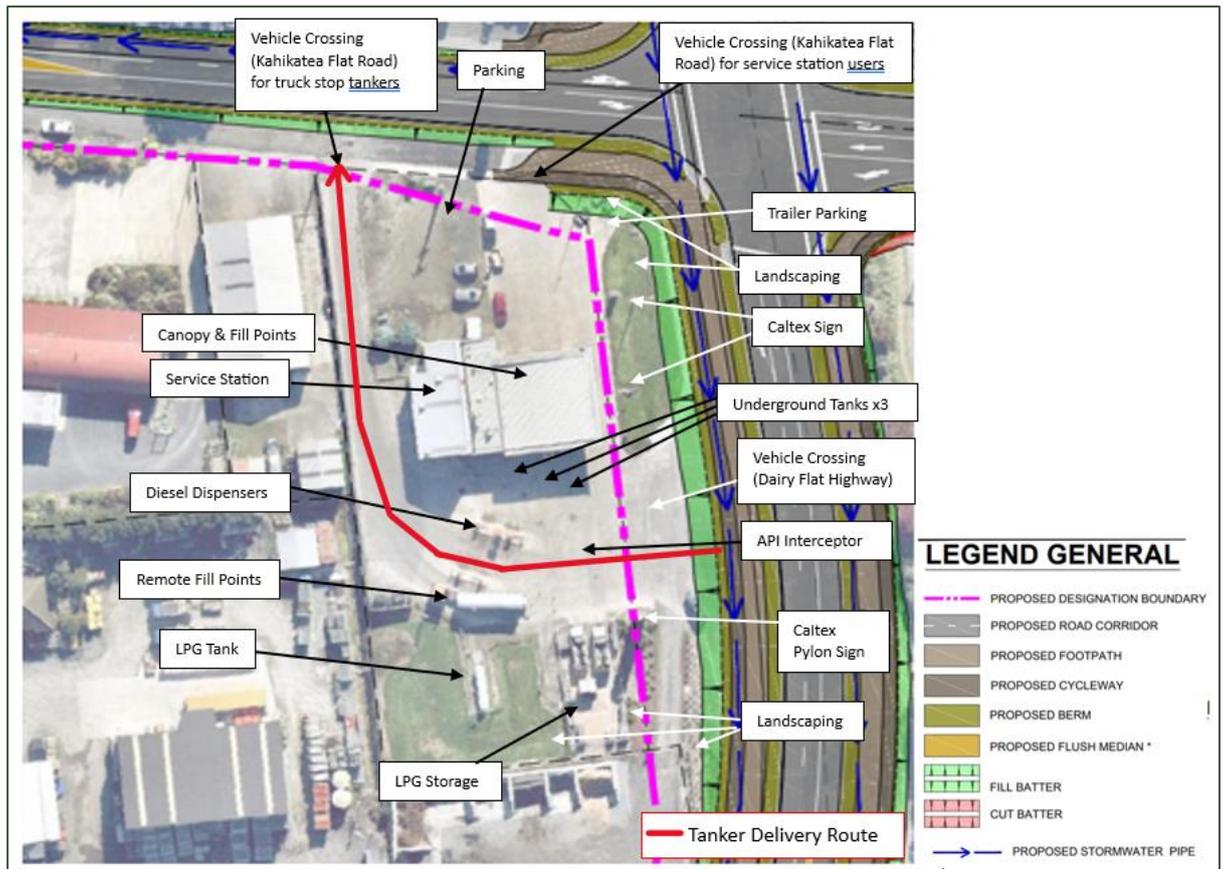


Figure 1: Caltex Dairy Flat Diesel Stop (and Service Station) Site Features in Relation to Proposed North Project NoR 8 and NoR 11 Concept Design Drawings (Source: Northern Project NoR 11 General Layout Plan)

- 10 The designation boundary does not extend into the Caltex site’s operating boundaries (except for a small portion of the tanker exit point) and the concept plan shows the permanent works corridor to be reasonably setback from the Caltex truck stop site. As such, the NoR in its current format *may not* result in any permanent operational impacts on the Caltex Dairy Flat truck stop. However, this is subject to detailed design and ensuring existing accessways are maintained or redesigned to continue to facilitate safe and efficient access for trucks and tankers, and that appropriate conditions are in place.
- 11 Z seeks to ensure:
 - a) That the NoR does not propose permanent road changes that adversely affect the eastern extent of the truck stop, including the vehicle crossing. The site has a wide vehicle crossing, which must be retained to ensure that there is sufficient space for tankers and customers to manoeuvre safely.
 - b) That the existing Caltex truck stop signage will not be affected by the NoR, including the pylon sign at the front of the site. Or that it will be relocated to a location agreed to by Z Energy which does not impact the operations at the site (both the service station and truck stop).
 - c) That the designation boundary does not extend any further into the site than currently proposed in the NoR application.
 - d) That the road changes and designation boundary encroaching into the Caltex truck stop exit point do not impact the ability of tankers to safely exit the site.

- 12 Z also has a particular interest in ensuring that potential adverse construction effects on the Caltex Dairy Flat truck stop are appropriately managed, noting that (a) a 3-4 year (NoR 8) or 2-3 year (NoR 11) construction timeframe is proposed, and (b) the concept level design plans and designated area could change to suit AT's future plans. Given the critical role that the truck stop plays in supplying diesel to the wider area, maintenance of convenient and safe access for the site is critical for the duration of the works.

Submission on Conditions

- 13 Z Energy has reviewed the proposed conditions contained in Attachment C of Form 18 – Nors 5-13 – North. Failure to factor in the site-specific issues identified in this submission early on at the detailed design process has potentially significant adverse effects. Z Energy is therefore of the opinion that the conditions should provide more specific recognition of matters that need to be addressed at detailed design stage, rather than leaving this ambiguous and open-ended. To address this outcome, and broadly comment on the suite of conditions, Z Energy submits that:
- a) Not all management plan conditions require consultation with affected landowners and occupiers.
 - b) The extent to which feedback from consultation with affected landowners, leaseholders or occupiers is taken into account is unclear and should be acknowledged as a priority through conditions. i.e.: there is no clear requirement that feedback be considered and implemented to the extent practicable by the requiring authority.
 - c) The conditions do not go far enough to demonstrate that effects on the Z Energy site will be avoided, remedied or mitigated.

Relief Sought

- 14 The Submitter seeks that the designations are amended to avoid, remedy, or mitigate all matters of concern raised in this submission, including but not limited to the following:
- a) Avoid or minimise the encroachment of the designation boundary into the Z site and ensure that any temporary or permanent effects do not impact the site's ability to safely operate, including with regard to access/egress, all-vehicle manoeuvring, parking, stormwater treatment and drainage, the storage and use of hazardous substances (including tanks, remote fills, vents, dispensers), and signage.
 - b) Retaining safe and convenient entry and exit crossings, including the ability to right turn in and out of the site for all vehicles.
 - c) Retaining safe and convenient tanker access to and from the site and the remote fill points.
 - d) Retaining safe and convenient on-site manoeuvring.
 - e) Ensuring that any resultant changes will not result in Z Energy being unable to operate its activity at the site lawfully.
 - f) Ensuring that works are appropriately managed through conditions to avoid, remedy, or mitigate adverse effects on the Submitter, per the below.
 - g) That the following condition changes are implemented (at a minimum):
 - i. **Proposed Condition 3 (Designation Review)** – The use of the phrase “or as soon as otherwise practicable” is unclear in the context of this condition. Amend the condition so that it states: *The Requiring Authority*

shall as soon as practicable, and otherwise within 12 months of Completion of Construction for each Stage of the Project...

- ii. **Proposed Condition 8 (Management Plans)** – As drafted, the condition does not require the requiring authority to incorporate feedback from stakeholders. Rather, it simply directs the requiring authority to summarise feedback and state whether the feedback has been incorporated or not. Amend the condition to require that, the summary of comments received (required by (8(a)(iv)) demonstrates how, as far as practicable, the feedback from stakeholders has been incorporated.
- iii. **Proposed Condition 11 (ULDMP)** – Z Energy supports the intent of this condition however notes that there is no requirement in the condition, as drafted, to invite key stakeholders to participate in the development of the ULDMP. This should be included as follows in a new clause in the condition: *Key stakeholders identified through Condition 15(a)(iv) shall be invited to participate in the development of the ULDMP at least six (6) months prior to the start of detailed design for a Stage of Work.*
- iv. **Proposed Condition 13 (Existing property access)** – This condition is supported because it refers to landowners and occupiers who may be affected.
- v. **Proposed Condition 15 (SCEMP)** – The condition should be amended to include the requirement to prepare a schedule of sites affected and site-specific matters identified in the schedule to be addressed through consultation (refer to the Joint Witness Statement (Planning – Conditions) dated 20 September 2023 submitted to the Hearing Panel for the NW NORs). It is assumed that Z Energy will be a stakeholder to be engaged and listed under 15(a)(iv).
- vi. **Conditions 14 and 18 (CEMP and CTMP)** – These two conditions do not require consultation or engagement with any party in their preparation. Further, it is unclear from the SCEMP condition if these Management Plans are to be prepared in consultation with affected parties. Z Energy seeks that SGA either amends these conditions to require affected parties to be engaged with so as to participate in the drafting of these management plan OR amends the SCEMP condition so that this requirement is clear.

15 Z Energy would be pleased to meet with SGA to discuss this submission.

Signed on behalf of Z Energy Limited

Regards,

SLR Consulting New Zealand



Phil Brown

Senior Planner

philip.brown@slrconsulting.com

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 11) New Connection between Dairy Flat Highway and Wilks 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.